

HOUSE OF ASSEMBLY

Thursday, 18 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.

Parliamentary Committees

NATURAL RESOURCES COMMITTEE: BELAIR NATIONAL PARK FACT-FINDING VISIT

The Hon. C.J. PICTON (Karna—Minister for Health and Wellbeing) (11:02): On behalf of the member for Waite, who is unfortunately unable to be here, I move:

That the third report of the committee, entitled Belair National Park Fact-Finding Visit, 2 March 2023, be noted.

I take delight in moving this on behalf of the member for Waite, not only because I am a former member of the Natural Resources Committee—and I think most members of this place who have been former members of the Natural Resources Committee do hold a lot of fondness for the work it does and certainly reflect well on their time on that committee—but also because Belair National Park is a prized asset of South Australia and the protected areas across our state.

The Natural Resources Committee does a lot of these fact-finding visits to particular areas across South Australia—most a fair bit more far-flung across the state than visiting Belair National Park—and it is a useful opportunity for members of parliament to get out and about to see exactly what is going on in relation to the management of our natural resources. In the time I was on the committee we had some excellent visits, including a great visit to Kangaroo Island to see what was underway there.

We even went as far as undertaking an inquiry in relation to issues of unconventional gas developments, and went to Queensland to see what was being undertaken there before making recommendations to the parliament about the management of such developments here in South Australia. I thank the committee for their work—and this visit is probably the closest to the CBD visit they have done—as doing a number of these visits gives them an opportunity to meet the people who are concerned about these areas and to bring back that information to the parliament.

Belair National Park is a protected space that is steeped in history in our state. Having grown up in the inner southern suburbs, there were many times when we, as a family, would go to Belair National Park, and I am sure many families across South Australia share that history. I think it is a great opportunity for us not only to continue to preserve the area and very significant area in relation to the Mitcham foothills but also to keep that growing is a great opportunity to showcase the nature-based tourism in our state as well.

To have areas like that so close to the city, whether it is Belair National Park, whether it is Cleland or other protected areas close to the city, is not only great for native habitats, not only great for preservation of various natural fauna and flora species, but also for tourism and making sure that South Australians can be active.

Certainly, with my job now as Minister for Health and Wellbeing, it is a great benefit for us to have those areas so close to the city where people can recreate, enjoy our outdoor areas and be healthy in the process. In fact, I do know that one certain Chief Public Health Officer of this state is known to go for a run very early in the morning through Belair National Park, and many South Australians will use that as an area to keep fit and healthy and use those protected areas of our state.

What tends to happen with these Natural Resources Committee reports is that undertaking a series of these fact-finding visits will later feed into a greater body of work that can provide some recommendations to the house and to the environment minister, in this case, or to other relevant ministers; quite often, it is also the minister for agriculture and fisheries. I am hopeful that, by undertaking a number of these fact-finding visits, the members of the Natural Resources Committee will use them to develop some more reports that bring together a number of strands of the work that they have done across the state.

I think one of the other benefits of this committee is that it tends to work on a bipartisan basis. During my time on the committee, we had the Hon. Robert Brokenshire, the Hon. John Dawkins and Peter Treloar, and we all got along very well, I have to say. It was ably chaired by Steph Key at the time. It was an excellent committee and probably not one that, when I had entered parliament, I saw as a particular area of focus where I wanted to devote my time, but having secured that spot on the Natural Resources Committee it was probably—no offence to the member for Elizabeth, who was Chair of another committee I was on at the time—one of the more satisfying and interesting committees that I served on. I would certainly recommend to other members of parliament to have some time on the Natural Resources Committee.

In fact, I remember another great advocate of the Natural Resources Committee was the Hon. John Rau SC, who was Chair of the Natural Resources Committee for a number of years before he entered the ministry. I think they were regarded as his frustrated days before he entered the ministry in some regards. They undertook a very sweeping review of the situation for the Murray-Darling Basin.

They travelled across the Murray-Darling Basin, essentially from the Great Dividing Range at the start where the Murray originates, right the way through the basin and conducted a series of three reports to which, if my recollection serves me right, they gave names akin to the *Lord of the Rings* trilogy, with some names that only John Rau could have come up with. Some fantastic analysis was done as part of those reports and some excellent recommendations were made that I think served the parliament well.

I think a whole lot of parliamentary committees should be looking enviously at the work that the Natural Resources Committee does, considering the bipartisan way that it works across the state. I am sure that this latest report, while obviously not the most extensive report that it has produced, will go some way in terms of making sure that we can add it to the fabric of future recommendations that can be made looking at both protected areas and management of private land across South Australia and how we can make sure that our vital natural resources in this state can be preserved for many generations to come.

I thank the committee for its work. I look forward to future reports, future fact-finding visits and its further contribution to the parliament.

Debate adjourned on motion of Mr Odenwalder.

PUBLIC WORKS COMMITTEE: TRURO BYPASS

Adjourned debate on motion of Mr Brown:

That the 19th report of the committee, entitled Truro Bypass Project, be noted.

(Continued from 4 May 2023.)

Mr PEDERICK (Hammond) (11:11): I rise to speak on this parliamentary Public Works Committee consideration being sought for the Truro bypass project. I would like to think this is more of a project about the appropriate freight route around Truro because it is a significant part of our freight network, with up to 700 heavy vehicles a day going through Truro. This is part of a \$202 million project set up by the former Liberal government's 2021 budget.

It is a very significant proposal for the Sturt Highway. I think it encompasses somewhere around a 14-kilometre section around Accommodation Hill. Most people who live in the state would have travelled up the Sturt Highway, and Accommodation Hill is a fair haul for trucks. When you think of the old days, when we only had trucks with about 300 horsepower, it would have been quite a

struggle with a big load. I note that into the future this freight bypass will open up to triple road trains and now we certainly have trucks that are closer to 700 horsepower to take these loads.

This freight route is very important in a range of ways, not just for getting freight out to the Riverland from areas such as Port Adelaide, where you can now pull double road trains and B-doubles straight out of there, but also for a lot of the freight tasks that otherwise may come down the South Eastern Freeway. Acknowledging that we do have a freight route coming into Adelaide down the South Eastern Freeway and down Portrush Road, it is good to see that those combinations bigger than B-doubles have to come around the northern freight bypass, through Murray Bridge, up to Mannum, up to Sedan, then to a place called Halfway House on the Sturt Highway and then into Adelaide.

It is a significant detour; I think it is something like 90 kilometres. Where we get the productivity increase in this bypass is with companies like Collins and others that are pulling those bigger combinations, whether they are double road trains or B-triples. There are certainly some companies pulling B-quads. Then you see the big combinations, the AB-double, which is essentially a semitrailer and a B-double, so essentially 2½ trailers. This certainly increases the productivity that is so necessary as we move forward.

Freight operators are not unlike anyone else: looking for workers, looking for staff, making sure we can get that vital freight transported not just around the state but through the state. A lot of our freight is developed internally, whether it is those small loads for the local freight network for simple household needs ranging from foodstuffs to furniture to machine parts, etc., or those necessary items that have to come from interstate.

Truro is on the Sturt Highway, which is the main freight link through to the Riverland and then through to Sydney. It is also a vital part of that freight link for those heavy combinations coming out of Melbourne and bypassing the Hills. They can head in once they get up there near Gawler on the flat run in to Port Adelaide.

We have seen a lot of road networks upgraded north of Adelaide. Talking to some of my mayors out in the South-East and east of the state, it is time we had a lot of roadworks done east and south-east of Adelaide. One of the things that is dear to my heart is the duplication of roads—the Dukes Highway, which I live on at Coomandook, and obviously the Sturt Highway. It is interesting to note that in this \$202 million project there will be a single-lane freight route each way. It would have been nice to see the opportunity for more duplication.

I do find it a bit frustrating, as I did quite a few years ago earlier in my parliamentary career when I spoke to the Public Works Committee about a \$100 million project for the Dukes Highway, which was essentially a lot of overtaking lanes. The 1,200-millimetre lane down the middle of the road certainly makes it safer but, as I indicated to the Public Works Committee at the time, it would have been more appropriate to put that money into extra duplication for the Dukes Highway. It is certainly better, I will grant that, but the Dukes is a very significant freight route, as is the Sturt Highway.

Looking at what is happening with the Augusta Highway I do get a bit frustrated. We did great work as a government putting in the works—the bridge works project and the bypass project at Port Wakefield—to make it safer for people accessing Yorke Peninsula. There are duplication works that were commenced under our government, the Marshall Liberal government, but that is only programmed to go through to Lochiel. Sadly, we see that with the Augusta Highway, yes, they are getting overtaking lanes and, yes, they are a reasonable option, but I still say they are a B-class option compared with what could be the A-grade solution for making sure that we can get freight to where it needs to be.

As it is now, up that highway you can take two-trailer road trains to Port Augusta and then you can hook up the third to go through to Alice Springs and Darwin. As we are already seeing with the planning around this freight route at Truro, we are looking at the expansion of the ability to put triple road trains on this road. That is certainly a positive because, as I said, it is harder and harder to get truck operators and drivers in the seat, and it is a lot better to carry these heavier loads.

We have certainly proven that we do take a reasonable amount of traffic. In fact, when travelling down the South Eastern Freeway (and up it, obviously), I notice there is a lot less freight coming down there than used to be. Roadworks like this at Truro will make that significantly better. Truro has a very nice main street, but it is pretty tight, and if we can get this freight route in place it will make it better for everyone. I certainly support these works and the sooner the better.

I think there is an opportunity that has been missed in that it is not two lanes each way. But it certainly will be a major improvement in the freight work that needs to be done in this state and not just on the Sturt Highway because it does benefit multiple routes, as I said, whether it is out on the Sturt Highway or hooking around back through Mannum into Murray Bridge so that those trucks that are heading to Melbourne with those bigger combinations can go that way. I commend the works, and the sooner they are done the better.

Mrs HURN (Schubert) (11:20): I rise to speak in support of this project. This is a project that is not just critically important for the productivity of our state, as has been pointed out by a number of people on this side of the chamber, but it is also a project that is of critical importance to our region, the region of the Barossa Valley.

I would like to put on the record a number of the concerns that my local community have raised about the Truro freight route. It is important that we are deliberately referring to it as the Truro freight route because, if you skim through all the budget papers and all the departmental material and what people in the city are liking to call it, they would like to have this project referred to as the Truro bypass.

You can understand that this is somewhat offensive to a local community because they, of course, do not want this piece of infrastructure to be a bypass from their town. They acknowledge that this is going to be critical for productivity, but when you distil it down to the main objective of this \$202 million project, it is actually about getting the heavy vehicles off the main street. At the moment, we know that there are around 4,500 vehicles that pass through the main street of Truro, Moorundie Street, in my electorate, and 30 per cent of those are heavy vehicles.

The Truro freight route is designed specifically to get that 30 per cent off their main street, out of their towns, out of their businesses and onto the freight route. There is no doubt that locals would like to see them off the main street. They do not, of course, want that for the wonderful tourists who spend so much money in their local businesses at the various cafes and bakeries in the main street of Truro. They still want to encourage those people to come to the town. That is why changing the name is so critical. It is something that I have raised directly with the minister and also at the Public Works Committee, so I am really hoping that we can start to see some positive traction in that direction.

One of the other concerns that my community have raised with me via the Truro town association is what it means and what it looks like when you are coming from Nuri heading to the Riverland. How are you going to access the town? One thing that was originally floated by the local community was the consideration of an underpass. That is obviously going to be a significant expense, so the other alternative that we have discussed is just making sure that very clearly there is some signage that points to all of the fantastic things that you can do in the local community and it is obviously safe to do so.

You can imagine, particularly around the busy times of Easter, Christmas and school holidays, there is so much traffic going back and forth. We need to ensure that there is a long enough run-up so that people can safely turn right across traffic into Truro. I am hopeful that, again, we can start to see some positive traction with that signage.

One of the other concerns—this is one that farmers have raised with me, and as a farm girl myself I can absolutely understand the concerns that I am just about to outline—is how are you possibly going to get mobs of sheep across a highway where you have all of these road trains doing 110 clicks right along the highway? How are you going to get heavy machinery from one side of your property to the next? That is something that I think must be addressed.

I am pleased that we are starting to again see some positive traction there in terms of having some stock routes underneath the freight route. That is positive, and I am genuinely hopeful that the

community will be listened to there. Of course, having all these concerns addressed hinges on the project going ahead, and at the moment there is a big red flag that has been waved by the federal Labor government because they have now embarked on their 90-day infrastructure review.

That means that these productivity region-growing projects like the Truro freight route are essentially in the firing line. They are on the chopping block, which of course would be really disappointing not just for my local community but I think for the entire state. So I have written to the federal minister encouraging her to save the Truro freight route. I have also written to the state minister here in South Australia, and I am hopeful that those calls will be listened to and that the Truro freight route will actually be delivered for the local community. I know that is something that our shadow minister, the member for Hartley, Vincent Tarzia, is also working with me on, and I genuinely appreciate that.

Linked to the \$202 million project is another factor that my local area was really excited about. The former Liberal government, as part of this \$202 million infrastructure project, put \$1 million on the table to have a master plan to help beautify the main street, to help make it something that locals and businesses and the local school could all be really proud of. That is a process that is already underway. We had a planning session with people from right throughout the local community as well as from the Mid Murray Council. It was great to see the mayor present there as well. But a question mark hangs over that, which is something I am really concerned about, again, something that I have raised with the minister.

If the federal Labor government makes the disastrous call to cut the Truro freight route, then I would hate to see locals lose that \$1 million to help enhance their town, to redo the main street, which is something else they want to see done. I am hopeful that my community can see this come to fruition, and I am hopeful that the state can have a much better productivity level thanks to the delivery of this project. We will keep fighting, and I will keep fighting for my local community, and I thank the house for the time in addressing this project.

Mr BATTY (Bragg) (11:27): I rise also to speak on the Public Works Committee report on the Truro freight route and make a brief contribution because others in this house have spoken about how the Truro freight route is a project that is good in and of itself but I also see it as being good and an important first step in a wider Greater Adelaide Freight Bypass. One of my number one local priorities in the eastern suburbs is getting heavy trucks off our local roads like Portrush Road and Glen Osmond Road.

These are roads that I, like so many, drive down every day, and they are just not appropriate freight routes. They are lined with schools, with nursing homes, with houses, with shops. The fact that Portrush Road is Highway 1 is quite frankly absurd. We need to get trucks off our local roads, and I see the Truro freight route as an important first step in achieving that. Unfortunately, I think we only ever talk about this issue with trucks on our local roads when there is a tragic accident or when there is a shocking collision.

The most recent of those was last year, when we saw an incident at the bottom of the freeway involving a truck and also, I think, about seven cars and a bus; quite frankly, it was miraculous that there were no fatalities out of that accident. We should not have to wait for fatalities, we should not have to wait for another tragedy, before we take action on this issue. Indeed, I think that crash was the fifth major crash at that intersection since 2010, so we very much need to act on this issue urgently.

The Truro freight route is an important step in realising the Greater Adelaide Freight Bypass. That is why I was very concerned last week to read about the Truro freight route being in doubt now, thanks to actions from the federal Labor government. It is why I was concerned this week to hear that the Greater Adelaide Freight Bypass is in doubt.

In response to questions to the Minister for Infrastructure, who did not commit to the Greater Adelaide Freight Bypass, he could not even tell us when the Greater Adelaide Freight Bypass planning study, which was due to be released in December last year, would be released. We are waiting for that, but I say we cannot afford to wait. Bring on the Truro freight route, bring on the Greater Adelaide Freight Bypass, and let's get trucks off our local roads like Portrush Road and Glen Osmond Road.

The SPEAKER: I had in mind GlobeLink but, of course, no mention.

