

HOUSE OF ASSEMBLY

Tuesday, 2 May 2023

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

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

The **SPEAKER** read prayers.

Bills

RESIDENTIAL TENANCIES (PROTECTION OF PROSPECTIVE TENANTS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 23 March 2023.)

S.E. ANDREWS (Gibson) (11:01): I rise to speak on the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill 2023. We all know that housing is currently at a premium, with mortgages ever increasing and a significant shortage of rental properties. The current cost-of-living crisis created by the former federal government and the war in Ukraine is crippling our community, with people prioritising their rent or mortgage payments over essentials such as food, medicines and bills.

Our government is fully aware of the pressures facing South Australians, which is why we are acting to reform the Residential Tenancies Act 1995 to better meet the needs of today's rental housing market, improve protections for renters and ensure landlords can continue to manage properties effectively. Rental reforms have been initiated in all Australian jurisdictions, and the Malinauskas Labor government will ensure that South Australian tenants are not left behind, by implementing regulatory safeguards that protect households.

As part of the reform to the RTA last year, the Minister for Consumer and Business Affairs announced a review of the RTA, with the release of a discussion paper marking the start of the most comprehensive review of the RTA since 2014—also initiated by Labor. The Malinauskas government has identified immediate priorities to be introduced now to assist renters with affordability, protect tenants' rights and privacy and improve the housing outcomes for people in South Australia through our recently announced housing package, A Better Housing Future.

The shortage of rental properties has led to rent bidding and a request for tenancy information that exceeds what a tenant would reasonably be expected to provide. These practices are unacceptable and must stop if South Australians are going to have a fairer chance of securing a rental property. This bill addresses the issue of rent bidding and other priorities identified as part of the government's plan for a better housing future. It will also take the first step towards standardising rental application forms and protecting tenant information.

Last year, a young woman I know was required to refill and resubmit an application form for each rental property she sought to secure, despite it being with the same rental agency. This happened time and time again over the 18 months that she was looking for rental accommodation; given the number of properties prospective tenants have to apply for, this is an unnecessary burden. Yet, to really challenge this young woman's privacy, one application required she video herself at her current address—you can hear the alarm bells ringing. This is a shocking breach of privacy and would likely lead to discriminatory behaviour and possibly worse. Others requested a reference from the applicant's employers, handing the power of accessing shelter to their boss.

This bill is one part of the Malinauskas government's plan for a better housing future that provides an immediate response to the challenges being experienced by many South Australian renters. The amendment bill provides for information to be prescribed in the regulations that must not be requested of a prospective tenant. There will be further targeted consultation on the information prescribed, which may potentially include the applicant's rental bond history, a statement from a credit or bank account containing daily transactions and any information about the applicant that relates to a protected attribute under equal opportunity legislation.

We must remember that these people are renting a house and supplying this information to a stranger, not to a government department or other trusted agency. It is therefore appropriate that protections are in place, especially for parents, women, multicultural groups, our queer community and people living with a disability. Imagine: you might be a woman who has escaped a domestic violence situation and is seeking rental property, and you must provide information that may disclose details you would prefer not to disclose in order to maintain your safety. Additionally, remember that you are handing them to a stranger. It would make you feel unsafe.

The Malinauskas government wants to protect tenants but also not disadvantage some of our most vulnerable community members. Following consultation with key stakeholders on the draft bill, based on feedback the state government has received we have included a technical amendment to ensure the exemption under section 47B(2) is intended to apply only to a landlord or agent who is also a housing assistance provider to ensure the prohibition does not interfere with the housing assistance provider requesting information required to determine a tenant's eligibility.

Our government takes discrimination seriously, with the amendment bill proposing that an expiation fee of \$1,200 or a maximum penalty of \$20,000 apply for these offences. As I mentioned, we need to protect renters' personal information, especially given the cybersecurity incidents we have seen with Optus, Latitude Financial and so many other cases where individuals' personal information has been accessed. The amendment bill contains measures to protect tenant information by prohibiting tenant information from being disclosed without their consent or as required by law, the tenancy agreement, a court or a tribunal.

Tenant information for a successful tenant is required to be destroyed after three years and within 30 days of a tenancy agreement being executed for unsuccessful tenants. However, prospective tenants can consent to their information being held for up to six months to support looking for another tenancy. The amendment bill also regulates the disclosure and destruction of prospective tenant information provided for the purposes of applying for a tenancy. A maximum penalty of \$20,000 is proposed to apply, with an expiation fee of \$1,200.

Rent bidding is a reprehensible, unfair and dishonest practice that no reputable landlord or real estate agent should be engaged in, but sadly we do know it is regularly reported in South Australia. This amendment bill prohibits rental properties being advertised at a price range and prevents landlords or agents inviting higher rent offers. In addition, third parties, which often include websites facilitating tenant application forms, are prevented from engaging in rent bidding. Provisions relating to third parties are intended to address conduct involving prospective tenants being charged fees for background checks and an assessment or rating of their suitability being provided to the landlord or agent.

There are reports that in some instances prospective tenants paying for the background check and offering higher rent have been afforded a higher rating. This is unfair. The amendment bill prohibits rent bidding by the landlord or agent, prevents a person in trade or commerce from providing an assessment or rating of a prospective tenant that is based on an offer of higher rent and disallows a person from receiving or requiring a prospective tenant to pay for an assessment or rating of their suitability for a tenancy.

The fourth immediate priority announced as part of the Malinauskas plan for a better housing future relates to more affordable residential tenancy bonds, which has been progressed through amendments to the Residential Tenancies Regulations 2010. Due to rent price increases, renters of even moderately priced housing are currently required to provide a six-week rental bond, a significant challenge for those looking for affordable housing.

Currently, landlords can claim residential bonds equivalent to a maximum six weeks' rent when the weekly rent is \$250 or greater, with only a four-week bond entitled to be claimed for properties falling below that threshold. However, increasingly fewer properties fall below this threshold, particularly in my electorate of Gibson where the cheapest weekly rent for a three-bedroom family home starts at around \$450 a week. During a recent search, I could not find a three-bedroom rental property below \$250 per week anywhere in metropolitan Adelaide.

For these reasons the bond threshold will now be raised to \$800 to ensure that, for the majority of rental properties in South Australia, only a four-week bond will be required. This change will reduce the amount of up-front costs for tenants by between \$500 and \$1,600, depending on the amount of rent they are paying. For example, based on the lowest rental price for a house in the Gibson electorate, the current bond amount would be \$2,700 and with the changes we have made to the residential bond amount this would be \$1,800, a saving for tenants of \$900.

The consultation on the RTA review has concluded and Consumer and Business Services is currently preparing a report based on the 5,000 responses and 150 submissions to the government that were received from the YourSAy consultation. The reforms in this bill are the government's immediate priorities, with further consideration and consultation on the broader review of the Residential Tenancies Act 1995 to take place before being introduced to parliament later this year.

I know from the constituents contacting my office that the housing situation is critical in our state, with the number of people calling my office seeking assistance due to financial pressures increasing. These are people who are working but cannot find a suitable rental property, people whose children are having to sleep on the floor and the increasing amount of people living rough. I know, as do my colleagues, that this cannot continue, which is why we have provided practical assistance to South Australians having re-funded services that assist those who are homeless or victims of domestic and family violence that were cruelly cut by those opposite.

We have unveiled a once-in-a-generation housing policy, including the Premier, Treasurer and Minister Champion announcing the single largest release of residential land in the state's history at Concordia, Dry Creek and Sellicks Beach and further announcements made in the last few days. Additionally, we are delivering the first substantial increase to public housing in a generation, including 946 new public homes, the upgrade of 350 and extra maintenance for a further 3,000 properties, while stopping the planned Liberal sell-off of 580 homes.

Labor is about making the lives of South Australians better, investing in the future, undertaking sensible legislative reform and working to ease the pressure on South Australian families. I commend the bill to the house.

Mr TEAGUE (Heysen) (11:13): I indicate the opposition's support for the bill, and I indicate also that I am the lead speaker for the opposition. In indicating support for the bill, I highlight that this is perhaps not the occasion for too much grandiose language about solving what is clearly a set of circumstances of high stress in housing across the board, in particular in relation to residential tenancies. That is acknowledged. That is a matter that continues to be at the feet of the government day to day. This bill is certainly not going to be—

The SPEAKER: Member for Heysen, I am informed by the Clerk that there is a record of you already speaking on the bill. We are confirming our records.

Mr TEAGUE: The bill was introduced and the second reading moved by the minister on 8 March, if that assists the Chair, and debate was adjourned on that occasion.

The SPEAKER: To the 23rd.

Mr TEAGUE: That is at page 3286. That is what I have.

The SPEAKER: Yes. I am just conferring with the Clerk, member for Heysen.

Mr TEAGUE: In the event that there was an opportunity, and I have overlooked it, I am grateful—

The SPEAKER: I am reluctant to prevent you from speaking. In fact, I would rather you continued on indulgence in any event until I take further advice from the Clerk.

Mr TEAGUE: With that in mind, I will be as brief as I have indicated in any event.

The SPEAKER: Member for Heysen, the Clerk's formal advice to me is that the record reflects you already speaking and, therefore, your continued remarks are out of order. I regret to provide you with that advice because you are making a useful contribution to the house. Nevertheless, it may be that you turn to another speaker on the opposition's side.

Mr TEAGUE: If that is the case, it is perhaps the result—although entirely my responsibility—of the time that has passed since we were last here. I hope it is of some help to the chamber that I reiterate the opposition's support and, to the extent that the rest of my remarks remain on the *Hansard*, they might serve some useful purpose. I endorse the bill. I note that there is a necessity to go to committee in due course. The minister has provided filed amendments.

The SPEAKER: Very well. Is there another opposition speaker seeking the call? If not, I turn to the government side. Member for Davenport.

Ms THOMPSON (Davenport) (11:16): Thank you, Mr Speaker. I, too, rise in support of the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill. It is a timely amendment to an important act, which will protect the rights of tenants as well as assist with alleviating cost-of-living pressures and create a fairer rental market. This legislation is just one element of our government's A Better Housing Future plan, which will:

- increase affordable housing;
- increase residential land supply;
- create a private rental assistance program;
- provide support for homebuyers;
- increase regional housing;
- upgrade Housing SA properties; and
- build new Housing SA homes.

One of the key elements of this amendment bill is to protect tenants through the banning of rental bidding and price ranges. Agents and tenants with whom I have spoken in my electorate of Davenport welcome this ban because it creates a fairer and more affordable rental market.

The practice of rental bidding is unfair and, in some situations, underhanded. It forces the property manager to essentially conduct a silent auction between potential tenants and the landlord. It drives the weekly rental price up out of desperation and essentially cuts people with less affordability out of the housing market.

Many people I know and have spoken to in my community say that they arrive at an open of a rental property within their budget feeling excited and feeling hopeful, only to walk in and overhear other potential tenants offering the property manager more than \$100 per week over the advertised price. I remember this happening to my husband and I time and time again when we were looking for a rental property. It is disheartening, it is stressful and it is a huge waste of time for busy people trying to find a family home. Every South Australian deserves to have a roof over their head and to be safe and secure in a place that they can call home.

Rental bidding is a greedy practice and, in the current housing climate, unethical. It should be banned in South Australia, like it already is in other states. I know that some landlords may be less excited about this. I have heard some commentary that we should stay out of the business of landlords and that this could be seen as a disincentive for home owners to put their homes on the rental market.

These amendments are not designed to restrict the rights of landlords, nor will they turn the rental market as we know it on its head. Landlords will tell you, rightly, that their rental properties are a means of housing supply, so when New-Age practices start pricing would-be renters out of the market it is time that we take stock.

This is not a war on landlords. This is about ensuring the rental market does what it says on the tin, which is increase housing supply. I hope any home owner serious about placing a property on the rental market is doing so for that reason as well as to achieve their own investment goals. These people, I am sure, will be in support of sensible reform like this.

A ban on rent bidding brings with it 'clarity and transparency for tenants'. Those are the words of Mr Cain Cooke, Real Estate Institute of South Australia CEO. It is evident that there is support from industry for this proposal. There is a strong consumer appetite for reform, and this government is committed to driving the necessary change. Now it is time to get this done.

Another important element of this bill is the proposed changes to rental application forms and the information the potential tenant needs to provide. Under the Equal Opportunity Act it is illegal to discriminate against a person based on personal characteristics, but it happens—we know that it does. I know of families who have lied on application forms about their marital status, their pets and even their children, as they were desperate for a home and worried about discrimination or judgement. I will support anything we can do as a government to remove discrimination and create an even playing field for all people looking for a home.

Disclosing your financial activity and history is deeply personal, and this legislation will provide privacy protections and assurances for tenants around their personal information. For example, a new single mum, perhaps a victim of domestic violence, may have to provide a record of bond history in an attempt to secure a home. If the records from her past are negative and potentially not her responsibility, that information could be held against her as she tries to begin a new chapter and provide a safe place for herself and for her children.

This government is serious about protecting the rights of the individual, in particular one's right to privacy. That is why this amendment bill provides the prescribed information that cannot be requested of a prospective tenant, because wanting a roof over your head should not lay bare your personal affairs.

Nor should applying for a rental property leave an applicant exposed to what remains a concerning increase in cybersecurity incidents. Customers of Optus, Medibank and a host of other businesses know all too well the difficulties a cybersecurity breach can cause. The Malinauskas government is committed to protecting the data of both tenants and prospective renters as best it possibly can.

Clauses contained within the government's proposal require a successful applicant's information to be destroyed after three years. For unsuccessful applicants this requirement is within 30 days of a rental agreement's execution. I am pleased to form part of a government that is tackling the real threat of cybercrime head on. For breaches, penalties of up to \$20,000 are proposed.

The A Better Housing Future plan addresses the current housing challenges so many South Australians are facing. Our population grew significantly last year, and we already had a shortage of houses. This increase in population is only expected to grow. Under the Malinauskas Labor government this state is thriving. We have seen unprecedented hotel occupancy in the wake of the Adelaide 500's return, the Fringe, the AFL Gather Round and LIV Golf, key indicators that more people are being drawn to South Australia and more and more people are looking at South Australia as a place to call home.

We want every South Australian to be able to secure a roof over their head. This is why we have committed to a record land release, which is set to deliver more than 23,000 homes. We are already hard at work, with 235 hectares of land at Hackham having been rezoned, creating capacity for at least 2,000 new homes.

New builds are just one lever that we are pulling to address the matter of housing affordability. This government's approach is multifaceted. The Malinauskas government's A Better Housing Future plan includes a variety of commitments in relation to Housing SA property upgrades and new builds as well as residential land releases. It also includes more affordable residential tenancy bonds, which is a crucial element of this legislation.

In response to cost-of-living pressures, tenants will be able to save up to thousands of dollars which would normally be allocated to bond. Increases in rent have seen tenants of even modest

properties shell out six-week rental bonds, as opposed to the four weeks that longer time renters would be accustomed to. We know this up-front expense proves a significant barrier to those seeking affordable housing, and that is why we are taking action.

A change in the bond threshold will see a majority of rental properties in South Australia require a bond of four weeks only. This change will drive a reduction in up-front costs and help families facing cost-of-living pressures to get their feet through the door. This new bond amount will apply to any bond paid or payable under an agreement entered into on or after 1 April 2023.

Not only is this a better deal for renters, it is a better deal for South Australia. More money in the tenant's pocket means more money for dinner at the pub, a ticket to a show, or a coffee from the local on a Sunday morning. More money in a renter's pocket improves more than just their quality of life. It gives them an opportunity to spend their hard-earned where they choose, support local business and drive our economy.

For those on lower incomes, this small change becomes all the more dramatic. A reduction in up-front expenses for some will be the difference between a roof over their head and a properly furnished roof over their head. It means that tenants will have extra funds available to set up their home, connect their services and buy the little things that we all take for granted.

This is not what we have grown to expect in an economy as advanced as Australia's, and now we need to right the course. For me, this small change concerning rental bonds is the right start. It is important to note that these matters have been identified as the state government's immediate priorities, with further consideration and consultation of the Residential Tenancies Act to occur throughout the year.

I know that high on the agenda of my constituents is the matter of pets. Those who know me know that I am a huge animal lover and a dog and cat owner. There was a time when I had to find a pet and child-friendly property, which was not easy. Pet-friendly rentals are rare, and tenants with pets often encounter difficulties in finding accommodation. It is a matter raised with me by many in my community, and I absolutely understand their frustrations. Pets provide companionship. They provide joy, and for many our furry family members were critical to our mental health during the past few years of uncertainty. For the vulnerable, the elderly, children and those with special needs, a pet may be their closest family member.

Legislation changes in other states have helped to reduce barriers for pet owners seeking rental properties, and I hope further work on our Residential Tenancies Act will see more pet-friendly rental properties made available to South Australians. Rental reforms are happening all over Australia and it is important to me that South Australian tenants are protected and supported too. I commend this bill to the house.

Mr HUGHES (Giles) (11:27): I also rise to support the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill 2023. I think a good starting point is the comments made by the Premier a while back, where he indicated that every South Australian deserves a roof over their head, a secure roof over their head. He did use the term 'home'. Even the term 'home' is interesting, given the nature of the housing market over recent decades, with the financialisation of something that once upon a time represented something basic. That financialisation of the housing market over the years has in a number of ways had a detrimental impact.

Clearly, this bill before us is an amendment to one act, and it will be the first in a series of amendments to this particular act that will be addressed at some point in the future. In coming up with this amendment, there was widespread consultation with a whole range of groups, with peak bodies and with people who look after the most vulnerable in our communities.

As a result of that series of consultations, a number of issues were raised. This is, once again, when we are talking about this particular bill, when we are talking about this particular act. Of course, the Malinauskas government has a layered approach when it comes to what I would call the housing crisis that we face in this state and, indeed, nationally.

This is one element and an important element, but a small element in the overall approach to addressing housing. When it came to the consultation about this particular bill—and, as I said, the amendments to this act that might come before this house in the future—the issues that were raised

included renting with pets, which is often very difficult. My daughter has two big dogs and currently lives in Whyalla but will be moving to Adelaide. I said, 'You are going to find it hard in this tight rental market with two big dogs, one of whom is insane, to find a place to live.' That is a challenge that she is going to have. Renting with pets is not addressed with these particular amendments.

A crackdown on the practice of rent bidding is addressed. This is something that has happened in a number of states and so South Australia has fallen into line. It is important that we attempt at least to address rent bidding because of the impact that is having on tenants at the expense of a lot of people, and sometimes incredibly vulnerable people, who are out there in the private rental market at a time of rental shortages.

The other thing that is addressed in this particular bill is the maximum bond amount, something else that is important given the increases in rent and the percentage that is worked out. This increase in bonds is having a major impact. There are a lot of people who are in a position where the bonds that are being asked for now they cannot afford, so they are almost automatically locked out of the market or find it very difficult. Standardising application forms is another thing addressed in this particular bill. That is a sensible and commonsense approach and I think it has widespread support.

There are a number of elements that are not touched upon but might well be in the future: whether there is a minimum notice required for not renewing a fixed-term tenancy agreement and whether that should be increased. One of the peculiarities of the Australian housing market, compared with a lot of housing markets overseas and especially in Europe, is the length of time of the tenancy. It could be six months, it could be a year, and one of the important elements is the need for people to secure a home with some stability. If you cannot do that, it has all sorts of impacts. It has impacts on parents or a parent, it has impacts on children, and it has impacts on single people as well. Housing security is something that is incredibly important.

The other thing that is not touched upon in this bill, and it might well be in future bills, is housing standards. We know that a lot of tenants feel very reluctant to raise issues when it comes to the quality of housing lest they be put in a position where they have no house at the end of the contract. Some of the work that has been done on housing standards in Australia generally indicates, in a lot of cases, very poor standards, especially when it comes to heating and cooling and the energy efficiency of houses, and that can have a direct impact upon people's health. But there is a whole raft of other issues when it comes to standards, things that need to be fixed that are often not fixed and the slowness of that fixing.

I am fortunate to be in a position where I have housing security. I have been, at times, a landlord, and I have to say a pretty good landlord, always quick to respond when something needed to be done. When house rents were going up I kept it very moderate indeed, because I had good tenants, but there is a whole raft of issues that needs to be addressed when it comes to standards. Safety modification is another thing that needs to be looked at. There are general standards, but there are also standards when it comes to the safety of a house. Once again, tenants feel as though they are in a position not to ask for the things that need to be done.

Support for renters who are experiencing domestic violence, which is a scourge—and this is one of the incredibly vulnerable groups in our society when it comes to ensuring some security for people who have been the victims of domestic violence. These are all important elements, some of which are addressed in this particular bill and, as I said, we will be revisiting some of these issues that have come up during the consultation phase to see what can be done to improve the situation further.

I indicated that this is part of a layered approach and that a whole raft of things needs to be done at a state level to address the crisis that we have but, importantly, there needs to be a partnership with the federal government because this is a national crisis. You can track back how we have ended up in this situation. It is interesting just to look around nationally at the number of train wrecks that the federal government have inherited, but you could argue that when it comes to housing the policy antecedents go back many years to the federal government under the Howard government and their approach to the federal-state housing agreements where they, in essence, vacated the field.

It is about how things slowly cascade over the years and then are compounded by other elements that then lead to the position that we are in now. The people who are paying the highest price—whether they are in the public arena, the public housing sector, on a waiting list or in the private rental market—are those vulnerable people who are hit the most, and young people.

Young people, in general, have inherited a bad set of circumstances when it comes to housing and the ongoing crash in the number of young people who are going to be able to move into the private housing market. There are difficulties with rental and then the difficulty with actually buying a house. The thing about Australia is that we did have very high rates of home ownership and, in a lot of ways, that home ownership then fed into how we geared our welfare policies because the assumption was when you retire you are going to have a house to live in.

The other group that has been really caught out and caught out badly when it comes to housing has been older women: women who are 50-plus. That is not old in my view, but anyway at 50-plus are the people who have been caught out and caught out very badly. When you see people living in cars and other incredibly insecure forms of accommodation, if we can call it that, something has gone seriously wrong in this country that at one time was blessed when it came to home ownership.

We need to increase housing affordability and there are a number of elements to that: obviously when it comes to public housing and the capacity to be able to provide someone with a public house that is important. When you look at the numbers, going back to say 1980, you look at the crash in the numbers of people in public housing, you look at the crash over the years when it comes to investment in public housing. At one time—it would probably be back around 1980 or thereabouts—13 per cent of the investment in housing in Australia was in public housing. That has crashed to something like under 3 per cent of the investment—possibly under 2 per cent—that is now in public housing.

When you look at the OECD countries when it comes to the provision of public housing, we are one of the worst performing countries amongst the advanced nations, especially when you look at the European nations. That is something that needs to be addressed, and that is going to take a real partnership between the federal government and the state governments.

One of the things that we have done as part of the layered approach to housing in this state is the release when it comes to lands supply in the north of Adelaide, south of Adelaide and Murray Bridge. When I look at my communities—because there are issues in my communities as well, whether it is Port Augusta, whether it is Whyalla—there are some real issues when it comes to housing.

Supply has been opened up in Adelaide. There is supply in regional communities, but the difficulty in regional communities is getting investors willing to do subdivisions, and there are a range of reasons for that. When they are willing to do it, it is the cost of doing it in regional communities. Of course, we face supply chain issues; we are facing a major issue when it comes to a lack of skilled workers in the construction sector. However, it is important that we do make land available, whether it is subdivisions or whether it is small parcels here, there and everywhere. That is going to be an important element of addressing some of the challenges.

Residential tenancy reform, which I have touched on, is another important element in protecting tenants. It is always a balancing act. You want to do the right thing by landlords as well, because there are a lot of good landlords. There are some arsehole landlords, but there are a lot of good landlords around the place. We have to, in a reasonable way, look after their interests.

Private rental assistance is another important element. I am hoping that the federal budget is going to address part of that, and we are doing what we can in this state to assist. There is support for homebuyers—there are various schemes in place to provide assistance for homebuyers to take that first step into the housing market.

It is good to see that Renewal SA now have a regional agency and a pilot program to look at, initially, housing for essential workers in a number of communities. In my electorate, Port Augusta is one of those communities. It is looking at teacher housing, housing for nurses and housing for police in regional areas. This is an initial, small pilot program, but it will expand. The good thing about

the new agency within Renewal SA with a focus on regions is looking at different partnerships and how we address the issue of shortages in regional South Australia.

I was a beneficiary as a child coming from the UK when housing policy in this state was part of industry policy. We came out to Australia and within two or three weeks of being here we had a three-bedroom house. My mum and dad and us three kids had a three-bedroom house that my mum and dad then went on to live in for many years. I think we need to, in some respects, rejig our housing policy. There needs to be a wider dimension to it, especially given some of the issues that we face as a nation and a state in attracting skilled workers.

We need to not just focus on housing for people in category 1 with real need. Clearly it is not necessarily government policy, but I would argue that we need to revisit what the Housing Trust did all those years ago and have a 21st-century version of the Housing Trust so that it does form part of industry policy. It can do so in partnership with the private sector, but sometimes it might have to do it alone. We need to look at how we do that, because the challenges are profound.

Going back to that period of time in the community that I moved to with my family from the UK, there was serious industrialisation going on. We had a demand for skills, which we filled with people from all over the place. Those of us who came here, as I said, had secure housing as part of that whole package of coming to Australia. My parents did not like being referred to as ten-pound Poms because they were Scottish and Irish, but for the whole package of that approach—assistance to come here, making it easy, having a house—we need to start looking at what we are doing nationally and at a state level and seeing what we can learn from the past and how we adapt it.

It is good to see the current federal government addressing the mess that is our visa system—and what an absolute mess they inherited. It needs to be simplified; it needs to be far easier for people, especially people with skills, to come to Australia. But then we have to address the housing issue. Because of COVID we are going to have an uptick in immigration levels that is going to put even more pressure on housing, so we need to have far more creative solutions.

I will say that there is a good start at the federal level, assuming they can get some of their legislation through, but they are going to have to do far more. We as a state are going to have to do far more because we are in competition with other countries that are making it a lot easier, whether it comes to housing or whether it comes to visas, in order to attract skilled people to Australia. We know that in this state, with some of the projects and some of the long-term projects that are on the drawing board, we need to bring people in, and it is going to be very difficult to bring people in if they cannot afford housing.

I spent the last part of last week in my community trying to assist somebody who had five children—a single mum, but her dad also lived with her. She was in the private rental market in Whyalla. The landlord wanted to sell the place, but he provided, if you like, a six-month grace to give her the opportunity to look around and see if she could get another private rental. She could not. She could not find a private rental anywhere in Whyalla that would accommodate their needs in a price range that they could afford. When you go into the real estate agencies in Whyalla now, there are lots of houses being sold and lots of houses under contract.