Mr BROWN (Florey) (11:30): I would like to thank all members for their contributions. Perhaps during my short time as Chair of the Public Works Committee I have not witnessed a report that has been so passionately debated in this chamber, and I hope this is a new trend that we will see for future reports from the Public Works Committee, important as its work is, as you well know, sir.

As I said, I would like to thank everyone for their contributions and would also like to make a note again of the very diligent and bipartisan way that the committee has conducted its work. I would like to thank in particular not only my colleagues, the member for Elder and member for King, but also I would like to thank the member for Schubert and the member for Hartley for the way that they conducted themselves during the committee meetings. I commend the report to the house.

Motion carried.

Bills

TOBACCO AND E-CIGARETTE PRODUCTS (TOBACCO PRODUCT PROHIBITIONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 May 2023.)

The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (11:32): I thank you as I rise today to speak on the Tobacco and E-Cigarette Products (Tobacco Product Prohibitions) Amendment Bill. I would like to acknowledge the Hon. Connie Bonaros from the other place. Connie has worked passionately on this legislation and, of course, I think it is something that within both houses we are very committed to collaborating on to make sure that legislation will provide robust measures for addressing illicit tobacco use in our great state.

As people may be aware, smoking remains the leading preventable cause of death and disease in Australia. We have been internationally leading over many decades to reduce smoking prevalence, whether it be the world-leading plain packaging of cigarettes that we have, the fact that they are behind the counter, they are hidden, and the health messages on those cigarettes as well. I know that the current Minister for Health was incredibly involved in that in a former federal Labor government.

We know it is not just that; it is taxation that we have seen added to the price of cigarettes over many decades, followed by education campaigns and the banning of advertising for sporting events. The other thing, of course, is cultural change, and change around cigarettes. I know when I used to go out on the town—a few decades ago now—I would come home and I would reek of cigarettes after partying all night. The change is about not having indoor smoking and having set areas for cigarettes. These things do not happen overnight, and they continue to happen. The Quit campaign is an important part of that, the nicotine patches, for example, and the nicotine gum to support people. Governments have been doing that for some time.

Whenever we come to talk about the next amendments to this area, it is important to recognise what we have done as a nation. As a nation, we said that this is something that injures us. There was a long legal debate about the responsibility of cigarette companies and their false advertising in the past. My mum, who had terrible sinus problems, was told by her doctor that smoking menthol cigarettes would help—interesting advice given probably 50-odd years ago.

Today, we come in here looking at the next level of regulation and legislation to minimise that smoking-related harm. The area I represent, the northern area, does tend to be over-represented in some of those statistics and has poorer health outcomes, so this is not something that is important just for the state but that also recognises areas of vulnerability that experience higher rates.

Previous public health measures have had an enormous impact on reducing smoking prevalence, but there is more work to do. By amending the South Australian Tobacco and E-Cigarette Products Act 1997 this bill will:

- prohibit the supply or sale of tobacco products in South Australia that do not meet the requirements of the commonwealth Tobacco Plain Packaging Act 2011, including those health warnings;
- prohibit the supply and sale of tobacco products that are prohibited goods or have not had the required excise duty paid as per the commonwealth Customs Act 1901 and Excise Act 1901; and
- give authorised officers under the South Australian act, including our police, extra powers and incentives to enforce the law with increased penalties and a view to addressing this illegal trade in South Australia.

In supporting this bill the government is reaffirming its commitment to reduce smoking, ensuring better health outcomes for South Australia. This is part of a broader, ambitious strategy of the Malinauskas Labor government aimed at achieving the lowest rate of smoking and e-cigarette use nationally within the next five years. This is a really important aim for us as a state.

What it requires us to do is be innovative and committed to looking at different ways to reduce this harm. It is not going to be achieved just by wishful thinking: it will take an evidence-based and targeted approach to reduce smoking and e-cigarette use. The proposed new laws ban smoking and vaping in the following outdoor areas:

- within 10 metres of children's education and childcare centres;
- within five metres of non-residential building entrances;
- at public hospitals and health facilities, including aged-care facilities and private hospitals, and within five metres of their boundaries;
- within outdoor public swimming facilities;
- at major sports and events facilities;
- at or within 10 metres of playing and viewing areas during organised under-18 years sporting events; and
- on beaches within 50 metres of patrol flags and under and within five metres of jetties.

We are also proposing to outlaw cigarette vending machines at licensed venues and increase penalties for selling to minors, with the proposal of doubling penalties for the supply or sale of tobacco products to children. This is incredibly important, because we know that if you start smoking at a very young age—of course, legally you are not allowed to until 18—the damage done to your body at that early age has massive impacts on your ability to learn and on your ongoing health.

Further, the federal government is also initiating a range of national strategies to address e-cigarette use, which we fully endorse. SA Health will work with federal and interstate jurisdictions to strengthen the e-cigarette laws, as it has for many years. National collaboration in this space is key, as it is in many portfolios. The federal initiatives include:

- banning the importation of non-prescription e-cigarettes;
- regulating flavours, colours and other ingredients;
- requiring pharmaceutical-like packaging;
- reducing the allowed nicotine concentrations and volumes (which have been reported to be up to 50 times higher than cigarettes in some cases); and
- banning disposable e-cigarettes.

I think there has been a belief that vaping is safe and that all vaping products are not addictive or contain nicotine. I think what we have seen here, when you actually take the time, in what has been

an expanding area of industry—whenever there is a gap, people do fill this—is an understanding, more importantly, of what exactly it is that people are buying.

Obviously, the ability to buy on the internet has reduced some of that auditing process and I think that we have seen people get quite sick when they have been vaping things they did not actually know were in e-cigarettes. I think it is not just Australia that is dealing with this issue; it is international. There was a big move away from cigarettes, but of course with vaping you have to consider what it is you are actually doing. How regulated is it? How aware are people about what they are actually consuming?

We are also looking at funding public awareness campaigns and service enhancements to help Australians quit smoking and vaping. With this collaboration, we are going to look at banning the importation of non-prescription e-cigarettes; regulating the flavours, colours and other ingredients; and requiring pharmaceutical-like packaging.

Of course, the collaboration the state government will target will not be met with just a health-only focus. We see the insidious nature of the marketing of this product aimed at our children. We must educate and inform our kids about the dangers of e-cigarettes and vaping. As I said, I think there was this assumption that e-cigarettes are much safer than normal cigarettes and I think the reality is that that is just not true, and we need to keep informing ourselves and educating ourselves about those dangers.

Last week, the Minister for Education joined the Minister for Health and Wellbeing and the Chief Public Health Officer, Professor Nicola Spurrier, to launch the state government's campaign to curb the rising vaping among young South Australians. This new education campaign will be rolled out across South Australian schools. It aims to engage with students to help them understand the harms of vaping, as well as any supports that are available to them.

We must be proactive. We must address this issue and respond to it urgently and with the best resources. We say that prevention is better than cure. Of course, more importantly, prevention is far cheaper than cure. We know that the cost of smoking-related illness to our state health system and nationally is huge. To be able to reduce this burden on our health system by reducing the number of young people who ever take up smoking or vaping in the first place will have massive financial impacts on our health system in the future. At a more human level, it will reduce the harm and grief that smoking-related illness has on our families and communities. Educating our young people is a sensible and necessary step to achieving our goals.

As the member for Ramsay, I am interested in the data related to smoking and vaping use in the northern suburbs. Statistics show that there are still higher than average rates of smoking prevalence where I and the communities I represent live, and that is why South Australians in the northern suburbs will be part of a new Australian-first trial to offer financial incentives to quit smoking. This is a first of its kind program. It will be called the Incentive to Quit trial and it will offer incentives in the form of supermarket vouchers to smokers who reach key milestones in their journey to become smoke or vape free.

I am advised that participants can earn up to \$150 in supermarket vouchers during the program based on how long they go without smoking or vaping and by accessing support services, such as Quitline. When the trial was announced, we heard the incentive was prompted by evidence that shows the effectiveness of incentive programs to support people to quit smoking. As well as this incentive, following consultation that wraps up next week there will be a significant decrease in the number of outdoor places in SA where smoking and vaping are allowed.

So, it is not just one way of how we reduce these rates; it is multiple ways. It is education, incentives and a reduction in areas where people can smoke. This continues that decades-long focus of Australian governments across states, territories and federally to make smoking less attractive. It is the taxes, it is the plain packaging, it is the hiding them away in the supermarkets and reducing that incentive. Not being allowed to smoke in your car when your children are in it was also a very pragmatic move to achieve that.

In addition to current smoke-free laws, which include outdoor dining areas, playgrounds and public transport shelters, the government's plan will result in the most comprehensive smoke-free

laws in Australia. There is also a proposed ban on cigarette vending machines in licensed venues and increased penalties for selling to minors. These sensible reforms have been out for consultation, and I look forward to hearing the results of this work.

Study after study shows us the increase in rates of smoking and vaping in young people under 25. We see all sorts of attempts at getting around legislation that bans the marketing of cigarettes and nicotine products to children. I think one of the key aspects, as I have talked about, is this perception that it was safe, that it was much safer than ordinary cigarettes, but without actually having a conversation about the dangers it still held. I think something we really have to get out there in regard to messaging is why it is still not a good decision to take up vaping and e-cigarettes.

The Malinauskas government is proposing to double penalties for the sale and supply of tobacco products to children. This would increase fines from \$1,200 to \$2,400 and raise the maximum prosecution penalty for a first offence from \$20,000 to \$40,000 for a business and \$5,000 to \$10,000 for an individual.

Rates of smoking in our northern suburbs have been up to 10 per cent higher than in other geographical areas. Of course, as someone who lives in the northern suburbs and who cares for the health of my constituents and my community, this is something that I would like to see drop significantly. Can I say that we have seen it drop, and I know that far fewer people smoke. If you are out at a soccer game watching your kids play now, compared with 10 years ago, fewer parents are smoking than ever before, but we still have to keep that message strong. We have to identify areas where the prevalence of smoking and vaping are higher than others and understand the motivation that might support people to quit.

Can I also recognise, from the multicultural affairs context, that I am aware that individuals of some cultural groups may have experienced torture, trauma, grief and loss, making them more vulnerable to alcohol, tobacco, gambling and other drug problems. There might be other factors that make our CALD groups more susceptible, including family stresses, unemployment, language barriers, lack of awareness of programs, and limited access to programs that are culturally appropriate.

While there has been an increase between 2016 and 2019 in the proportion of people across Australia reporting never smoking, the proportion of never smokers is greater for people from CALD backgrounds. It is actually 84 per cent who have never smoked at all, compared with 60 per cent of people who speak English at home. This has been the case since 2010.

Although there are some individuals who will find themselves at higher risk due to impacts of trauma on their mental health, when we analyse this people from CALD communities continue to be less likely to smoke daily than people who speak English at home. In fact, CALD communities smoked fewer cigarettes according to the statistics in 2019. Looking at current smokers, people who spoke a language other than English smoked an average of 69 cigarettes per week, compared with 91 cigarettes for people who mainly spoke English at home.

The Incentive to Quit program (I2Q), which is being piloted for users who are patients of the Northern Adelaide Local Health Network, has the services to quit. I know that there would be dedicated support for people from our diverse community, who sometimes are not as readily engaged in these programs, with the capacity to have up to 600 participants, and this is something that I look forward to having a focus on.

The strategy includes a range of programs and initiatives to drive down the prevalence of smoking in South Australians aged 15 and over to 6 per cent by 2027. It is the most ambitious target in the country. People are eligible for this program if they are accessing or participating in Northern Adelaide Local Health Network (NALHN) services to quit, are over 18 and are willing to make a genuine attempt to quit smoking or using e-cigarettes. We will also be focusing on Aboriginal health, mental health and cardiopulmonary health. If clients accessing one of these services meet the criteria, they can ask their treating NALHN health professional for further information about this pilot program.

Regardless of the focus on the northern suburbs, I encourage all South Australians who are struggling to quit to seek professional help. The primary purpose of this new program is to trial new

and innovative ways to incentivise quit attempts amongst marginalised and disadvantaged populations. Following the trial, a research report will be provided, summarising findings and implications for enhancements to stopping smoking and using e-cigarettes.

By amending the South Australian Tobacco and E-Cigarette Products Act 1997, this bill will prohibit the supply and sale of tobacco products in South Australia that do not meet the requirements of the commonwealth's Tobacco Plain Packaging Act 2011, including health warnings. It will prohibit the supply and sale of tobacco products that have not had the required excise duty paid as per the Customs Act and Excise Act.

This bill will also give authorised officers under the South Australian act, including our police, extra powers and incentive to enforce the law, with increased penalties and a view to addressing this illegal trade in South Australia. It is probably something most of us are not so aware of, but of course we must stamp out all areas of illegal trade, whether it is e-cigarettes or traditional nicotine. People importing these cigarettes are not paying the required duties, and they do not have the required packaging; we need to address that. In supporting this bill, the government is reaffirming its commitment to reduce smoking and ensuring better health outcomes for South Australia. I support the bill.

Ms PRATT (Frome) (11:52): I also rise to speak about the Tobacco and E-Cigarette Products (Tobacco Product Prohibitions) Amendment Bill 2022. As the lead speaker for the opposition, I support this bill and its goal of enhancing the regulations surrounding the packaging, sale and supply of tobacco in South Australia. By aligning health warning requirements with commonwealth law and, of course, increasing maximum penalties and expiation fees for breaches of health warning, sale and supply offences, this bill aims to strengthen the existing regulations.

The bill follows the example of similar legislation that has been enacted already in Western Australia and New South Wales, thereby aligning state laws with commonwealth law. This will help to ensure that the same regulations are enforced across the country.

KPMG's 'Illicit tobacco in Australia 2021' full-year report, which was released in June 2022, highlights the issue of illicit tobacco in Australia and found that Australians consumed over 2,000 tonnes of illicit tobacco with an estimated excise value of over \$3.4 billion. It also found that unbranded tobacco usage has increased by 36 per cent and that illicit tobacco consumption accounted for 19.3 per cent of total tobacco usage, which was an increase of 2.4 per cent.

However, despite a marked increase in this consumption of illicit tobacco, only one conviction has been made following 1,723 investigations into the illegal sale of tobacco in Australia since 2012. Existing South Australian laws do not allow for South Australian authorised officers to enforce compliance with the commonwealth laws around packaging and labelling of tobacco products and therefore require these officers to refer cases of possible noncompliance to the relevant commonwealth government enforcement authority. In response to this limitation, this bill and the amendments are proposed to regulate illicit tobacco at a state level by:

- prohibiting the supply or sale of tobacco products in South Australia that do not meet the requirements of the commonwealth's Tobacco Plain Packaging Act 2011;
- prohibiting the packaging and sale of tobacco products that do not contain an approved health warning; and
- prohibiting the sale or supply of tobacco products that are prohibited goods or have not had the required excise duty paid as per the commonwealth Customs Act 1901 and Excise Act 1901.

This bill will give the police extra powers and incentives to enforce this law, which can only be a good thing, with increased penalties hopefully driving people out of the illegal industry of importing and selling unexcised tobacco. Of course, federal excises and taxes exist, but the nation is missing out on \$3.4 billion of revenue from so-called illegal chop-chop. This is lost revenue that could be put to good use when invested back into preventative health initiatives.

As mentioned by the Hon. Connie Bonaros MLC in the other place, in a sting operation *The Advertiser* uncovered 14 stores across Adelaide selling chop-chop, where each of them were

making over \$900,000 per annum. It is a sad reality that, while the consumption of legal tobacco is decreasing, we are seeing illegal consumption going off the charts.

The government has obtained advice to determine whether there are any adjustments that should be considered to strengthen the bill's application. In accordance with that advice, the government now lodges its amendments to this bill. Those amendments will allow for future adjustments to the commonwealth legislation without the need to further amend the Tobacco and E-Cigarette Products Act 1997.

The amendments will provide further clarity in the scope of the definition of 'health warning' to strengthen that enforceability. They will also reduce overlap between some of the new offence provisions that may have the potential to undermine the enforcement and prosecution of these offences in some circumstances. Finally, they will amend the regulation-making power in section 87 of the Tobacco and E-Cigarette Products Act 1997 to reflect the proposed amendments contained in this bill.

Many questions have been asked, through the process of proposing these amendments, about the impact on enforcement officers: what tools do they have and what grounds do they have to enter these retail establishments with the intention of searching for illegal tobacco? As with many drugs that are sourced from the black market, there is no quality assurance of the hygiene or standards of production where these very dubious and questionable ingredients are sourced from, so customers take a risk every single time they consume or inhale these illegal products.

While the commonwealth is responsible for border security, biosecurity, imports, customs and excise that is paid, that only works for the tobacco that they can seize or allow into the country. Once it slips through our state lines, each state government is bound to arm their local police and health officers to search and seize with some level of protection and consistency.

The opposition supports the amendments to this bill and the measures it proposes to restrict in regard to the packaging, sale and supply of tobacco products that are not marked with labelling and health warning requirements. This bill will also increase the maximum penalties from \$10,000 to \$50,000, and the expiation fee from \$500 to \$1,250. These increases are proportionate, given the enormous profits being made in the black market for illicit tobacco.

Finally, the bill will bring South Australian legislation into line with the commonwealth's Tobacco Plain Packaging Act 2011 with respect to packaging, appearance of products and health warnings. I note the previous comments made by the member for Ramsay and also the second reading comments made by the member for Kaurana, the Minister for Health and Wellbeing, in informing the house in more detail about the government's plans to introduce legislation around e-cigarettes and vaping devices. That is to say, it looks as if, through a consultation period, the legislation will align with the federal government's current position. I think we should welcome the introduction of penalties and pressures that fall on the supply of these devices, particularly when it comes to the ready access that students have to vaping and e-cigarettes.

I would like to recognise the Hon. Connie Bonaros for identifying this opportunity to strengthen these laws in South Australia and for bringing this bill before the house. I support the motion.

Mrs PEARCE (King) (12:00): I rise to speak in support of this bill and extend acknowledgement of the efforts of the Hon. Connie Bonaros from the other place for the work she has done in this space. Having worked alongside the government, we have a bill before us that will provide measures to help address the problem of illicit tobacco use here in South Australia.

All of us in this place would be aware of the serious threat tobacco presents to the health of tens of thousands of South Australians. It is the current leading cause of preventable death and disease here in Australia. In fact, I would be incredibly surprised to meet someone who has not experienced or who has not had a loved one experience the devastating impact of disease through smoking.

Tobacco is responsible for 8.6 per cent of the total burden of disease and injury. Of the eight disease groups it contributes to, it was responsible for 39 per cent of respiratory disease, 22 per cent of cancers, 11 per cent of cardiovascular disease, 6.2 per cent of infections and 3.2 per cent of

endocrine disorders. On top of all that, it is estimated to claim the lives of around 20,500 people each year.

A 2019 report by the National Drug Research Institute has estimated that the impact of both the tangible and intangible costs to our economy from smoking is around \$136.9 billion annually. This is an increase from the estimated \$31.5 billion in 2004-05, so while numbers of people smoking are on the decrease, the increasing costs of smoking on our economy shows us that we have more work ahead of us to further reduce its prevalence.

We know that when we address this problem for what it is, which is primarily a health issue, we make good ground and we see promising results. Whether it be plain packaging, health warnings on tobacco packets, the banning of tobacco advertising or the introduction of smoke-free environments, all these measures have in some way or another worked to disincentivise the uptake or continued use of tobacco in Australia.

Looking at the stats, we have seen the rates of smoking drop considerably throughout previous decades. In 1991, 24 per cent of the Australian population aged 14 and older were smoking daily. In 2019, nearly 30 years later, this has more than halved, to 11 per cent. While this shows that there is still some way to go to get that down even further, it also indicates that we have made great strides to get to where we are today. Fewer children are now exposed to tobacco smoke in their home, down from 31 per cent of children in 1995 to 2.1 per cent in 2019. Better yet, we have seen an increase in the proportion of adults who never take up the habit at all, rising from 49 per cent in 1991 to 63 per cent in 2019.

It is a promising future ahead, but it is not one that is going to continue with such promising trends without our ever-present attention to ways we can continue to play a supporting role in helping more people stop consuming tobacco. This bill before us will help us continue a path of much-needed changes to improve the health of people in our community. We know why it was important to reduce and then eliminate the advertising of tobacco products, and we have seen how plain packaging has helped to reduce that level of appeal for tobacco products. It also removed the ability for misleading information to be put out on the packet and makes the very successful mandatory health warnings even more effective.

This bill is one part of a bigger journey towards tobacco reduction, and it will help to enforce our effective packaging regulations and help clamp down on the scale of illicit tobacco here in South Australia. The bill will provide authorised officers under the South Australian act with the powers they need to enforce the law as well as increase the penalties to address the trade of illicit tobacco here in South Australia.

While we have seen taxes increase on tobacco to disincentivise its uptake as well as continued use, we have also seen people coming to the market to fill the gap with cheaper illicit tobacco, taking advantage of this effective tool for tobacco reduction. In 2019, the main reason that 58 per cent of smokers were trying to quit or reduce the amount they smoked was due to the increase in price. This was a significant increase from 2016, when it was the reason for 52 per cent of smokers.

As members from the other place have detailed very well, there are those who have sought to benefit by undercutting the price of legal tobacco products through the sale of illicit tobacco. With people importing sometimes thousands of packets of cigarettes, these can be sold to the public with a very lucrative profit margin, as they are paying no excise, no fees and no tax on their sale. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Parliamentary Procedure

STANDING ORDERS SUSPENSION

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (12:05): I move:

That standing orders be and remain so far suspended as to enable the introduction of a bill without notice and passage through all stages without delay.

The SPEAKER: An absolute majority being present, I accept the motion. Is it seconded?

An honourable member: Yes, sir.

Motion carried.

Bills

SUMMARY OFFENCES (OBSTRUCTION OF PUBLIC PLACES) AMENDMENT BILL

Introduction and First Reading

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (12:06): Obtained leave and introduced a bill for an act to amend the Summary Offences Act 1953.

Second Reading

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (12:07): I move:

That this bill be now read a second time.

The bill I introduce today is the Summary Offences (Obstruction of Public Places) Amendment Bill 2023. The bill amends the obstruction offence in section 58 of the Summary Offences Act 1953. The current offence provides:

...a person who wilfully obstructs the free passage of a public place is guilty of an offence.

The current penalty is a fine of \$750.

Irrespective of the causes that protests are aimed at, the way that the protests are increasingly conducted puts the safety of the public at risk and means our emergency services personnel are tied up dealing with these persons who choose to put themselves at risk. Because of the increase in these types of action, the adequacy of the current obstruction offence has been examined and it is clear that improvements can be made to make the offence more effective in being able to deal with the type of conduct we are seeing, as well as making clear that obstruction of a kind that forces our emergency services to close roads and other public places to deal with it falls within the ambit of the offence. The current penalty for the offence is also plainly inadequate and has been in place since the 1990s.

The bill I introduce today makes four changes to the obstruction offence. Firstly, the bill increases the penalty of the offence to a maximum fine of \$50,000 or imprisonment for three months. This provides a much stronger deterrent to those who may consider engaging in this type of conduct. They will be at risk of a much larger fine, and may find themselves with a sentence of imprisonment.

Secondly, the bill inserts provisions that will allow the prosecution to apply to the court for an order that the defendant pay the reasonable costs and expenses of the emergency services who are required to deal with their conduct. This provides a strong financial disincentive to those persons who might be considering engaging in this type of conduct to think again because they may be required to outlay a significant sum to cover the costs of the emergency response to their actions.

In looking at the language of the offence, the term 'wilfully' obstructing a public place has been amended to read 'intentionally or recklessly'. 'Wilfully' is now an outdated term to describe the mental element of an offence; it does not include conduct that is reckless. The language has been updated to ensure that the offence covers not only conduct that is intentional but also conduct that is reckless.

In addition, the offence has been amended to make it very clear that the obstruction can be caused directly or indirectly. This is important to ensure that the offence covers conduct where it does not itself cause an obstruction but it forces our emergency services to shut down or close off roads, footpaths or other public places in order to deal with the conduct in a safe way and also to ensure the safety of the general public.

The government considers that protest and speaking up about issues is an integral part of our vibrant democracy, and the government does not seek to prevent members of the community from having their say. However, the recent activities have seen people being put at risk, the disruption of members of the community while trying to go about their daily lives, the interruption of businesses unnecessarily and the tying up of the resources of our emergency services personnel unreasonably. This bill will ensure that our criminal law is fit for purpose and is able to be utilised when the actions

taken go too far and will provide a strong deterrent to those who may be considering engaging in this type of conduct in the future.

There are a few things within our community in recent days that have caused genuine anxiety amongst law-abiding citizens, citizens who value the liberal democracy in which we live. Many in our community—and I count myself as one of them—were disappointed at reports this morning that a small business that seeks only to provide coffee, cakes and sandwiches to their customers were unreasonably and materially impacted as a result of an obstruction to their business, including, it has been reported, paint being thrown across those businesses' windows.

More than that, yesterday we saw the actions of protests go above and beyond a standard demonstration that would seek to project a message into the community, to the extent that it dramatically disrupted traffic in an unexpected way and put people at risk, including emergency services personnel.

There are few things more important within our liberal democracy than the freedom of association, the ability for people to be able to protest peacefully, to express their point of view for or against the government of the day, for or against a particular policy principle, or even simply to advocate a cause that people believe in deeply. It is an essential formulation to the way that we govern ourselves. It is an essential component of the functioning of our democracy.

But that is a very different thing from someone or a group of people who conduct themselves in such a way that puts other people's safety at risk or imposes an unreasonable, unplanned and unlawful action upon a business or an individual in a way that compromises their capacity to be able to work and enjoy the privilege of living in an economy such as ours. That is an important balance to achieve.

What is important for the parliament to appreciate in this particular piece of legislation is that nothing that this legislation does seeks to infringe upon someone's right to protest or engage in a demonstration of any description that is compliant with the law as is the case today. There is simply an adjustment to the penalty regime and its application to ensure that some of the conduct that we have seen over the course of recent months is not able to occur with impunity.

This parliament has a fundamental responsibility to achieve the preservation at all costs of freedom of association and the capacity for people to be able to protest but also maintain the ability of other citizens to be able to go about their lives, and essential workers to be able to go about their service to our community, without it being compromised. This bill seeks to maintain an important balance: the preservation of fundamental principles but also allowing people to exercise their lives safely in a meaningful and purposeful way.

In respect of the recent protests that we have seen from Extinction Rebellion, they are entitled to their point of view. In fact, when it comes to the cause of decarbonisation, many in this place, myself amongst them, see this as an important thing that needs to be addressed with a degree of urgency within our society—and not just here in South Australia but indeed globally—but it is my honest assessment that these protests do that cause harm.

That does not mean in my view that their particular way of advocating their cause should allow their ability to express their cause to be infringed upon—quite the opposite. I understand that today at Parliament House there will be a protest. That protest is welcome. That protest may indeed be important but, if it transgresses in such a way that it infringes upon others unreasonably or unlawfully as the law stands today, notwithstanding the outcome of this bill, there is a responsibility for the parliament to act.

Without speaking for the opposition, I would like to acknowledge the opposition's advocacy for this change and what I understand to be a willingness to work in a bipartisan way on this. I think we all believe in the right to protest, but we also believe in the right to do so lawfully and protect the rights of others in the process. I commend this bill to this place and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Part 1—Preliminary

1—Short title

This clause is formal.

Part 2—Amendment of Summary Offences Act 1953

2—Amendment of section 58—Obstruction of public places

This clause amends section 58 to provide for reckless conduct, to make it clearer that conduct may be captured by the offence even if it only indirectly causes obstruction of the public place, to increase the penalty for the offence and to provide a mechanism for recovery of costs of police and other emergency services required to deal with the obstruction.

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (12:16): I rise briefly to provide some comments on the Summary Offences (Obstruction of Public Places) Amendment Bill 2023 as moved a moment ago by the Premier and continue on from the Premier's remarks in a somewhat seamless way to indicate absolutely that there will be bipartisan support for the contents of what is contained within this bill but also, importantly, for the process of quickly and efficiently moving this legislation through the House of Assembly and on to consideration within the Legislative Council.

The opposition has been involved for some 24 hours or so in advocacy for legislative reform in this area because we, along with members opposite and along with the people we all represent across South Australian communities, were deeply concerned by the way that protesters hijacked the lives of many, many South Australians as they sought to go about their business, whether they were going to work yesterday or whether they were returning home from work. If they were returning home from work at that time of day, of course that meant that they had very likely worked many hours serving South Australians during the night on night shift.

We know that people lost money yesterday as a consequence of not being able to get to jobs that are paid at hourly rates and not necessarily salaried, unlike so many people in this place who are privileged to have a salaried occupation. We know that people had to cancel appointments that they had waited on for quite some time, such as day surgery at both public and private hospitals across our city but particularly in the central business district. In my view, that level of disruption is unthinking on behalf of people protesting in that way.

The consequences of what they did had an unthinking element to it, and the knock-on effect—as the Premier highlighted in his view and in the view shared certainly by me—is that it diminishes the value of the cause that those protesters are fighting for in the eyes of the broader South Australian community. When you represent communities in the way that we are privileged to do, you do tend to pick up a particular vibe in terms of how the broader community are thinking about an issue. While I think the majority of South Australians want action on climate change and environmental matters, that sort of intervention is not what the majority of South Australians are after.

Similar to the Premier's sentiments, I want to express the opposition's strong belief in the place for free protest in our state, sensible protest, planned and informed protest, protest in a way that should be celebrated as a fundamental part of our system of democracy. We should acknowledge that many of the great environmental and social progressive actions that this state and this nation have taken in recent years, decades and centuries have been based and followed on from peaceful and sensible protests.

Protest has a critical part in our democracy. It should and will be celebrated, but what we saw yesterday should not be. What we saw yesterday unnecessarily interfered with people's lives, impacted the livability of our city at a point in time, cost people money and may have impacted people's health and we should not stand for this.

The amendments to the laws before the House of Assembly this morning are quite clear: they extend the threshold for the penalty that is put in place. It is not a penalty that is fixed. It will give our judiciary, our magistrates, our judges, the opportunity to have in their toolkit a more stringent penalty that they can choose to hand down should they see the need for it. It creates a much higher ceiling and I think that makes the Summary Offences Act more fit for purpose should this amendment be passed today.

I thank the Premier and his team for working with the opposition on this legislation and I look forward to its speedy passage. I commend the amendment to this house.

Mr TEAGUE (Heysen) (12:21): I rise to endorse the passage of this bill. As I understand, that can occur now without delay. In doing so, I wish to endorse and amplify the observation that has been made in the course of the debate by the Premier and the Leader of the Opposition.

It is, of course, central to our democracy, central to community and society in this place and throughout the country that people who hold sincere views are able to express them including by way of public protest. What we saw yesterday took us away from the subject matter of the debate, took us away from the subject matter of the concern and left all of us focused on not the subject matter of a public debate but rather the unfair, reckless and disruptive effect that irresponsible actions were having on patients, on clinicians, on frontline workers, and on those of us going about our daily lives.