I contacted the Housing Trust—and I am still calling it the Housing Trust—and they somehow performed some magic because initially they thought they had nowhere and now they have found somewhere. It is not ideal for the size of the family, but at least it is a stable roof over their head, compared to what they were offered by Centacare—and this is the experience of a lot of people—which was a tent. I am not blaming Centacare; that is the position that they were in. We have profound challenges when it comes to housing in South Australia and nationally, and it is going to take a lot more policy grunt than we have seen to date to address it.

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (11:48): I am really, really proud that, through this bill, our government is reforming the Residential Tenancies Act to make sure that we better meet the needs of today's renters by absolutely improving protections for them and also by responding to the needs of today's rental housing market and making sure that landlords can continue to effectively manage properties. Rental reforms have been initiated across all Australian jurisdictions. Our government will ensure that

South Australian renters are not left behind, by making sure that we implement regulatory safeguards that protect them.

In making these remarks, I want to say thank you to the minister for her tireless work in this space and for bringing this bill to the house. I also thank her team for their work, and also the many South Australians who have provided information, contributed ideas and raised issues that we now respond to through this piece of legislation.

As part of the reform to the act, last year the Minister for Consumer and Business Affairs announced a review of the act, with the release of a comprehensive discussion paper, marking the start of the first really comprehensive review of the act since 2014. We have, however, alongside that comprehensive review, identified some immediate priorities to be introduced right now so that we can assist renters with affordability, protect their rights and privacy, and overall improve the housing outcomes for people in South Australia.

Those steps are articulated through our recently announced housing package, A Better Housing Future. As the Premier has said—and I wholeheartedly agree—every South Australian deserves to have a roof over their head and be safe and secure in a place they call home. This government recognises the extraordinary pressure the current housing market is placing on South Australians, particularly vulnerable South Australians, and this bill is one part of the government's plan for a better housing future that provides an immediate response to the challenges being experienced by many South Australian renters.

As the house knows, South Australia's economy has been performing well and our population has been growing more strongly in the past couple of years, with more people moving to South Australia from other states. This has contributed to very strong demand for housing across all sectors and in both the metropolitan and regional areas of our state. South Australia's residential vacancy rates remain at historically low levels, and the supply shortage of rental properties has caused rents to substantially increase. This has created an environment where renters are really struggling to find rental properties in an increasingly competitive market.

This shortage of rental properties has also led to rent bidding and requests for tenancy information that exceeds what a tenant would or should reasonably be expected to provide. Through this bill we are addressing those issues. We are ensuring that information renters are required to provide is limited. The bill provides for information, to be proscribed in the regulations, that must not be requested of a prospective tenant.

There will be further consultation on the type and extent of the information that should be proscribed, and it may potentially include things like the applicant's rental bond history, a statement from a bank, etc. It will certainly not include any information about the applicant that might relate to a protected attribute under equal opportunity legislation.

It protects tenants' information, which is very important in terms of how tenants' information is disclosed or not disclosed, and how information is dealt with once a relationship between a particular tenant and landlord ceases to exist. Very importantly, it also bans rent bidding, which a number of other speakers have made important points about. It also attempts to make residential tenancy bonds much more affordable. These are very important areas to act upon, and I am pleased we are doing so.

I was absolutely appalled to hear the story the member for Gibson related about a young woman she knows who was asked to provide video footage of her being in a particular property. That is highly alarming behaviour, and it reminded me of an experience I had many years ago, as a young woman, when I was renting a maisonette by myself. The rental arrangement was through a real estate company but the father of the person who owned the particular home lived next door to the property and unbeknownst to me still had keys to the property.

On a number of occasions I returned home to find that he had actually entered the home that I was renting and without any consultation, without any notice, had actually undertaken the moving around of furniture and undertaken particular maintenance, etc. As a young single woman, it was quite alarming to come home to find that clearly somebody had actually been in my home unannounced. It was terrible; it was appalling.

When I was listening to some of the other comments I was thinking about our two young sons, in their early 20s, and their partners. One son and his partner have living arrangements with me and my husband and the other son and his partner with the girlfriend's parents. That is a lovely arrangement. I am happy for them to stay there forever. It is fantastic. I speak with them a lot about how difficult it is to get money together. Both couples want to eventually purchase a home. It is difficult to get into the housing market but it is certainly also difficult for them to rent.

Having said that, they are absolutely lucky. They know that. They do have parents who can help to provide for them and help to fill that housing gap. It is really important that I note that, and I make sure that I note that to them most days and on some days much more vociferously than on others, depending on the circumstances. What I do know from talking to them is that many of their friends, some couples, some single people, are finding it increasingly hard to find rental properties and certainly are also finding it hard to save should they be in a rental property and wanting to actually purchase a home; finding it really, really hard to actually get to that point in their lives. I am just saying again, they are very lucky. Certainly many of the young people they know do not have that same experience.

Thinking about that reminded me of a number of conversations I have had in my community in the south. In particular, I was thinking about a young woman I know who is a young mum of two children. She is quite a young woman and her children are very young. She does not have a car. At the time I spoke with her, she was searching desperately for a secure rental property. When she spoke to me, using public transport she had gone to inspect around 40 properties.

She spoke to me about how every single time she arrived with her child to inspect properties there were dozens and dozens, if not hundreds, of people there. And each time, despite her incredible record and despite the fact that knowing this young woman and knowing her extraordinary ability to budget, to provide care and safety for her child and to manage a pretty small amount of money that she receives, despite what I say is an impeccable record in that regard, every single time in those numerous visits and numerous applications that she made for those properties that she visited, she was outbid.

To me that is utterly unfair when you have a young woman with a child who, as I said, is an extraordinary manager of her money, a really great prospective tenant, but just because she did not have that capacity to outbid others she continued to be unsuccessful in applying for a rental property. I am so pleased that through this bill we are addressing that issue which, to me, absolutely speaks to a desire from our government to make sure that there is equality of opportunity to access that safe and secure place to call home.

Also, while listening to other speakers and thinking about the importance of this bill, I was thinking about another woman I know in my community to whom I have spoken many times. She went through an extraordinarily difficult domestic violence situation, a situation where for many years she was coercively controlled by her now ex-husband, and they, for a long time, had a home that they lived in—they were both part of the mortgage on their home.

She went through a significant journey to get to a point where she decided to leave that relationship. She had many things in place, supports around her, as she made that decision to leave the relationship very carefully—and I say 'very carefully' because it was an awful, just terrible, deeply unacceptable situation where a number of her movements and transactions, etc. were monitored.

She went through quite a process to get to a point where she could safely begin to apply for rental properties. Just getting to that point was a really difficult exercise in itself, but, of course, similar to the other story that I have just recounted, she found it really, really difficult when she was able to organise herself to safely get to rental properties for inspection. Again, she found it really, really difficult to in any way compete with the excessive rent bidding that was happening as she attempted to secure a property.

I do have to just say on another note that I am so proud of this woman. She is an extraordinary woman, and I am so happy that after such a long journey just in the last few weeks—and she had a period where she did end up finding a rental—she is now just about to buy a new unit for herself to live in and again to find that safe and secure place to call home. I am very pleased that that is moving along for her, but I and other people who were supporting her and talking with her

were highly alarmed at how long she had to stay in this circumstance before she could find that rental property to exit the home.

I do commend the minister for bringing these incredibly important reforms to this place. This legislation will absolutely make a difference in people's lives. As I have spoken about, it sits alongside a number of other housing measures this government is proudly taking forward. One I wanted to mention that I do not think has been mentioned yet is that our government has also recently established—very importantly—an older women's housing security taskforce, where we are bringing together women who have experienced stress in accessing safe and secure housing in their older years.

We are bringing together experts from across the housing arena and across the social services sector. I want to take the opportunity to say thank you very much to that group of outstanding leaders who are doing such incredibly important work alongside this legislative process to make sure that we are aware of and influencing every possible lever, initiating every possible action, to ensure that that fastest growing group of people in our community who are experiencing homelessness have a plan to make sure that they are safe and secure and able to access that place to call home into the future.

Mr FULBROOK (Playford) (12:03): I am happy to rise and speak in support of the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill 2023. Before I begin, I warn you that I recently recovered from a cough, so I apologise if my voice does not go the distance.

It was nearly a year ago when I delivered my maiden speech and made it abundantly clear that we need reform in this space, for we know that housing is not a choice, nor a luxury: it is a fundamental human need and therefore we should elevate it to being a right. I say this based on the fact that we cannot expect anyone within our community to realise their full potential if they do not have access to the basics of food, warmth and shelter. If we want a harmonious and productive society, when necessary we must prioritise resources so nobody misses out on having a roof over their head.

While I believe there is a lot more to do, any investment in public housing puts downward pressure on private rental and sales costs. I am encouraged by the Malinauskas government's increase in public housing with the addition of an extra 564 public homes for South Australians who are in need. It is a good start, and I also note our commitment to carry out extra maintenance on a further 3,000 public housing properties. An increase and progressive flow on the land supply front will also have a positive impact on putting downward pressure on both rents and overall housing prices.

There is still a long way to go, and I do not think anyone in government is denying this, but it is also worth noting that there are other pathways beyond government investment to make it easier for South Australians seeking shelter. The legislative path is one we cannot ignore, and I am grateful this bill is one of a number of steps to help make a difference on this front.

Across my electorate, we have seen rents increase because of a dwindling supply. This is understandable, and in many cases we are a victim of our own successes. My electorate is reasonably close to the CBD, cosmopolitan and within close proximity to many employment opportunities. It is easy to understand why so many people want to live my way.

According to realestate.com, the median price for a rental in Mawson Lakes is \$480 a week. This is up from \$385 four years ago. In Salisbury Downs, it is at \$400, up from \$300 over the same period. Parafield Gardens has seen a steeper increase, from \$320 to \$450 a week, with similar results in Paralowie of a rise from \$325 to \$440 over the past four years.

While I have just presented median numbers, I am mindful of and have seen far greater extremes. Needless to say, I cannot see within the data at this point anything to suggest locally that there will be a decline in rental prices. When you factor in that 27 per cent of dwellings within Playford are rented and our median weekly income is \$1,455, then it is easy to see why this is a problem that bites not only hard but also wide. We have seen stagnant wage growth over the last decade, which means we are making do with a lot less.

I prioritise this problem locally, but this is not something exclusive to my electorate, let alone the state. This is a national problem that requires careful consideration from all tiers of government as well as from those who are currently in opposition. I say this because our problem of poor housing affordability took a generation to create. It will therefore take this long to unravel the problems that we unfortunately have brought upon ourselves.

While I do love the fact that Labor is in charge across every jurisdiction in Australia, I am aware that there is an inevitability that governments do come and go. We need to sing from the same sheet, and to do this properly we have to bolt in a set of principles that all sides of politics are prepared to accept. This means understanding and embracing solutions put forward from the left and also the right.

We are a federation, with capital flowing unrestricted across borders and, under current arrangements, a very liberal approach to foreign investment into our property market. This means any gains we make locally on housing affordability have the potential to be wiped out by investment from outside South Australia. It does not mean that we necessarily restrict investment, but we do need to be clear that we are not necessarily masters of our own destiny if we do not sing as one from all sides of the country. That is not necessarily easy, but if we do not try to take appropriate action together then we betray generations of future Australians who will not have the same opportunities as those before us.

Rather than wave a white flag until this is realised, I feel it is paramount that all governments get on with it and lead by example in tackling the problem. Hopefully, when one gets a good idea, others will embrace it to ensure positive changes are felt nationally. On this occasion, while I understand we are not setting the pace, we are certainly rubberstamping some positive ideas.

In my eyes, the two reforms that I am most pleased about in this bill centre around rent bidding and bonds. I understand there is more coming as a result of the most comprehensive review of the Residential Tenancies Act since 2014. When you receive more than 5,000 responses to a review of this nature, it is pretty clear that there is need for a lot of reform in this space. The next wave of reforms will be eagerly awaited as a result, but in this instance I understand that these specific changes in this bill are here because this is what the Labor government took to the people at the last election.

While it is too early to presuppose the outcomes of the consultation, I do note the matter of renting with pets was a topic of discussion. I saw firsthand in the Northern Territory how numerous stakeholders attempted to argue against this by claiming the sky would fall in and investors would abandon their product. This did not happen—and I am digressing—but I take this moment to warn those locally that, if they try a similar tactic here, there is enough data to dispel any fearmongering that may arise.

As mentioned, I am particularly keen to see the practice of rent bidding outlawed. The bill prohibits rental properties being advertised at a price range and prevents a landlord or an agent inviting higher rent offers. With a maximum penalty of \$20,000, I hope the temptation to falsify rent offers in an attempt to drive up prices is removed. While I am not suggesting for one moment this problem is rampant, removing the ability to artificially inflate the value of a rental product should have a positive overall effect on rent prices across our housing market.

I am also encouraged by what this legislation proposes to do around bonds. Getting the money together for a bond is a massive hurdle made all the more difficult through the dramatic rental increases we have seen over recent years. Under current practices, prospective renters of even a moderately priced house must provide a six-week rental bond. I say this because landlords can claim residential bonds equivalent to a maximum of six weeks' rent when the weekly rent is \$250 or greater. I would love to know where in South Australia, let alone Adelaide, you could find a decent rental at that price.

Rules currently state that a four-week bond can only be collected for properties falling below the \$250 threshold. This threshold is proposed to increase to \$800, which is thankfully below the median rent cost within my electorate. I also understand this change will affect the majority of rental properties in South Australia, which is worthy of my support. Seeing this from a local perspective, taking Mawson Lakes as an example, there is a big difference from charging \$1,920 up-front for a

bond to the full \$2,880 that would be collected now for a house under current arrangements. It is fair to charge for a bond but we are taking steps to avoid several weeks of saving that could make a difference to whether a family does or does not have a roof over its head.

It is also worth asking what basic essentials people must make do without while trying to put those extra hundreds of dollars to one side to cover the cost of the bond. The thought is a worry and something good policy should not facilitate. By and large, most tenants do the right thing, so I would also argue that it is better for the local economy to let the extra two weeks' bond money flow through local communities to create extra jobs rather than having it sitting idle in a holding account.

In focusing on this change I do feel there is need to consider the plight of the landlord. While renting presents a risk, I would be hopeful most damage caused by dodgy tenants could be claimed through landlords' insurance with a four-week bond adequate enough to cover any insurance excess. While this is primarily a win for tenants, it is worth pointing out that this was a key election commitment. Once the feedback from the Residential Tenancies Act consultation process is complete and policies are developed, I would imagine this will not be a one-sided affair for tenants.

That said, with Adelaide suffering from record lows in terms of housing stock, this trigger for housing inflation should not be ignored. It is therefore incumbent on us as lawmakers to do what we can to make it easier for those feeling the most pain to ensure they can get a roof over their heads now. I said we need to do more, and I think more broadly nationally, but we cannot afford to stand in the way of policies to help people in this space right now.

Also worthy of support is new section 47B, which provides the information that will ultimately be prescribed in regulation on what cannot be requested of a prospective tenant. I sit on the Legislative Review Committee, and I look forward to scrutinising what will fall into this space, though I am encouraged, firstly, that there will be additional consultation, and, secondly, that it has the potential to limit the applicant's rental bond history, credit or bank account details and any information about the applicant that relates to a protected area under equal opportunity legislation. There is some more work to do, but I think it is important that this process is standardised with a view to stamping out some of the more elaborate processes we have recently heard about that have overstepped the mark.

While the regulations will follow, the Malinauskas government means business with the bill proposing an expiation fee of \$1,200 and/or a maximum penalty of \$20,000 for anyone to attempt to get information they are not entitled to. Similar penalties will also apply protecting tenant information by prohibiting details being disclosed without specific consent or, as required by law, a tenancy agreement, a court or a tribunal. The recent Optus incident was front and centre on how costly information leaks are to our community, and it therefore makes sense to take this opportunity to tighten up protection around consumer information.

While prospective tenants can consent to their information being held for up to six months to support another application, it is proposed that information held for a successful tenant will need to be destroyed after three years. In the case of unsuccessful tenants this should rightfully be lower, and I feel that this is set appropriately to within 30 days.

I have made it clear that, in the future, I would like to see a greater coming together across the nation in tackling housing affordability. Money flows freely across state and international borders, but until this need is adopted we are left to our own devices to do our best with what we have. This is not me singling out the federal Labor government and suggesting that what it is doing is inadequate. To the contrary, I think that a lot of its policies are quite good, and I have to say that I am deeply relieved that the Coalition's proposal of using superannuation to cover the cost of a home deposit did not see the light of day.

To be quite specific, it is going to be hard—maybe even impossible—but we do need to try to take as much politics out of this space as possible in tackling housing affordability into the future. There is truth in both left and right, and it is therefore time that, as a country, we made an effort to sing from the same sheet. In the meantime, there is still a lot to look forward to from the Minister for Consumer and Business Affairs and other ministers working hard within this government.

Before I finish, I want to make it very clear that our system must support retaining existing landlords and attracting more of these to the market. We should not be seeing landlords as the problem but rather that they are part of the solution. In noting that Minister Michaels oversaw a consultation process that attracted feedback from over 5,000 people, I am hopeful there will be some positive ideas to make rental properties available in the future from our landlord population.

We cannot do this if we continually kick them. Gone are the days when public housing was a lever that helped keep costs in step. While I lament this, our housing market these days is a lot more focused on the private sector, which currently means that the best way to lower costs is to boost private supply.

In finishing, while I am only new to this parliament, as a former staffer I hope that my colleagues are beginning to notice that I consider it appropriate to thank them and those associated with the work behind the scenes for bringing a bill like this to the chamber. Members may remember that the review of the Residential Tenancies Act kicked off in August last year and heard firsthand the issues impacting the residential tenancies sector. A lot of work has been achieved since then and it is a credit to all involved.

I want to pass on my thanks to all those who have worked hard from this point to deliver this bill before us. This includes those working in Minister Michaels' department and parliamentary counsel. It is not an easy task capturing the sentiment of public opinion and turning it into legislation, but I feel all those involved have done a great job. The minister is also assisted by a great team led by Joel Wemmer, her Chief of Staff, and diligently assisted by senior adviser Ben Saint—

The Hon. L.W.K. Bignell: He wrote your speech.

Mr FULBROOK: —I did—and Chad Buchanan, adviser for Consumer and Business Affairs. I imagine there are a lot of other brilliant hands on deck and I apologise for missing the obvious.

The minister and her team have worked very hard on this bill and I do feel that, with so many other issues currently under examination, the best is yet to come. In the meantime, we have something before us that will be welcomed by renters, specifically in relation to lowering a number of avoidable cost pressures while also safeguarding their privacy. There is much more to do, but this piece of work is a positive step forward and I am happy to commend this bill to the house.

Ms CLANCY (Elder) (12:20): I rise today in support of the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill 2023 to amend the Residential Tenancies Act 1995. Rarely does a day go by where I do not have a member of my community contact my office seeking support for a housing issue. A family of seven whose lease is about to expire and after attending more than 20 rental inspections has been unsuccessful. A woman and her son living in a caravan park when their lease expired also could not find a rental. There have been many couples living with one set of parents for a few months to save up for a house, with those few months extending to years.

I know this is not a unique experience for my electorate, or indeed broader South Australia; this is an issue right across the country. After years and years of neoliberal 'leave it to the market, cross your fingers and hope it works out' housing policy, nobody should be surprised that we find ourselves in the situation we see today. Census data from 2021 tells us that over 7,000 South Australians are experiencing homelessness, a number likely underestimated given the temporary accommodation provided at the time this data was collected in response to the COVID-19 pandemic.

Access to housing is a human right—article 11 of the International Covenant on Economic, Social and Cultural Rights tells us so. The right to housing is more than simply a right to shelter, but a right to have somewhere to live that is at least adequate. We acknowledge this human right and understand that every South Australian deserves to have a roof over their head and to be safe and secure in a place they call home.

In my electorate, and electorates right across this country—not just South Australia—the message is clear: wages and welfare payments are not keeping up with the rising cost of living. The gaps in our economy are getting so large that even affluent middle-class families cannot begin to imagine how their children will ever be able to afford to move out of home one day.

How did we get here? Once upon a time, the dream of buying your first home was part of becoming an adult. Moving out of home, growing up, independence and the life skills and experience it brings are all now unachievable for so many in our community. Now we need to have grown-up conversations about what it is going to take to fix this crisis. We need to have grown-up conversations, no more, 'But we had 18 per cent inflation when we bought our first home.'

We need to ask ourselves if it is appropriate for government to provide more support for someone buying their 15th home than someone who is buying their first. We need to ask ourselves if it is appropriate that tax concessions be awarded to the owners of the vacant homes that make up 10 per cent of Australia's total housing stock, according to last year's ABS figures. We may not have all the answers, but we need to ask these questions without whataboutisms and juvenile debate because these questions will lead us back to the purpose of the housing market: to provide our community with homes, not to make a quick buck.

While house prices are starting to moderate, the median house price in South Australia increased to \$595,000 in the December 2022 quarter, an increase of 36.8 per cent on the December 2019 quarter. Similarly, for metropolitan Adelaide, the median house price has increased by 38.1 per cent over the same period, reaching \$670,000 last year. This may be great for existing home owners and especially for those with multiple properties, but even they are concerned for what this unsustainable growth will mean for their children and their grandchildren in addition to the already thousands of Australians looking for shelter.

I am very proud that one of the top priorities of this government was to review the Residential Tenancies Act, legislation which has not been comprehensively looked at in almost a decade. With renters making up a third of the housing market, getting the balance right and supporting South Australian renters will go a long way to supporting a fairer housing market.

This review, announced by the Minister for Consumer and Business Affairs last year, will aid our government in delivering an ambitious reform agenda that puts providing South Australians with a safe and secure place to call home back at the centre of government housing market policy. I would like to sincerely thank the minister for her work in this area and for bringing this bill to the house. I would also like to thank her office and her staff, but I feel like the member for Playford has probably listed everybody efficiently. I will leave it at that, but thank you very much to the department as well.

This bill to amend the Residential Tenancies Act 1995 seeks to improve affordability for South Australian renters and better protect their rights and privacy in the housing market. We introduced this bill in addition to our review not to pre-empt what the community has to say but to address the immediate priorities that have already been identified as part of the Malinauskas Labor government's plan for a better housing future.

Our housing market is under immense pressure. As South Australians are trying to find a home in a market where fewer are available and the ones that are available cost more to purchase or rent, this growth is unsustainable and only worsens market conditions, which are simply not in the best interests of South Australians. To respond to these conditions, our \$965 million plan for a better housing future seeks to deliver more social and affordable homes, greater protections for those who are renting, more affordable opportunities to rent and more support for South Australians to buy their first home.

Since our election in March last year, the South Australian economy has gone from strength to strength. Now ranked second in the nation, our economy is driven by population growth and construction as we continue to outperform the Eastern States, but as the pie gets bigger we need to make sure that everybody's slice gets bigger at the same time. As our population grows, so too does the demand for housing, reducing the supply of available housing and driving up rents.

While some may be tempted by prejudice and political pointscoreing to suggest the way we improve housing supply is to limit immigration, those of us on this side of the house understand that you can increase housing supply and support the immigration that only serves to strengthen our state. That is why we have released critical land in Adelaide's north and south to allow the development of nearly 2,000 homes. It is also why we are building an additional 564 public homes and stopping the sale of 580 others. That is an additional 1,144 public homes for South Australia over the next three years.

Earlier this year, I was incredibly excited to join the Minister for Human Services on a visit to some of these new homes that are being built in my community. These accessible homes are being made by local builders and with quality Australian steel in the suburb of St Marys in my electorate. I cannot wait for the construction of these homes to soon be completed and to welcome new tenants to the community I am so deeply honoured to represent.

These two homes I visited are being built on a block that previously had one home on it with a very big garden and are a really great size both inside and out. We want people in public housing to be able to truly enjoy their homes, and where appropriate we want people to be able to age in place. Building homes with many accessibility features and much more manageable gardens helps to facilitate that.

We understand that the crises facing our housing market come from forgetting the core purpose of housing—to provide a safe and secure home for South Australians. Leaving the housing market to just do its thing has failed South Australians and this bill addresses some of the worst aspects of an underregulated profits before people market.

This bill prohibits rental properties being advertised at a price range and prevents landlords or agents from soliciting higher offers, a practice commonly referred to as rent bidding. Rent bidding only serves to squeeze every last dollar out of rental hunters in an already competitive and expensive market. The government's role is to support South Australians to find a home, not allow them to be taken advantage of.

In addition to this reform, third parties, which often include websites facilitating tenant application forms, are prevented from engaging in rent bidding. These provisions intend to stop prospective tenants from being charged fees for background checks, assessments or ratings of their suitability for tenancy. I, like many others in this place, was disgusted by reports that agents would provide higher ratings for those who paid for their assessment or background check alongside providing a higher bid for rent.

The successful passage of this bill will prohibit rent bidding by landlords and agents, prevent a person in trade or commerce from providing an assessment or rating of a prospective tenant that is based on an offer of higher rent and disallow a person from receiving or requiring a prospective tenant to pay for an assessment or rating of their suitability for a tenancy.

This bill also provides for information to be prescribed in the regulations that must not be requested of a prospective tenant. There will be further targeted consultation on the information prescribed, which may potentially include the applicant's rental bond history, a statement for a credit or bank account containing daily transactions and any information about the applicant that relates to a protected attribute under equal opportunity legislation. This bill provides an expiation fee of \$1,200 and/or a maximum penalty of \$20,000 to apply for these offences. These reforms are reasonable and fair, bringing our rental market in line with much of Australia.

At the peak of supply shortages due to the COVID-19 pandemic, South Australians would have rioted if supermarkets began reserving toilet paper and asking customers who was prepared to pay more before they handed over their stock. I am sure that South Australians are equally disgusted when they are made aware of this misleading and dishonest practice in our rental market.

Another immediate priority of our plan for a better housing future was to provide more affordable residential tenancy bonds. I understand this is progressing through amendments to the Residential Tenancies Regulations 2010. Making tenancy bonds more affordable, particularly in this current housing climate, is incredibly important. As rental prices increase, renters of even moderately priced housing are too often required to provide a six-week rather than four-week rental bond—a near impossible task for South Australians trying to find affordable housing.

Landlords can currently claim residential bonds equivalent to a maximum six weeks' rent when the weekly rent is \$250 or greater, with only a four-week bond entitled to be claimed for properties falling below that threshold. As rental prices only continue to increase, fewer and fewer homes in South Australia fall below this threshold. Our proposal to increase the threshold to \$800 will ensure that for the majority of rental properties in South Australia only a four-week bond will be

required. This will reduce the up-front cost to tenants by as much as \$1,600, depending on the amount of rent they are paying.

The residential tenancies amendment bill also seeks to protect the information of South Australian tenants. Considering recent cybersecurity incidents that impacted so many in my electorate and communities from right across our state, this bill contains measures to protect tenants' information.