As has been observed, that was done in completely the wrong way. Dare I say, it took us away entirely from whatever subject matter was the subject of those actions and, to whatever extent people were aware of what actions were being taken, I would rather suggest the effect of such advocacy was counterproductive, if any at all.

I briefly want to recognise the extraordinary capacity and good work of parliamentary counsel in this regard as well. In working up this legislation yesterday, I found tremendous capacity, as is well known to all of us, in parliamentary counsel. So in circulating this draft then only in the early hours of this morning, it has been possible for the government to do what is the responsible step, and that is to pick up this legislation and bring it to the house as government business—and without delay. I commend the government for doing that. There is only so much that members on this side can do, of course, without the cooperation of the government, so I commend the government for picking up that work, which I again emphasise was made possible by the good work of parliamentary counsel yesterday as we were working towards this.

Can I say in the prospect of the day-to-day actions going forward, we have occasion just about every day in South Australia to recognise that we live in the best place in the world. We know that we have a unique capacity in our sturdy and longstanding democracy to engage in debates, to have difference of view, and to do so in any one of the variety of ways that we do. That does not include what we saw yesterday. Sometimes when legislation can serve as a means by which to prevent such action, then we are doing precisely what we are meant to be doing as elected representatives in this place, so I commend the bill.

Bill read a second time.

Third Reading

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (12:26): I move:

That this bill be now read a third time.

Bill read a third time and passed.

**TOBACCO AND E-CIGARETTE PRODUCTS (TOBACCO PRODUCT PROHIBITIONS)
AMENDMENT BILL**

Second Reading

Adjourned debate on second reading (resumed on motion).

Mrs PEARCE (King) (12:27): As I was mentioning earlier, there are those who have sought to benefit by undercutting the price of legal tobacco products through the sale of illicit tobacco. With people importing sometimes thousands of packets of cigarettes, these can be sold to the public with a very lucrative profit margin, as they are paying no excise, no fees and no tax on the sale. On top of this, the Australian Criminal Intelligence Commission has previously stated that they have growing evidence that organised crime are using the trade of illicit tobacco as a platform for further illicit activities that have a damaging impact on the safety of our community.

Products being sold may include contraband tobacco (which is otherwise legitimately manufactured but on which the excise custom duties and/or GST has not been paid), tobacco sold

without any branding (be it loose—often referred to as 'chop-chop'—or rolled into cigarettes) or counterfeited cigarettes (which are produced in a way that makes it appear as if they have been produced by a registered manufacturer).

Currently, though, our existing laws in South Australia do not allow for South Australian authorised officers to enforce compliance with the commonwealth laws around the packaging and labelling of tobacco products, and therefore requires them to refer cases of possible noncompliance to the relevant commonwealth government enforcement authority.

With this bill amending the South Australian Tobacco and E-Cigarette Products Act, it will prohibit the supply or sale of tobacco products in South Australia that do not meet the requirements of the commonwealth's Tobacco Plain Packaging Act 2011, including health warnings, and also prohibit the sale or supply of tobacco products that are prohibited goods or have not had the required excise duty paid as per the commonwealth Customs Act 1901 and Excise Act 1901.

We want to reaffirm our commitment to seeing a reduction in the smoking rate and ensure that the health outcomes of South Australians improve. We are proud to have launched a five-year strategy that aims to have the lowest smoking rates in the nation. Our new Tobacco Control Strategy 2023-2027 aims to drive down the prevalence of smoking in South Australians aged 15 and over to just 6 per cent by 2027.

This makes it the most ambitious target in the country. Our tobacco control strategy makes no apology for its ambition because we know that if we can see this through we will be improving the health and wellbeing of thousands of South Australians, not only through tough laws and penalties but also through education and incentive.

Just recently, the government opened consultation on proposed tobacco and e-cigarette regulations, seeking feedback from community and other stakeholders on the proposal to increase penalties and expiations for breaking the law, doubling the penalties for sale or supply of tobacco products to children by businesses and individuals and keeping our public areas smoke-free by banning smoking and vaping at schools, shopping centres, buildings and children's sportsgrounds.

With this consultation now having closed, I understand all the community feedback is being reviewed and evaluated by DASSA. I look forward to learning the results of this consultation, in particular in regard to community sentiment around the matter of vaping. We are also the first to introduce a government-funded Incentive to Quit program, with South Australia to be offered financial incentives in the form of supermarket vouchers as an incentive to quit smoking and improve health.

We also have the federal government on board and committed to tackling the issue of vaping, with our state government right here beside them to help and support their work of strengthening e-cigarette laws and their enforcement. This will include measures such as banning the implementation of non-prescription e-cigarettes; regulating flavours, colours and other ingredients; requiring pharmaceutical-like packaging; reducing the allowed nicotine concentrations and volumes; banning disposable e-cigarettes; and funding public awareness campaigns and service enhancements to help Australians quit smoking and vaping.

Recently, the Minister for Health and Wellbeing, the Minister for Education and the Chief Public Health Officer, Professor Nicola Spurrier, launched the government's campaign to curb the prevalence of vaping among young people, with the program to rollout across South Australian schools to support young people with information about the harms of vaping and awareness of supports that are available to them.

We are committed to strengthening tobacco control right here in South Australia, to help improve the health and wellbeing of thousands of South Australians today and to stop thousands more picking up the habit in the first place. I have seen the impacts of smoking, as I am sure most have in this place and, with that in mind, I commend this bill to the house.

Ms HOOD (Adelaide) (12:32): I rise to speak on the Tobacco and E-Cigarette Products Amendment Bill 2022. I would like to thank the Hon. Connie Bonaros MLC from the other place for her dedication in this matter and her willingness to work with the Malinauskas government to ensure this legislation provides strong measures for addressing illicit tobacco in our state.

Smoking tobacco is the most preventable cause of death and disease in Australia. It claims the lives of 24,000 Australians each year and leads to a wide range of diseases, including many types of cancer, heart disease, stroke, chest and lung illness, and stomach ulcers. The Malinauskas government is very aware of the dire consequences that smoking tobacco can have on smokers and innocent bystanders who inhale second-hand smoke. I am old enough to remember the days of being in a pub on a Saturday night and coming home and smelling like you have just smoked a packet of cigarettes yourself when you have not been anywhere near them.

That is why our government is committed to launching and supporting tough measures to crack down on the use and supply of tobacco, especially illicit tobacco. The state's new strategy comes as a report from SAHMRI and shows that South Australia reached a daily smoking rate of 8.2 per cent in 2022. Concerningly, the report also highlights a high prevalence of tobacco use amongst people living with mental illness, with a daily smoking rate of 18 per cent.

There has also been a significant increase in e-cigarette or vape use, particularly among young people, with data showing the percentage of people aged 15 to 29 using e-cigarettes increased to 7.8 per cent last year from 1.1 per cent in 2017, which is a really concerning rise. This rise in tobacco and vape use has been felt by local residents in my electorate. Just in the past few months, I have had concerned parents contact me to raise their concerns on how easy it is for their children to get their hands on vapes and, consequently, the effects vaping is having on the health of their children.

In February, I met with two worried parents who informed me that children were able to purchase nicotine vapes from convenience stores across the road from their school. They said the children would be able to purchase these vapes in their school uniform before and after school. Current South Australian laws prohibit the sale of vapes to persons under the age of 18 years and the sale of nicotine vapes to anyone.

These children were in their school uniform, clearly under the age of 18 years old, but their parents say they were still able to be sold nicotine vapes. They also raised the concern of being able to basically trade for vapes in the schoolyard for either various lunch items or even clothing, which is really concerning. These are just a couple of examples of why our government is announcing tougher measures to crack down on the supply and sale of vapes in South Australia.

I also want to take this opportunity to thank Encounter Youth SA for the amazing work they do in educating our children about the harmful impacts of substance abuse through their alcohol and other drug education programs. For those who do not know about Encounter Youth, they have a staff and volunteer group of more than 450 people who support young people to make positive differences in the world.

Encounter Youth is the largest provider of alcohol and other drug education to South Australian secondary school students, and their program is also available across Australia. Their research-based program incorporates up-to-date trends in young people and is also aligned with the Australian Curriculum. Encounter Youth aims to educate students, parents and teachers with strategies that empower young people to look after themselves and their mates.

Many young people know the volunteers from Encounter Youth, who are more commonly known as the Green Team, and you will find them at the schoolies festival and also along Hindley Street. I am a proud supporter of this amazing organisation that is based in my community. I was very happy to visit them recently to see the amazing work they do, to congratulate the CEO, Nigel Knowles, and COO, Jess Morris, and deliver them the good news that they were receiving two laptops from the state government's recent Digital Donation Program.

The Malinauskas government's five-year strategy includes a range of programs and initiatives to drive down the prevalence of smoking in South Australians aged 15 and over to 6 per cent by 2027, which is the most ambitious target in the country. This tobacco control strategy includes banning smoking and vaping in a range of outdoor public places, including near schools, shopping centres, buildings and children's sportsgrounds.

The regulations would significantly increase the number of outdoor places in SA where smoking and vaping are banned, which would be in addition to the current smoke-free laws, which

include outdoor dining areas, playgrounds and public transport shelters. While other states have already banned smoking and vaping in many of these public places, our government's plan will result in the most comprehensive smoke-free laws in Australia. The Malinauskas government is also proposing to outlaw cigarette vending machines in licensed venues, which I think is an excellent step.

We are also proposing tougher penalties for persons and businesses who sell tobacco products to children. This would increase fines, from \$1,200 to \$2,400, and would raise the maximum prosecution penalty for a first offence, from \$20,000-\$40,000 for a business and \$5,000 to \$10,000 for an individual. Our new tobacco control strategy sets out a vision to support the reduction in daily smoking and address the increasing use of e-cigarettes through measures such as media campaigns, evidence-based quitting services, product and sale regulation, and strong enforcement of tobacco and e-cigarette laws.

New proposed laws would ban smoking and vaping in the following outdoor areas: within 10 metres of children's education and childcare centres, including schools; within five metres of non-residential building entrances, such as entrances to shopping centres, government and commercial buildings; at public hospitals and health facilities, including aged-care facilities, and private hospitals, and within five metres of their boundaries; within outdoor public swimming facilities; at major sports events or event facilities or within 10 metres of playing and viewing areas during organised under 18 sporting events; and on beaches within 50 metres of patrol flags, and under and within five metres of jetties.

Just recently, the Minister for Health and Wellbeing and the Minister for Education announced posters showing the harmful substances that are found in vapes—things like nail polish remover, weedkiller and bug spray. Whilst these vapes might be found in various shapes and colours, with unicorns and berries and bubblegum flavours, the fact is we are actually allowing people in South Australia to inhale substances such as this.

These posters will be displayed in all state government high schools as part of a new campaign hoping to curb the alarming prevalence of vaping among young people. I know that this is something that is increasingly welcomed by people in my community, particularly parents of school-age children. These materials will also be made available to Catholic and Independent schools across the state and can be found on the SA Health website.

In addition to these posters, parents and carers of children would have received or will receive a letter from South Australia's Chief Public Health Officer, Dr Nicola Spurrier, warning about the dangers of vaping. This new campaign follows the Vaping Action Plan that was introduced in schools across the state in November last year. It includes \$2.25 million in funding over three years to Life Education SA and Encounter Youth to deliver preventative education programs. A further \$40,000 in funding has been given to Encounter Youth to deliver its programs for free to 60 disadvantaged schools across the state, incorporating wellbeing supports and working with families to assist students in breaking their vaping addiction.

The federal government recently announced a range of national initiatives to address e-cigarette use, which our government fully supports. SA Health will continue to work with the federal government and interstate jurisdictions to strengthen the e-cigarette laws and their enforcement. These initiatives include banning the importation of non-prescription e-cigarettes, regulating flavours, colours and other ingredients—as I mentioned earlier—requiring pharmaceutical-like packaging, reducing the allowed nicotine concentration and volumes, banning disposable e-cigarettes, and funding public awareness campaigns and service enhancements to help Australians quit smoking and vaping.

As part of our government's proactive approach to stopping the devastating effects of tobacco on South Australians, we support the Hon. Connie Bonaros's amendment bill to crack down on illicit tobacco use in South Australia. In 2011, the commonwealth government passed the Tobacco Plain Packaging Act as well, which required all tobacco products to be packaged in a certain colour, display brand names in a certain way, display the required text and graphic health warnings, and not display logo brand images or promotional text. These laws apply to people who sell, offer to sell, supply, package or manufacture tobacco products in Australia. Even if the products for sale are not visible to the public, they must still meet plain packaging laws.

These requirements imposed by the Tobacco Plain Packaging Act have proven to be an enormous benefit to the health outcomes of Australians, with the rates of smoking and passive smoking in Australia dropping since 2011. However, current South Australian laws do not permit authorised South Australian officers to enforce the Tobacco Plain Packaging Act. Currently, when authorised South Australian officers believe that a person is not complying with the plain packaging act, the officers are required to refer the case to the relevant commonwealth government enforcement authority. The gap in enforcing this plain packaging act means that illicit tobacco manufacturers and distributors are selling, supplying packaging or manufacturing tobacco products without the requisite health warnings and are not being sufficiently held accountable.

In 2020-21, a report by KPMG discovered that, while the overall consumption of tobacco has reduced, the consumption of illicit tobacco has actually grown. The estimated 2,242 tonnes of illegal tobacco imported into Australia sees a massive \$3.4 billion in lost revenue from the tobacco excise, which should be collected and spent on prevention, health and education. KPMG's report further uncovered that unbranded tobacco usage has increased by 36 per cent, with illicit tobacco consumption accounting for 19.3 per cent of total tobacco usage.

While there has been an obvious increase in the consumption of illicit tobacco, there has only been one conviction out of the 1,723 investigations into illicit sales of tobacco in Australia. It is clear that without sufficient enforcement powers bestowed on authorised South Australian officers, such as SAPOL, illicit tobacco manufacturers and distributors have more freedom to circumvent the plain packaging act's requirements and, in turn, increase smoking-related harm to Australians.

By amending the South Australian Tobacco and E-Cigarette Products Act 1997 this bill will prohibit the sale or supply of tobacco products in South Australia that do not meet the requirements of the commonwealth Tobacco Plain Packaging Act 2011 and prohibit the supply or sale of tobacco products that are prohibited goods or that have not had the required excise duty paid as per the commonwealth Customs Act 1901 and Excise Act 1901.

This bill will also give authorised officers under the South Australian act, including our police, extra powers and incentive to enforce the law, with increased penalties and a view to addressing this illegal trade in South Australia. The intended outcome of the bill is to reduce preventable harm to South Australians by deterring people from manufacturing and selling illicit tobacco. In supporting the bill, the Malinauskas government is reaffirming its commitment to reduce smoking and ensure better health outcomes for South Australia. It is clear we need to do more to protect South Australians from the tragic effects of tobacco.

I am proud to be part of the Malinauskas government that is not only willing to introduce tougher restrictions on smoking but also recognises the importance of educating and encouraging people to realise the damage they could be doing to themselves, innocent bystanders or loved ones. I commend the bill to the house.

S.E. ANDREWS (Gibson) (12:46): I rise to indicate my support for the Tobacco and E-Cigarette Products (Tobacco Product Prohibitions) Amendment Bill 2022, a bill introduced by the Hon. Connie Bonaros MLC in the other place. I thank the Hon. Connie Bonaros for her hard work on this legislation and her willingness to work with the government to ensure this legislation provides robust measures to address illicit tobacco in South Australia.

We all know that smoking and vaping have a significant impact on the health of South Australians, with smoking still the leading preventable cause of death and disease in Australia. We further know that public health measures have had an enormous impact on smoking prevalence in South Australia and nationally. However, it is time to do more, which includes prohibiting illegal tobacco in South Australia.

This can include tobacco that is sold without branding, either loose or rolled up into cigarettes; contraband cigarettes which are produced by legitimate manufacturers but on which excise customs duty or GST has not been paid; or counterfeit cigarettes produced to appear like those produced by registered manufacturers.

Existing South Australian laws do not allow for South Australian authorised officers to enforce compliance with the commonwealth laws around the packaging and labelling of tobacco products,

and therefore requires them to refer cases of possible noncompliance to the relevant commonwealth government enforcement authority. This can delay taking these products, which likely have no health warnings on them and have had no duty paid on them, off the market.

By amending the South Australian Tobacco and E-Cigarette Products Act 1997, this bill will allow enforcement to occur. The amended bill will prohibit the supply or sale of tobacco products in South Australia that do not meet the requirements of the commonwealth's Tobacco Plain Packaging Act 2011, including health warnings, and prohibit the supply or sale of tobacco products that are prohibited goods or have not had the required excise duty paid.

These are important changes, as we know the positive impact that the Gillard government's world-leading plain packaging legislation has had on reducing smoking rates; therefore, we do not want smoking products sold without this plain packaging and the appropriate warnings. Additionally, given the significant health costs associated with smoking, it is essential that all excise is collected so that funds can be used to further enhance our health system. I am pleased to see the price of cigarettes rising in the recent federal budget, as hopefully this will act as an incentive for smokers to stop and discourage non-smokers, particularly young people, from starting.

The bill will give authorised officers under the South Australian act, including our police, extra powers and incentive to enforce the law, with increased penalties and a view to addressing the illegal trade in South Australia. In supporting this bill the government is reaffirming its commitment to reduce smoking, ensuring better health outcomes for South Australians, which can only be positive for our community.

Labor has committed to providing \$400,000 to Cancer Council SA to fund a Tackling Tobacco pilot program in South Australia to help reduce the smoking rate in at-risk communities, \$2.25 million in funding over three years to Life Education SA and Encounter Youth to deliver preventative education programs, and a further \$40,000 in funding for Encounter Youth to deliver its programs for free to 60 disadvantaged schools across our state and to incorporate wellbeing supports and work with families to assist students in breaking vaping addiction.

This government's commitment to reduce tobacco and e-cigarette use and harm is outlined in the South Australian Tobacco Control Strategy 2023-2027, which was launched on 13 April 2023. The strategy includes a range of programs and initiatives to drive down the prevalence of smoking in South Australians aged 15 and over to 6 per cent by 2027—the most ambitious target in the country. In addition to the initiatives above, as one of the key actions in the strategy the state government will consult with stakeholders on how best to introduce new smoke-free and vape-free laws in outdoor public areas, particularly those that are popular with young people.

I was proud to stand with our education minister, health minister and Professor Spurrier last week, who have been leading the push for action on vaping across the nation, at the launch of the state government education campaign to stop young people vaping. We know there are over 7,000 chemicals in tobacco smoke, of which 70 can cause cancer; however, community members, particularly young people, are still of the view that vapes are safe. We know that they do, in fact, contain chemicals found in nail polish remover, weedkiller, bug spray and disinfectant, as well as high levels of nicotine.

Surprisingly, the vaping industry turns 20 this year, but this does seem like an addiction that has snuck up upon our community. The launch for this action plan occurred at Brighton Secondary School, one of the most fabulous public schools amongst many in my electorate. Principal Tony Lunniss informed the media that his school has a strong focus on vaping-specific education as part of their overall drug education program.

Principal Lunniss emphasised that it is important we take opportunities to provide information and education to young people as part of our focus on wellbeing to encourage them not to start vaping and if they are vaping to encourage them to quit. Young people are enticed by the dark marketing of products by social media influencers and kid-friendly flavours, like crème brûlée, sour sherbet and watermelon.

The proposed new laws I mentioned earlier would ban smoking and vaping within 10 metres of children's education and childcare centres and five metres of non-residential building entrances,

at public hospitals and health facilities, including aged-care facilities, and private hospitals and within five metres of their boundaries.

Also subject to bans will be outdoor public swimming facilities, major sports or event facilities or within 10 metres of playing and viewing areas during organised sporting events for under 18 year olds, which is an important change, as we know we do not want parents or caregivers smoking near our kids who are playing sport. Our surf lifesavers will be pleased to hear that it is proposed smoking on beaches will be prohibited within 50 metres of patrol flags and within five metres of jetties.

We are also proposing to outlaw cigarette vending machines in licensed venues and increased penalties for selling to minors, with the proposal of doubling penalties for the sale or supply of tobacco products to children. As a parent of a public high school student, I am encouraged by all that our government is doing to take this preventative action.

I would also like to echo Professor Spurrier, who encourages families to be supportive if their children are addicted to vaping, rather than angry, because their children will need help, often professional help from a doctor or other healthcare professional, if they are addicted. They will be suffering serious peer pressure and might need other assistance and we must show them kindness and understanding.

It is important, too, to note the environmental impact of vaping with its disposable one-use plastics and lithium batteries. The sale of e-cigarettes is widespread, with sale by home delivery through the internet extensive.

I would like to thank ministers Butler, Picton and Boyer, plus all the health and education professionals and stakeholders who already have or will join the fight to end smoking of cigarettes and vapes in South Australia, particularly among our children and grandchildren. I commend the bill to the house.

Mr FULBROOK (Playford) (12:54): I am very happy to rise in support of the Tobacco and E-Cigarette Products (Tobacco Product Prohibitions) Amendment Bill 2022. I understand this bill is the culmination of hard work from the Hon. Connie Bonaros in the other place, and I thank her deeply for her efforts.

It is my impression that the public appreciates it when political parties set aside their differences to pursue intelligent legislation like the bill before us today. I also understand the opposition will support this bill, which reaffirms the point that I make. As a government we have some brilliant ideas, but we are mature enough to know that we do not have a monopoly on good ones and that, through collaboration, we can work together to deliver effective change for the benefit of many.

I am a fan of this amended bill as, put simply, tobacco and other addictive substances dispensed by e-cigarettes inflict considerable harm across our community. For the first nine years of my life, I grew up with at least one smoker in my house. My dad took up smoking at the age of 13 and, given the depth of his addiction, we all thought he would never break this habit. It took a serious workplace accident that led to a prolonged stay in hospital, immense willpower, lots of chewing gum and weeks in bed before tobacco's hold on him was finally released.

It was a silver lining to a terrible accident, but had that not happened there is no doubt he would have kept on smoking, which made me wonder how much his life would have been cut short had he continued. He was 52 when the accident happened and so for 39 years he was beholden to the addictive nature of tobacco. Back when he started I am told that nobody knew the risks and that smoking was something you did to make yourself feel grown up. I am pretty sure the word 'cool' at the time had not been invented. While taxation on these products was initially low or non-existent it was still a drain on dad's wallet.

No matter the era, tobacco has a long history of taking food off the table and draining lives of other opportunities that we should all be taking for granted. Beyond its economic effects, we also know it is a very dangerous substance. Smoking tobacco remains the leading preventable cause of death and disease in Australia which, according to the Cancer Council, claims the lives of around 24,000 Australians every year. Without any doubt, smoking was the reason why dad was reliant on an oxygen machine for the last few years of his life. It was indignant, painful, awkward and a reality, I am sure, many young people today would be oblivious to on the day they first light up.

I have seen a 2009 figure from the Royal Australian College of General Practitioners that shows the cost of tobacco to our community is at around \$136.9 billion annually. Despite the number of smokers being in decline, health inflation has meant that this is an increase from \$105.4 billion from 2004-05. When you break down some of these costs individually, \$5 billion is lost through workforce productivity and worker absences, \$2 billion in costs associated with family members having to care for a loved one with a smoking-related disease and just under \$7 billion sustained in healthcare costs. You do not need to be a genius to realise this addictive habit is costing us all quite dearly.

It is for this reason that it only seems right that users provide some degree of compensation to the rest of society through taxation. I know the charges are hefty, especially to those unfortunately roped into the habit on low incomes, but the \$14.3 billion collected in tobacco duty in 2021 pales into insignificance against the total economic cost you and I all sustain. You do not need to be a genius to work out that it is far better for people to never take up this habit in the first place.

One way to limit this is to overcome the big issue we have with illicit tobacco. Figures from the Australian Taxation Office from the same year state that the value of forgone revenue from illicit tobacco equates to \$1.9 billion. I have noted reports from KPMG from 2009 that show an even higher number of \$3.4 billion. Irrespective of which one is more accurate, the numbers are staggering and present myriad lost opportunities both to individuals and to us all as a community.

Even the much-maligned tobacco companies have reason to be frustrated and seen as losers under these circumstances. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 12:59 to 14:00

Petitions

ADELAIDE PARKLANDS

Mr BATTY (Bragg): Presented a petition signed by 455 residents of South Australia requesting the house to urge the government to act to protect the Adelaide Parklands from any further threat from developers and governments keen to use them as a source of free land and to immediately add the Adelaide Parklands to the state heritage list.

ADELAIDE PARKLANDS

The Hon. D.G. PISONI (Unley): Presented a petition signed by 238 residents of South Australia requesting the house to urge the government to add the Adelaide Parklands to the State Heritage Register and to find alternative sites for the SAPOL Mounted Operations Unit and associated infrastructure that do not impact areas of high biodiversity, nor result in the loss of tree canopy and publicly accessible open green space.

Parliamentary Procedure

PAPERS

The following paper was laid on the table:

By the Premier (Hon. P.B. Malinauskas)—

Reporting under the Motor Sport Act 1984

VISITORS

The SPEAKER: Before I call questions without notice, I acknowledge the presence in the gallery of Dr David Hamilton OAM, guest of the member for MacKillop. I also acknowledge students from St Mary's College Adelaide from year 11 in the gallery today, guests of the member for Adelaide. Welcome to parliament.

*Question Time***UNEMPLOYMENT FIGURES**

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:01): My question is to the Premier. Does the Premier have a plan to address unemployment and inflation in South Australia and, if so, what is it? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: ABS data released today shows that South Australia's unemployment rate has increased to 4.3 per cent, the highest in the nation. This is an increase of 0.6 per cent, also the highest in the nation, despite a drop in the participation rate, meaning 7,000 fewer people are employed. ABS data also confirms that South Australia retains the highest yearly inflation rate in Australia.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:02): I thank the Leader of the Opposition for his question. To the best of my recollection, I think this is the first occasion on which the Leader of the Opposition has decided to ask a question about the state's unemployment figures—

Members interjecting:

The SPEAKER: Order! The Premier has the call.

The Hon. P.B. MALINAUSKAS: —probably because for the last two months the South Australian unemployment rate has broken all records. In fact, last month alone the unemployment rate was the lowest unemployment rate that has ever been recorded in the history of South Australia—ever.

This is a government that takes very seriously the task of government to do everything we possibly can to ensure that the labour market is operating in the best and strongest possible way, and that is certainly still true in South Australia with an unemployment rate that remains at historically low levels.

Notwithstanding that, the government has a substantial economic plan and a vision for how our state can continue to grow in what are difficult economic circumstances. Indeed, globally we see a degree of headwinds in terms of the economy. The best thing that we can do as a state government is to ensure that we are investing heavily in our people. They have always been, always will be, our most substantial economic resource, and investing in their skills and their capabilities will go a long way to ensuring that labour productivity in South Australia improves and that, in turn, lends itself to more secure jobs, higher wages and a more attractive investment environment.

More than that again, the state government has a vision based on a few key pillars—a way that we believe the state's economy can grow along with our wealth as a state more broadly. Central to that of course is our vision around hydrogen and decarbonisation more broadly. This is not a government that is sitting on its hands and not willing to take a few risks, not willing to make some bold, decisive decisions when it comes to stimulating new industry in our state, which is exactly why we are investing \$593 million of taxpayers' funds in a piece of core economic infrastructure in a new and emerging industry with what will be the world's largest hydrogen electrolyser and power plant.

Increasingly, there is a degree of notoriety, in a wholeheartedly positive way, for our state, interstate and abroad, at the action that we are taking, best evidenced at the experience the state government enjoyed in Rotterdam last week at the World Hydrogen Summit. There is a buzz about South Australia. There is an increasing consciousness that South Australia has already led the way when it comes to decarbonisation: 77 per cent of all our energy needs is electricity being met by green renewables. That is presenting itself as an opportunity to leverage up on to go one step further through the opportunity that exists within the hydrogen sector.

That doesn't represent the entirety of the government's economic policy; there is everything that we are doing around skills and of course what we are doing around naval shipbuilding to ensure that we maximise that opportunity. We will make every decision available to us. We are willing to pull—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —any lever, any tool, to ensure that economic growth is central to the government's policy and to a better standard of living for our South Australian community more broadly.

Members interjecting:

The SPEAKER: Order!

HYDROGEN PRODUCTION

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:06): My question is to the Premier. Will the government's hydrogen power station lower power bills for South Australian households and, if so, when? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: South Australia currently has the highest power prices in the country, and the typical South Australian family is \$17,000 worse off than this time last year.

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:06): I am more than happy to respond to the leader's question, the Minister for Energy not being with us today. I note that the opposition has been touting this figure of \$17,000, of course led by the impacts of rising interest rates and increases in mortgage rates and also rents for households. The attempt by the opposition to try to make that the fault of a state government, let alone this government, is frankly laughable.

Members interjecting:

The SPEAKER: The member for Hartley is warned.

Members interjecting:

The SPEAKER: Order, member for Hartley!

The Hon. S.C. MULLIGHAN: If those opposite hang their economic credentials—

Members interjecting:

The SPEAKER: The member for Morialta is warned.

Members interjecting:

The SPEAKER: Member for Hartley!

The Hon. S.C. MULLIGHAN: —on the pretence that state or territory governments have control over mortgage rates, that is an absolute and utter joke.

Members interjecting:

The Hon. S.C. MULLIGHAN: I am responding to the detail that was provided in the question by the leader, which you gave leave for. If you want to withdraw leave, if you are not comfortable with how the leader asked his question, start whispering in his ear. Start providing him some advice, like a decent deputy leader would.

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: If you don't like the answer—

Members interjecting:

The SPEAKER: Member for Florey!

The Hon. S.C. MULLIGHAN: —ask a better question. This is not rocket science.

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: You have had plenty of practice with this, plenty of practice—

Members interjecting:

The SPEAKER: Order! The member for Hartley is warned for a final time.

The Hon. S.C. MULLIGHAN: —and it demonstrates the complete and utter lack of economic credibility of those opposite.

Members interjecting:

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

The Hon. S.C. MULLIGHAN: I am very happy to talk about hydrogen because it was those opposite—

Members interjecting:

The SPEAKER: Member for Florey! The member for Hartley and the member for Florey can depart under 137A for the remainder of question time. The Treasurer has the call.

The honourable members for Hartley and Florey having withdrawn from the chamber:

The Hon. S.C. MULLIGHAN: The deputy leader would like me to desist from talking about the detail that was within the Leader of the Opposition's question and instead refocus my answer on what he hopes will be more fertile ground for those opposite. Unfortunately, it won't be. It won't be because we took, proudly, a policy to the last state election to maintain our leadership position, not just around the nation but in a global context of being leaders in successfully making the energy transition away from predominantly fossil-fuelled electricity systems to ones powered by renewables, and now, taking the next step with that, with hydrogen.

The opportunity here is not only recognised by this government; it is also recognised by the federal government, making a commitment in last week's federal budget for \$2 billion for jurisdictions who also believe that hydrogen has a role to play in unlocking further industrial potential in Australia. Beyond our country, of course, we see not only Asian countries but European countries wanting to take advantage of jurisdictions like Australia and subnational jurisdictions like South Australia's capacity to produce hydrogen economically.