Our proposed reform will prohibit tenant information from being disclosed without their consent or as required by law, the tenancy agreement, a court or a tribunal. Successful tenant information will be required to be destroyed after three years and within 30 days of a tenancy agreement being executed for unsuccessful tenants. However, prospective tenants will still be able to consent to their information being held for up to six months to support looking for another home.

The data breaches of so many private companies have given South Australians a glimpse into the type of data that is kept and what that data is used for. As we are bombarded with terms and conditions that some lawyers would probably struggle to understand, these terms and conditions can also be easily ignored with the press of a button and then, before we know it, our personal information is sold to the highest bidder.

Regardless of with whom or where our data arrives, the intention remains the same: to sell us something we probably do not need. This bill will ensure that prospective tenants' information is not used for this purpose while allowing them to continue to be contacted by an agent of their choice should an appropriate opportunity for housing become available.

The reforms in this bill are our immediate priority before further consideration and consultation on the broader review of the Residential Tenancies Act. There is absolutely more to come. Consultation is currently under review on a number of issues facing renters, including renting with pets, longer tenancies and retaliatory evictions, just to name a few that are frequently brought up with me by members of my community.

Improving the Residential Tenancies Act will go a long way to addressing the housing crisis. By improving the rights and protections of renters, and ensuring landlords can continue to manage properties effectively, we acknowledge the human right of housing and strive to provide safe and secure housing for all.

This bill, our review of the Residential Tenancies Act, and our plan for a better housing future, show a clear shift in priorities regarding the housing market from those of the previous government. South Australians have made their voices clear. They want government intervention in a market that is not delivering for their interests.

You only need to sit in an EO for an afternoon or attend a rental housing inspection and see the huge line snaking down the road from the front door to see renting is becoming increasingly difficult—more difficult than I can ever remember. The goal of home ownership is verging on impossible for so many South Australians.

We were elected on a platform for delivering more public housing and a fairer rental market. Whether it is the largest release of residential land in our state's history, banning rent bidding or stopping the previous government's sale of public housing, South Australians know that this Malinauskas Labor government has their back in the housing and rental market. I commend this bill to the house.

Mr ODENWALDER (Elizabeth) (12:38): I rise to also lend my voice to the support for the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill 2023. It is particularly important to me as the member for Elizabeth, where the pressures of the housing and rental markets have been felt most intensely. It is no exaggeration to say that perhaps after cost of living, the rental crisis, such as that is, is the most common issue raised with me when I am with constituents. When people ask me, 'What is going on in your electorate?' the term 'rental crisis' is never far from my lips.

I would firstly like to commend the Minister for Consumer and Business Affairs for her commitment to the comprehensive review of the Residential Tenancies Act, which led to this bill. The

bill introduces some important protections for South Australian residents, including those in Elizabeth.

This amendment bill comes at a time when rental reforms are taking place across all Australian jurisdictions, and we on this side of the house want to ensure that South Australian tenants are not left behind. We are doing so by implementing these regulatory safeguards that protect all South Australian renting households.

Last year, as part of the reform to the Residential Tenancies Act the Minister for Consumer and Business Affairs announced the start of the most comprehensive review of the Residential Tenancies Act since 2014 with the release of the discussion paper. This discussion paper invited comment on the priority issues which were identified by the residential tenancies sector.

Some of these were—and they have been outlined by other speakers—renting with pets, a crackdown on the practice of rent bidding, maximum bond amounts, standardising application forms, minimum notice requirements for not renewing fixed-term tenancy agreements, rooming houses and share accommodation, housing standards, tenants making safety modifications and minor changes to the properties they are renting and support for renters experiencing domestic violence.

There were over 5,000 responses during the consultation on this discussion paper, and I am pleased to see our government taking very swift action on several immediate priorities that can be regulated through this amendment bill. These include banning rent bidding, considering information that should and should not be required in a rental application and protecting tenant information.

I was particularly shocked by the story of the member for Gibson about the prospective tenant who was subject to video surveillance in order to ascertain whether she was a good prospective tenant or not. There are shocking practices out there—not universal by any means, but there are shocking practices out there, and hopefully this bill and the rest of the implementation of some of this review go a long way to solving some of those problems.

I do know that the passage of this amendment bill would go a long way to ease the current burden on tenants and prospective tenants in my electorate of Elizabeth. Recent statistics have shown that residential properties in Elizabeth South and Elizabeth North have experienced the highest price growth over recent months in the state. Over the past year alone house prices in Elizabeth—the suburb known as Elizabeth as opposed to the entire City of Playford—have increased by 20 per cent, which is well above the national average of 4.3 per cent.

The numbers are even more striking, though, when you look at a suburb like Elizabeth South. Elizabeth South has experienced a localised growth in the median house price of 46 per cent, which is more than 10 times the national average in the past year. While this is obviously great news for home owners in Elizabeth, like myself—for those who have been able to purchase a property and perhaps are looking to sell—this is good news, but for those who are trying to enter the rental market or simply trying to get by and find stable affordable rental accommodation, these effects are disastrous.

With home ownership becoming more out of reach, there has been enormous strain put on the rental market, where residential vacancy rates remain at an all-time low. The supply shortage of rental properties has caused rents to increase substantially, and has created an environment where renters are struggling to find rental properties in an increasingly competitive market.

The cost of renting a home in Elizabeth has continued to put a sizeable financial burden on many of my constituents, with median rental prices rising to \$480 per week in March 2023. This makes it increasingly difficult, if not completely impossible, for tenants and applicants to find affordable housing. The negative impacts of this on prospective tenants, of course, should be obvious to anyone. They are wideranging, from financial strain to potential overcrowding and, in more and more cases, homelessness.

One of the main issues faced by tenants and applicants that has been identified in this reform and through the consultation on the discussion paper is the competition for rental properties. With vacancies in short supply rental properties are often quickly snapped up, sometimes within hours of becoming available on the market. As others of my colleagues have remarked earlier in this debate

there are concerns that rent bidding is becoming increasingly common in these situations, where priority is given to applicants who offer more than the advertised rent.

Should this amendment bill pass, landlords will no longer be able to advertise properties with a rent range, put properties up for rent auction or solicit offers over the advertised rental price, which will put a formal end to rent bidding. This reform brings South Australia in line with many other Australian jurisdictions which have also introduced restrictions on rent bidding.

In such a competitive market prospective tenants in my electorate and indeed across the state are frequently required to submit multiple applications and provide information well beyond what should be expected in an application, as evidenced by the member for Gibson's story. There are reports of prospective tenants being requested to provide very personal information, to provide rental bond history and their own financial records, which it cannot be guaranteed is not passed on to a third party.

Trying to navigate what is fair and reasonable as an applicant can be very challenging. We have heard that prospective tenants may be made to feel that providing such information to third parties is compulsory, with little transparency on whether their information will be kept confidential or used for any other purposes or shared with other parties. Further to this, disclosing certain information can also create opportunities for discrimination in the tenant selection process.

As the member for Elizabeth, I am particularly pleased to see that our government is putting a stop to this through the amendment bill by allowing for there to be prescribed information in the regulations that must not be requested of a prospective tenant. Through further targeted consultation, I am confident that the prescribed prohibited information will ensure a consistent approach to application requirements from landlords and property managers in South Australia and reduce opportunities for discrimination.

In addition to this, the amendment bill in sections 76A, 76B and 76C contains measures to protect the information that tenants do provide by requiring their consent to be provided before their information is disclosed to a third party. Should an applicant be successful, their information, under this amendment bill, must be destroyed after three years. The time allowed to keep information will be reduced to 30 days from a tenancy agreement being executed for those applicants who are not successful.

Despite this, should an applicant wish for their information to be kept on file if they are unsuccessful, they are able to provide their consent for the information to be held for up to six months to assist in later property searches. I think this balanced approach will give assurance to applicants and successful tenants and put the power back in their hands when it comes to their own personal information.

Another issue faced by prospective tenants is the increasing amount that rental applicants are required to pay up-front. This can include a bond that is equivalent to a maximum of six weeks' rent when the rent is \$250 or more. If we use my electorate as an example, tenants could be asked to pay up to \$2,880 up-front, based on the current median rent price.

You can imagine that rental housing advertised at below \$250 a week is a very rare find in the current market, and I am proud to be part of this government that has now taken swift action to change that threshold. As of 1 April, our government has lifted this six-week bond threshold from \$250 to \$800. This ensures that the majority of South Australian rental properties will not attract such excessive up-front payment requirements. I know this will reduce the burden on many South Australians, and very particularly constituents in Elizabeth, and I look forward to receiving an update from the minister on how much the Malinauskas Labor government has saved tenants in up-front costs via this amendment to the regulations.

Before I conclude my remarks, I am pleased to see these reforms contributing to our broader policy for a better housing future, announced in February this year. One of the many actions to come from this policy is the review of the Private Rental Assistance Program, which is designed to assist low income earners to access affordable private rental housing. I know that many people in Elizabeth will benefit from this. Managed by the South Australian Housing Authority (the Housing Trust), this program provides assistance to eligible tenants in the form of rent subsidies or bond guarantees.

The Private Rental Assistance Program aims to reduce rental stress and help people maintain their tenancies.

I am pleased to see the eligibility criteria being reviewed by our government to enable more households, especially in my electorate, to access this support by first of all increasing the household assets test limit from \$5,000 to \$62,150 per household and secondly increasing the weekly rent limit from \$450 to \$600 per week. With the median rent in Elizabeth now sitting at \$480 a week, these changes will keep pace with the current market and allow customers on lower incomes to retain their cash reserves.

Through this government's changes to the Private Rental Assistance Program, rent in advance payments will also be increased from one week's to two weeks' rent for low income households, and there will be an increase in the availability of rent arrears payments, provided other eligibility criteria are met. We on our side of the house know that support for the up-front costs for low income households must be readily available and reviewed regularly, and it is promising to see that an estimated 400 additional households will become eligible for the program as a result of these changes.

In closing, our government recognises that the housing market is placing extraordinary pressure on vulnerable South Australians, particularly in the suburbs of Elizabeth and neighbouring suburbs like Salisbury, and I thank the Minister for Consumer and Business Affairs for introducing these reforms to provide some immediate relief. I commend the bill to the house.

Ms WORTLEY (Torrens) (12:49): I rise to add my support to the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill 2023, a bill that proposes to amend the Residential Tenancies Act 1995 to introduce some immediate protection for tenants. You only have to pick up a newspaper to see the number of people who are in demand of rental properties. You can drive around the suburbs even on a weekend and see cars and people lining up at the front of rental properties, hoping to be the lucky one. It has created an environment where renters are struggling to find rental properties in an increasingly competitive market.

I have spoken to some residents who have been forced to couch surf, to live out of a car or to 'burden' themselves—and that is a quote—by having to live with family members. I have also spoken to residents who are considering, when their rental property lease is up, living in a caravan because they will not be able to afford the rental increase they know will occur once their lease is completed.

As part of our commitment to improve housing outcomes for South Australians, this bill aims to improve protection for renters while ensuring that landlords can continue to manage their properties effectively. To this end, the Minister for Business and Consumer Affairs hosted the Residential Tenancies Act review forum with the Commissioner for Consumer Affairs to hear about issues impacting the sector and potential solutions.

Keys stakeholders from the forum included Shelter SA, the South Australian Council of Social Service, Uniting Communities, Aboriginal Housing, Disability Housing, the Real Estate Institute of South Australia, the Landlords' Association (SA), the South Australian Housing Authority, the Department of Human Services, and the University of South Australia. This was followed by public consultation, with more than 5,000 people completing the YourSAy survey, along with more than 150 submissions received from key stakeholders and members of the public. This really does demonstrate the demand for rental properties in South Australia, and we know that South Australia is not alone in this but that it is right across Australia.

The bill before us aims to address significant issues arising during the consultation: the banning of rent bidding, compulsory information required on the rental application form and the protection of tenant application, just to mention three. On the issue of compulsory information on the rental application form, including unnecessary personal information that should not be required for a rental application, the bill proposes to insert a new section 47B to prohibit a landlord or agent requesting prescribed information from a prospective tenant.

This will, in effect, reduce the amount of information a prospective tenant must provide in rental applications and should go some way to protecting the privacy of prospective tenants. This

should assist in reducing opportunities for discrimination to occur in the tenant selection process. Importantly, however, there is another section, section 47B(2), which does allow for an exemption for a landlord or agent who is a provider of a housing assistance program to request prescribed information from the applicant for the purposes of determining eligibility for assistance.

Included in this bill is that unsuccessful prospective tenants' information can be kept for no more than 30 days after the date on which the tenancy agreement is entered into by the successful applicant without consent of the applicant. It also introduces section 76B, which specifies obligations to protect tenant information from misuse, interference or loss and from unauthorised access, modification or disclosure. Further, information provided in a successful tenancy agreement is to be destroyed after three years from the tenancy ending. A number of people I have spoken to are very pleased about the area addressing privacy and the fact that they know that information will be destroyed.

On the issue of banning rent bidding, this bill proposes to insert a new section 52A which requires properties for rent to be advertised at a fixed amount and bans a landlord or agent encouraging or inviting applicants to offer to commit to paying a higher rent than advertised.

This alone does not address all the circumstances surrounding rental application, so the bill proposes to introduce a new section 52B to prohibit third parties engaged by landlords or agents charging prospective tenants a fee for an assessment. The minister has advised that the proposed introduction of section 52B will see South Australia leading the nation in the regulation of these third-party operators.

There are many more issues I know from a tenant's perspective and also some through landlords that could be addressed through the act, and I have heard some of those mentioned here today. I have also had some of them raised by constituents in my electorate of Torrens.

I commend the minister for the work that has been carried out to date on this bill, and I know that the staff have also contributed significantly towards that. The challenges facing those in the rental market are large; it is something we are addressing also through our housing package, and I know there is more to come in the future. I commend the bill to the house.

Ms HUTCHESSON (Waite) (12:56): I rise in support of this Residential Tenancies (Protection of Prospective Tenants) Amendment Bill. I am proud to be part of a government that is taking rental affordability seriously and commend the minister and her team for the work they are doing to improve housing outcomes for the people of South Australia.

We recognise that there is immense pressure within the market to find suitable and affordable housing, and it is important that we are using every trigger available to us to try to alleviate this. Our government is reforming the Residential Tenancies Act so that it better represents the renters and landlords of today and so that it meets the needs of the market, provides improvements for renters and allows landlords the ability to continue to manage their properties effectively.

The review, which started late last year with the release of a discussion paper, was the start of the most comprehensive review seen of the Residential Tenancies Act since 2014. There are, however, immediate issues that need to be addressed so that we can assist renters with affordability. Everyone should have a roof over their head and a warm and comfortable place to call home. The affordability and availability of housing is an issue and, as such, we are doing all we can to address the underlying problems.

This bill is only one part of our government's plan for a better housing future, a plan that seeks to improve the rental issues that plague quite often our most vulnerable. It is an immediate response to these challenges, and I am glad to be speaking in support. There is a strong demand for housing in our state. It is a great place to live, and people from across the country are realising this and choosing to move here. With great wine, weather and incredible events, opportunities and employment, it is the place to be.

Whilst this may be good for statistics such as population growth, we need to ensure that we are working to address the supply shortage that this increase in interest causes. It does create an environment where, due to demand, rents have increased substantially, which leaves renters

struggling to find a home. This shortage of rental properties has also led to rent bidding and requests for tenancy information that exceed what a tenant would reasonably be expected to provide.

Personally, a family member of mine has experienced this. When looking to move out of home for the first time, the pursuit of finding accommodation that was convenient and assisted in him accessing employment was a challenge. Landlords and real estate agents are looking to the highest bidder, which leaves many unable to compete and, in this case, in order to secure the accommodation that he required he had to offer \$50 per week extra above the asking price. Not everyone can afford to do that.

This bill will address this issue, along with other priorities identified as part of the government's plan, including standardising rental application forms and protecting tenant information. This amendment bill will regulate that information that is prescribed may not be requested of a prospective tenant.

We will look to consult with renters and landlords about what constitutes prescribed information, but it may include the applicant's rental bond history, bank statements that contain transaction details and any information about the applicant that relates to a protected attribute under equal opportunity legislation. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 12:59 to 14:00.

NATIONAL GAS (SOUTH AUSTRALIA) (EAST COAST GAS SYSTEM) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

NATIONAL ELECTRICITY (SOUTH AUSTRALIA) (MINISTERIAL RELIABILITY INSTRUMENT) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

FIRST NATIONS VOICE BILL

Assent

Her Excellency the Governor assented to the bill.

FAIR WORK (FAMILY AND DOMESTIC VIOLENCE LEAVE) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

GENE TECHNOLOGY (ADOPTION OF COMMONWEALTH AMENDMENTS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

STATUTES AMENDMENT (CIVIL ENFORCEMENT) BILL

Assent

Her Excellency the Governor assented to the bill.

COURTS ADMINISTRATION (MISCELLANEOUS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

*Petitions***STRATHALBYN HEALTH SERVICES**

Mr PEDERICK (Hammond): Presented a petition signed by 1,452 residents of South Australia, requesting the house to urge the government to immediately reopen the emergency department at the Strathalbyn and District Health Service to its pre-COVID operating hours and provide whatever workforce is necessary to operate this facility.

*Parliamentary Procedure***ANSWERS TABLED**

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

PAPERS

The following papers were laid on the table:

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

Regulations made under the following Acts—

Dangerous Substances—Dangerous Goods Transport—Miscellaneous
Independent Commission Against Corruption—Powers of Inspector
Legal Practitioners—Fees Notice—No. 2

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

Regulation made under the following Act—

Harbors and Navigation—Port Adelaide

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

Regulations made under the following Acts—

Fisheries Management—

Abalone Fisheries—Miscellaneous

Demerit Points—

Miscellaneous

Yabby Pots

General—

Miscellaneous

Yabby Pots

Lakes and Coorong Fishery—Yabby Pots

Prawn Fisheries—Miscellaneous

Rock Lobster Fisheries—Miscellaneous

Primary Industry Funding Schemes—

Adelaide Hills Wine Industry Fund—Prescribed Period

Barossa Wine Industry Fund—Prescribed Period

Clare Valley Wine Industry Fund—Prescribed period

Langhorne Creek Wine Industry Fund—Prescribed period

McLaren Vale Wine Industry Fund—Prescribed Period

Riverland Wine Industry Fund—Prescribed Period

SA Grape Growers Industry Fund—Prescribed period

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

Abortion Reporting Committee, South Australian—Annual Report 2022

Law Reform Institute, South Australian—Review of the Mental Health Act 2009—Report—
February 2023

*Ministerial Statement***PROTECTING THE BIRD IN HAND GOLD DEPOSIT**

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:04): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. KOUTSANTONIS: On 9 February 2023, I made a ministerial statement informing the house that I had refused Terramin Australia's application for a mining lease and miscellaneous purposes licence for its proposed Bird in Hand gold project in Woodside. The proposed mine was located adjacent to the Petaluma, ArtWine and Bird in Hand wineries, as well as other agricultural enterprises and businesses key to tourism in the Adelaide Hills region.

Mr Speaker, you would recall that it was, and remains, my view that while the proposed mine may have had a short-term value, the potential impact on surrounding businesses and associated regional tourism could have longer term implications and that on balance it was not in the state's best interests to risk—

Mr Pederick interjecting:

The SPEAKER: The member for Hammond is called to order. The minister has the call.

The Hon. A. KOUTSANTONIS: It was not in the state's best interests to risk established adjacent local industries for the opportunity a short-term mine may have provided. My decision to decline these applications has sparked a political debate about this proposed mine in Woodside and its impact on the Adelaide Hills and South Australia's mining industry.

I should inform the house that this decision was not welcomed universally by this parliament, and I note the remarks of the opposition:

This is a disgraceful decision by a Minister.

What Tom Koutsantonis has done today is a huge slap in the face for investment in South Australia.

However, in circumstances—

Members interjecting:

The SPEAKER: Order! The member for Hammond is called to order. The minister has the call.

The Hon. A. KOUTSANTONIS: However, in circumstances—

The Hon. P.B. Malinauskas: They elect us for a reason, Peds. They elect us for a reason.

The SPEAKER: The Premier is called to order.

The Hon. P.B. Malinauskas interjecting:

The SPEAKER: Order! The Premier is called to order.

Members interjecting:

The SPEAKER: Order! The minister has the call. This statement is of great interest to me and members of my community, and it will be heard.

The Hon. A. KOUTSANTONIS: And the member for Heysen, I would have thought, sir.

The SPEAKER: Order! I am sure it is.

The Hon. A. KOUTSANTONIS: However, in circumstances where it is determined mining operations are not compatible with an area, this government will act. Therefore, I am pleased to inform the house that the Governor proclaimed the Bird in Hand gold deposit area to protect it from future mining applications indefinitely.

The area identified subject to the proclamation mirrors the previous mineral claim and effectively controls any future applications over the known Bird in Hand gold deposit. This mechanism

has been successfully used before for the Mintabie town lease area and the Burra Monster Mine historic area and continues to preserve those areas' unique environmental and heritage qualities. The new proclaimed area is specifically targeted at the Bird in Hand mineral deposit and no broader.

This was an important and necessary step to prevent repeated attempts to exploit the deposit and to ensure local businesses, tourism and the local amenity of the area are preserved. This mechanism ensures full control by government over the ability for anyone to make future applications for mineral tenements over this area. The only scenario where this decision could be reversed is if there is a change of government.

Members interjecting:

The SPEAKER: Order, member for Chaffey!

Members interjecting:

The SPEAKER: Order! A very significant decision for my community, I observe.

HUMPHRIES, MR BARRY

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (14:08): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. MICHAELS: It is with great sadness that I rise to speak on the recent passing of Australian artist and comedian Barry Humphries. Often referred to as a comedic genius and a great performer, Barry was known for his sharp wit, eagerness to comedically offend and his many alter egos. Barry Humphries was a household name not only in his own right but also in the name of his many alter egos, with Dame Edna Everage perhaps being even more well known than he was.

He was a character who poked fun at the royals to their face and mercilessly mocked the Australian way of life, often receiving standing ovations and belly laughs in return. In addition to much-loved Dame Edna, Barry also brought to life the personas of Sir Les Patterson and Sandy Stone.

While many around the world mourn his passing, we are provided with an opportunity to look at the monumental impact Barry Humphries had not only in Australia but around the world. Having lived a portion of his life in London, Barry became somewhat of an Australian ambassador for arts in the UK.

Although he was born and raised in Melbourne, Barry had a long and meaningful relationship with our state and our city. It was well known that Barry adored Adelaide's Her Majesty's Theatre, where he played a vital role as an adviser on the theatre's recent redevelopment. What many people do not know is that this theatre was also the venue for the beginning of his love and admiration for Adelaide.

Her Majesty's is where a 19-year-old Barry performed in Adelaide for the first time, as part of the Australian Universities Drama Festival. After this, he performed on his own 11 times at the theatre. Often referring to this theatre as his favourite, his love is still deeply reciprocated with many South Australians leaving tributes at the theatre in the days following his passing.

Barry's relationship with Adelaide continued as his Dame Edna persona grew in popularity. Fifty years after first performing in Adelaide at Her Majesty's, Barry returned with Dame Edna's one-woman show at the Adelaide Town Hall. It was here that Edna spoke of her love for our city, claiming it as her second home.

Barry was known as a fabulous entertainer who pushed boundaries and deliberately sought to shock his audience. It was this reputation and widespread popularity that led to his appointment as Artistic Director for the Adelaide Cabaret Festival in 2015. In true Barry fashion he described this artistic director experience as, 'The climax of my love affair with Adelaide.'

That season of the Adelaide Cabaret Festival was one of the Adelaide Festival Centre's most successful ever. Barry's contribution to South Australia's arts community did not go unnoticed. He

had an incredible talent and a passion for comedic theatre, which really set the foundation for those who followed.

On behalf of the government, the arts and cultural community and the wider South Australian public, I extend our deepest condolences to Barry's family, friends and colleagues. He will be missed but never forgotten.

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Mr BROWN (Florey) (14:11): I bring up the 27th report of the committee, entitled Sir Samuel Way Building Facade Repairs Project.

Report received and ordered to be published.

Mr BROWN: I bring up the 28th report of the committee, entitled Yankalilla Growth Stage 2 Project.

Report received and ordered to be published.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I turn to questions without notice, I recognise the presence in the gallery today of Tina and Ermino Zollo, and Angelique Helmchen and David Heath, guests of the member for Adelaide. I also see in the gallery students from Grant High School in Mount Gambier, particularly their year 11 legal studies class. I understand today they are guests of the member for Mount Gambier and also the member for MacKillop. Welcome to parliament.

Question Time

AMBULANCE RAMPING

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:13): My question is to the Premier. Is fixing ramping the Premier's number one priority? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: Ramping has surged from 1,522 hours in February 2022 to a record 3,968 hours in March 2023, representing a 161 per cent increase, meaning patients and paramedics have never spent this much time stuck outside of hospitals on the ramp.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:13): I thank the Leader of the Opposition for his question. I am happy to reaffirm to the Leader of the Opposition and every other South Australian that the government is wholeheartedly committed to addressing the ramping crisis. In fact, we are working in an incredibly steadfast way to try to start delivering results as best as we possibly can.

As the Leader of the Opposition is well aware, as is the parliament and the rest of the state, this government isn't just throwing an extraordinary amount of resources at the problem. We are actually working through a whole range of other reforms the government can take beyond just increased expenditure in health to try to turn the situation around. On one hand, we see improvements in performance in a way that actually has exceeded the government's expectations at this point, but on the other hand we see areas where there is still dramatic improvement required. The area that fits the latter category is undoubtedly transfer-of-care time.

We would have liked to have seen far better outcomes than we have seen up until this point. However, I am looking forward to the release of the April data in the not too distant future. Obviously, it's 2 May today, so at some point in the days ahead we'll be releasing the April data, where we do expect to see an improvement on what we saw throughout the month of March—which is a good thing.

As those opposite will be aware, this government has put in place a whole range of transparency measures for transfer-of-care timing and the data available so that we can be held to account accordingly, which is a very different approach to the one that was adopted by the former government.

With respect to where we are outperforming expectations up until this point, this is in ambulance response times, which is the key metric that we, of course, committed to before the election.

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: What we have made clear to the people of South Australia—

Members interjecting:

The SPEAKER: Order!

Mr Cowdrey interjecting:

The SPEAKER: Member for Colton!

The Hon. P.B. MALINAUSKAS: —when we were asked what constitutes fixing ramping, is we said 'improving ambulance response times', because one of the problems with ramping—

The Hon. D.G. Pisoni: I didn't see a single poster that said that.

The SPEAKER: The member for Unley is warned.

Members interjecting:

The SPEAKER: Order! The Premier has the call.