We committed \$593 million to this task because we know that if we successfully make the transition to producing hydrogen economically, then the opportunities for industry are extraordinary for our state, absolutely extraordinary. If we can use that hydrogen to enable those carbon-intensive, heavily polluting industries—for example, steelmaking—green their operations then the opportunities for those companies, and by extension the workers who work for them and the communities around them around South Australia, are almost limitless.

Those opposite railed against our hydrogen policy—railed against it—in the lead-up to the election, and I take it from the question they continue to oppose it as well.

HYDROGEN PRODUCTION

Mr PATTERSON (Morphett) (14:10): Will the hydrogen power plant be entirely government owned? With your leave, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: Before the election, Labor promise that the hydrogen power plant would be entirely government owned, but the government's latest tender documents for the plant state: 'This might include co-ownership opportunities.'

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:11): The government's hydrogen electrolyser and power plant facility—the policy of the government is for it to be publicly owned. If there are opportunities to expand the scope in conjunction with the private sector, we remain open to that, and we always have been.

An honourable member interjecting:

The Hon. P.B. MALINAUSKAS: We always have been. The facility that we committed to build to the people of South Australia at the election will be publicly owned, as is the government's stated policy. Questions around this facility are welcome from those opposite, notwithstanding the fact that we note the opposition, or the Liberal Party in government and presumably now in opposition, have consistently made clear their opposition to this program, to this policy effort, a position to which they are well entitled. I assume at one point or another they opposed the big battery too; certainly their leader at the time referred to it as the 'big banana'.

On this side of the house, we believe that government has a role to play to lead. The simple fact is that decarbonisation is something that necessarily needs to occur not just for the future of our planet but also for the future of our economy. In South Australia, we have a very rare and real opportunity to translate our renewable resource into jobs.

The Leader of the Opposition asked a question at the beginning of question time about economic vision and policies. We believe that renewable energy, our coincident wind and solar resource, which is unmatched almost anywhere in the world, represents a chance to create new jobs, to create new wealth, to generate new industry for the people of our state and do it in such a way that it also makes a world-leading contribution to the effort to decarbonise.

What is now I think beyond dispute is that hydrogen has a role to play in this. There will be different people and different analysis that will have different views about what role hydrogen will play in the new economy and the extent that it will participate in energy production. But what is not in doubt is that it will have a role to play, and we have a chance to produce hydrogen cheaper than almost anywhere else in the world because of that coincident wind and solar resource.

Our facility will be the world's largest hydrogen electrolyser at the time that it is built, and then we are going to use that hydrogen to generate power. We are doing that in South Australia because we have a unique set of circumstances in respect of our energy market because of the fact that we have more green renewables than anywhere else in the world. We are going to store that hydrogen and then use it to generate electricity at times when the price is high.

That presents another material benefit because it means we can provide a firming service to yet more renewable investment that we know is locked up at the moment. We want to provide a service to would-be new renewable generation, a firming service, so they can then participate in the electricity market, which we believe will have the impact of reducing the wholesale price of electricity, as was outlined in the policy document that we committed to the people of South Australia.

We would like to see that positive impact on the market from the moment that the facility comes online, notwithstanding the fact that we know that it operates within a national market, a national market that, of course, is a private national market of which those opposite are largely the architects—

The Hon. J.A.W. Gardner: So, early 2026?

The SPEAKER: Member for Morialta!

The Hon. P.B. MALINAUSKAS: —because they are the ones who chose to privatise ETSA. On this side of the house—

Members interjecting:

The SPEAKER: The Treasurer is called to order. Member for Colton!

The Hon. P.B. MALINAUSKAS: —we have a government policy to build a world-leading—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —hydrogen electrolyser and power plant using green renewables that is publicly owned, and on that side of the house—

The Hon. J.A.W. Gardner: So lower prices from February 2026?

The SPEAKER: Member for Morialta!

The Hon. P.B. MALINAUSKAS: —they have a policy for privatisation.

Members interjecting:

The SPEAKER: Order! The member for Morialta and the member for Colton are warned.

LIQUIFIED HYDROGEN STORAGE

Mr PATTERSON (Morphett) (14:15): My question is to the Premier. Has the government broken its commitment to liquefied hydrogen storage and, if so, why? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: Before the election, Labor promised that its hydrogen power plant would provide 3,600 tonnes of liquefied hydrogen storage, but there's no mention of this in the government's latest tender documents.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:15): The government, as any reasonable government would do, is going to the marketplace to make sure we find the best technological solution to the facility that we are building. Technology evolves. That is something I would have thought the shadow minister for innovation and industry would have a degree of consciousness of: technology evolves.

We are building this electrolyser and power plant to be operational by the end of 2025. We have gone out to the marketplace and asked them to provide feedback to us about what technologies are available, as they stand today, that would best realise the government's ambitions of having the world's largest hydrogen electrolyser and a power plant with storage in between. We will wait and see what the market's response is and make a decision that best accords with setting up the state with a clear focus on the future of this industry.

SPACE INDUSTRY

Mr PATTERSON (Morphett) (14:16): My question is to the Premier. Does the Premier have a plan to increase jobs in the space industry in South Australia? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: Yesterday, in answer to a similar question, the Deputy Premier revealed that she has yet to meet with the federal industry minister regarding the impact on jobs and the industry of the near \$80 million worth of cuts made by the federal Labor government in the recent budget.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:16): I am aware that the Deputy Premier is having the meeting that the shadow minister referred to on Monday—

The Hon. D.G. Pisoni: She hasn't. That's the point.

The SPEAKER: Member for Unley!

The Hon. P.B. MALINAUSKAS: —which strikes me as being around about 11 or 12 days after the federal budget, which is pretty good going.

Members interjecting:

The SPEAKER: Order! The member for Colton is warned! The Premier has the call.

The Hon. P.B. MALINAUSKAS: This government has been in active dialogue with the commonwealth in the lead-up to the federal budget on a very substantial basis, whether that be myself—

The Hon. D.G. Pisoni: It's not working, is it?

The SPEAKER: Member for Unley!

The Hon. P.B. MALINAUSKAS: —or the Deputy Premier or the Treasurer, or any one of the front bench, and it has yielded results. Those opposite might have noticed—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —that in the federal budget there are a range of measures that South Australia will be substantial beneficiaries of, not least of which is a \$2 billion commitment into the Hydrogen Headstart program, where South Australia was specifically mentioned as a beneficiary of that. More than that, we have seen a range of investments out of the federal budget in respect to AUKUS, and the defence industry more broadly, that are specifically tailored towards South Australia. So this federal budget has been very kind to the South Australian economy and the future that we have in front of us.

INDUSTRY CLIMATE CHANGE CONFERENCE

Ms THOMPSON (Davenport) (14:18): My question is to the Deputy Premier. Can the Deputy Premier inform the house about the recent Industry Climate Change Conference?

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Defence and Space Industries, Minister for Climate, Environment and Water) (14:18): I am delighted to inform the house about the Industry Climate Change Conference—the inaugural conference that was held a couple of weeks ago, with 900 delegates in the end. We hoped for maybe 600, and it was a terrific overachievement as is typical of anything I think that Martin Haese is associated with. He has tremendous energy and networks, and he brought both of those to bear in coordinating the conference.

The intent of the conference was to provide an opportunity for businesses in South Australia, particularly small businesses and non-government organisations, to engage in discussions about ways in which they can facilitate decarbonising their own businesses and also take advantage of the way in which South Australia has been leading in many areas in reducing the impact of climate change and make sure that they are able to capitalise on the shifts that are occurring, particularly through government policy, such as renewable energy and hydrogen, as was canvassed by the Premier earlier.

There were several speakers who made enormous contributions, I think, and were very well received. Martin Haese was the MC and coordinated the conference, and we had Chris Bowen come over and address the conference in the morning. The Premier addressed the conference, as did Jon Dee (who has done many things, including establishing Planet Ark) and Tim Jarvis (sometimes known as an adventurer who has recreated Shackleton's experiences down in Antarctica and who has also been a leading light in environmental campaigning). They were significant contributors to the conference. I thank my colleagues the Minister for Small and Family Business and also the Minister for Planning for participating in panels.

A survey was conducted after the conference to determine the reactions of the participants and what they would like to see following. There is a very strong view that we should continue to hold such a conference. The intention at this stage, although not yet settled, is that we will do that every other year and make sure that we continue to expand the subjects that are provided.

We did receive a lot of feedback about the kind of information that was valued and the kinds of issues that have been addressed. One of the issues was, of course, the way in which we can have co-benefits for carbonisation—for example, better agricultural productivity from revegetation and storing carbon in soils, investment opportunities of capturing new markets and new customers, innovating and safeguarding against obsolescence, reducing life cycle costs for businesses and construction, and also better health outcomes from low-carbon travel choices.

It was very clear that there is an awareness of the need to adjust business to address decarbonisation and the opportunities of the world decarbonising, but also a need for detail and how that will occur. This conference met a need that existed within the business community but had not yet been fully expressed: the ways in which they are able to capitalise on these changes, understand them and also manage the risks associated with them.

I think it is with a combination of government effort, large business effort and small business working together that we will start to see a dramatic shift, because although South Australia has done

extremely well in reducing its emissions we have still greater ambitions that are shared across the chamber to hit even more significant targets. We will only do that by operating in a cooperative way across government, across business and the community sector generally.

MOUNTED OPERATIONS UNIT

Mr BATTY (Bragg) (14:22): My question is to the Premier. What sites is the government considering for the new police horse barracks? With your leave, sir, and that of house, I will explain.

Leave granted.

Mr BATTY: It has been reported that the government considered 14 sites for the new police horse barracks. The Premier is reported this morning as saying, 'We're looking at all the options we can possibly get our hands on.'

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:22): That is exactly what we are doing, sir: we are looking at all of our options. That includes, of course, the government having received very clear advice from South Australia Police about what its operational requirements are for the Mounted Operations Unit. We are moving police off the Thebarton barracks. Most of the business units that operate at the Thebarton barracks—I think there are 15 from memory—have been able to identify an alternative location.

The Mounted Operations Unit presents a particular challenge because they've got requirements in terms of proximity to the CBD and they've got other requirements that need to be actively considered in terms of the space, places for the horses to agist, places for the horses to be stabled safely in a more modern facility.

There is an opportunity, from the government's perspective, to work closely with SAPOL to see an improvement to the arrangements that the horses are now stabled in, in a way that would give a better welfare outcome for the horses themselves and even, potentially, a better operational outcome for South Australia Police.

I am trying to remember the dates now, but very early in the 20th century the horses moved off a site off the river bank behind the State Library to where they are now at the Thebarton barracks, so we haven't had a move of this nature in a very long time indeed. That does present an opportunity for renewal of the facilities which is something we are turning our minds to as well. We are looking at all the options we can with a mind to those objectives, and certainly with a mind to ensuring that SAPOL's capability with the Mounted Operations Unit is able to be maintained, if not improved, and when the government makes a final decision about the location of the new Mounted Operations Unit site that will be made publicly available as quickly as possible.

MOUNTED OPERATIONS UNIT

Mr BATTY (Bragg) (14:24): Are any of those options that are being considered in the Adelaide Parklands and, if so, how many?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:25): I thank the member for Bragg for his question. We are looking at every option that is available to us. I am happy to stand corrected on this but, from the best of my recollection, the legislation that passed the parliament was supported by those opposite, maybe even including the member for Bragg. That legislation facilitated for the Minister for Health to identify an area, including on the Parklands. I don't recall the member for Bragg at any point expressing his opposition to that provision in the bill, and—

Members interjecting:

The SPEAKER: Order! Member for Unley!

The Hon. P.B. MALINAUSKAS: —if the member for Bragg feels as strongly about this as he may currently like to purport, he could have moved an amendment to that bill. I think he failed to do so. So all kudos to the member for Bragg for being all bluff and bluster and not much substance when it comes to this issue.

Members interjecting:

The SPEAKER: Order, member for Morphet! Member for Heysen! Member for Morialta, I suspect the member for Bragg might very well raise a point of order in your place but, nevertheless, I will hear you first.

The Hon. J.A.W. GARDNER: Standing order 98: the Premier is very embarrassed about this situation and is debating to try to cover his shame.

Members interjecting:

The SPEAKER: Order! That seems to me to be an argument or an opinion, not a point of order; however, I will bring the Premier to the question, unless he has concluded his answer. Very well. I call the member for Mawson.

ADELAIDE FOOTBALL CLUB AND EMERGENCY SERVICES PARTNERSHIP

The Hon. L.W.K. BIGNELL (Mawson) (14:26): My question is to the Minister for Police and Emergency Services. Can the minister inform the house about the government's new partnership with the Adelaide Football Club to thank emergency services personnel and to promote recruitment?

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:27): I am delighted to answer the member for Mawson's question and acknowledge his strong advocacy on behalf of our emergency services here in South Australia, and he is a great and avid sports fan to boot. The community is incredibly supportive and mindful of the contribution that our emergency services and police make on a daily basis. We have had numerous discussions, debates and contributions from members in this place just this year about the impact that our emergency services and police have made on the support of our community in response to flooding in our River Murray communities.

During that event, we saw not only the contribution and the sacrifices that our emergency services made but also the innate ability for our agencies to work together, to work with and for our community. That is why on Tuesday I was so delighted to announce with the Chief Executive of the Adelaide Football Club, the Adelaide Crows, a partnership that will recognise, celebrate and promote volunteering and careers in our emergency services.

It was not just Tim Silvers, the Chief Executive of the Adelaide Crows I was with; I was also with Reilly O'Brien, the ruck for the Crows and, sir, they were buoyed—they were buoyed from a great win last weekend. There are a few members in this place who share my eagerness—

Members interjecting:

The Hon. J.K. SZAKACS: —a few in this place who share my eagerness to see the Crows succeed on and off the field this year.

Members interjecting:

The SPEAKER: Order!

The Hon. J.K. SZAKACS: The government on Tuesday—and I was so pleased to announce an emergency services match, the first of its kind and the first of what will be a three-year partnership, a minimum three-year partnership, between the government of South Australia and the Adelaide Crows. This first match will kick off at 4pm on Saturday 10 June with the blockbuster of Adelaide v West Coast at the fantastic Adelaide Oval.

Members interjecting:

The Hon. J.K. SZAKACS: It's hotly contested; at least, it will be hotly contested. There will be 3,000 free tickets made available to our frontline heroes, our emergency services volunteers and staff, and I am advised that they have already been greatly appreciated and hotly contested in the uptake so far. Not only will there be 3,000 free tickets for our frontline heroes but there will also be additional tickets made available at a discounted rate for them to bring guests or partners.

There is no doubt a plethora of individuals who want to get along to a Crows game, so these will be hotly contested. These tickets will also enable recipients to access a further game during the 2023 AFL premiership season.

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

The SPEAKER: Order! The minister has the call.

The Hon. J.K. SZAKACS: It is entirely improper to respond to interjections, sir, but the member for Mawson did indicate his support for the exceptional work the Crows have been doing on field this year. This is a great start, and I know that I join with other members of this place in wanting to see it expand and grow in future years.

There is never a better time to put your hand up to either volunteer or choose a career in our police or our fire and rescue services. There is a job or a volunteering spot for everybody; in fact, a number of members of this place have themselves chosen to volunteer.

This is a great game. It is going to be a great day, and I am so proud that we can stand as a state and support our volunteers.

THEBARTON POLICE BARRACKS

Mr BATTY (Bragg) (14:31): My question is to the Minister for Police, Emergency Services and Correctional Services. Has the minister undertaken any consultation in relation to the mounted police barracks site and, if so, what groups has he consulted?

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:31): The advice I have received, as the minister responsible for police, has been directly from my agencies. As has been very well ventilated both publicly and in this place, the advice I have received from SA Police is that the Park 21 site is their preferred option. However, as the Premier has now discussed on more than one occasion, and as recently as in his previous answer, that is one site we are considering. We are doing all our due diligence and will be back advising of the path forward as soon as we can.

CHEQUERED COPPER BUTTERFLY

Mr BATTY (Bragg) (14:32): My question is to the Deputy Premier. Is the Deputy Premier taking any action to protect the chequered copper butterfly? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BATTY: The rare, endangered and majestic chequered copper butterfly is under threat of extinction from construction on its native habitat at Park 21 West.

Members interjecting:

The SPEAKER: Order!

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Defence and Space Industries, Minister for Climate, Environment and Water) (14:32): The proposal to develop on Park 21 West is—

Members interjecting:

The SPEAKER: Order!

The Hon. S.E. CLOSE: —far from being ready to be considered. As the Premier has indicated, that is the preferred location for the police, and the government is turning its mind to its response to that preference.

BUSINESS EVENTS

S.E. ANDREWS (Gibson) (14:33): My question is to the Minister for Tourism. Can the minister update the house on the calendar of business events being held in South Australia and the economic impact of business events to the state?

The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (14:33): I thank the member for Gibson for her question. Early this week, we saw Business SA release their business confidence figures, and they highlighted how major events were incredibly important to building confidence here in South Australia. Of course, we know that that

confidence is higher than in any other state, and it is a really good opportunity for us to see that positive momentum we are feeling.

While we are very proud of these results, I want to talk about business events because business events are very important and powerful. Business tourists spend, on average, three times more than visitors who are here for leisure events. That spend is obviously incredibly important, but it is not just the immediate economic impact of business events; it is the economic tail of those events that creates long-term impacts for our state.

I am really pleased to share with the house that already this month the Adelaide Convention Centre has hosted more than 4,000 delegates from around Australia and the world. The rest of the month is looking just as good, with a further 2,000 delegates yet to arrive. May 2023 is shaping up as the Adelaide Convention Centre's biggest month since the pandemic, with an influx of events this month, 102 in total, including 14 major conferences and exhibitions. This demonstrates the business events industry is well and truly back and that the heightened appeal of Adelaide is out there as a business events destination.

We know that, just like when we have our immersive sporting events, what people love about Adelaide is that they fly in, they are into the city in 10 or 15 minutes, they are at their hotel, they walk around connecting with different delegates, feeling that it's a great place to be, and they are welcome and wanted. We hear that feedback, whether it be a sporting event or a business event.

Hosting 14 major conferences and exhibitions, the Adelaide Convention Centre this month will collectively bring more than 6,000 interstate and international visitors to Adelaide, which will generate an expected 27,000-plus bed nights, injecting \$23 million in economic benefit into the South Australian economy.

Australia's strong reputation for innovation, propelled by the ongoing development at Adelaide BioMed City and Lot Fourteen as key innovation and knowledge hubs, continues to be another major drawcard in attracting leading health, medical and innovation event organisers. These business events are significant. Just this month we are playing host to the Royal Australasian College of Surgeons, Austmine 2023, the Australian Petroleum Production & Exploration Association, the 15th Australian Space Forum, the Planning Institute of Australia Congress, the Australian and New Zealand Society of Nuclear Medicine's 53rd Annual Scientific Meeting and the Australian Veterinary Association conference.

This month contributes to what is set to be the Adelaide's Convention Centre's best year yet. It's on track to return enormous economic benefit to this state. Of course, while it's operating to near capacity during this financial year to date, our forward bookings indicate that we are going to record an outstanding event again next financial year. This didn't happen by accident. This happened because we are out there selling who Adelaide is. People are turning their heads. They are interested in what is happening here. They work in close partnership, of course, with Business Events Adelaide and I recognise and thank them for the work that they do.

STATE BUDGET

Mr COWDREY (Colton) (14:37): My question is to the Treasurer. Will the Treasurer deliver a budget surplus for financial year 2022-23 and, if not, why not? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr COWDREY: The Mid-Year Budget Review forecast a \$206 million surplus for FY22-23 and SA's GST receipts have increased by over \$300 million since the June state budget, according to Labor's federal budget.

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:37): I thank the member for Colton for his question. In the member for Colton's question, he outlined the projected surplus that the government released in the December Mid-Year Budget Review. He then went on to explain that, since the June budget, which was five months before the Mid-Year Budget Review, there had been an upwards revision in GST receipts.

I guess that, if we were considering a change in our surplus, we would consider what changes happened since the Mid-Year Budget Review, not what change happened before the Mid-Year Budget Review. That would be a basic understanding of the movement of GST receipts during the course of a year. You wouldn't think the GST has increased since the Mid-Year Budget Review by pointing to a change that happened before the Mid-Year Budget Review. I know these are complex matters for those opposite.

The Hon. J.A.W. Gardner: Do you have the answer or not?

The Hon. S.C. MULLIGHAN: Yes, I do have an answer—

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: —and I'm getting to it. I'm pointing out the fallacy within the question—

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: —the fundamental misunderstanding—

Members interjecting:

The SPEAKER: The Treasurer has the call.

The Hon. S.C. MULLIGHAN: —of how to read state finances.

Members interjecting:

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

The Hon. S.C. MULLIGHAN: It is the fundamental misunderstanding of how to read the state's finances.

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

The Hon. S.C. MULLIGHAN: Well, you are going to get plenty more because it's apparent that you need them.

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

The SPEAKER: The member for Morialta is warned for a final time.

The Hon. S.C. MULLIGHAN: You are going to get plenty more because you clearly need them. What I have already pointed out to the media, including over a week ago, and that the other members of the opposition commented on—clearly not the member for Colton—was that, since the Mid-Year Budget Review, again not prior to the Mid-Year Budget Review but since the Mid-Year Budget Review, there has been another GST revision, but down. Not up, like the member for Colton was trying to posit in his question, but actually in the other direction, down—a reduction of some \$95 million.

If you start with a surplus of circa \$200 million and you lose approximately half of it in GST, and if you then spend another more than \$100 million on additional flood recovery expenses, and you also outline that you have tipped more money into health and child protection—

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: —then it's not rocket science, is it, Mr Speaker—

Members interjecting:

The SPEAKER: Member for Morialta!

The Hon. S.C. MULLIGHAN: —to see how anyone with a basic grasp of arithmetic would understand that that combination of pressures leads to a reduction in the available surplus of more than \$200 million. That is why the budget will not be in surplus this financial year, as I announced

more than eight days ago. It seemed to escape the attention of the member for Colton until the final part of the final question time of the subsequent week's parliamentary sitting week.

MURRAY-DARLING BASIN WATER

Mr WHETSTONE (Chaffey) (14:40): My question is to the Deputy Premier and Minister for Climate, Environment and Water. Does the Deputy Premier stand by her comments regarding water efficiency targets? With your leave, and that of the house, I will explain, sir.

Leave granted.

Mr WHETSTONE: On 27 April, the River Murray commissioner said, 'Governments must buy water back rather than waste time and money on efficiencies,' to which the Deputy Premier replied, 'Evidence clearly supports Beasley's claims that efficiency targets are not working.' Today, the Deputy Premier said, 'The inaction from upstream states needs to stop and has all but guaranteed voluntary buybacks as the only viable way we will recover the water we need' to achieve the Murray-Darling Basin Plan.

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Defence and Space Industries, Minister for Climate, Environment and Water) (14:41): What we are talking about is the way in which the 450 gigalitres that is in the Murray-Darling Basin Plan—which was the requirement by South Australia to be in the plan for South Australia to sign up to it—can be delivered. Unlike the rest of the environmental water, at present it is in the plan that the 450 gigalitres will be recovered through efficiency projects.

Unfortunately, 4.5 gigalitres have been recovered using that mechanism for a variety of reasons: one is of course that the National Party was given control of the Murray-Darling Basin and the water portfolio generally during those nine long years of the various versions that ended up being the Morrison government, and they have an implacable dislike of giving any water to the environment, particularly the 450 gigalitres.

So we had a series of challenges in water efficiency programs that might in any way deliver anything like the 450 gigalitres. First of all, there was this endless discussion about the socio-economic impact of water efficiency and the demand from the other states that was finally acceded to by the South Australian government at the time to have far more complex criteria that would attach to any water efficiency projects that would be supported. In fact, even though they were agreed to, that promptly resulted in very, very little additional water being allocated through water efficiency.

That then almost became moot because the government decided that water efficiency projects on farms, where water is used, would no longer be supported by that government. There would be no on-farm efficiency projects and there would only be off-farm efficiency projects. The long list of off-farm efficiency projects that were put forward by that federal government included things like fixing up some bridges to assist with transport, which is no doubt a good thing to do in itself but is unlikely to deliver water efficiency to assist with the 450 gigalitres.

South Australia has no objection in principle to the idea of water being used more efficiently and nor, I imagine, does the commissioner, Richard Beasley. What Richard Beasley is referring to is this idea that the water efficiency program that was aimed at being able to deliver 450 gigalitres of water to the environment would in fact result in those 450 gigalitres and that has been demonstrated to be true by the fact that we have 4.5 gigalitres and a further 10 or 15 gigalitres in projects that are yet to be delivered. That gets us nowhere near the scale of the 450 required.

It has been obvious for some time that, if we are to deliver this 450 gigalitres, we are going to have to use other methods as well, including voluntary buybacks. The vast majority of the water that has been delivered under the plan to date has been done through voluntary buybacks, through people, willing to sell, selling to the Commonwealth Environmental Water Holder.

The problem with delivering that for the 450 gigalitres is, firstly, that it has been said that it will only be done by water efficiency and, secondly, the Barnaby Joyce cap on buying water voluntarily. There is about 200 gigalitres left in that cap, but that cap has meant that it is simply legislatively impossible at this stage for voluntary buybacks to be used.

The commissioner has a very firm view that that is the most efficient way to deliver the water—not that it is impossible to deliver it in any other way, although to date it has proven to be so—but that if we are going to use finances in the most efficient mechanism to get the water, to have a sustainable plan, it will need to use voluntary buybacks.

EARLY INTERVENTION FUNDING

Ms SAVVAS (Newland) (14:45): My question is to the Minister for Human Services. Can the minister update the house on investment to support at-risk families and to build better futures for South Australian children.

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (14:45): I thank the member for the question and her ongoing commitment to a better future for South Australian families and children. Many agencies play a role in supporting children, young people and families, ranging from Child Protection, Police, Education, Health and Wellbeing and more.

The Department of Human Services has delivered the Child and Family Support System for a number of years now and is also host to the Early Intervention Research Directorate. The combination of these provides support to new pilot projects, delivers ongoing services and, critically, works with other parts of the government like the Office for Data Analytics. This helps to evaluate our progress and develop new evidence-based approaches.

This data and analysis work goes hand in hand with the nationally acclaimed work of Professor John Lynch and his BetterStart team from the University of Adelaide. They have studied the lives of South Australian children born from the 1990s onward. A key focus of the DHS early intervention work is to help families build their capacity before more acute services are needed. In the coming year, we have budgeted \$59 million to help at-risk families through a range of programs, including those delivered by Aboriginal-controlled community organisations. This helps between 1,500 and 1,600 families per year.

In the past week, I was very proud to announce an additional \$35.7 million over four years to boost this critical work. This will take our annual investment to almost \$70 million in coming years. It will improve clinical and cultural governance across all of our Safer Family Services work, while delivering additional supports for at least 250 more families, which will include approximately 625 children.

This new and innovative work will combine the best of our research and clinical work to ensure children and families have the wraparound supports that they need. This will help to set them up for success. Importantly, it aims to keep children out of the statutory child protection system. In particular, this work is part of our renewed commitment to Closing the Gap, specifically priority reform target 12 that says, and I quote, 'Aboriginal and Torres Strait Islander children are not over-represented in the child protection system.' This means an aim is not to have them over-represented.

This announcement is not just about today but about securing the future for our children, importantly also developing a specialised workforce for the future. This is why my department is working with University of South Australia and Flinders University to develop pathways for social workers, securing the best and the brightest to work with families who need help, to help shift the dial on intergenerational issues. I pay tribute to the tireless workers across DHS and the NGO system and indeed in the child protection system. These people are the lifeblood of our systems and are undertaking such complex and important work to change and shape lives.

MURRAY-DARLING BASIN WATER

Mr WHETSTONE (Chaffey) (14:49): My question is again to the Minister for Climate, Environment and Water. Has the Deputy Premier received advice from her department in relation to water efficiency projects and, if so, what is it? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr WHETSTONE: On 13 April 2023, the Deputy Premier announced a \$5.7 million efficiency project, saying, 'It's great to see this innovative efficiency measures project progressing to the construction phase and contributing to the delivery of the SA basin target.' Her department's website

says that water efficiency measures 'benefit irrigation, communities and the environment' and 'better prepares irrigators and their communities to manage the impacts of a changing climate'.

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Defence and Space Industries, Minister for Climate, Environment and Water) (14:50): I am grateful for the explanation; that really helped. I think what the member is concerned about is this question of whether, because the commissioner has advised that voluntary buybacks are the best approach for getting the majority of the 450 gigalitres and because I am supportive of that view, somehow it is impossible for water efficiency to ever be useful.

As I indicated in my previous answer, water efficiency does have a role to play: it has played a role of 4.5 gigalitres to date, and there are another 10 or 15 gigalitres in the pipeline (forgive the expression; it's not deliberate) of projects. But again, that gets us nowhere near the 450 gigalitres. So the question is not 'Is water efficiency a bad idea?'—how could it ever be a bad idea?—but whether putting all the emphasis on water efficiency projects to deliver the 450 is working—and it demonstrably hasn't worked to date. One could say that if one waited long enough at the rate that we are going, if you could last for the rest of the century, you might get to 450 gigalitres, but the Murray-Darling Basin doesn't have that time.

What we are talking about is not some sort of indulgence or some political pointscore; what we are talking about is a healthy, working Murray-Darling Basin. South Australia has traditionally, on both sides of parliament, been the loudest to talk about the Murray-Darling because we are at the bottom, because we see the impact of the drying before anyone else. So, for us, we are arguing for the entitlement that was the reason that South Australia signed up to the plan but, in fact, on behalf of the health of the entire Murray-Darling Basin we should—and I think in this state we do—all want a sustainable basin.

That requires a certain amount of water to be available to the environment when it is needed for the environment: not as an indulgence, not as a luxury, but as a necessary ingredient to have a sustainable basin. The question is: how do you get that amount of water? The amount that's allocated under the plan is the bare minimum that any reasonable scientist would say is necessary to guard against the risks of the drying and warming basin.

Bear in mind, when that plan was set, climate change was not taken into account. Bear in mind that the CSIRO started with a much higher volume of water that they regarded as being necessary. What occurred through a series of negotiations, driven by the Eastern States, was that the plan went from over 5,000 gigalitres—and, in fact, some scientists saying that it should be 7,900 gigalitres returned to the environment—down to 3,200, with 605 being taken off for projects that weren't actually water but were regarded as equivalent to water, and then 450 being put at risk by being only able to be delivered through water efficiency.

So there we are: we are down to a 2,100 gigalitre plan. That's not okay. That shouldn't be okay for anyone in the Murray-Darling Basin, let alone anyone in South Australia who signed up to this plan. All South Australia is asking for is that the plan that was signed up to be delivered. We are not trying to redraw the plan. We are not trying to say that the plan should be a different figure, although the review will doubtless suggest that that amount is insufficient. What we are asking for is a plan that we signed up to to be delivered, and because the National Party has had its foot on the throat of the water portfolio for the best part of 10 years that has not happened.