The Hon. P.B. MALINAUSKAS: The main problem with ramping, of course, is that when the ramping is so bad ambulances are stuck to the extent that, when people call 000, their emergency isn't attended to on time. What we have seen over the course of time, pretty much starting in December last year, is a gradual and steady—if not close to continuous—performance around ambulance response times, particularly in the P1 and P2 call-out time frame.

When we came to government in March last year, priority 2 ambulance response times were down at around about 30 to 33 per cent. We have seen that substantially improve over recent months. We need that trajectory to continue. We've still got a lot more to do in that regard, but there are undoubtedly South Australians who are potentially alive today because the ambulance did get to them on time than what would otherwise be the case, had we not made the active investments we have decided upon.

Another way to answer the Leader of the Opposition's important question is to just look at the facts as they currently stand. One of the best ways to objectively analyse or assess what a government's priorities are is where they put in additional new resources—new resources. In that respect, one only has to look at the state budget to see the extraordinary volume of new money that we have allocated to health, because it does represent our number one priority, just as it represents one of the number one concerns that exist in the minds of South Australians, and it is an effort that we will remain committed to throughout the course of the term.

AMBULANCE RAMPING

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:18): My question is again to the Premier. Are ambulances being ramped in the car park at Flinders Medical Centre? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: At the end of March, it was reported that the pressure in our health system was so bad that ambulances were being ramped in a car park next to Flinders Medical Centre.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:18): I thank the Leader of the Opposition for his question. When this was reported and the Leader of the Opposition made some statements about this over a month ago, there were very quickly some meetings that occurred between the Southern Adelaide Local Health Network CEO, Dr Kerrie Freeman, as well as the CEO of SA Ambulance Service, Rob Elliott, as well as discussions with industrial bodies.

It hadn't been something that was a procedure that was in place. Clearly, under the previous government that area of the top of the car park at Flinders Medical Centre was converted to become an area that ambulances could go to after they had transferred the care of patients, to enable the cleaning of vehicles and restocking of vehicles to happen there rather than outside the emergency department.

Clearly, it was never the intention for that to be used as a place where ambulances would go while they were waiting for the transfer of care of patients. Since that report came to light over a month ago, and as has been reported publicly since, there has been an agreement that that would not be in operation in that way in the future. I certainly haven't had any reports that that has been the case since that issue was raised four or five weeks ago.

SA HEALTH FOCUS WEEK

Mrs HURN (Schubert) (14:19): My question is to the Minister for Health and Wellbeing. Can the minister explain the purpose of Focus Week? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: Branch Secretary of the Health Services Union, Billy Elrick, said that Focus Week is 'a little bit galling. The idea that workers aren't giving it their 100% right now is absolutely ridiculous'.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:20): I certainly agree, our workers are giving 100 per cent and they are doing an incredible job.

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

The SPEAKER: The member for Unley is warned.

Mr Brown interjecting:

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

The Hon. C.J. PICTON: Thank you, sir. Our doctors, our nurses and our allied health professionals are doing an incredible job, day in and day out, in our hospital system. They are working under a significant amount of pressure, and it's pressure that hasn't just been there for the past 13 months; it has been there for the past five years we have been under, and we are giving them extra resources that they need to provide their job.

Members interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON: What has been proposed out of this week is an ability for, particularly, a number of the executive staff to make sure that we are having non-urgent meetings not take place in that week so that there is as much time as can be focused on improving procedures throughout our health system, throughout our hospital system—

Members interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON: —ultimately to make sure that the things that the Leader of the Opposition was just asking about in relation to the performance of the system can be addressed, and we can unblock each element of that system that we know needs to be addressed. Ultimately, as I have said publicly, the fix that we need in our health system is more resources. We are doing that, and we are building additional capacity and we are hiring additional staff. This week will hopefully

give us the opportunity to look at some of those processes; how we can improve things. What inevitably happens, over the past many years, is that the system gets to a point—

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

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

The Hon. C.J. PICTON: The system gets to a point at which it's under such significant pressure that codes have to be alerted, that messages go out to cancel non-urgent meetings, etc., etc. What is being proposed here is to get ahead of the game, to do proactive work, to try to improve systems and to try to make sure that we can minimise the need for that to happen later on. So I am hopeful that this is something on which we will see some results.

Is it going to fix all the issues? Of course not. Could it help to improve some of these systems and give our clinicians some space to be able to help unblock those elements where we know patients get stuck? Well, that's the hope. Is it going to involve asking staff to do additional forced overtime? That's very clearly not the intention of this. The intention is to do things which are sustainable into the long term to make sure that there are proactive things that can be done to improve the situation for patients. I would have hoped that that's something that everybody in this house could have supported.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament students of Nazareth College, guests of the member for West Torrens. Welcome.

Question Time

HOSPITAL SUPPLIES

Mrs HURN (Schubert) (14:23): My question is to the Minister for Health and Wellbeing. Will the minister publicly release the full findings of the pillow and linen audit in our state's hospitals? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: There have been dozens of reports of a pillow shortage right across our state's hospitals, including two cases where a 93-year-old man went almost a day without a pillow at The Queen Elizabeth Hospital and a father was forced to drive home at midnight to collect a pillow for his sick son who was about to have surgery at the Royal Adelaide Hospital.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:23): All of those documents were released almost a month ago.

HOSPITAL SUPPLIES

Mrs HURN (Schubert) (14:23): My question is to the Minister for Health and Wellbeing. How does the minister respond to a mother and her experience at the Women's and Children's Hospital at the end of April? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: A mother reached out to the opposition after her sick four-year-old boy was forced to lie on towels as there were no pillows available at the Women's and Children's Hospital. A nurse searched for a pillow for about 20 minutes before returning to the pair saying, 'We just don't have any.'

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:24): Thank you to the member for Schubert for her question. I certainly was concerned to see that photo this morning of a patient—

Members interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON: —at the Women's and Children's Hospital where clearly a pillow was not available, and I have asked the Women's and Children's Health Network to look into this immediately. As was released almost a month ago in that document, the Women's and Children's Health Network was very clear that they had well over 500 pillows available in the hospital—

Members interjecting:

The SPEAKER: Order! The minister has the call.

Mrs Hurn interjecting:

The SPEAKER: The member for Schubert!

Members interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON: —and that they had systems in place to make sure that their availability was in place. Clearly that has not happened in this case for this patient, and I have asked the hospital to look into this as a matter of urgency. I have asked them to try to contact the patient's family. We have not been provided with those details from the opposition, but if they are able to do so then that would help us to be able to speak to the family involved.

I have actually also today gone down to the Women's and Children's Health Network and visited the paediatric emergency department to check for myself with my own eyes the situation in relation to pillows. There were significant numbers of boxes of pillows available at the Women's and Children's Hospital's emergency department. However, I think what has clearly happened is that the location they were stored in was not readily apparent to people who may have been new, or agency nurses, or other staff who have been working there.

That is certainly the advice that the nurse unit manager gave me; and basically she said, 'There's a new nurse who was working there who feels very bad about what has happened.'

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey!

The Hon. C.J. PICTON: Our doctors, nurses and other staff work incredibly hard, and we need to make sure that it is as easy for them as possible to do their job. So, as at today those systems are being improved to make sure that those pillows are in a much more readily accessible and identifiable location within the emergency department at the Women's and Children's Hospital, because—

Members interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON: —there are many boxes of pillows there, but they were quite a way back in the storeroom. Making sure that they are as available and identifiable as possible will make sure that staff are able to ensure they can provide those pillows for when patients need them, because I agree that it is absolutely an essential element that we should be providing pillows, blankets—all of those essential—for our hospitals.

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey!

The Hon. C.J. PICTON: Clearly, we have identified those systems that have been in place for many, many years at the hospital in terms of where they store those pillows and that can be improved and we will absolutely do so.

HOSPITAL SUPPLIES

Mrs HURN (Schubert) (14:27): Supplementary, Mr Speaker: can the minister guarantee that all South Australians who are presenting to our emergency departments will be offered basics, like pillows?

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:27): What we have done is undertaken the audit to make sure—

Members interjecting:

The SPEAKER: Order!

Ms Pratt interjecting:

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

The Hon. C.J. PICTON: —that we have absolutely the right numbers of pillows that we need. I have given the instructions to the leaders of our health networks and our hospital management: (a) to make sure that they are buying additional pillows that they need; and (b) to make sure that those pillows are available to all patients who need them. I know that our doctors, nurses and allied health staff work their guts out to provide patient care and seek to make sure that we can provide the right care for all patients at all times. Of course, sometimes things do happen. We need to learn from those events and make sure that we can improve care for other patients in the future, and that is exactly what is happening.

MAJOR EVENTS

The Hon. L.W.K. BIGNELL (Mawson) (14:28): My question is to the Premier. Can the Premier advise the house about the off-field results of the recent major events hosted in South Australia?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:28): Mr Speaker, can I thank the member for Mawson for his question and take the opportunity to thank him for his leadership and advocacy and appreciation of the importance that major events can play in stimulating the South Australian economy, because over the course of the last 12 months the member for Mawson, in conjunction with the SATC led by the Minister for Tourism, has really been kicking some goals on behalf of the South Australian economy in a way that is delivering extraordinary dividends.

Members interjecting:

The SPEAKER: Order!

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey is warned.

The Hon. D.G. Pisoni: You put her on the bench so you could be on the field!

The SPEAKER: The member for Unley! The Premier has the call.

Mr Brown interjecting:

The SPEAKER: The member for Florey!

Members interjecting:

The SPEAKER: Order! The Premier has the call.

The Hon. P.B. MALINAUSKAS: We made a commitment to the people of South Australia at the election that we were going to revitalise this state, bring our city alive and give plenty of work to people in the hospitality sector, the accommodation sector and the tourism sector more broadly. They are very grateful indeed that this government is honouring that election commitment because what we have seen over the course of the last few weeks is our state come alive. It has created an extraordinary degree of pride amongst all those people who have been the beneficiaries of that work.

We understand that there is a point of difference in this house between those of us who believe in the power of major events to deliver work and those who are opposed to it. We appreciate that the Leader of the Opposition didn't support Gather Round and didn't support LIV Golf, but on this side of the house we get on and deliver. If we just look at a couple of weekends ago, over 70,000 people right across our country—

Mr Tarzia interjecting:

The SPEAKER: Order, member for Hartley!

The Hon. P.B. MALINAUSKAS: —were going to LIV Golf, and a huge success it was.

Mr Tarzia interjecting:

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

The Hon. P.B. MALINAUSKAS: It was just in the middle of the city, just 15 kilometres from where we were in the middle of the city, and we saw the equestrian event also delivering yet thousands more people at that activity.

Mr Tarzia interjecting:

The SPEAKER: The member for Hartley is on a final warning.

The Hon. P.B. MALINAUSKAS: These events haven't just been over the course of that weekend. There was also Gather Round—

Mr Patterson interjecting:

The SPEAKER: Member for Morphett!

The Hon. P.B. MALINAUSKAS: That was an extraordinary success, embraced not just by South Australians but by the whole nation. Those opposite might not be on board with Gather Round yet; they are still working through it. The Leader of the Opposition is still weighing up his mind on whether or not he supports these major events, sniffing the breeze and trying to work out if he is on board or opposed to it.

Members interjecting:

The SPEAKER: Order, member for West Torrens! The Treasurer is called to order. There is a point of order from the member for Morialta, which I will hear.

The Hon. J.A.W. GARDNER: Point of order, sir: standing order 98 will do.

Ms Clancy interjecting:

The SPEAKER: Order, member for Elder! There is some force in the member for Morialta's submission. Some compare and contrast is possible early in response to the question. I will bring the Premier back to the question.

The Hon. P.B. MALINAUSKAS: Whether it be enlivenment on The Parade in the member for Dunstan's electorate, whether it be the extraordinary activities in your electorate, sir, in the Adelaide Hills, or whether it be the enlivenment of our city more broadly, an extraordinary amount of economic activity has come to our state.

However, it is more than just the tourism dollars; it's also about the investment attraction opportunities that exist in and around these events. We saw the Carlton IN Business function come here and hear about our government's agenda, we saw Lanyon Asset Management establishing their own events, and Morgan Stanley, in association with Business SA, brought a whole range of entrepreneurs to our state to engage with other opportunities that exist economically. These events have power.

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

The Hon. P.B. MALINAUSKAS: The golf, the member for Morialta interjects: over 70,000 people were in attendance at that event. Approximately 40 per cent of ticket sales came from interstate or overseas; in fact, there were tickets sold to people in over 65 different countries.

There are more events to come. The major events attraction committee has a test match that has been brought to South Australia, between the Hockeyroos and India, in coming weeks, so the major events calendar continues. It is investment that is working, and it is one that has brought this state alive.

HOMEBUILDER PROGRAM

Mr COWDREY (Colton) (14:33): My question is to the Treasurer. Was the extension to the HomeBuilder grant completion deadline fundamentally inequitable and unfair? If not, will he correct the record from 8 March? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr COWDREY: On 8 March this year, the Treasurer said:

The reason that it is not being reopened or I am not seeking to reopen the scheme for one group of people who find themselves in this very regrettable situation is because it would be fundamentally inequitable for all of those other people who found themselves in similar situations and missed out on the scheme as well.

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:34): I am pleased to report that those concerns that I did have about it being equitable have been addressed, and the reason why is because all the applicants now—

Mr Cowdrey: That's all anyone was ever asking for.

The SPEAKER: Order! The Treasurer has the call.

The Hon. S.C. MULLIGHAN: There are tissues in here. I am just trying to find them for the member for Colton.

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: The issue that he raised is that he wanted a time frame extension for those people who were buying off-the-plan apartments.

The Hon. S.S. Marshall interjecting:

The Hon. S.C. MULLIGHAN: He's the member for Colton. A bit of 2010 for you, yelling out from the backbench.

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: The prince is back in form.

The SPEAKER: Order! The Treasurer will not respond to interjections.

The Hon. S.C. MULLIGHAN: I know how concerned he is, the member for Dunstan. His brow is furrowed

The SPEAKER: Order!

Mr Cowdrey interjecting:

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

The Hon. S.C. MULLIGHAN: The member for Colton came into this place making representations—

Mr Cowdrey interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: —on behalf of those people who were in a sense of strife from investing in off-the-plan apartments and renovations. The point I made is, what about all those other people who had applied for the grant who were missing out because of the same pressures in the building industry? So when the federal housing minister wrote out to treasurers saying that she was contemplating extending it for those people, who the member for Colton had been advocating for, what did we do? We pointed out the inequity of the issue, the inequity of the situation that would arise. So what has the federal government done now?

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: What has the federal government done now? They have extended it to all applicants.

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

The SPEAKER: Member for Morialta!

The Hon. S.C. MULLIGHAN: Exactly what the member for Colton stubbornly refused to advocate for. Don't just take my word for it—

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: —because there are many members across there who actually raised these issues with me, but do you know who the one member of parliament is who still stubbornly has not written to me on this issue? The member for Colton. His other colleagues in here have done the right thing by their constituents, but not the member for Colton—not the member for Colton. It is just extraordinary. You don't have to take my word for it—

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

The SPEAKER: The member for Morialta is warned.

The Hon. S.C. MULLIGHAN: —you can listen to how the media has reported the performance on this. You can listen to how the media has reported this performance, and I quote: 'I sent Cowdrey the same text message I—

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: —sent Mullighan. Can you talk to me about—

The SPEAKER: Order! Treasurer, there is a point of order which I will—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order! Member for West Torrens, I am required to hear the point of order under 134(2), which I will.

The Hon. J.A.W. GARDNER: Standing order 98: we have had a minute of the Treasurer attacking a member of parliament rather than answering the question.

Members interjecting:

The SPEAKER: Order! There has also been substantial or, rather, substantive interjections. There is some force in the point of order. I will bring the Treasurer to the question.

The Hon. S.C. MULLIGHAN: Thank you, Mr Speaker. As I said, the media reports it as this:

I sent Cowdrey the same text I sent Mullighan and he said it's a matter for the party. I can't help but think this is why the Liberals are going to be in opposition for a very long time.

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: 'It's not just Matt Cowdrey, it's pretty much the whole of the Liberal shadow front bench.'

Members interjecting:

The SPEAKER: Order, Treasurer! The member for Morialta under 134.

The Hon. J.A.W. GARDNER: Standing order 98, and the Treasurer is also defying your earlier advice.

The SPEAKER: There is some force in the point of order. It is well known in the house that a degree of compare and contrast and, in fact, some context is permissible at the outset, and it may be that we are coming to the end of the context.

The Hon. S.C. MULLIGHAN: I stand by exactly what I said to the parliament beforehand: that advocating for one small group of applicants to the exclusion of others who had been impacted by exactly the same delays in the building industry would be fundamentally inequitable. There is one person in this place who doesn't accept that argument. I am grateful that the federal Minister for Housing has accepted that argument, and it has now been extended to all of them because I did the work that the member for Colton refused to do: I actually put pen to paper and corresponded with them and got the right outcome—something that the member for Colton, persistently to this day, refuses to do.

HOMEBUILDER PROGRAM

Mr COWDREY (Colton) (14:38): My question is to the Treasurer. Will the Treasurer apologise to Alicia and, if not, why not? With your leave, and that of the house, I will explain.

Leave granted.

Mr COWDREY: HomeBuilder applicant, Alicia Roussianos wrote to the Treasurer in response to his comments in *The Advertiser* on 28 April, and I quote:

I do not appreciate the insincerity and false narrative that you have presented in relation to this outcome. I pleaded for assistance verbally and in writing several times and did not receive any kind of support, understanding or compassion. This impacted my mental health, daily functioning and my family considerably. This is also when I lost faith in our government.

Mr Whetstone: Pen to the wrong paper.

The SPEAKER: Order, member for Chaffey! Before I turn to the Treasurer, I observe that of course standing order 97 prevents questions that involve argument. On one view, the opening of the question might invite an argument. I am going to permit the question, but I draw the member's attention to the standing order.

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:39): I think all members should take extremely seriously the concerns that people raise with them about their mental health. It is imperative that all members respond to the concerns of people who have contacted them and raised mental health issues appropriately and seriously. I have written to, I think, the same Alicia, the same constituent the member for Colton refers to. I have written to her, and I have confirmed the latest advice from the commonwealth government about her eligibility for HomeBuilder. I hope that she views that change of position from the federal government as good news.

HOMEBUILDER PROGRAM

Mr COWDREY (Colton) (14:40): My question is again to the Treasurer. Did the Treasurer start advocating for an extension before or after an extension had been confirmed by the federal minister? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr COWDREY: On 14 February, the Treasurer said:

The reason why we haven't advocated for the commonwealth to open this back up is because there are many thousands of Australians over the last three years who haven't qualified for HomeBuilder...

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:41): That was exactly right. We had understood from the federal government through numerous engagements with them that they had no interest in doing so, that they had no interest in opening it back up. The position that I put to the parliament was—

Mr Cowdrey: So you are just doing what they say? Roll over, don't worry about it, don't advocate for anybody?

The SPEAKER: Order! Member for Colton, you have asked your question. The Treasurer is attempting to answer.

The Hon. S.C. MULLIGHAN: It might have escaped the member for Colton's attention, but it is a federal government program: it is not a state government program. It is not open to the discretion of the states or territories. It is only open to the federal government to determine not only the level of the grant but also the criteria and who should be eligible for it. It had been made clear to—

Mr Cowdrey: You said they couldn't be changed, over and over again.

The SPEAKER: Order! The Treasurer has the call.

Mr Cowdrey: No scope for change.

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

The Hon. S.C. MULLIGHAN: It had been made clear that the commonwealth was not contemplating reopening it, and that's why I took the view, which has now proved to be correct, that to advocate for only one group of applicants rather than all those people who have been impacted by exactly the same pressures on the building industry would be fundamentally inequitable. The person who has ended up at the end of all of this with egg on their face is the member for Colton because it was he who took the untenable view that only a certain segment of applicants deserved help rather than all the applicants who had been impacted by the same pressures of the building industry.

That is exactly the position that the member for Colton took in this place. Of course, that's all I have got to go on because, as I have reported, he refused to detail his concerns to me despite me, in successive weeks in this place, extending an invitation to him to contact me, my office and RevenueSA directly. He refused to do it. He is happy to run out to the media. He is happy to serve up constituents for media consumption—

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

The Hon. S.C. MULLIGHAN: —but he is not happy to do the hard work. We have done the hard work, and we have got the result.

The SPEAKER: Treasurer, there is a point of order under 134 from the member for Morialta.

The Hon. J.A.W. GARDNER: Standing order 98.

The SPEAKER: There is some force in the member for Morialta's submission to me. As well, I observe that standing order 127(3) prohibits members from making personal reflections on any other member. In any event, it may be that the Treasurer has concluded his answer in relation to this question.

COMMONWEALTH INFRASTRUCTURE FUNDING

Mr TARZIA (Hartley) (14:43): My question is to the Minister for Infrastructure and Transport. Are any South Australian infrastructure projects at risk of delay or cancellation due to the federal government's 90-day infrastructure review? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TARZIA: Yesterday, the federal infrastructure minister announced that she would review infrastructure spending, including for half a billion dollars of future investment in South Australian roads and projects. Civil Contractors Federation SA CEO, Rebecca Pickering, said, 'This review may lead to decades of delays for these projects that are crucial for the advancement of South Australia.'

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:44): I would like to thank my young friend for his question and his keen advocacy on behalf of infrastructure. I would also like to take this opportunity to thank Mr Tony Pasin for his words of praise this morning on morning radio, which I thought I might talk about in the context of these infrastructure programs. Mr Pasin admitted on radio today that in the last commonwealth Coalition budget there was, and I quote, 'very little on budget night in relation to infrastructure or otherwise for South Australia'—a remarkable admission by a senior Liberal Party frontbencher on the last commonwealth Liberal budget to be delivered in Australia.

Of course, we know that my young friend has been out trying to frighten people, saying that the north-south corridor won't be included in the federal budget. Those cries have now gone silent given, of course, he has seen the commonwealth government commit to this project. I do say this: as you heard with the Treasurer's quote earlier about some frontbenchers, my young friend is ringing a lot of media, getting a lot of media attention. I think the training is starting to pay off. I think it is getting close to 'Time for Tarzia', but I think we are almost there. A bit more coaching and a bit more hard work and we will get there.

In terms of this review, Mr Pasin went on to say today about me, and I quote, 'I hope he is going to be as aggressive towards that government,' being the Albanese government, 'as he was towards our government', and that's the Morrison government, where he admitted next to nothing in the last federal government for South Australia, 'because ultimately'—and this is the part that's going to be on bumper stickers across West Torrens—'he's the guy who stands up for South Australian infrastructure projects'. I could not put it better myself.

I want to thank the Liberal Party for that endorsement. Although I know not everyone is endorsing Tony Pasin's candidature; I understand there is some movement at the station, as it were. But I say this out of self-interest: given those words of praise I hope you last a long time, with no disrespect to other candidates who are there. Obviously, the key word in my young friend's question there was the word 'may'.

Mr Tarzia: Is this a new tactic: 'young friend'? You were here for 12 years by the time you turned 37. You didn't learn anything though.

The SPEAKER: Order! The minister has the call.

The Hon. A. KOUTSANTONIS: I am here and you are there. Last time I checked, four-year Wonder Boy over there, a part of your demise was some of the things I picked up along the way.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: Yes. So I am very interested in what the commonwealth government are doing in this review. They claim it is necessitated by the infrastructure programs that were rolled out by the previous government that were often without BCRs, often paper projects—

Mr Tarzia interjecting:

The Hon. A. KOUTSANTONIS: Majors Road is a good project. It was a project advocated and supported by the previous government up until the point the leader aspirant—the most powerful person in the cabinet at the time—couldn't get his project funded. Then, of course, after the election of a Labor government, that project was funded and is now very popular in his local electorate.

Members interjecting:

The Hon. A. KOUTSANTONIS: It's not popular? Okay, we will see. We will work collaboratively with the commonwealth government to make sure that South Australia's points of view are put. Obviously, every government is entitled to review projects. We reviewed the north-south corridor and found that the plan was insufficiently funded and would have caused further congestion, so no doubt there will be improvements out of this review as well.

TRURO BYPASS

Mr TARZIA (Hartley) (14:48): My question is to the Minister for Infrastructure and Transport. Can the minister guarantee that Labor's infrastructure review won't cause a cancellation of the Truro bypass project?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:48): I don't know that the Truro bypass project is under any threat. I don't know that any of the projects that the shadow minister, my friend, is about to read out as questions are under threat. These are projects that the commonwealth government is reviewing because they are funding a lot of them on an 80:20 basis. Most of the funding is coming from the commonwealth government.

I also point out that Mr Pasin claimed previously that the Truro bypass project was underscoped and underfunded. If that's true, then a review is warranted. The idea that a review is designed to cancel projects is just not true. We conducted a review of the north-south corridor and that led to more expenditure, better outcomes, because that review was conducted in a way of trying to improve the project. I understand the commonwealth's review will be a 90-day project, so it will be a relatively short and sharp review.

I can assure the parliament that the Premier, right through down to the Treasurer, will be fighting fiercely to make sure we maintain our funding level of the federal government's national spend on infrastructure, to make sure that not only do we get our per capita share but that we fight hard to make sure we can maintain our funding levels. Of course we want to maintain those funding levels. Why wouldn't we?

Of course we want to improve freight outcomes. Of course we want to look after communities, wherever they are based, whether they are in regional South Australia or they are in metropolitan South Australia. We care deeply about our regions. We have members in our caucus who advocate for the regions. We have members on the crossbench who represent the regions. There are still some members in the Liberal Party who represent the regions. We want to make sure that all their voices are heard.

I know that the member for Flinders advocates to me regularly about issues in his electorate. He calls me or texts me. A lot of members in regional South Australia advocate on behalf of their communities, and the state government is no different. Every government is entitled to review projects. That doesn't automatically mean we have to catastrophise this and mean that it is a loss. We will be making sure—we will be fighting to do everything we can to maintain our level of funding in federal budgets, whether it's in health, whether it's in education, whether it's in transport and infrastructure, whether it's in defence spending, in any form—that South Australia get its fair share, and we will.

HAHNDORF BYPASS

Mr TARZIA (Hartley) (14:51): Again to the Minister for Infrastructure and Transport: does the minister guarantee that the infrastructure review that Labor is doing doesn't affect the Hahndorf township improvements?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:51): First and foremost, this is not a review that this government is conducting. The shadow minister is posing the question as if I am conducting this review. I am not conducting this review. This review is being conducted by the commonwealth government.

The Hahndorf bypass project is an interesting project that I think deserves some more aeration. This is a project that I think probably was ready to be announced before the last election, but for whatever reason the previous government chose not to make announcements about what its plans were for the Hahndorf township and the works being done there.

There is important work to be done at Mount Barker. That interchange is vitally important, not only for that growing city, which will become our second largest regional city in a matter of time, but of course for the Verdun interchange as well, which is also a very important interchange. These two interchanges in combination will reduce traffic flow in Hahndorf and of course try to get a lot of those heavy vehicles out of the Hahndorf township.

What we are not prepared to do in the Hahndorf bypass project is tear up Beerenberg or decimate Paechtown, because those communities and that business are iconic. They are iconic for South Australia. There are many people in this house and many people across South Australia who enjoy visiting Beerenberg. It is a great example, and Hahndorf is a great iconic town that has plenty of people who come and visit it for its historic nature, so we want to make sure that we can maintain the amenity of the area, which isn't just the Hahndorf township; it's also of course the surrounds, which is Beerenberg and Paechtown.

Obviously, we think these projects are important, but I suspect my young friend is going to be listing off every project that is in the forward estimates that was funded 80:20 by the previous

government, whether or not I can guarantee one way or another it's reviewed. That's a bit of lazy politics, but that's okay. It's all part of a 'Time for Tarzia' push—get a bit of air time in question time, get noticed.

Members interjecting:

The SPEAKER: The member for Florey.

The Hon. A. KOUTSANTONIS: Flex the shoulders a bit. There's a bit of hunger in the belly, a bit more than there is, perhaps, in the other three. Nevertheless, I like ambition in young people. I think it should be encouraged. I just don't know why the one future aspirant who should be more ambitious isn't, looking down at his computer rather than looking up. I am talking about you. I can help you too.

Members interjecting:

The SPEAKER: Order! The member for Hartley and then the member for Playford, who has been waiting patiently.

PORTRUSH ROAD-MAGILL ROAD INTERSECTION, VACANT LOT

Mr TARZIA (Hartley) (14:54): My question again is to the Minister for Infrastructure and Transport. Can the minister advise the house about the government's intentions for the remaining vacant lot of repurposed land which is on the north-western corner of Portrush Road and Magill Road? With the leave of the house, I will explain.

Leave granted.

Mr TARZIA: On 28 July 2022, the state government announced that a section of this vacant land will host a new ambulance station, but leaving the remaining land still in question.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:54): That's a very good question. The people of Prosser Avenue are very keen to find out what is going to happen with that section of land. In the meantime, while the government is developing its plans for that land, it's fair to say the residents there are very keen for a form of development. It's actually a natural sound wall to have buildings built there again.

I know that there were plans to make it a park, which was opposed by local residents, but I am open to suggestions from the community. I will be discussing a lot of these things with, obviously, the local community. I know that the Premier is also keen to hear the views of the local community about what we do with that land. What we have done in the interim is, at the request of the local community, put up—

Mr Tarzia: Ugly containers.

The Hon. A. KOUTSANTONIS: —containers, yes, to formulate a form of sound wall.

Mr Tarzia: Would you like to live next to a couple of those?

The Hon. A. KOUTSANTONIS: No, but I am not the one who instigated the intersection upgrade for no particular reason at all, other than to try to get James Stevens elected, because on his own it would be pretty difficult. So he needed this project, which caused nothing but havoc in the project. I also note that the one thing we didn't learn in the last four years of the parliament was that the former Premier had work done to his property as part of this project, which wasn't made public.

Members interjecting:

The Hon. A. KOUTSANTONIS: Yes, that's true. Trust me, more of that will come out at a later date.

Mr Tarzia: What are you doing about the land?

The Hon. A. KOUTSANTONIS: So back to the land. You don't want to talk about the former Premier? No, I wouldn't want to talk about that either. But I am very keen to make sure that we can get a sensible development here that, firstly, is keeping within the character of the area; secondly, is

not imposing a structure on the residents of Prosser Avenue and makes sure it is in keeping with the amenity of their homes; and, thirdly, provides a natural sound wall that they are looking for.

The question then becomes for the local community: what is the offering that they are looking for? Are they looking for affordable housing or looking for other types of housing? These are discussions I'm having with my good friend and colleague the Minister for Planning about this land. Of course, we are very keen to make sure we can do the right thing by the people within the surrounds of that area. It is a very, very important and tricky area.

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: I have personally met with the residents who live behind that development. A lot of them were short-changed on the ancillary works done to their homes as a result of the roadworks. Some of them had their requests refused by the previous government. Those requests have now been accepted by this current government, and we are making sure that those homes are having the treatments that they need, treatments in line with work done on other people's properties nearby.

Mr Tarzia interjecting:

The SPEAKER: Order! The member for Playford, who has been waiting very patiently.

ENERGY PRICE RELIEF PLAN

Mr FULBROOK (Playford) (14:57): My question is to the Minister for Energy and Mining. Can the minister advise the house about energy price relief initiatives?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:57): I thank the member for his question, because it was very exciting to see over the weekend that the leader and the member for Morphett had decided to take a rare foray into policy on energy, which I was very excited about. They were out and about talking about rebates for energy for households and small businesses.

I have to say my excitement quickly turned to disappointment. There we were hoping that the opposition had something to contribute to the public debate—alas, no. There they were, the leader, and the member still basking in the glory of the first goal against Port Adelaide 26 years ago that I talked about—

Mr Tarzia: First three goals.

The Hon. A. KOUTSANTONIS: —first three goals—calling for the Malinauskas government to join the national Energy Price Relief Plan, an initiative which the South Australian government committed to months ago, and which has now been finalised.

Back on 9 December last year, the Prime Minister announced that national cabinet had, and I quote, 'agreed to the Energy Price Relief Plan', which will provide targeted energy bill relief for households and businesses. On 24 February, the Energy and Climate Change Ministerial Council said that all states were working to finalise the details of the national Energy Price Relief Plan. For the opposition's benefit, I remind the house that South Australia is a member of both national cabinet and the Energy and Climate Change Ministerial Council.

On 9 March, I told the house that the Malinauskas government was supporting the government in their efforts to keep power prices lower. Then, just last week, the Treasurer said on energy relief that the rebate was, and I quote:

...precisely what we have told the parliament, week in week out, we would be doing in partnership with the Commonwealth Government in this year's coming budget. We said we would be doing far more on cost-of-living, we said that we would be partnering with the Commonwealth on delivering very significant improvements to people's energy bills by providing them with substantial relief—that's exactly what we're doing.

It would be helpful and nice if the opposition paid attention to what was happening before they rushed to make announcements. It's getting a bit embarrassing, hence the calls for, 'It's time for Tarzia.' But

they also failed to recognise that at the last election we were the only party that took concession relief to the election.

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

The SPEAKER: Order! Member for West Torrens, there's a—

Mr Cowdrey: What are you talking about? You copied one of ours.

The SPEAKER: Member for Colton, your colleague is raising a point of order, which I will hear.

The Hon. J.A.W. GARDNER: Standing order 98: two minutes in and still debate, sir.

The SPEAKER: Very well, there's some merit in the point of order that has been raised. I bring the minister back to the question.

The Hon. A. KOUTSANTONIS: It's pretty clear to me that the opposition know full well that there is relief coming in both the federal and state budgets on energy relief. Why? Because we told them. Then, rather than coming out with an alternative policy—which they are paid for, which they are remunerated in vast amounts of money for—they simply know that we're going to do it, hold a press conference and put out a press release demanding that we do what we already said we were going to do, so when we do it they can somehow try to claim credit for it that they embarrassed us into doing it. It is a pathetic tactic. What the opposition should be doing—

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

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —is actually planning their own policies.

The SPEAKER: Member for West Torrens, please be seated. There's a point of order from the member for Morialta.

The Hon. J.A.W. GARDNER: Standing order 98: insults amount to debate.

The SPEAKER: The minister may be close to concluding his answer, but in any case is aware of standing order 98. There's some force in the point of order. I bring the minister to the question.

The Hon. A. KOUTSANTONIS: Yes, sir, it is a very important standing order and I do my best to uphold it every time I speak. There are many dangers in oppositions not paying attention or deliberately ignoring what governments say.

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

Members interjecting:

The SPEAKER: Order! I will take the point of order from the member for Morialta, in which case the member from West Torrens will be seated.

The Hon. J.A.W. GARDNER: Standing order 98 goes to debate. The rhetorical device that the minister uses couldn't be more in the wheelhouse of standing order 98. He's defying you, sir, and he's against standing orders.

The SPEAKER: I didn't have the opportunity to absorb all the rhetorical devices that the minister was seeking to deploy. In any event, he is a masterful user of rhetorical devices, so I accept the submission that has been put to me that it was a rhetorical device. I will listen carefully. However, time for the answer is about to expire and it may be that the minister is about to conclude his remarks.

The Hon. A. KOUTSANTONIS: Again, I am overwhelmed with compliments today from Liberal and conservative members of parliament: I'm a master of something else, I'm a defender of South Australia. I think it's fair to say the government is committed to making sure that we can relieve a lot of the pressure that households are facing with energy. The Treasurer has already outlined this at length. Perhaps, pretty please: come up with your own policies.

TARRKARRI

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:02): My question is to the Minister for Arts. Will the government be proceeding with Tarrkarri, the Aboriginal art and culture centre funded to be built at Lot Fourteen? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. J.A.W. GARDNER: It has been reported that the review into the project was handed to the government on 24 April.

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (15:03): The cabinet has received that report. We are considering what our options are as to the Tarrkarri project and will update the house as soon as we can.

TARRKARRI

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:03): My supplementary question to the Minister for Arts is: having had receipt of that report, has the minister or the government made any approach to the commonwealth government seeking that they move the \$85 million that they have committed to the project into any other areas?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (15:03): I thank the deputy leader for his question. As I have stated publicly on more than one occasion, the Tarrkarri project represents a significant decision that the government will have to make in the months ahead. What amounts to a firm view within the government is that this parcel of land, which is rare and therefore precious in its nature, must be best utilised for the long-term interests of the state. There isn't a parcel of land coming up between the Botanic Garden and the Railway Station really in any of our lifetimes again. This is the only one, and we want to get it right.

We have commissioned a review. The cabinet received that report last week and a comprehensive presentation from the review panel members, and that is now under active consideration by the government and will be for the weeks ahead. What I think it's fair to say is that the \$200 million that was allocated towards the project previously was already seeing a curtailment to the previous design in a way that compromises the project going forward. If we are going to do something here we want to do it properly, and that's why it has to be considered very, very carefully. We are considering the recommendations from the panel in that context.

In terms of the specific element of the supplementary question from the deputy leader about approaches to the commonwealth, naturally the government will be turning its mind to any opportunities to attract other revenue in the event that the project goes ahead at all. That's what we have to work through. As it currently stands, the government's policy is to pursue the project, but we now have to contemplate that in the context of the full suite of recommendations from the expert review panel, then in due course we can also turn our mind to other opportunities around funding.

The funding from the commonwealth through the previous City Deal is still there. What I would say is that I think that on any reasonable and objective analysis of the Adelaide City Deal versus I think the Geelong City Deal and versus I think the Wollongong City Deal—

Members interjecting:

The Hon. P.B. MALINAUSKAS: You don't know what I'm about to say.

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: The City Deal that underpins the Tarrkarri project shows that Adelaide has not received a dollar-dollar weighted representation that other, far smaller jurisdictions received, which probably lends itself to the sort of negotiating tactics that underpinned the member for Barker's observations that were made very, very recently.

This isn't a government that is just going to say, 'Just cop what we're given from the commonwealth.' We are going to actively fight to make sure that we get at least our fair share from commonwealth expenditure into the future. The Tarrkarri project, or the Aboriginal arts and culture centre project more broadly, is something that we are taking very seriously. As I said, what underpins the government's deliberations and judgements over the course of this journey is making sure that whatever we do works and that whatever we do, we do properly, first time round.

Parliamentary Procedure

VISITORS

The SPEAKER: I recognise the presence in the gallery of Parker, Ivy and Sara Stolznow from Tanunda Primary School, guests of the member for Schubert. Welcome to parliament.

Question Time

FRANKLIN STREET BUS STATION

Ms HOOD (Adelaide) (15:07): My question is to the Minister for Housing and Urban Development. Can the minister advise the house about the future of the old bus station site on Franklin Street in the city?

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (15:07): Thanks to the member for Adelaide, who is such a great champion for the city. The Premier and the Lord Mayor this morning announced that Renewal SA was Adelaide City Council's preferred proponent for the old bus station site located on Franklin Street. The site went on the market last year and is a strategic piece of land due to its size and location. This government took the policy position that this site is a city-changing location and that we could build density and amenity into that part of the city.

The project is known as Tapangka, which in Kaurna means 'going on a journey', and there is symbolism in that journey. It is a journey of reconciliation, a journey of home ownership and a journey of partnership with the Adelaide City Council and the state government. We have focused Renewal SA's efforts to concentrate on the building of affordable housing.

This is Renewal SA's first urban regeneration project undertaken in the central business district. The CBD needs essential workers to function: it needs hospitality workers, it needs cleaners, it needs childcare workers, it needs retail workers. All these people keep our city functioning, and that's why we are going to deliver 35 per cent of the project to affordable housing for essential workers and for others who contribute so much to our state.

Comprising 392 apartments, it includes public housing, affordable rental for community housing providers, the city's first build-to-rent project and market and affordable sales. That mix of housing types is important for creating a fair and diverse community. That's what it is important for, and the inclusion for the first build-to-rent project will help to alleviate the rental crisis that Adelaide is currently facing. I heard the member opposite talking about the rental crisis, the housing crisis. opposite, your policy, was always to restrict supply when demand was going up, and that's why you don't ask any questions in this house about housing.

Members interjecting:

The SPEAKER: Order!

The Hon. N.D. CHAMPION: That's why you never ask a question about it—

Members interjecting:

The SPEAKER: Order!

The Hon. N.D. CHAMPION: —because you spent four years restricting supply.

The SPEAKER: Order!

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey!

The Hon. N.D. CHAMPION: Last Friday—

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. N.D. CHAMPION: —the national cabinet announced that build-to-rent properties will benefit from a reduction in the withholding tax rate, from 30 per cent to 15 per cent, and that creates a level playing field for build-to-rent. That's a really, really important thing—state and federal governments working together to produce housing supply.

The project also includes a 208 room hotel, adding much-needed hotel stock to complement our state's growing tourism and events calendar—all of which you oppose. Most importantly, the project is carbon neutral, it provides provision for electric vehicle charging, it creates 1,300 jobs and contributes \$161 million to the economy. That's why Bruce Djite from the Property Council was out there this morning saying, 'It's great the development includes a Build-to-Rent option which will increase the rental supply for the central business district.'

So here the government is providing a project that adds to the city—adds 1,000 people into the vibrancy of that section of the city. It is complementary to the beloved Central Market, it is important for the traders, it backs in a growing economy, a growing CBD, a livable city and a growing supply of affordable apartments for essential workers and for everybody else.

We want to live in a fair city, and to do that we've got to have an adequate supply of housing, in greenfield, in infill and in the city because that's the way you lower the price of housing—you provide supply.

PHARMACEUTICAL BENEFITS SCHEME

Mr BATTY (Bragg) (15:11): My question is to the Minister for Health and Wellbeing. Can the minister assist my constituent Mrs Sarah Lee, and with your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BATTY: Mrs Lee has been using the drug Enhertu to fight her deadly metastatic breast cancer. The drug is working but not yet on the PBS. The drug costs Mrs Lee \$12,300 per three-weekly cycle. I wrote to you on 2 March querying whether Mrs Lee could be assisted under any state scheme to assist patients with the cost of medicines not yet on the PBS. Two months and tens of thousands of dollars have passed and Mrs Lee is running out of money and time.

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (15:12): Thank you very much to the member for Bragg. I thank him for his question and advocacy on behalf of his constituent. I have responded to the letter. It may well be on the way. I have certainly signed that letter in the last couple of days, but as the member knows this is a federal matter in relation to the Pharmaceutical Benefits Scheme. As well as writing back to the member for Bragg, I have also written to the federal health minister, the Hon. Mark Butler, inquiring into the status of this particular drug on the Pharmaceutical Benefits Scheme.

Clearly, the federal government in its processes in relation to the Pharmaceutical Benefits Scheme needs to go through a proper process of considering the efficacy and cost-effectiveness as well of particular drugs. It has a Pharmaceutical Benefits Advisory Council, which meets to consider particular drug listings. I understand that this drug has been considered a number of times by that committee but it has not got through and been recommended for listing on the PBS, and I am certainly inquiring with the federal minister to see whether that is going to be subject to further consideration in the future.

I am sure that your constituent is not the only one who might be in that situation of facing a difficult decision in terms of the price of that particular drug. I hope that this receives appropriate consideration by the federal government, and I thank the member for Bragg for raising his concern on behalf of his constituent at what would obviously be a difficult time for her and her family.

*Grievance Debate***AMBULANCE RAMPING**

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (15:14): Today, I rise to talk about priorities because over the Easter break we learnt a great deal about the government's priorities, and it was a significant change from the priorities they put forth to the South Australian people in the lead-up to the March 2022 state election.

The priorities back then—we remember them well—were all about health, and particularly all about hospital ramping. We remember the posters plastered across lampposts and Stobie poles right across highways and streets in South Australia: 'We will fix the ramping crisis.' Since then—and we have seen it in recent weeks—there has been a significant definitional change on what that promise was. There is not just one asterisk now; there are several asterisks around time frames and levels and response times replacing what ramping was actually thought to be in the minds of South Australians.

Since the election, since that time, we have seen such a change of tune from our Premier here in South Australia. In the lead-up to the election all he wanted to talk about was ramping and fixing the ramping crisis, the presence of ambulances on the hospital ramp. Today, the stats are so many times worse than they were back then in February 2022, the last recorded statistical period of hospital ramping prior to the change of government.

The change is so stark now. Back then we saw just over 1,000 hours spent on the ramp but now, in March 2023, it is 3,968 hours—a 162 per cent increase in ramping compared to March 2022. In fact, we have now seen ramping spread from the major hospitals—the Lyell McEwin, the Royal Adelaide Hospital and Flinders Medical Centre—into the suburban hospitals: Noarlunga Hospital, Modbury Hospital, The Queen Elizabeth Hospital.

The situation confronting patients and paramedics gets worse and worse, but the Premier is now, 'Look over here, look at the Gather Round, look at LIV Golf.' These are things that, by themselves, do contribute to the state's economy, things that in some ways we might celebrate, but not when the single most important election commitment, the primary election commitment put forward by the Malinauskas Labor government, was to fix the ramping crisis.

It is not just the ramping crisis now; we now have the 'pillow crisis' as well. In the most bizarre failure of hospital management I can remember in recent times, our hospitals are running out of pillows. A few weeks ago we had the 93-year-old man whose family had to find him a pillow and linen in the hospital emergency department, and just in the last couple of days it has been exposed that a four year old transported to hospital with a suspected twisted bowel, writhing in pain, was provided with a towel to rest his head on after a 20-minute search by a nurse came back with absolutely no pillows to be found.

What is going on with our hospital system, with the smoke and mirrors, the change of definitions? Today, we had the Minister for Health say that this is not a problem, that it was the nurse's fault because she could not find a pillow, that she was not looking in the right place, that he went down there today and saw a pile of pillows sitting somewhere. It is unbelievable the denial, the change of stories, the smoke and mirrors. Just fess up to the problem, take responsibility and fix it, Chris. We used to have Fix it Pat or Fix it Ian, now we have Fix it Chris.

The Premier no longer visits hospital emergency departments. There are no more selfie videos on the ramp; that has all ended now. Today, and in recent times, it has been speeches in the centre of footy ovals and it has been events under the shadow of the Saudi flag. Let me tell you that it is not just the opposition and the South Australian public who are concerned. According to the radio yesterday morning it was quite clear that several members of his backbench are very concerned as well. This government are all about the fellas, all about the boys. They have no interest whatsoever. Their blokey culture—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS: —is not delivering for the people of South Australia—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS: —and instead of looking—

The SPEAKER: Order! Leader, your time has expired.

The Hon. D.J. SPEIRS: —for ways to entertain the boys—

The SPEAKER: Leader, your time has expired.

The Hon. D.J. SPEIRS: —how about you go and find some pillows and create a bit of comfort for the poor—

The SPEAKER: Leader, please be seated!

The Hon. D.J. SPEIRS: —four-year-old who suffered at the hands—

The SPEAKER: Be seated, leader, your time has long since expired!

The Hon. D.J. SPEIRS: —of your negligence.

The SPEAKER: The member for Badcoe has the call.

MARION ROAD-CROSS ROAD LEVEL CROSSING

Ms STINSON (Badcoe) (15:20): Thank you so much, sir. It is nice to finally have the opportunity to say my piece. Let me take you back a little while; in fact, let me take you all the way back to 2017. Back in 2017, I was knocking on doors around Plympton and around South Plympton, and people were telling me that what they really wanted to see was an upgrade to the Marion-Cross Road tram crossing. There is a level crossing there and people were telling me that not only do they experience incredible delays there—about 20 minutes of every hour, cars are spent backed up at that crossing—but also that there are significant safety concerns there as well.

Luckily there have not been too many incidents but certainly the risks are ever present when you have level crossing trams, you have a high volume of traffic, you have pedestrians making their way around shops and nearby schools, and you also have cyclists who are using our busy Marion Road, Cross Road and Anzac Highway as well. At that stage, I was obviously very persuaded way back then about the merits of removing the level crossing at that particular location. There are actually two points along the tram line, both at the Marion Road intersection and also a little further down towards the bay, only about 100 metres down is the second crossing, so it is actually a dual-level crossing at the moment.

I was persuaded by the arguments from local people that something needed to be done and that is why, at the 2018 election, I took a policy to my local community and Labor took a policy forward in that 2018 election that we would remove those level crossings and remedy that situation. Of course, we all know that unfortunately Labor was not successful at the 2018 election, but I truly thought that the arguments that were put to me, and I imagine the opposing candidate at the time, and the then Marshall Liberal government, would have persuaded others just as they persuaded me. I fully expected that the previous government would actually take up that suggestion, that plea from the community, for infrastructure investment there to see that level crossing removed.

Alas, it did not happen, and I am not really sure why those opposite did not pursue that at all. It has been a pretty obvious project that has needed to be done. Nor was it pursued at a federal level, nor to my knowledge did anyone from the then state government, the Marshall Liberal government, make any advances to the commonwealth for funding for it either. But, never fear, of course we had a different result at the 2022 election, which saw the Malinauskas Labor government take the helm.

Of course, we went to the last election again making that commitment that we would remove those level crossings and make the community so much safer for those in the Plympton area, but also improve travel times for people who are going through that intersection each day to get to the city, to get to work, to get to school. Our government put forward \$200 million for the project. We were, of course, delighted to see for the first time in 78 years that Labor also managed to win the

seat of Boothby, and what that meant was another \$200 million from the federal government to ensure that this project would happen. I have been working very closely with my colleague, Louise Miller-Frost, the member for Boothby and, of course, the Minister for Transport, Tom Koutsantonis, to ensure that this project happens.

Right now, we have released the designs for the project and consultation is now underway. I myself have held two community meetings already. About 20 people came along to the RSL the night it was announced and then 65—I have to say my street-corners are not usually that well attended, but such was the level of interest in this project that 65 people turned up to Incognito Cafe in Plympton to hear and see more about this project and also to contribute their ideas.

There are quite a few benefits of this upgrade. I want to just press that the overpass design is the best solution. There have been contributions from others in local government who wanted to see an underpass, but it is really important that my community understands that the overpass solution provides greater safety, greater constructability, a quicker construction of the project and less downtime with the tramline being out but also it provides for fewer land acquisitions.

As a result of this, there are three on the actual overpass that are being acquired and only 10 all up in comparison to the tens and tens that we would have seen otherwise. I would have liked to have said more but, unfortunately, I had the leader to contend with earlier, so I will have to leave my remarks there.

INFRASTRUCTURE PROJECTS

Mr TARZIA (Hartley) (15:25): I would like to take the opportunity to inform the house today about two items. One is obviously a local infrastructure item that we would like to work towards a solution on, then the second one is about infrastructure in this state more broadly.

Firstly, let me talk about the Moules Road/St Bernards Road/Arthur Street intersection. As we know, we have a good history when it comes to working together with the local community and working together with government to make sure that we can improve infrastructure in our local area. Whether it is Graves Street and Newton Road, whether it is Silkes Road and Gorge Road, whether it is OG Road and Turner Street or whether it is Paradise Interchange, by working together with the local community, we have certainly been able to improve the amenity of our area and make sure that we can upgrade these key infrastructure items across our area.

The next one to talk about is St Bernards Road, Moules Road and Arthur Street. We know that this has been a problem intersection for some time, but I am confident that, given our strong history of working together with the local community and making sure that we can obtain funding to fix these types of intersections, we will also get a positive result here. What I did was conduct a local road safety traffic forum in my own electorate. It was attended by dozens of residents, and we obtained a whole range of feedback about how we might upgrade this key intersection.

There was a road traffic management plan undertaken by the Labor government of the day. The problem with that is unfortunately the data that that traffic study is now relying on is over 10 years old. What I have done is written to this minister and I have pleaded with this minister to please make sure that we can go and get some updated data when it comes to the road traffic management plan. What that updated road traffic management plan will do is come up with a number of solutions.

I have canvassed my local area extensively. The answer for Moules Road, St Bernards Road and Arthur Street is indeed at least one extra set of traffic lights. What traffic lights there will do is make sure that if you are turning out of Arthur Street, you will be able to turn quite safely to the right into St Bernards Road in a much safer manner.

We also know that there are a whole range of density issues. There is much more density in that local area because of the fact that the area overall has grown. It has certainly grown in the last 10 to 15 years. People want to live in our electorate and in the eastern and north-eastern suburbs. Morialta Secondary College is an exceptional former Liberal government project but, again, it has brought more people into the area. What that means is that the infrastructure needs also to keep up to date.

What we are calling on the government to do is make sure that they release an updated road traffic management plan that delivers more updated traffic figures. Please do get on with the job and make sure that we fix those intersections. Make sure that you work with the opposition and deliver a key outcome there. Given our history—we have been able to fix Graves Street and Newton Road, OG Road and Turner Street, Silkes Road and Gorge Road and Paradise Interchange—I have no doubt that the next intersection to be upgraded is Moules Road, St Bernards Road and Arthur Street. It is going to happen. I now ask the government to come on board.

Finally, I also want to talk about the federal government review when it comes to infrastructure. The fact is this: there are now potential blowouts, potential delays and potential nation-building projects that are now on the chopping board because of what the federal Labor government has instigated in this review. Critical infrastructure projects now face multiple blowouts, delays and potentially the axe thanks to this Labor government. What we need is a Premier and a transport minister now to stand up to the federal government.

There are critical projects like the Truro freight route, the Princes Highway corridor upgrade, the Old Belair Road upgrade, the Marion Road and Sir Donald Bradman Drive intersection upgrade and also the Hahndorf township improvements and access projects that we know this government was seemingly already so desperate to diminish, to cut and also to curtail. It does not come as a surprise to us that the federal Labor government already cannot manage its budget, and that is why they have done this review: to kick the can down the road, to cause unnecessary delays. People expect better.

Unfortunately, state and federal Labor governments often have a history of poorly managed budgets. Despite the showmanship and promises of the new and ostensibly improved state and federal Labor governments, it is quite clear that old habits die hard.

WAITE ELECTORATE

Ms HUTCHESSON (Waite) (15:30): Over the break, an incredible thing happened in my community. The entrance to Blackwood is being transformed and, instead of it being a desolate ground filled with rocks, weeds and dirt, it is turning into quite the Cinderella. Thankfully, no glass slipper is required to ensure it remains looking beautiful, and I could not be more proud of my community.

Along the Belair line, we are plagued by graffiti artists tagging their hearts out. Whilst the right place at the right time for this type of art is appreciated, our train corridor is not that place. As with the fairytale, the area that lines the Belair train at the Glenalta crossing was dirty, grotty and, whilst it was a hardworking footpath, it never had the opportunity to show its true colours—until now. It may be the case that the ugly stepsisters never saw this as a priority, but there are many in my community who did, and they let me know that Cindy needed a makeover.

Just like Cindy's experience, it was with the help of many that her fairytale came true. In our case, the little helpers from the Department for Infrastructure's Rail Care team, led by Scott Bailey, along with students from Blackwood High School, Lighthouse Youth Projects, and several others, gathered around the artist, our Prince Charming Adam Poole-Mottishaw, and a miracle happened. The 200-metre long fence line was transformed into a thing of beauty.

A mural painted for as far as you can see now welcomes people to Blackwood. It shares the rail journey with train passengers and tells a story to pedestrians walking by. It is not the story of Cinderella or any other fairytale, but the important story of our ANZACs, and it pays respect to the soldiers who gave so much to allow us to live in peace. The mural is the biggest venture the Rail Care team have undertaken. In consultation with the Kaurna Board; Blackwood RSL; our local community champions, the Blackwood Action Group (BAG); myself; and Adam, his team got to work.

Once most of the art was complete, local primary school students from Belair—one from each year level—all came along with some community members, some local to the fence, members of BAG, Rail Care and even I all had our hands spray-painted on the fence to be there forever. There was even an eight month old named James, whose little tiny hand was traced on cardboard and then superimposed into his grandmother's hand as well so that she, too, will have that memory and he will be able to see it as he grows. The result is the stuff that fairytales are made of. In fitting style, on

22 April at 3pm, a grand ball was organised at the site with over 200 guests as we cut the ribbon on the work.

A big thank you to all involved from Rail Care. I want to call them out personally, as this is such a gift to my community. So a big thank you to Scott, Jamie, Mark, Courtney, Peter, Scott, Trevor, Robert, John, Vlad, Grant, Richard and Paul. Thank you from the bottom of my heart. To Adam, Tahnesha and all the artists, thank you for putting your passion and love into the project; it really shows. To Blackwood Action Group and our other community members, to OMG Donuts, Serea Coffee and the Blackwood Lions, who provided the banquet—thank you.

Going forward, though, there is more work to do in this location. On Friday, I will be out with Blackwood Action Group planting plants on the adjacent side of the rail line with a beautiful rosemary hedge, donated by our local Banner Mitre 10, and a native wonderland, donated by ARTC, our freight colleagues and sourced from our good friends at State Flora. It is a dream come true, something that I raised back when I was campaigning for the seat. I am so proud that my community will be proud of this and we can all live happily ever after.

STRATHALBYN HEALTH SERVICES

Mr PEDERICK (Hammond) (15:34): I rise today to talk about the Strathalbyn emergency department. Today, I was proud to table a petition with 1,452 signatures from the good people of Strathalbyn and surrounding districts. The petition noted that the emergency department of the Strathalbyn and District Health Service was closed during the COVID-19 pandemic due to its co-location with an aged-care facility. The request is that the state government immediately reopen the emergency department at the Strathalbyn and District Health Service to its pre-COVID operating hours and provide whatever workforce is necessary to operate this facility.

This facility has been shut down for three years. It is time to reopen the Strathalbyn emergency department immediately. This is a government where the health minister has made a big noise about supplying hundreds of healthcare workers—hundreds of doctors, hundreds of nurses and hundreds of paramedics—to better the health services in this state.

Well, where are they? They are certainly not coming to Strathalbyn. They are not coming to an area where you have an emergency department that would service up to at least 10,000 people, including the people of not just Strathalbyn but further out towards Milang, Clayton, Langhorne Creek and surrounding areas.

The argument has been made to me that, 'It's only 15 minutes from Strathalbyn to Mount Barker hospital.' That is not the point. That could be the difference between life and death. That may be the time from Strathalbyn, but what about those people who live 20 minutes down the road, 30 minutes down the road and further out, who deserve decent health care in their region?

You can tell from the number of signatures on this petition, and this petition is ongoing. I have been in at least 10 places in Strathalbyn where people are rightly concerned about the health services in this area. These facilities need reopening. Where are these doctors? Where are these nurses, where are the nurses and where is the support that should be coming to this vital facility?

While I am on my feet, I want to give a bit of a discussion about some of the history of the healthcare services in Strathalbyn. We have the beautiful Kalimna Hostel, which the community raised funding for over many years, bought the land and then built the hostel, yet viciously in 2017, before the 2018 election, the Labor government closed the facility, citing safety concerns. They were saying that the people in that facility in aged-care support services would not be able to get out of their rooms. If there were a fire, in all those rooms they could have been wrapped up in a blanket and got out. It has been closed and it has been shut ever since.

We were at a town meeting in 2017 that demanded that Kalimna be reopened. We put \$3 million into that project to redevelop Kalimna, yet under this Labor government we still do not see the outcome of the plans for where Kalimna goes next with this community-fundraised facility and community-fundraised land.

We have the Strathalbyn aged-care facility, the memory support unit. I am so proud to be part of a government that in 2020 announced this. It was a \$16 million expansion of 36 new beds,

including a 24-bed open ward and a 12-bed memory support unit. This unit opened in December 2021, and I am so proud to see that facility open. We came through with our promise to get that facility open for that support unit. In recent times, I was at the opening of the new SES unit and the ambulance station in Strathalbyn, which were Marshall Liberal government initiatives. I am so proud to have them in place.

We made commitments. We kept those commitments. Now we need a commitment from the current Labor government, Minister Picton and Premier Malinauskas to reopen the emergency department in Strathalbyn to make sure that those good citizens and the citizens of the surrounding districts get the vital health care that they need.

MAJOR EVENTS

The Hon. L.W.K. BIGNELL (Mawson) (15:39): I rise today to talk about major events and the important role that they play not just for our economy, the thousands of jobs they help sustain and the tens of millions of dollars that they bring into our state each year. This is money that then comes in some part back to the government, which can then be used on important government priorities like health, education, the environment, housing and other areas where people need to have better services and better infrastructure.

It has always seemed to me that some people, and I think many who sit opposite have displayed this in government and through their ignorance about major events since the last election, see events as just some sort of party. They do not actually see the role major events play in building our economy.

Events are as important as agriculture, manufacturing and every other industry. They are all really important, and we need to have a diverse economy in South Australia. We need to be doing our very best across all of those money-making sectors so that we get more money into our coffers that we can spend on the priorities of the government but also the priorities of the people of South Australia.

Aside from the economic benefit gained from Gather Round and LIV Golf and the five-test series between India's men's hockey team and the Kookaburras last December, and what we are going to see in a few weeks' time when the Australian women's team, the Hockeyroos, play the Indian women's hockey team, the advantages we get are about much more than just jobs and more money into our economy.

LIV Golf and the Gather Round help change the way people inside South Australia view South Australia and how people interstate and overseas view South Australia. There is an old saying that the only people who bag Adelaide are those who have never left or those who have never been. If people have never been, we need to explain to them who we are and what we are.

If we look at Austin, Texas, our sister city, about 20 years ago they decided that they were going to go after the US traveller and change the view that people had of Texas and the view people had of Austin. They came up with the slogan 'Austin: we're weird'. They went out and started things like South by Southwest, and they became a magnet for people who wanted a bit of excitement in their life, who wanted to be at the cutting edge, who wanted things that were different. That is what we are going through here in South Australia at the moment.

To anyone who saw that 12th hole at the Grange golf course, where the people there did an amazing job, that is not golf as we know it. To those who have never been to Adelaide, that is not Adelaide as they know it. We know it happens all the time. We love having a great time in Adelaide. We are changing the perception of our place so that people will come here for holidays, people will invest in South Australia. It is a really, really important role that these events play in South Australia in terms of positioning ourselves in a very busy and cluttered global and national market.

As the chair of the Major Events Attraction Committee, I would like to take this opportunity to thank my fellow committee members. We have Manuel Ortigosa, Nikki Govan, Kiara Johnson and Damien Walker, and we are very well supported by members of the Department of the Premier and Cabinet team, Wayne Hunter and Robyn Ingerson, who have done a terrific job. It is our role to work with the South Australian Tourism Commission, Events SA, the tourism minister's office but also other ministers and other portfolios.

If we look at the India v Australia hockey test matches, they do not necessarily stack up on a bums on seats, heads on beds kind of look at the economic benefit, but when we look at the important role that multiculturalism plays in South Australia and the growing Indian community, having the Indians here for 10 matches across the men's and women's competitions is an extraordinary opportunity to work with the Indian community in South Australia. Also, the biggest cohort of international students that we have in South Australia comes from India, so it is a terrific vehicle to show people that we are a safe place to send their children to study.

We are also working with the education department. We are working with lots of different areas to make sure that we bring the very best events here and that we leverage what those events can do for South Australia to tell a much wider story about who we are as South Australians and why people should come here.

Bills

RESIDENTIAL TENANCIES (PROTECTION OF PROSPECTIVE TENANTS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Ms HUTCHESSON (Waite) (15:44): We all know that protecting our personal data in today's cyber climate is of utmost importance. With examples from Optus, Medibank Private and many more, the need to protect personal information has never been so critical. This bill also contains measures to protect tenant information by prohibiting tenant information from being disclosed without their consent or as required by law, the tenancy agreement, a court, or tribunal.

Information will need to be destroyed after three years for a successful tenant and within 30 days after the tenancy agreement is executed for unsuccessful tenants. There is allowance for tenants to approve their information to be held for up to six months in support of looking for another tenancy. This bill also regulates the disclosure and destruction of the personal information for both tenants and prospective tenants, with a maximum penalty of \$20,000 and an expiation fee of \$1,200. We are taking the protection of personal information seriously.

We see the costs of rents are continuing to increase and it is making it very difficult for those on lower incomes to find a property that is fit for living in. Due to shortages in affordable rentals, there are some examples of houses that are rented that have issues that some landlords do not look to fix or, alternatively, refuse to fix. An example of one such situation was raised with me recently. The member of my community said:

A few years ago I moved into my current home and at the time was assured by the landlord that despite the lack of air conditioning the summer temperatures indoors were adequate. I subsequently found that during heatwaves my indoor wall thermometer regularly read up to 38°. Night-time temperatures were often high enough as to make sleeping impossible, and I could literally feel the heat radiating down from the ceiling from the moment the sun came up in the morning. It was like living in a tin shed. Sometimes for days at a time I would have to move out of my home and stay with my parents just to get away from the heat so extreme it was affecting my health.

In response to this, I asked my landlord if she would consider installing air conditioning. Her response was to verbally abuse me, accuse me of being demanding and then said she would only consider it if I was to pay a fee well over \$1,000, which would far exceed the combined cost of buying and installing the air conditioner. I considered this to be grossly unreasonable so I refused, since I could buy and install my own air conditioner for a fraction of this cost and then take it out with me or sell it when I left. Unfortunately, current rental laws require the landlord's permission to make such changes to the house, which she refused.

With the state of the current rental market I have been unable to find alternative accommodation, and so had to just go without air conditioning for years. It wasn't until the property recently changed hands and the new landlord took over that I was provided with a small portable air conditioner. It sounds like a jet engine, it's impossible to run while sleeping, takes up a huge amount of space, and I still have issues caused by the lack of insulation in the house, but I at last have mostly tolerable summer temperatures, which is a vast improvement over previous conditions.

If some reasonable minimum rental standards had existed I would never have had to live through such conditions. It is clear that it is not enough to merely hope a landlord will do the right thing, and without minimum requirements enshrined in law, renters like me are at the mercy of unreasonable landlords. I am not asking for luxury, I just want a home that is not a danger to my welfare. Neither do I think I should have to bear the financial burden to bring a neglected house up to such a standard. I don't think these are unreasonable requests.

While this is not the subject of this bill, with rent bidding rife we can see houses being rented for much more than they are worth and landlords not looking to make improvements, as they can look to the next applicant on the list. This bill prohibits rental properties being advertised at a price range and prevents landlords or agents inviting higher rent offers. In addition, third parties—which often include websites facilitating application forms—are prevented from engaging in rent bidding. Preventing rent bidding makes it a fairer process. Everyone knows what the cost is and can go in knowing that their opportunity to call the house their home will be based on their application and not on the extra \$50 someone can give them.

We are also addressing the practice of prospective tenants being charged fees for background checks and an assessment or rating of their suitability being provided to the landlord. All families should have the same opportunities, and this bill will prevent a person in trade or commerce from providing an assessment or rating of a prospective tenant that is based on their ability to pay more than the asking amount and disallows a person from receiving, or requiring a prospective tenant to pay for, an assessment or rating of their suitability for tenancy.

For some families and individuals, renting and saving for a bond in order to be able to move when they require can be a challenge. It is currently practice that landlords can claim up to the equivalent of six weeks' rent for their bond. With some properties in my electorate fetching over \$600 a week for rent, this equates to \$3,600. That is a substantial amount of money to lay on the table to secure a property.

Bond affordability is one of the immediate priorities we need to address as part of our plan for a better housing future. When rates fall below \$250 per week, landlords can charge the equivalent of four weeks' rent, but this threshold only covers very few properties anymore. The bond threshold will now be raised to \$800 to ensure that, for the majority of rental properties in SA, only a four-week bond will be required. This will reduce upfront costs for tenants and, depending on the amount of rent they will be paying, could equate to a between \$500 to \$1,600 saving. This new bond amount will apply to any bond payable under an agreement entered on or after 1 April this year. Any bond paid before that date will remain lodged with Consumer and Business Services until the tenant vacates the premises.

These reforms are seen as the immediate priorities, but there will be more to come after further consideration of, and consultation on, the broader review of the act, with issues such as renting with pets, longer tenancies and retaliatory eviction being some that will be considered.

Our government is taking this review seriously as we roll out our plan for a better housing future. Last year, our Minister for Consumer and Business Affairs hosted a forum to hear firsthand the issues that are affecting our residential tenancy sector. Many stakeholders were present and many issues were discussed. This consultation received the response it deserved, with over 5,000 people completing the YourSAy survey and over 150 submissions received. As we continue to address the rental crisis, all of this feedback is being considered.

Ensuring that we are doing everything possible to ease the stress on the market is important. Ensuring renters have rights and have access to protections will allow more families and individuals to be able to rent without stress. I look forward to seeing what else will be included in the review. I commend this bill to the house.

Ms SAVVAS (Newland) (15:52): I am incredibly happy today to be speaking to the residential tenancies amendment bill, with the aim, of course, to protect prospective tenants. We all know that our rental market is booming and that at times it can be incredibly hard to find a rental property. We are initiating reforms here in SA so that South Australian tenants are not left behind, and these are regulatory safeguards that aim to protect those households. These reforms will better meet the needs of today's rental market, improve protections for renters and also ensure that landlords can continue to manage properties effectively. It is important, of course, to consider both sides of the coin when having that discussion.

As part of the reform, the minister announced a review of the RTA. This has been the most comprehensive review since 2014. We have identified, as a first step, that there are some immediate priorities in order to assist renters with affordability and to protect tenants' rights. This is all part of

our broader housing package, a suite of different housing reforms to help more South Australians get a roof over their head.

We know that every South Australian does deserve to have a roof over their head, and that is something that so many of us do take for granted. I myself have lived in a great number of houses, and I certainly recognise the toll it takes on individuals and families—particularly thinking back on the amount that I moved as a young child—to continually get up and move. I have also lived in emergency housing, as I have spoken about in the house before, and will never take for granted, I hope, the feeling of walking into my own home each night, knowing that it is both safe and is mine.

I would like to acknowledge, when speaking about the housing crisis, the way that the housing crisis disproportionately impacts women and children. I also acknowledge that women—not only women but predominantly women—in domestic violence situations are often—not always but often—unable to get themselves out of a situation at home, away from an abusive partner, because they either cannot afford to live on their own or they cannot find the place to do it in. That is something that I truly believe is everyone's business.

We recognise as a government the pressure that the housing market is placing on South Australians, and that is not just typically vulnerable South Australians either. I have been contacted by a large number of constituents who are often two-income households and who are struggling for the first time in their lives to get into another rental property that is suitable for their needs, particularly those with kids, or with pets, or those who are wanting to remain close to a local school, whether for a school zone, local sports clubs or other priorities for the children.

We are prioritising housing as a government, and this bill is just one part of providing an immediate response to the challenges faced by Australian renters. People are moving to South Australia at record rates, and this has had a huge impact on the demand for housing, not just in the metro area, of course, but also in regional towns.

Our economy is looking really good in SA, and we have heard in the last few weeks that South Australia's population has risen by more than 25,000 people in a single year—the second biggest increase on record. That is a good thing. We do want people here in our great state, but it does bring with it challenges, there is no question of that.

This week, we have made a number of announcements relating to housing. We have just unveiled the first, brand-new public housing home that has been built as part of our \$232 million investment in public housing. Construction is already underway on 81 new homes with 52 suburbs in line for brand-new South Australian Housing Association homes scheduled for completion by June 2026. The new homes are part of a \$232 million investment in South Australia's public housing stock, which will deliver the first significant net increase in public housing stock in a generation.

At the same time, we have also announced another land release of nearly 2,000 homes to tackle the unprecedented housing crisis, bringing the total release number to about 25,000 across our state. We know that residential vacancy rates due to the population demand are historically low and that this supply shortage of rental properties has caused rents to increase significantly. It has also created an environment where renters are really struggling to find properties.

I was a landlord for a very short period of time, and I remember all too well the 30-plus applications in the first two hours of advertising my property online. It was a very small house without a garden, and I was saddened not only to have to say no to a number of incredibly worthy applicants but also surprised to see the number of large families applying for a rental property, particularly for such a small house without a garden which was not close to local shops or cafes and which was in a new development as well.

The shortage of houses has also led to rent bidding and requests for tenancy information that are entirely onerous. There are expectations over and above what a tenant should be reasonably expected to provide. This bill is here to address the issue of rent bidding as well as other priorities identified as part of the housing plan, including taking the first steps towards standardising rental application forms, as well as better protections for tenants' data, which we know in a changing digital world are incredibly important.

The amendment bill proposes priority changes to the Residential Tenancies Act 1995 as part of the broader housing strategy, providing for prescribed information that cannot be requested of a prospective tenant, protecting tenant information, prohibiting rent bidding and third parties charging prospective tenants fees for an assessment or rating of their suitability for a tenancy.

It also provides for information, to be prescribed in the regulations, that must not be requested of a tenant, which we think is incredibly important. We have all heard stories relating to rental application forms and processes. The member for Gibson mentioned earlier a story relating to video applications in a resident's current home trying to assess their suitability, or perhaps the way the individual was leaving that rental property.

That is not the first time I have heard that story. I have heard that story multiple times not just in my community but also when we were looking to rent out our property and also when looking to purchase a new home of my own. It is also not the first time I have heard the story mentioned by the member for Davenport of residents lying or feeling that they could not tell the truth in their applications to get a rental property—whether it be to get into a school zone or close to the local sports club, shopping centre, dog park or other amenity.

After consultation with key stakeholders on the draft bill, based on the feedback we received we have included a technical amendment to ensure the exemption under section 47B is intended to apply only to a landlord who is also the housing assistance provider, to ensure that the prohibition does not interfere with the housing assistance provider requesting information required to determine a tenant's eligibility.

There are also the clauses I mentioned before relating to protecting tenants' data and information. In light of recent cybersecurity incidents, where individuals' personal information was accessed, this includes measures to protect tenant information by prohibiting tenant information from being disclosed without their consent. This is very important.

We have all recently seen the impact on communities of cyber attacks and data incidents with respect to Optus and Latitude. We saw the flow-on effects then to Service SAs across the state, and we have seen how that has impacted communities over the past few months. Adapting to an increasingly global and connected world is very important, as is the protection of customer data.

One of the major elements of this reform relates to banning rent bidding, and I would like to speak about contact I have received from a number of local residents. One resident in my electorate, who has lived in her property for upwards of five years, advised me she had been asked to pay a 20 per cent increase in her rent after the landlord was offered a private rental price from a complete stranger. My understanding is that the property was not actually up for rent and had not been advertised in any way.

An individual found out who the owner of the property was and offered them rent for the house, which already had a tenant, that was significantly above what was being paid by that tenant, who had been there for many years. As result of this what I would call unsolicited rent bidding, the resident was asked to increase her rent payment by upwards of 20 per cent. That increase would equate to over half that individual's salary—and that is an individual who lives and pays her bills alone. Simply, residents should not be under that pressure.

I did mention my very brief period as a landlord (it was about six months) and, although I know it is not necessarily always indicative of all landlords, I do recall a bit of a moral crisis when tenants were seeking to rent bid despite my not even wanting them to do that. When we were looking for applications for tenants, individuals came to discuss it with us on the side or tried to offer something higher than we were asking. That is not something I condoned or wanted to occur.

I thought of myself as quite a good landlord—and of course many are—but levelling the playing field for tenants, for agents and for landlords is incredibly important so that those discussions do not have to be had and so that the landlords themselves are also not put in the position where they are being provided with unsolicited offers or unsolicited rent bids. The amendment bill prohibits rental properties being advertised at a price range and prevents landlords or agents inviting higher rent offers. In addition, third parties, which often include websites facilitating tenant application forms, will be prevented from engaging in rent bidding.

Provisions relating to third parties are intended to address conduct involving prospective tenants being charged fees for background checks and an assessment or rating of their suitability being provided to the landlord or agent. There are reports that in some instances prospective tenants paying for a background check and offering higher rent have been afforded a higher rating through that process.

Our amendment bill will prevent that practice by the landlord or agent and also prevent anyone engaging in trade or commerce providing that assessment or rating that is based on an offer of higher rent. That is incredibly important. We are also looking at having more affordable residential tenancy bonds. That was the fourth immediate priority announced as part of our government's plan for a better housing future.

I know myself, from looking for a rental property in a very short period of time after the breakdown of a relationship and having to move out very quickly in the last few years, when I was looking at rental properties in my local area where bonds were \$3,000 or \$4,000, there did not seem to be much method to the price that was actually being requested relating to those residential bonds. I know that it is the same for my mother. She recently moved interstate and is renting again, which she has not done for some time, moving with a family into a property in Byron Bay, which is also experiencing quite a significant housing crisis. The bonds requested at those properties are absolutely astronomical.

Because of the rent price increases, renters who have even moderately priced houses are often unable to provide the six weeks' rental bond. It is a significant challenge for those who are looking for affordable housing or who need to access housing quickly. I think that again goes back to the conversation about particularly women and children, if they are escaping a difficult circumstance or perhaps in a domestic violence situation, being unable to get out of their property quickly because, in addition to the rent being paid, they need that backup behind them in order to pay the residential bond.

Currently, landlords can claim residential bonds equivalent to a maximum of six weeks' rent when the weekly rent is \$250 or greater, and increasingly fewer properties fall below this threshold. The bond threshold will now be raised to \$800 to ensure that for the majority of rental properties only a four-week bond will be required. The new bond amount will apply to any bond paid or payable under an agreement entered into on or after—I am sorry I have the wrong date here, but in the near future. I am sure the minister can provide the specific date, but I think these are incredibly important reforms.

To this day, on one side of my family I am the only person who still lives in a home they own. My mum was the first person in our family to have ever, ever, ever purchased a house. Before she was able to do so, as a child I remember all too well the regular routine of having to pack up and move again. I remember the celebration and commemoration when my mum moved into her 50th home, and she was not even 50 years old when that occurred.

I believe it was her 50th or 51st home when we first lived in a property that was not rented or owned by family or a friend. The simple fact of the matter was that as soon as we got comfortable, the landlord would increase the rent or they would make the decision to sell the property from underneath us. That was incredibly familiar to my mum, who had moved around so much as a kid that she attended upwards of 10 public schools.

For mum, it was her goal to ensure we did not have to move around as much as she did and that we could stay in the schools we were enrolled in for as long as possible. That being said, trying to find a property, particularly as a single mum with two kids and usually a kitten or a puppy, which in many cases we would have liked to keep depending on the property that we were in, often meant that we lived further away from school than we wanted.

That meant for the majority of my childhood, although I stayed at one primary school and only moved high schools once, I lived far away from my friends because we simply were not able to live close to the school I was attending. I know that in this economy and in this housing crisis, those stats are even broader and that too many families are unable to get homes in the communities they want to raise their children in.

I am incredibly lucky to own my own home, and I really hope never to lose sight of how lucky I am to have that security, nor do I hope that other members of our government lose sight of that. I think it is incredibly important to remember those things when we are making reforms for people who do not have that luck or that right. It is a security that the bleeding heart leftie in me wishes desperately for more and more people because it does feel particularly good to know that I have a house I can live in and live in for a very long time if I so choose.

Our government's announcement last year to begin this most comprehensive review of the RTA seeks to ensure a modern, contemporary and robust legislative framework that strikes the right balance between the interests of both tenants and landlords. Having been in very different ways on both sides of the coin in a very short period of time, I truly recognise that the needs of landlords are important too, and I think that it is important to get that balance right.

The broader review that is currently underway will also consider how best to promote a sustainable residential tenancies sector that supports retaining existing landlords but also attracts prospective landlords who would like to enter the sector. The minister recently held a forum to hear firsthand the issues that are currently impacting the sector, and that forum informed the development of the discussion paper, which invited comment on the different priority issues.

There are a number of issues that were raised and things that we may look to consider in the future. Among the number of things that were raised was a crackdown on the practice of rent bidding, which of course we are attempting to deal with today. There was discussion about a maximum bond amount, again considered in this bill, and the standardising of application forms, again considered in this bill.

There were other things, such as renting with pets. I recall all too well the number of people who suggested that we get rid of the doggy door in the house that we owned before we rented out our house in case people found it some sort of invitation to bring in pets. As a landlord, I was quite okay with pets in the rental, but it was not surprising to me that that was uncommon. That was something that was recommended against by a number of friends who were in a similar circumstance.

They also wanted us to consider whether the minimum notice required for not renewing a fixed-term agreement should be increased. Again, I often drive through Adelaide pointing out houses that I lived in as a kid. There are many, and many that were taken away and knocked down quite quickly and built into something else. I often drive past the rental we lived in for three months on Osmond Terrace. That is now a much nicer house than the smaller unit that we lived in at Norwood for a very short period of time.

There was also a discussion about requirements for rooming houses and share accommodation. Having seen, as a young person, a number of share arrangements go wrong for my friends, I think that is really important to consider as well. For lots of people, that is their first experience out of the family home, and it really does pave the way for an individual's experience in the housing market for years to come. It is really important to consider those options as well.

There is lots to do moving forward, but I am very happy with the progress that we are intending to make today and happy to commend the bill.

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (16:12): I just want to say thank you to all the members for their contributions to this debate on the Residential Tenancies (Protection of Prospective Tenants) Amendment Bill. It has been great to have so many people share their views and experiences with the rental situation that we are currently facing in South Australia, as we are facing around the country, to be honest.

I want to thank in particular the member for Heysen and the member for Unley as well as, on this side of the chamber, the members for Adelaide, Newland, King, Gibson, Davenport, Elder, Waite, Giles, Playford, Elizabeth and Torrens and my cabinet colleagues the member for Hurtle Vale and the member for Reynell. To have that many speakers on a bill indicates the importance of us in this place being able to deal with some of these cost-of-living pressures and the housing crisis that we are seeing around the country.

We are obviously taking to this place some immediate measures to deal with those cost-of-living pressures and also to deal with some of the privacy issues and some of the information requirements that are expected of tenants that seemingly have escalated as part of this housing crisis that we are dealing with. Particularly being able in this bill to deal with rent bidding is, I think, going to be really important and helpful for tenants.

We know that vacancy rates are extraordinarily low and, in fact, at historically low levels in South Australia, as we have seen in the rest of the country but particularly here. That is obviously a significant supply shortage issue that we need to deal with. We do have a broader housing package that will deal with that, including public housing builds, release of land supply, of course, other measures the Minister for Planning earlier spoke about and affordable housing here in the CBD as well. A range of measures are being undertaken.

This is one part of that puzzle to deal with the current rental sector as it is at the moment, but obviously our amendments need to look at the long term. We really need to carefully balance what are seen as the interests of the landlords and the interests of the tenants, and really have a balanced approach to tenancy policy in this state.

As I said, this is the first part of a broader review. We started this process last year, and I got a number of stakeholders together with the assistance of the Consumer and Business Services team. I want to particularly thank the commissioner and his team for pulling together that forum and the work they have done since. Initially we got stakeholders, including SACOSS, Shelter SA, Uniting Communities, REISA, the Landlords' Association, representatives from SAHA, DHS and RentRight SA.

A number of people came together to have an open discussion about the sorts of issues we needed to look at in what really was the first major piece of work on the Residential Tenancies Act since 2014. We also had the Hon. Robert Simms, the Hon. Frank Pangallo and the Hon. Connie Bonaros from the other place come to that forum. We basically pinned down the issues that we need to think about. We included issues like renting with pets; rent bidding, which we are dealing with in this bill; the bond threshold, which I will talk about separately; standardising application forms; and the notice period for not renewing a fixed-term lease, particularly with people often applying for 100-plus houses at a time before they actually find one in the current circumstances that they can rent.

There were concerns around rooming house regulations and share accommodation. Housing standards came up and some of the issues we have just heard about in terms of safety modifications, putting in air conditioners, requiring landlord consent and some of the minor changes as well in terms of hooks for paintings, and all those sorts of things, and whether we can do something on that. We did talk about and we will be doing further work on supporting renters who have experienced domestic violence. Water bills and payment issues came up, and there were also issues around illegal drug activity and the impact that may have on future tenants' health and how we tackle that.

From that, we prepared a discussion paper that has gone out for broad consultation. We ended up with over 5½ thousand survey responses and over 150 written submissions, so I want to thank everyone who participated in that consultation. We picked out a few immediate priorities that we thought would address some cost-of-living issues, particularly in terms of the bond threshold and rent bidding, and some other issues we thought would have broad support. We put them into this bill that we are debating now. Of course, some of those other issues will come back to this place with further work having been done over the next little while.

In terms of what is in this bill that I hope to get through, we are talking about banning rent bidding. That means preventing landlords or agents from soliciting higher rent offers, which we know is happening a lot in the current market. We want to make sure that landlords and agents are advertising properties at a fixed price rather than at a broad band of lower and upper to stop that kind of rent bidding process. We want to make sure that tenants are certain when they are going in to apply for a property—because it is an extensive process—that they actually have some idea of what the property is going to rent for.

Earlier this year, the member for Adelaide and I were talking to Ariba, who had moved over here with her husband from Melbourne. They have made these changes in Victoria and she was surprised that they were going through a rental auction process when she came to South Australia that had been outlawed in Victoria. She advocated quite strongly for banning rent bidding, which we hope to get through in this bill.

We are also doing something in this bill that has not been done as far as I can tell in other jurisdictions, and that is looking at the practice that has developed particularly in the Eastern States on third parties coming along into the market and basically having apps or websites where they will assist agents and landlords to get tenant applications. What they are doing is actually charging tenants for background checks, often rating them higher if they do bid higher than the advertised rental.

That is the sort of change to the market that I think we need to come down on. We are doing it here. We did on Friday hear from national cabinet and from the Prime Minister that there will be some work at national cabinet level on some uniformity on residential tenancy laws around the country. That is something I hope we take up at a national level that is being led by South Australia.

Some of the other changes that are in here are around protecting tenant information, from the perspective of what a landlord or agent can request in terms of a rental application. We are seeing examples of bank statements being requested and credit card statements being requested. There are a number of questions around what would otherwise be prevented under equal opportunity legislation, so what we are proposing in this bill is that certain prescribed information will not be permitted to be asked in an application form. Then we will consult on regulations as to what that is, but that is the path that we are taking regarding equal opportunity type discriminatory practices and some of those practices that are a bridge too far in terms of privacy breaches for tenants.

We also want to make really clear that data breaches are a concern, and we are tackling that by requiring destruction of rental application information within 30 days for unsuccessful tenants and within three years of a tenancy ending for successful tenants. That will hopefully, at least in part, deal with some of those concerns around privacy as well. Again, that is something that we potentially will lead the nation with in terms of the national reforms as well.

As I said, this is all part of a broader reform to residential tenancies. One of the other really significant cost-of-living pressures was the bonds, which were potentially up to six weeks for anything over \$250. What we have done—and it commenced on 1 April—is raise that bond threshold from \$250 to \$800. When it was first introduced in the 1990s, \$250 was basically two times the median rent in Adelaide. That has not changed in terms of the threshold. Obviously, rents have substantially increased. How we got to the \$800 figure was to basically take the concept when it was originally introduced and modernise it in terms of the inflation to rents.

We are at the \$800 mark now, so a significant number of properties that are being rented now are only allowed to claim four weeks' rent. We know that it is saving, already in the first few weeks since 1 April, significant money for tenants and making it a lot easier for them to be able to afford to move properties. We know that we are saving tenants about \$930 up-front, which I know has been greatly appreciated by those tenants who have moved in the last few weeks.

We will come back to the house with further updates and a broader reform bill, but we do want to get these reform measures through, do as much as we can as quickly as we can to support a stronger rental sector, of course balancing up what landlords and tenants need in terms of the strong sector. We saw today that interest rates have just gone up. Obviously, that impacts the landlords, so we want to be really careful about what we are doing. We are hoping to have broader reforms come in very shortly but for this particular bill I appreciate the opposition's broad support, and I look forward to a committee stage, I understand.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr TEAGUE: Perhaps for convenience, I will ask the overarching question at clause 1, and I will indicate that I will otherwise largely confine my questions to those amendments subsequent to the introduction and second reading on 8 March. My question in relation to the prevalence of rent bidding is in the context of what I understand to be prohibited conduct by the REISA.

In circumstances where, in South Australia, it is prohibited by the REISA's code of conduct as I understand it, and as a result, I understand, is not common practice, is the minister able to inform the house in relation to the real effect or change that this might affect, as it were, beyond amplifying, reiterating a practice that we understand ought already to be common?

The Hon. A. MICHAELS: We do know that landlords are not, obviously, caught by the Real Estate Institute code of conduct, so those who do not have recent members as their agents are fully entitled to and, from what we can tell, are undertaking rent bidding. We also know there are a number of real estate agents who are in the rental market who are not recent members, who are, again, also not caught by that code of conduct. To be able to impose a penalty under this I think sends a significant message that it is not okay.

Obviously, I expect recent members would be fully complying with it anyway, so it is probably not going to be a big change for that cohort of agents, but to have a financial penalty imposed on rent bidding I think will have a significant impact on, I guess, the culture of the market at the moment, which is, we are consistently hearing from constituents and people in the sector or the key stakeholders we had at that forum, that it is a practice that is happening. We have seen interstate, particularly in feedback I have had from Victoria, that their legislation has actually dampened that practice in Victoria, and we hope to see the same here.

Mr TEAGUE: I think it is at page 3284 of the *Hansard* on 8 March where the minister has referred to prescribed information that is the subject of what is to be the new section 47B. Is there any indication more specifically that the minister is able to provide to sort of spell out what is going to be included in that prohibited prescribed information?

The Hon. A. MICHAELS: We are looking at consulting in the regulations on matters that we think are a bridge too far in terms of privacy. As I said earlier in terms of credit card statements and bank statements, those are the sorts of things we think are inappropriate to be asking for, and we will be consulting on that. I think there was general consensus around that forum table with a range of stakeholders, including the Landlords' Association and REISA, that that is an acceptable change.

We also want to introduce some of the changes that are, I guess, Equal Opportunity Act prohibitions, such as age, marital status. Those sorts of issues that can cause discrimination we think should not appropriately be asked for in a residential tenancy application. That is the path we are going down, and obviously we will be consulting broadly on what that regulation looks like.

The ACTING CHAIR (Mr Brown): Any further questions?

Mr TEAGUE: Perhaps one more in the general sense. The minister has there referred to a greater level of consistency with other jurisdictions. Is there a particular model or a particular cause for consistency in terms of the other jurisdictions in terms of prescribed information that is prohibited there?

The Hon. A. MICHAELS: Victoria has a similar system of prescribed information that cannot be asked for, so that is where I am getting that information from and we will be following that model.

Clause passed.

Clause 2 passed.

Clause 3.

The Hon. A. MICHAELS: I move:

Amendment No 1 [ConsBusAffairs-1]—

Page 2, lines 11 and 12 [clause 3, heading to inserted section 47B]—Delete 'not to be requested to disclose prescribed information' and substitute:

—requirements relating to provision of information

Amendment No 2 [ConsBusAffairs–1]—

Page 3, lines 1 to 4 [clause 3, inserted section 47B(2)]—Delete subsection (2) and substitute:

- (2) Subsection (1) does not apply to—
 - (a) an entity, or a class of entities, prescribed by the regulations; or
 - (b) a provider of a housing assistance program, or a class of housing assistance programs, prescribed by the regulations.
- (3) The regulations may include requirements relating to the provision of information to or by a prospective tenant in connection with the prospective tenant applying to enter into a residential tenancy agreement (including requirements relating to the manner or form in which information is to be provided).
- (4) A person who contravenes a requirement prescribed under subsection (3) is guilty of an offence.

Maximum penalty: \$20,000.

Expiation fee: \$1,200.

Mr TEAGUE: I suppose there is a general level of curiosity about the need for amendment No. 1. It seems to be an interesting change to the words in a heading. I would just go with the flow on that otherwise, I think, unless the minister might take the opportunity to put anything that might be helpful on the record about the change in amendment No. 1.

In relation to amendment No. 2, seeing as it is moved at the same time, I indicate that amendment No. 2 is relatively substantive and spells out both the entities that are proposed to be exempt from the application of the prohibition, and otherwise spelling out manner and form more fully than in the bill as introduced and introducing a standalone offence and penalty provision. So it is fleshing out the original subsection (2) and including those other aspects. I perhaps invite the minister to provide any explanation that might be helpful as to the reason for the proposed amendment, particularly in amendment No. 2.

The Hon. A. MICHAELS: Broadly, these amendments have come through feedback from SAHA, in particular dealing with tenants who are part of a housing assistance program, either community housing or public housing. Those in subsection (2) that we will not apply this prohibition to are essentially community housing providers and SAHA, because they do need to inquire in terms of the personal situation of some of these tenants that might otherwise be discriminatory. That is why that is there.

In terms of the change in the title of the clause and then subsection (3) that is being introduced, what we ideally would like for tenants is to be able to have consistency in the information they are providing to various agents. The time and the volume of the detail requested by individual agents and landlords (1) vary substantially and (2) are incredibly extensive from the feedback we have been given—as in multiple, multiple pages of information and, as I said before, things like bank statements and credit card statements. We want ideally to move to consistency in what landlords and agents can request, so that is why the amendment to subsection (3) has come in as well—and, of course, the offence provision to make sure that we have a little bit of stick in this as well.

Amendments carried; clause as amended passed.

Clause 4.

The Hon. A. MICHAELS: I move:

Amendment No 3 [ConsBusAffairs–1]—

Page 3, after line 23 [clause 4, inserted section 52A]—After subsection (3) insert:

- (4) This section does not apply to—
 - (a) the South Australian Housing Trust or a subsidiary of the South Australian Housing Trust; or
 - (b) a registered community housing provider.

Again, this is feedback from the South Australian Housing Trust in respect of the way public housing is based on a percentage of income rather than a fixed amount for a property. The trust is feeding that through so that they can actually keep doing the business that they do in supporting tenants in public housing.

Mr TEAGUE: That is helpful. That provides some sort of context, I suppose. What we are otherwise seeing on the face of this is an amendment that would render inapplicable to the SA Housing Trust, or any subsidiary or a registered community housing provider, a clause that on its face is prohibiting the impugned conduct of facilitating rent bidding by requiring that a property is advertised at a fixed amount. As I understand it, there is only a need, as it is perceived by the government, to exempt the SA Housing Trust or a registered community housing provider from the effect of 52A, not 52B, and that is in circumstances where the very mechanism of the rental offer is necessarily by reference to the income of the prospective tenant.

My question is: how is it not anyway, in those circumstances, an offer at a fixed amount? It is just a matter of fixing it. I understand where they are coming from but, as I understand the minister's explanation, the intent is not to move away from the provision of a fixed amount in terms of rental; it is just that in those cases there is a different means of determining what that fixed amount might be.

The Hon. A. MICHAELS: That is right. When we drafted this and went out initially to consult, no-one really picked up that that was an issue, and I do not actually think that in practice it would be. It is just something that they requested. Given that they would not really be doing rent bidding—that is the nature of their work—we did not see any harm in accepting that suggestion.

Mr TEAGUE: In the circumstances (and this is probably a bookend rather than a further question because I think it is probably helpful to have in *Hansard*) of those members of the South Australian community who would be in receipt of rental housing and entering into a tenancy agreement after the introduction of these provisions, they would not somehow find themselves in circumstances where—and I do not really mean to address it in terms of whether they are worse off or not, but that they are in different circumstances—the fixed amount of rent that such a tenant would be required to pay would really need to be fixed other than by means of new section 52A, that is all, and it would still be determined according to that mechanism, rather than by this provision. I am just indicating that is helpful and I appreciate the minister's explanation.

The Hon. A. MICHAELS: I take that as a comment, unless you had any questions.

The Hon. D.G. PISONI: Picking up on the point you made that the amendment is required because the rent paid is based on income, how often is the income reviewed of tenants to see whether they still qualify for public housing? Is there a cut-off point of income that disqualifies somebody from public housing? If they reach that income point after they have been in public housing for months or years, what is the process dealing with that?

The ACTING CHAIR (Mr Brown): I am not necessarily sure how this applies to the bill, but anyhow I will give the minister a chance to respond.

The Hon. A. MICHAELS: I think that I will take that on notice and consult with the Minister for Human Services, who has the responsibility for SAHA, in terms of your questions relating to rental increases versus income. I will take that on notice.

Amendment carried; clause as amended passed.

Clause 5.

The Hon. A. MICHAELS: I move:

Amendment No 4 [ConsBusAffairs-1]—

Page 4, after line 21 [clause 5, inserted section 76A]—After subsection (2) insert:

- (3) This Division does not apply to—
 - (a) the South Australian Housing Trust or a subsidiary of the South Australian Housing Trust; or
 - (b) a registered community housing provider; or

- (c) an agency or instrumentality of the Commonwealth or the State prescribed by the regulations.

Mr TEAGUE: Here we have the new division 14A. Once again, the amendment would apply so as to render the division inapplicable to SA Housing Trust, a registered community housing provider, or an agency or instrumentality of the commonwealth or the state that may be prescribed by the regulations.

In this regard—and I suppose I might have jumped on my feet a bit too early after the success of the last process—we have a division that is going to require reasonable steps to be taken to protect tenant information and reasonable steps to destroy tenant information within a prescribed time following a tenancy. The question to start with is: how come those entities ought be exempted from those provisions?

The Hon. A. MICHAELS: Again, this is really to prevent any unintended consequences. Obviously, when people are put on a public housing waitlist it is often for substantially more than 30 days, unfortunately. We did not want to cause any issues for the South Australian Housing Trust or community service providers in terms of the information they keep on file for that purpose, and we know those wait times unfortunately keep blowing out. So we did not want the unintended consequences of having this provision apply to them where they were required to destroy information within 30 days.

Mr TEAGUE: As I read it, it goes considerably more broadly. In fact, it deals certainly with subsection (2)(b)(ii) and 30 days, but it also, as I read it, exempts those or renders inapplicable the requirement for those agencies to take reasonable steps to protect tenant information at all—section 76B(1)—and its obligations to destroy tenant information in relation to the end of the tenancy.

While one might understand that someone might be on a list for a long period of time and might not be limiting their application to one property and so on, and that they might benefit from that same protection of information in relation to destruction of information following a tenancy, are there parallel obligations that apply to those agencies?

The Hon. A. MICHAELS: As I understand it, those agencies, in particular the community housing providers, are of such size that the national Privacy Principles apply to them versus an individual landlord or small real estate agency, which would not necessarily have those national Privacy Principles apply to them. So they do have protection, and to make sure there are not inadvertent consequences of having this broad division apply to them we have carved them out, knowing that there is protection, in terms of privacy for the information, more broadly in particular national Privacy Principles.

For additional information, the State Records Act for SAHA and also the South Australian Information Privacy Principles, that the community housing providers are contractually required to abide by, also assist in making sure that tenant information is protected.

Mr TEAGUE: I think the minister has given the indication to the house that those agencies that are expressly the subject of what would be the new subsection (3), and any that might be subsequently prescribed by regulation pursuant to the power in subsection (3)(c), are, and/or would be, subject to the same or more stringent requirements than what are set out in this new division 14A, so far as they apply to those individuals and bodies who are the subject of division 14A.

The Hon. A. MICHAELS: That is my understanding, that there is that protection anyway, so carving them out from this does not give any less protection for tenants in terms of their privacy, which is what we are trying to achieve with this.

Mr TEAGUE: Would the minister give the indication—and the minister may have already—that, therefore, there will not be any agency or instrumentality prescribed by the regulations unless that agency or instrumentality is subject to obligations by whatever separate means no less stringent than what are the subject of division 14A?

The Hon. A. MICHAELS: There is certainly no intention to include anyone other than SAHA and community housing providers, so I can confirm that it is our intention to make sure it is only those. I cannot envisage a situation where there would be any others than those community housing providers and SAHA.

Amendment carried; clause as amended passed.

Schedule and title passed.

Bill reported with amendment.

Third Reading

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (16:49): I move:

That this bill be now read a third time.

Bill read a third time and passed.

RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (FEES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 23 March 2023.)

S.E. ANDREWS (Gibson) (16:50): I rise to speak on the Rail Safety National Law (South Australia) (Fees) Amendment Bill 2023. This is another important reform relating to safety on our railways, and I know how important safety is on our railways having represented engineers for many years in my role at Professionals Australia, and having two constituents who have worked in significant roles for many years on our railways. I am proud that South Australia is the lead legislator for the Rail Safety National Law and, further, that this bill has come to this place 12 years after the Council of Australian Governments' agreement that the national regulators for rail, maritime and heavy vehicles would progress towards full cost recovery from industry operators.

The bill will make amendments to the Rail Safety National Law that are required to support the implementation of the new cost recovery model and associated changes. The Rail Safety National Law needs to be amended to allow a freight terminal to fall within the definition of a private siding, and to remove the requirement for an accredited and registered person to pay a fee when applying to vary their accreditation or registration.

The bill will exempt tourist and heritage operators from the requirement to pay an annual accreditation or registration fee, require the National Rail Safety Regulator to ensure that tourists and heritage operators are recorded in the National Rail Safety Register, and allow the national regulations to prescribe a method by which accreditation fees, registration fees and exemption fees may be increased each year, and to require the regulator to publish said fees. The target date for the bill to come into operation is 1 July this year.

The full cost recovery model will mean that governments in all jurisdictions will cease funding the regulator for regulating commercial operators. Currently the ACT, New South Wales, Northern Territory, Tasmanian and Victorian governments contribute over \$10 million a year to fund the regulator. These are funds that can be used by the states and territories to deliver more services to their communities.

I know from my constituent Trevor Milde that safety on freight and commercial railways needs to be strongly regulated to ensure the safety of everyone. I would like to send the appreciation of this parliament to Trevor Milde who spent 43 years servicing our community as a train driver. Trevor started with South Australian Railways then Australian National, before National Rail and Pacific Rail.

In fact, Trevor had the privilege of returning the first Adelaide to Darwin *Ghan* service from Port Augusta to Adelaide, and through his career used to drive from Adelaide to Broken Hill in New South Wales, Dimboola in Victoria and Tarcoola on the Far West Coast of South Australia. Trevor's interest in trains has never diminished and he is still involved with the miniature railway at Regency Park, as well as having a fantastic set-up of railway memorabilia and a model railway in his home.

We are talking about freight services today but the love of trains has often developed in families at model railways like that at Millswood where myself, husband and children, Lucy and Sam, spent many Sunday mornings in years past, riding the trains or those similar at Regency Park,

Prospect, Penfield, Roseworthy, Morphett Vale, and Clare among other locations. There are the tourist and heritage railways such as the much-loved SteamRanger and Cockle trains plus the Pichi Richi railway. The subsidisation of the tourist and heritage sector by commercial operators will be significantly reduced under the new arrangements introduced by this bill.

The states, territories and commonwealth will pay a total of \$4.9 million towards the cost of regulating tourist and heritage operators. South Australia's contribution to cover tourist and heritage operations will be just 4.81 per cent of the \$4.9 million national contribution; however, the larger commercial operators will be required to contribute to cover the regulator's fixed costs associated with the tourist and heritage sector.

When talking about our railways, we cannot forget about our suburban trains and the dedicated Passenger Service Assistants (PSAs) and train drivers who work on our currently privatised suburban railway network. I know that our Minister for Infrastructure and Transport is undertaking the work required with Keolis Downer to bring back our trains into public ownership, as we promised some years ago now.

I am lucky to have a woman in my electorate who was one of the first female drivers to drive Adelaide's trains. Carolyn Meridew was an assistant driver, first refuelling and moving trains before her career driving Jumbos, and diesel and electric trains. I am sure that most members can remember the Jumbos and some may remember the Redhens; I certainly do. I used to catch the Redhen from Hove to Marion station to get to school. In fact, there used to be ticket offices and canteens at stations such as Brighton and Oaklands in times gone past.

Carolyn has undertaken many jobs on our suburban railways, from starting as a guard and a PSA conducting ticket checks and selling tickets to a senior PSA dealing with complaints and ministerials, checking emergency buttons and attending accidents, including a tragic accident at Salisbury just over 20 years ago. At that time, Carolyn was a stationmaster, undertaking more jobs that involved safety, including working with train control to set the signals, waving the safety flags and removing trolleys and other debris from the lines.

Carolyn also has shared with me that she was a PSA on charter trips to the Barossa Valley and on a special service for the late Queen Elizabeth II when she visited the Barossa Valley. On these trips, the suburban train travelled on a freight railway, so for safety reasons, special clearance had to be obtained. When Carolyn was a senior PSA, she had to attend accidents and signal-passed-at-red incidents, both important safety roles. I do feel for those train drivers who are involved in any kind of accident on our train network. It must be a very distressing experience.

I would like to express my gratitude to Carolyn for her significant service to our state as a PSA and driver and additionally as a union rep when she was part of the Rail, Tram and Bus Union, campaigning to deliver domestic and family violence leave and additional sickness leave. Carolyn finished her career as the vice-president, representing women in her union.

In conclusion, I will mention the automated protection system on the Seaford line, the planned \$2 million upgrade to the Noarlunga interchange and \$1.6 million to upgrade Clarence Park train station. I and my colleagues in the south, along with everyone on this side of the chamber, are fully committed to our public transport system. We are also committed to our heritage railways, which is why we are investing \$9 million into essential upgrades for the SteamRanger Heritage Railway along our beautiful south coast.

This is an important bill that will save governments across Australia more than \$5 million a year, which they will now be able to invest for their communities. It will also make the system more cost-effective and simpler for commercial operators. I thank the regulator, our train drivers, engineers and rail workers and especially Trevor Milde and Carolyn Meridew. I commend this bill to the house.

Ms HOOD (Adelaide) (16:58): I rise to speak on the Rail Safety National Law (South Australia) (Fees) Amendment Bill 2023. South Australia is the lead legislator for the Rail Safety National Law, and this bill implements the 2011 Council of Australian Governments (COAG) agreement that the national regulators for rail, maritime and heavy vehicles would progress towards full cost recovery from industry operators.

COAG set the following principles to guide the development of the cost recovery model: the model would be transparent; fees should be based on a national model; fees should be reflective of and proportionate to rail transport operator risk classification; fees should be aligned with the regulator's regulatory effort (the regulator is the Office of the National Rail Safety Regulator); cross-subsidisation should be avoided, however, if cross-subsidisation is used it must be transparent; and the model should be simple to administer.

In 2016, infrastructure and transport ministers agreed to the recommendations from the first stage of the cost recovery review and tasked the regulator with developing a national model. Five years later, in May 2021, the infrastructure and transport ministers agreed that all governments, including the commonwealth, will fund the cost of regulating this sector.

This bill will make amendments to the Rail Safety National Law that are required to support the implementation of the new cost recovery model and associated changes. The Rail Safety National Law needs to be amended:

- to allow a freight terminal to fall within the definition of a private siding;
- to remove the requirement for accredited and registered persons to pay a fee when applying to vary their accreditation or registration;
- to exempt tourist and heritage operators from the requirement to pay an annual accreditation or registration fee;
- to require the National Rail Safety Regulator to ensure that tourist and heritage operators are recorded in the National Rail Safety Register; and
- to allow the national regulations to prescribe a method, by which accreditation fees, registration fees and exemption fees may be increased each year, and to require the regulator to publish these fees.

The target date for the bill to come into operation is 1 July 2023. The regulator's engagement with industry on the cost recovery model to date means that the industry is aware of its targeted commencement from 1 July this year.

The proposed funding structure for the regulator is based on full cost recovery from commercial operators. The main feature of the new cost recovery model is that commercial rail or transport operators will pay an annual accreditation fee based on their risk profile and the regulatory effort expended by the National Rail Safety Regulator. Currently, an accredited commercial operator is required to pay a fixed annual fee of \$15,000, as well as a variable annual fee that is based on track kilometres managed, track kilometres travelled or both.

Under the new cost recovery model, a commercial operator will pay one annual accreditation fee that is based on the operator's risk profile and the regulatory effort required from the National Rail Safety Operator to oversee the operator and other operators with a similar risk profile. The risk profile of an accredited rail transport operator will be calculated using the risk profiling tool developed by the Office of the National Rail Safety Regulator. The tool uses data provided by operators to calculate the risk associated with three primary components:

1. Inherent risk, which captures risk to safety associated with the specific scope and nature of the operations for which the operator is accredited.
2. Management and control, which captures the processes and systems used by the operator to manage safety risks associated with their railway operations and the extent to which the operator's adoption of technology improves safety outcomes.
3. Safety performance, which captures the remaining safety risk, the residual risk, based on rail safety incident occurrences and performance data.

The profiling tool then weighs these considerations to produce a risk profile. Once the risk profile scores of the operators have been determined, they will be ranked from highest to lowest.

The second component of the cost recovery model is a regulatory effort. The Office of the National Rail Safety Regulator collects data on the regulatory effort allocated to operators, which

permits the analysis of the amount of regulatory effort expended on an annual basis on individual operators and on groups of operators. The new model will pull together the risk profile scores and data on regulatory effort and group commercial operators into six cost recovery tiers.

The operators allocated to tier 1 will be those who have the highest risk profile and attract the most regulatory effort. The operators in tier 1 will pay the highest annual fee, while the operators in tier 6 will pay the lowest annual fee. Operators will have the ability to appeal if they believe they have been allocated to an inappropriate cost recovery tier. This new cost recovery model will completely remove the need for governments to subsidise the cost of regulating the safety of the commercial rail industry.

The regulator's cost recovery project took a comprehensive and consultative approach to the development of a cost recovery model based on risk and regulatory effort. The process was one of engagement with industry since 2018 via a reference group, workshops and meetings, with individual operators as well as governments.

This included a review of cost recovery models in other industries and rail internationally to identify any learnings for a model based on risk and regulatory effort, the development of a risk profiling tool for use in cost recovery, the collection of regulatory effort data for use in cost recovery, fee modelling, and consideration of policy issues associated with any change to the National Rail Safety Regulator's cost recovery model. A number of key policy issues were identified as the project progressed, including current areas of cross-subsidisation, the treatment of the tourist and heritage sector, and less complex rail operations.

The Office of the National Rail Safety Regulator conducted four formal stakeholder consultation phases, including stage 1, which occurred between September and October 2020 and consisted of chief executive briefings; stage 2, which occurred between November and December 2020 and consisted of risk profiling workshops and information sessions; stage 3, which occurred in December 2020 when the Office of the National Rail Safety Regulator released its cost recovery consultation paper; and stage 4, occurring from June 2021 to 2022 and consisting of one-on-one meetings with larger commercial operators and group sessions for smaller and less complex operators on the financial impacts of the model.

In addition, drafting instructions were circulated to industry representatives for consultation from 8 to 17 June last year, and draft legislation was also circulated to industry and union representatives for consultation from 7 to 21 September last year. In addition to this comprehensive industry consultation, the Office of the National Rail Safety Regulator met with commonwealth, state and territory government representatives during 2018, 2019 and 2021 to socialise the cost recovery model, update governments on its progress and discuss the funding of the tourist and heritage sector.

As a result of this comprehensive consultation with industry representatives, the regulator reports that discussions with operators on the financial impacts of the new model during 2021 and 2022 were extremely constructive. Even though many commercial operators will be paying higher fees, they understood and accepted the logic and application of this model.

The Malinauskas government recognises the importance of our railways, and that is why our first state budget, handed down by Treasurer Stephen Mullighan, included \$1 million to fund a commission of inquiry to advise the government on the return of trains and trams to public ownership; \$55.1 million for reinstating the construction and operation of the Port rail spur from the Outer Harbor line; \$29.4 million for improving services to Mount Barker and the Adelaide Hills; \$10 million to optimise the operation of the automated protection system on the Seaford line; and \$2 million to upgrade the Noarlunga interchange.

It also included \$1.6 million to upgrade Clarence Park train station, including activated pedestrian crossings; \$1.5 million to install an activated pedestrian rail crossing near Kilkenny Primary School; \$1.4 million to ensure the continued running of the *Overland* train service between Adelaide and Melbourne; \$530,000 to construct a car park and kiss-and-ride space adjacent to the Tambelin rail station; \$500,000 to install CCTV at West Croydon Railway Station; and \$416,000 for investigations into how to better integrate public transport opportunities in regional areas.

Our Adelaide Metropolitan Passenger Rail Network has approximately 300 railway crossings, ensuring that pedestrians are able to cross the train and tram tracks safely. Promoting safety around pedestrian crossings is so important in ensuring that our communities are kept safe. In August last year, during Rail Safety Week, South Australians were reminded to 'stand back, look up and stay rail safe' when around trains, trams and railway lines. It only takes one moment of distraction or unsafe action to change a person's life and their family's forever.

The Rail Safety Week campaign focused on the most at-risk age groups, including school-age children and seniors, over a three-month period across social media, digital advertising, radio, and information teams at high-risk locations on the railway network. Pedestrians and cyclists are reminded to always take care around our rail network. Look both ways for trains and be aware of your surroundings at all times.

Another exciting aspect of our magnificent railways is the SteamRanger Heritage Railway. The 82-kilometre railway starts at Mount Barker Junction in the Adelaide Hills and stretches to Strathalbyn and Goolwa, linking the iconic Cockle Train to Port Elliot and Victor Harbor, along the oldest public railway line in Australia.

The state government currently administers a licence for the operation of the railway to an enthusiastic volunteer organisation, the South Australian division of the Australian Railway Historical Society Incorporated, who trade as SteamRanger, which is much easier to pronounce. SteamRanger has operated the railway as a family-friendly heritage tourism experience since 1986.

SteamRanger trains operate over 200 days annually and attract over 60,000 tourists per year, indirectly keeping dozens if not more people employed in tourism, accommodation, hospitality and essential services, as well as providing training, education and volunteering opportunities to the local community. SteamRanger has contributed \$18.5 million of economic activity to the regional economy over a five-year period.

Funding SteamRanger services—including operating expenses, track and rolling stock repairs, maintenance and restoration—are predominantly met through ticket sales and donations. The SteamRanger heritage rail experience is a wonderful and unique tourist attraction for the Fleurieu Peninsula. However, recent engineering reports on the nine SteamRanger bridges recommended works to the Currency Creek, Watsons Gap and Hindmarsh River bridges, as well as the Tookayerta Creek and Finniss River bridges.

According to ARHS President Peter Charlson, if remedial works are not commenced within the next year or two SteamRanger faces the possibility of full or partial closure of the Victor Harbor line. The bridges over the Hindmarsh River and Watsons Gap, both heritage listed, are of concrete construction and both are subject to sea spray and salt-induced corrosion. The structural steel on the heritage-listed Currency Creek bridge, including the Tookayerta and Finniss River bridges, is continuously deteriorating due to corrosion.

With assistance from local independent member, Dan Cregan MP, the member for Kavel, SteamRanger lobbied the state government for assurance and support that the bridge repairs will be completed to maintain the operational integrity of the Victor Harbor railway—ensuring one of our state's biggest tourism icons literally remained on track.

In order to preserve this historic railway for future generations, the Deputy Premier on 5 February this year announced that the SteamRanger would receive a \$9 million upgrade. The funding to upgrade our much-loved SteamRanger was approved as part of our Mid-Year Budget Review for 2022-23. Works on the Currency Creek, Watsons Gap and Hindmarsh River bridges, as well as the Tookayerta Creek and Finniss River bridges, will be completed over the next two years and managed by the Department for Infrastructure and Transport.

Short-term remediation works on the Currency Creek and Watsons Gap bridge are expected to be completed by June this year. These upgrades will enable the SteamRanger to provide ongoing, reliable, year-round heritage rail services with expansion opportunities from Mount Barker, ensuring that tourists from all over the world can experience the Adelaide Hills and Fleurieu Peninsula.

The COVID-19 pandemic has taught us that heritage groups like SteamRanger do far more than just preserve our history. They offer significant contributions to the economic prosperity and

emotional wellbeing of our local communities and are an example of how rail in South Australia is so very important. I commend this bill to the house.

Mr HUGHES (Giles) (17:13): I also rise to indicate my support for the Rail Safety National Law (South Australia) (Fees) Amendment Bill and I acknowledge that we are the lead legislator. I could actually say that the member for Adelaide has said everything that needs to be said and so I could keep this very short indeed and just say, 'Refer to the member for Adelaide, she has said it all.' I could sit down and save myself and all gathered here some time. I am not going to do that and I will run the risk of a little bit of repetition. I think it is important to provide a bit of time to this bill from my perspective, given the importance of rail in my region both currently and historically.

This piece of legislation arose from COAG, and when they were looking at this a number of principles were enunciated. Those principles in relation to this amendment are that the bill will be transparent, fees should be based on a national model, fees should be reflective of and proportionate to rail transport operator risk classification, fees should be aligned with a regulator's regulatory efforts and the regulator is the Office of the National Rail Safety Regulator, cross-subsidisation should be avoided but if cross-subsidisation is used it should be transparent, and the model should be simple to administer.

One of the important things about this bill is that it is based upon cost recovery from the commercial operators. Importantly, those non-commercial rail operators, who are often voluntary, are exempt to the degree that the government will pick up the tab for the regulatory costs for those particular operations. That is important to me because I have one of the most historic railways in the country in the Pichi Richi Pass based in Quorn and the workshops in Quorn, which capture a huge amount of our railway heritage. It is an important asset to our state and one that, as I said, has been run by volunteers now for many years. That train goes through the beautiful Pichi Richi Pass and at times it goes all the way down to Port Augusta. It is an important part of our rail history in this state.

When it comes to determining what the commercial sector is going to pay in terms of that full cost recovery, a tool has been provided to calculate the risk associated with various operators. Different rail systems and different operators are going to have different risk profiles.

Three elements have formed the input into determining the risk profile of the commercial operators. These are inherent risk, which captures risks to safety associated with the specific scope and nature of the operations for which the operator is accredited; management and control, which captures the processes and systems used by the operator to manage safety risks associated with their railway operations and the extent to which the operator's adoption of technology improves safety outcomes; and safety performance, an important one, which captures the remaining safety risk, the residual risk, based on rail safety incident occurrences and performance data. The last one is important.

As I said, my region has been served in one way or another by rail for many years. Indeed, when you look at the export of iron ore from Whyalla, initially to Port Pirie and then over to the Eastern States, the first part of that journey, before it became a marine transport operation, was along what they refer to as the Tramway—privately held by BHP between Iron Knob and what was the Hummock Hill settlement, which eventually became Whyalla. That line still operates today. It is a narrow gauge line that services both the steelworks and the export of hematite from Whyalla. The magnetite is now sent down as a wet slurry in a pipeline from the Middleback Ranges.

There has been a long history in Whyalla when it comes to rail. When you look to the north, given Port Augusta, or part of it, is in my electorate, rail has a very proud history in Port Augusta with the workshops in Port Augusta. It was essentially the crossroads of the rail system in Australia, with both the north-south *Ghan* rail and the *Transcontinental* from the east to the west of our vast continent. It has always played an important role.

Indeed, one of the federal members, Laurie Wallis, many years ago was a rail worker at Port Augusta before he became the member for Grey for the Labor Party. Laurie was asked if he were to lose his seat, which he did not, and he ended up retiring, what would he do. He said, 'I would go back on the tools. I would go back on the rail.' In a way, that was a measure of the man and the roots he came from.

There was another member from that area, from Port Augusta. I think he started in Quorn and he worked for the railway system as well and that was Gavin Keneally—an excellent footballer, by the way. He also came from a rail background and he was a minister in this place for many years. He was a fantastic local member and great minister. My dad knew him well, and in Whyalla they all thought he was an incredibly decent bloke, even though he came from Port Augusta. That rivalry was going on even way back then. He was a good man who was also heavily involved in rail.

This bill is about safety. The history in the communities that I serve when it comes to safety leaves something to be desired. The last death in 2000—it could have been BHP or it could have just been OneSteel—was one of the Savaidis brothers who was killed in a shunting accident in Whyalla. He lost his life. I think he might have been 42. That was a tragic loss. From memory, I think that was the last death at the steelworks. When you look at the operation as a whole, it would be remiss of me not to mention it was not a rail death, but I want to mention it because in a sense it illustrates an important point about the vulnerability of visa workers, at least some classifications of visa workers in Australia.

This was a Filipino man on a 457 visa who died in Whyalla doing a job that quite rightly the Australian workforce refused to do. They believed the job was inherently unsafe but, because of the vulnerability of workers like that, he was pressured into doing that particular job and he lost his life. He had a family in the Philippines who never saw their dad again. Obviously, he was the main income earner for the family. When we are looking at visas and looking at reforming that system, we have to remove the vulnerability of a lot of workers who come to this country on visas of one sort or another.

In looking at the history of rail accidents in my region, there was one that involved five men from Whyalla. They were driving to Adelaide, going across a railway crossing near Port Germein, and all five of these men were killed and a sixth was seriously injured. That is back in the late 1940s. You look at that and the impact that would have had on a community the size of Whyalla at the time would have been profound. These men were aged from their early 20s up to their 50s. That was an incredible loss. So it is important that in all we do we need to ensure that when it comes to our rail system it is as safe as it can be.

Port Augusta continues to play a role in our national rail system and an important role, but one obviously greatly diminished compared with what it was and that did have a marked impact on the Port Augusta community: the loss of jobs that resulted from the changes when it came to governance structures around rail, efficiency gains and this and that. It did have a significant impact, but Port Augusta still continues to play a role. Hopefully, one day some of the surplus workshops can be put to good and productive use.

Regarding the rail systems in my area, once upon a time we used to have a passenger system to Whyalla. I think it was in 1971 that Whyalla was connected to the national rail system, primarily to benefit BHP. For quite a few years, what they called a Budd car operated between Whyalla and Adelaide. Now it has stopped. Freight used to always get priority on that line, so it could take you five, six, seven or eight hours to get to Adelaide. It was just not competitive.

It is interesting when people come to see you about the reintroduction of passenger rail in regional South Australia they talk about Pirie, and they talk about Port Augusta, and they talk about Whyalla, and they talk about Port Lincoln. I guess I have to be the person who, you could say, plays the devil's advocate. When they come to see you about reinstating passenger rail, you say, 'Well, I don't think it's going to work. It's only going to work with a very, very heavy government subsidy, and freight is still going to be given the priority.' Essentially, passenger rail systems work where you have heavy population concentrations, and in our state, beyond Adelaide, we do not have heavy population concentrations, so the viability of passenger rail beyond the metropolitan area, and maybe the fringes of the metropolitan area, is just not really a viable option.

People do come to see me and say, 'Well, it could be high-speed rail,' and this and that, and you say, 'My God, they have been talking about high-speed rail between Melbourne and Canberra and Sydney now for years, even between Sydney and Newcastle. You've got big population centres there.' When you explain to them the cost per kilometre, they firstly do not believe you and, secondly, if they do, they are in a state of shock and they go away and generally do not bring up the issue

anymore. I know that in what I am saying I am probably upsetting some of the people who have been real advocates of going in that particular direction, but it is not going to happen.

However, when it comes to the moving of bulk products in my region, rail is still incredibly important. Iron ore is the classic one in my region. Indeed, we had iron ore railed in from just south of Coober Pedy in the earlier years of this century. That ore was viable as long as the iron ore price was over \$80 a tonne. It is well over that now, but for a period there it went well under \$80 a tonne and OneSteel Arrium—I think it was Arrium at the time—was no longer viable, so that mine was closed. There was another mine, the IMX mine, a magnetite mine with high copper concentrations. It was only a million tonnes a year, which came to Outer Harbor, but once it went under \$90 a tonne that particular mine was no longer viable. Who knows what the future holds when it comes to this?

There is one rail system, one rail passenger service, that I do want to mention—I think I even made some notes about it, if I can find them—and that is the *Overland*. Of course, the Marshall government covered themselves in glory in not wanting to provide any funding, and so it was the Victorian Labor government that was willing to provide funding to keep that historic line going. It is deeply historic because that was the line, when we disembarked in Melbourne, that brought me to Adelaide. So it is a very historic line indeed, and we need to keep it running. This is part of my history.

The ship I came out on, the *Ellinis*, during the war years transported Curtin over to the United States to meet Roosevelt during that very trying time. That ship, which was a Greek-owned ship by the time we caught it, also had a historic element—alas, not because of me but because of that great Prime Minister: Curtin. I knew there was a Chifley connection, though, when it came to railway systems, because of course Chifley was also a driver of a steam locomotive. The Labor Party is littered with people who used to make their crust in the service of rail in this country.

Having the only integrated steelworks in the country, Whyalla produces those long products for rail. One of the great things about Whyalla is that it produces rail—

The Hon. Z.L. Bettison: My birthplace.

Mr HUGHES: —and of course the minister as well. It is the only producer of rail in this country. You only have to think about that for a minute or two as to just how important it is. When it comes to sovereign manufacturing capacity, the capacity to produce our own rail is incredibly important.

There was a more recent safety incident at the steelworks in Whyalla, and that was a runaway train—a train that escaped for a whole 11 minutes. When it escaped, it crossed eight level crossings within the steelworks. The speed limit within the steelworks for the trains is 15 km/h, but this train reached up to 50 km/h before it was slowed down and controlled. The consequences of that, the threat to life it represented, were incredibly serious.

To take you back to this bill, all that we can do to improve safety on our rail systems is incredibly important. It is especially important for communities like mine in Port Augusta, Whyalla and places further afield given the history of accidents, deaths, injuries and of near accidents in my community.

Indeed, SIMEC had to come out a year or two ago to warn the community about some of the things kids were doing on the rail line between Iron Knob and Whyalla. They were putting themselves at risk and they were putting the drivers at risk. Hopefully, that has all calmed down and people seem to be doing the right thing. Around our rail systems, we always have to do the right thing, whether operators, pedestrians crossing a railway track or all sorts of other people involved in the system.

Debate adjourned on motion of Mr Odenwalder.

At 17:34 the house adjourned until Wednesday 3 May 2023 at 10:30.

*Answers to Questions***FLOOD DAMAGED ROADS**

In reply to **Mr PEDERICK (Hammond)** (9 February 2023).

The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs): I have been advised of the following:

1. The estimate of almost 1,200 kilometres (km) of road was an estimate from the South Australian State Emergency Service at the time (5 February 2023), based on GIS mapping.

Roads maintained (sealed roads) by the Department for Infrastructure and Transport (the Department) impacted by the floods are:

- Kingston Road (0.95 km in Moorook and 4.7 km in Moorook South)
- Burdett Road (0.8 km approach to Mannum)
- Morgan Road (3.0 km adjacent Lake Bonney)
- Princes Highway (1.55 km at Waltowa)
- Goyder Highway (1.3 km section north of Morgan).
- Bookpurnong Road (2.82 km south of Berri Bridge)
- Angas Valley Road (0.6 km eastern approach, 0.2 km south of general store and 3.7 km western approach at Walker Flat Ferry)
- Hunter Road (1.5 km at Mannum Ferry)
- Taylorville Road (1.19 km at Waikerie Lower landing)
- Ferry Road (0.7 km at Wellington Ferry)
- Stott Highway (1.5 km north and 0.15 km south of Swan Reach Ferry)
- Randell Street (0.22 km at Mannum Ferry and 0.65 km in Mannum township)

Council ferry approach roads inundated:

- Lyrup Road (at Lyrup Ferry—length not provided)
- Morgan Cadell Road (1.45 km at Morgan Ferry)
- High Street (0.16 km at Morgan Ferry)
- Purnong Road (9.7 km at Purnong Ferry)

Local roads impacted, as advised by Regional Councils, is attached (Attachment 1).

Attachment 1

Renmark Paringa Council

Bollenhagen Place; Causeway Road; Goolwa Street; Gregory Way/unnamed; Gurra Road; Kemp Road; Lagoon Drive; Liba Liba Parade; Lock 5 Road; Mundic Creek Road; Nelwart Street; Ohlson Road; Old Lyrup Road; Paringa Street; Patey Drive; Plushes Bend Road; Ponde Road; Purnong Street; Sluggett Road; Sonnemanns Lane; Townsend Street; Twentyfifth Street; Twentyfirst Street; Twentysixth Street; Warrego Street; Wilson Parade; and Crescent Street.

Berri Barmera Council

Bruno Bay access Road; Marina Drive; and Martins Bend Road.

District Council of Loxton Waikerie

Alexander Hill Drive; Edgar Bartlett Drive; Gordon Road; Grant Schubert Drive; Gun Club Road; Holder Bottom Road; Holmes Road; McMillan Street; River Terrace; Perry Road; Ramco Point Road; Ricciuto Road; Sophie Edington Drive; Strangman Road; Thiele's Sandbar Access Road; Lowbank Road; and River Drive.

Mid Murray Council

Laurie Terrace; Page Drive; Shack Front Road; Pelde Street; Pelican Drive; Pelican Point Road; Preiss Landing Road; Hallam Terrace; Purnong Road; Khancoban Place; River Lane; Murray Street; Richards Road; Schouvaloff Street; Scrubby Flat Shack Road; Pellaring Crescent; South Punyelroo Road; Lake Carlet Shack Road; Sunset Boulevard; Docs Drive; Teal Flat Road; Thiele Road; Zadow Shack Road; Younghusband Holdings Road;

Cowirra Shack Access Road; Fraser Court; Teal Cliff Road; Pompoota Landing Road; Scrubby Flat Crescent; Edward Terrace; Bulls Tree Landing Road; and Caledonia Street.

Fourth Street; Armstrong Street; Walding Road; Hausler Road; Evans Terrace; Stewart Street; Tennanabie Street; Cowirra Swamp Road; Martin Road; Skinner Road; Whalland Court; Heinrich Road; Salisbury Road; Hermann Street; Greenways Shack Road; Armytage Street; St Sophia Street; Lane One Road; Shannon Landing Road; Baseby Court; Fellenberg Road; Access Road; Bond Street; Second Street; Side Road; Wongulla Ramp Road; Mcphee Avenue; River Reserve Road; Providence Drive; Porter Street; Bowling Club Lane; Schmidt Lane; Edwin Street; Terence Place; Oval Road; Gowling Court; Sanders Street; Bond Street; Murray Road; and Unnamed Road.

Reserve Parade; Bryants Creek Road; High Street; Stony Steps Road; Thamm Road; The Parade; South Terrace; Christian Road; Riverview Road; Graziano Road; Chambers Hill Road; Noa No Landing Road; Caloote Landing Road; Billabong Road; Shaw Street; Craignook Road; Schache Road; Bakers Hut Road; Zadow Landing Road; Kookaburra Lane; Scotts Creek Shack Road; Teal Flat Shack Road; Cod Court; Echidna Avenue; Pelican Parade; Beaumonts Rd; and Chambers Hill Road.

Rural City of Murray Bridge

Avoca Dell Drive; Bakehouse Road; Billabong Road; Bott Lane; Burgess Road; Charles Sturt Drive; Clark Street; Coolibah Drive; Dean Jaensch Road; Hannaford Tce; Hill Road; Hume Reserve Road; Jaensch Road; Jury Road; Kallarroo Road; Kellett Road; Lake Reserve Road; Loddon Road; Long flat Road; Long Island Reserve boat ramp; Mathews Cct; McCulloch Road; McKerlie Road; Murrawong Road; Murray Cods Drive; North Bokara Road; Olympic Drive; Pump Road/Hutchinson Drive Mobilong; Riverglades View; Riverfront Road; and River Gum Drive.

Rothe Lane; Siesta Drive & Thiele Rd; Snakey Gully Road; South Bokara Road; Sturt Reserve Fire Access Track; Sturt Reserve Road; Sunnyside Road; Swamp Road; Swanport Wetlands access track (not Council owned); Tempi Road; The Point Road; Thiele Reserve Boat Ramp; Toora Hill Road; Toora Road; Toora Road; Toora Road; Toora Road; Unnamed Road; Wharf Road (incl service road); Wildens Way; and Woodlane Drive.

2. The \$60 million announced towards repairing roads damaged by floods in the Riverland and Murraylands region is the initial investment to enable urgent repairs and ensure roads are open sooner. Long-term upgrade works and works to improve the future resilience of the road network are currently being investigated.

The extent of repair works on the local road network are being assessed by local councils.

3. \$7 million was spent undertaking 11.6 kilometres (km) (five sections) of asphalt surfacing on South Eastern Freeway between Mount Barker and Callington. The works, which were undertaken between February 2020, and February 2021, included:

- three sections totalling 7.5 km of outbound lanes along the South Eastern Freeway, from west of Mount Barker to east of Bald Hills Road interchange exit point
- 3.5 km section of city-bound lanes along the South Eastern Freeway, beginning approximately 5 km west of the Callington Interchange; and
- a 600 metre section of South Eastern Freeway (outbound) near Callington.

These works formed part of the \$190 million Princes Highway Corridor Upgrade program, jointly funded by the Australian and South Australian governments (80:20).

A further \$9 million was spent undertaking 11.4 km (four sections) of major pavement rehabilitation works on the South Eastern Freeway between Bridgewater and Callington. The works, which were undertaken between March 2022, and September 2022, included:

- a 1.7 km section between Bridgewater Interchange and Hahndorf/Woodside/Birdwood Interchange (outbound)
- a 2 km section near the truck rest area towards Callington (outbound)
- a 5.1 km section between Back Callington Road to Summit Road (inbound); and
- a 2.6 km section between Bald Hills Road, Mount Barker and Mount Barker interchange (inbound).

The west of the Mount Barker Interchange was funded by the Australian government under the 2021-22 Periodic Maintenance Program. Works east of the Mount Barker Interchange formed part of the \$190 million Princes Highway Corridor Upgrade program, jointly funded by the Australian and South Australian governments (80:20). The department is currently completing line marking along the South Eastern Freeway as part of the annual line marking renewal program. The program is scheduled for completion April 2023.