MURRAY-DARLING BASIN WATER

Mr WHETSTONE (Chaffey) (14:54): A further question to the minister: why has the state government surrendered 126 megalitres of water at a cost of \$23,000 per megalitre on behalf of the Marion council project when the food producers are being offered market price at \$8,200 a megalitre?

The SPEAKER: That question is potentially highly argumentative; however, if the minister wishes to answer I'll turn to her.

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Defence and Space Industries, Minister for Climate, Environment and Water) (14:54): I am grateful for the supplementary, because in fact in the four minutes I didn't get to the specific question about the Marion proposal, which was the substance of

the initial question. The Marion project is paid for by the federal government, so although I was associated with the announcement, as the minister responsible for the Murray, it was—

Mr Whetstone interjecting:

The SPEAKER: Order, member for Chaffey!

The Hon. S.E. CLOSE: —a project that Tanya Plibersek had signed off on and that the Marion council has been paying for. What we are happy to do is to facilitate the relinquishing of some take from the Murray in order for that to be returned to the Commonwealth Environmental Water Holder at the expense of both the Marion council—

Mr Whetstone: Twenty-three thousand a megalitre.

The SPEAKER: Order!

The Hon. S.E. CLOSE: —and the federal government. The project itself has far more benefits than just that, and my understanding is that the figure therefore is associated with the total cost of the project rather than only the amount of water that is being relinquished. But I am surprised to have a South Australian member of parliament apparently potentially arguing against water being returned to the Murray for a project that's been undertaken by a local council—

Mr Whetstone: No, it's comparative pricing. Don't—

The Hon. S.E. CLOSE: —and paid for by the federal government.

Mr Whetstone: Don't verbal me.

The SPEAKER: Member for Chaffey!

The Hon. S.E. CLOSE: Perhaps the member is not suggesting that it is a bad idea, but that certainly would be the implication of the question being asked, and I am sure that the member can clarify if in fact he does support the project. But what is important is that although it is not very much water being returned to the Murray it is at least one more little bit while we wait for an agreement for a different approach to the recovery of the 450 gigitaltres given that the approach that was inherited from the national ministers, the Liberal-National government in Canberra, has patently not worked.

AMBULANCES, MOUNT GAMBIER

Ms PRATT (Frome) (14:56): My question is to the Minister for Health and Wellbeing. Can the minister update the house in relation to the availability of ambulances in Mount Gambier? With your leave, sir, and that of the house, I will explain.

Leave granted.

Ms PRATT: The opposition has been advised that on Tuesday night a person had a seizure while at a local hotel; 000 was called and advice was given that no ambulance was available in Mount Gambier; instead, a crew from Millicent arrived over an hour later. At the same time, it was reported that four ambulances were back at base.

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:57): Thank you very much to the member for Frome for her question, and I'm very happy to update the house in relation to this government's commitment to additional ambulances in the Limestone Coast and specifically at Mount Gambier.

As part of our plans that we took to the election was an additional 350 ambulance officers and paramedics across the state, and a critical component of that was additional paramedics and ambulance officers based in Mount Gambier. We understand that there is a significant need for more ambulance officers and paramedics to be based in Mount Gambier.

I am very happy to follow up the specific details the member refers to, and if she is happy to provide further details I'm very happy to work with her in relation to that, but it absolutely highlights the need that we know there has to be more paramedics. This was something that was raised with us in opposition. Time and again clearly there were more needs for paramedics and ambulance officers right across the state, and where there were a small number of ambulance officers that were

committed previously in the former government the Limestone Coast missed out. There was not one extra ambulance officer or paramedic that was committed to the Limestone Coast.

That was a deep concern to a number of people. I know it was a concern to the member for Mount Gambier, who raised it with us as well—that we saw increasing need for ambulance services across the Limestone Coast and that those commitments weren't being made to additional paramedics. The Premier when he was opposition leader made a visit down to Mount Gambier before the election and made that commitment that we would provide those extra ambulance officers and paramedics, and it was very welcomed by the community down there.

We have set forth a very detailed schedule for those 350 extra paramedics to be delivered—and ambulance officers—across the state. We have been, in fact, ahead of schedule of what we said in the election of when they would be delivered, and we have in fact published that information. It's available for all of our staff to clearly know when those additional crews are coming online, including the additional crews coming on in Mount Gambier and other regional locations. In particular, the Upper Spencer Gulf is the other area where we have committed additional paramedics as well.

That means that we are going to be able to communicate clearly ahead of time to our staff where those opportunities are going to be for additional staff to be recruited to give us the best opportunity of getting those paramedics and ambulance officers in place in those regional locations, because obviously we know there's added complexity sometimes in recruiting to regional areas as well.

SA Ambulance has been working very hard on putting on the additional staff we have put on so far, and we were very happy to release the figures earlier this week. We have had an additional 141 extra paramedics and ambulance officers on the road since we have been elected to get to that full 350, which includes the regional crews such as Mount Gambier, such as the Upper South-East as well as through the Keith and Bordertown area—where there are additional paramedics—and through the Upper Spencer Gulf through our commitments in places such as Port Augusta, Whyalla, Peterborough, as well as commitments in Wallaroo. All those paramedics are important.

We clearly understand as well that we can't just have additional resources available inside the city area; we do need them in the country areas as well. Clearly, there is a connection between making sure you've got availability of ambulance resources in the country and the city. We have heard the calls from the community, we have heard the calls from the paramedics and we will be delivering on those extra resources as we committed to do.

Grievance Debate

MURRAY-DARLING BASIN WATER

Mr WHETSTONE (Chaffey) (15:01): Today, I rise to show some serious concern for the river communities here in South Australia, not by the floods but by the inaction of the Minister for Water, the Minister for Climate and the River Murray. Today, we have heard that one minute we are favouring buybacks and the next minute we are favouring infrastructure, and the mixed messages are having a really detrimental effect on those river communities. They are having a detrimental effect on the irrigation communities because they do not know whether they are coming or going.

We have seen today that the government have been prepared to tip in large money to achieve a small amount of water that would go back to the Commonwealth Environmental Water Holder. That is over \$23,000 a megalitre that has gone back to the commonwealth, plus the state government's contribution. That is almost \$45,000 a megalitre, yet market price as we speak today is \$8,200. What do you think that is going to do to the water price? It is going to have a detrimental impact on the cost of water.

If we are going to be serious about buying back water, if we are going to use the South Australian water commissioner's advice to the minister—because she is clearly not sure what is going on—we have a water commissioner who is going to take the lazy Susan approach, that is, to stand on the bench and say, 'We are going to buy water back, but we are going to buy it back voluntarily.' Well, let me tell you that since 2012 voluntary buyback has been on the table. It has not achieved the desired outcome.

We saw the then water minister, Minister Wong, looking to buy back water. She bought back imaginary water out of low security areas in the Murray-Darling Basin Plan, so when there were dry times there was no water, so there was no water in that basin plan. Here in South Australia, the South Australian river communities have given up their water as part of South Australia's contribution so that we can adhere to playing our part in the outcome of the basin plan.

The basin plan—2,750 gigalitres—is far from finished, yet we have a government that continue to play the blame game, that we are not achieving it. They have achieved 4½ gigalitres in their time in office. That stands to be believed. We have a government and a minister who are meant to be out there fighting for South Australia, fighting for those river communities that are looking for a healthy, working river.

The Murray-Darling Basin Plan is critically important to the future of our food production. It is critically important to the viability of our river communities. We also have to understand that those river communities are part of putting food on the table. Those basin communities are there for the upkeep and the maintenance of the river, but they are also the eyes and ears of the river. While every constituent here in Adelaide takes for granted that they turn on the tap and water comes out, that does not always happen. When we have an extended drought, when we have the uncertainty of government inaction, that puts the water security at risk.

What we are seeing now is another review through submissions so that the people out there can put their view across to the government. It is a lazy government that is not doing the work it needs to do. It needs to go out there and lobby the federal government to achieve more efficiencies, to find ways that we can put more water back into the Environmental Water Holder's kitty so that we do achieve the Murray-Darling Basin Plan.

I have already said that the commissioner has taken the lazy Susan approach, and I have already said that this government is taking the lazy Susan approach—that is, blaming everybody else but itself. Where is the action from the minister for the River Murray? Oh, that is right, we have another productivity report coming now, so we are going to have public submissions and we are also going to have more reviews. We have just gone past the second five-year review and still not a drop comes out of these reviews—not one drop.

From where I am looking, from where my community sits, from where the member for Hammond's community sits and, potentially, from where the member for MacKillop's community sits, they are the only ones stumping up the water. They are the only ones getting paid market price for that water. They are giving up capacity in their livelihood so that they can play their role in having a healthy working river, unlike the government.

What I must say is that, to date, the river communities have found efficiencies and they will continue to find efficiencies. We have off-farm efficiency programs that are not being taken up. The department and the minister must come clean as to why they will not adopt some of those efficiency programs. We look at the Lower Lakes, and South Australia uses that as the excuse for why we need more water. The reason we need more water is that we need a healthy working river.

KERNEWEK LOWENDER COPPER COAST CORNISH FESTIVAL

Mr ELLIS (Narungga) (15:06): As we sit here today in this parliament, a very important event is underway on the Copper Coast, that is, the Kernewek Lowender. It is its 50th anniversary—it first arrived in 1973—and also this year it is 100 years since the mines shut in 1923. It is a rather significant event for what was one of the most profitable mines in the world and the impetus behind which the Copper Coast region was built.

The mines themselves operated at Moonta and Kadina for 60 years, between 1862 and 1923, with the Moonta colony swelling to become the largest settlement outside Adelaide by 1880. Some 12,000 miners and supporting tradies, engineers and their families—predominantly all from Cornwall—were living there in a fledgling district of new schools, churches, pubs, homes, shops, engine and boiling houses, chimneys and associated infrastructure, the remnants of which are still proudly standing today.

Thankfully, though, when those mines did shut in 1923, a century ago, not all of the 2,000-strong workforce lost their jobs when the mines were forced to close. Many families elected to

stay in the towns of Kadina, Moonta and Wallaroo to forge a new industry era supported by agriculture and services. Thankfully, too, in the years since, locals and historians, and especially the National Trust volunteers, have continued to recognise the historic significance of the Copper Coast's Cornish heritage and have worked hard to preserve its proud history.

The first festival arrived in 1973 and has done much in the last 50 years to celebrate and forge in memory the local Cornish legacy, but so, too, has there been much work done behind the scenes in the last 20 or so years to progress the Moonta mines site for World Heritage recognition. With great jubilation, the Moonta and Burra mining site precincts were nationally heritage-listed by the federal government in May 2017, a fitting formal recognition for the sites as places of outstanding heritage value to the nation.

Pleasingly, this year, in March 2023 the Moonta Mines and Burra sites received World Heritage tentative listing, which formally endorses the sites as of outstanding universal value as exceptional evidence of Australia's Cornish mining heritage—a truly exciting development. The sites are considered pre-eminent examples in the world of the transfer of Cornish culture to another country. It is this recognition that will be a factor that progresses the sites to collective World Heritage listing and bring with it, hopefully, for our region significant tourism and economic benefits to the Copper Coast region, Yorke Peninsula and, we would like to think, the state as a whole.

Commendably, much of the work that has been undertaken over many years to get to this point, predominantly by the National Trust, the Australian National University, the Cornish Association of SA, the SA Mining History Group, the State Heritage Unit, the Copper Coast Council and some other stakeholders. I especially note the ongoing advocacy and conservation work by the Copper Coast Council and the Moonta National Trust branch volunteers that have resulted in significant grant funding coming their way.

I can report that last year and this year conservation works at the mine site have been ongoing, including at engine houses, with roofs replaced, guttering and drainage improved, installation of interpretive works and night-time illuminations, the development of viewing areas, and much stone and brickwork repaired, repointed and replaced. There is much to do, but in the near future Moonta Mines and the region as a whole will deservedly be reopened as a major heritage tourism destination, and the future looks very bright.

As we get to the Cornish festival itself, with the furry and maypole dancing again this weekend, I take this opportunity to congratulate the hardworking committee led by Lynn Spurling, who is on her fifth festival—10 years of service, a truly commendable commitment. I invite all to join the celebratory 50-year milestone of this iconic biennial event that began in 1973. I would also like to commend all the sponsors, this year and in past years, the local community groups, businesses and volunteers, the latter being in the hundreds who all help to put on events or make or sell wares, to guide traffic or park cars.

We have a display in the window of my office of some of the news coverage of past festivals, the first one featuring former Premier Don Dunstan, a big supporter, who I believe chipped in \$1,500 to kickstart the fundraising for the first event, and all the other premiers who have attended over, including Kadina born John Olsen, who served as festival president for many years. They are all on display in our window, and there are some quite startling sights to see in some of those old newspaper publications.

This week's festivities again include the major traditional events that have been going on since 1973: the maypole and furry dancing, pasty making (where I will be aiming not to cut off my finger this time for the first time), the great art prize, the cavalcade of cars, the locally brewed Swanky, which is very effective for those who like to drink for the effect rather than the experience, the gathering of the bards, the dressing of the graves, the village fair and all others. My congratulations to all who have put on a wonderful event again this year. May it be a wonderful, successful one and run for many years to come.

THOMAS FOODS INTERNATIONAL

Mr PEDERICK (Hammond) (15:12): I rise today to talk about the recommissioning of Thomas Foods, or the commissioning of a new plant after five years and five months of quite turbulent

and busy times since that terrible fire of 3 January 2018, when some welding sparked a terrible fire, which in the end saw the whole plant just on the edge of Murray Bridge burn to the ground, putting 1,500 people out of work. It is so pleasing to see Darren Thomas and his team commit to building the new plant, worth many, many tens of millions of dollars, about 10 kilometres outside Murray Bridge.

It was no small feat, with co-investment from the former state and federal Liberal governments including \$14 million of state money and \$10 million of federal money that went in to support community infrastructure. I note that the road train turnoff from Mannum Road and 2.2 kilometres of roadworks into the new plant cost \$14 million and that \$10 million from the federal government, as part of that \$24 million, supported the hot gas connection, waterworks and power supply to that plant.

It was very pleasing to have a direct phone call from Darren Thomas last Friday morning to be told that they were commissioning the plant that day. This plant has been built to world standards: the best lairage works you can get and the best stock management works you can get in regard to cattle health and safety. The process goes right through, from the slaughter floor and the processing works through to the packing area, where everything will be basically computer and robotically controlled and where anything from a carton to a pallet can be put into the 10-storey high cooling towers and then dispatched across the country and across the world.

I must commend the Thomas family—Chris, Darren and Jack—and the whole team for where they have got to today. It is just fantastic to see that recommitment to South Australia. This is a company that exports to 80 countries, with an annual turnover of more than \$1 billion. We see lamb, beef, mutton and goat production, and we note that that small stock is now processed at Lobethal. It supplies major supermarkets in Australia, Asia and the US. It supplies the McDonald's chain.

I want to note that 15 September 2020 was when the turning of the sod event took place, and I have some iconic photos of Chris, Darren and Jack Thomas at that event. There is now a recruitment drive for the 350 workers needed as it commences beef processing, and one of the first recruits was Alex Thompson, a local chef from Mannum who used to work at the Pretoria. He will be head chef at Thomas Foods to feed the staff and will utilise the commercial kitchen to prepare that food.

Future stages of the development will include sheep and lamb processing facilities into the future, and there is also room to put in extra cooling rooms as beef production heats up. They are working towards processing up to 600 beef cattle a day. I also want to commend the work that Thomas Foods International has done with the doubling of the feedlot down at Tintinara. This will mean that up to 50 per cent of their stock will come out of that feedlot to ensure supply and ensure they can get that vital beef transported to Murray Bridge and processed.

This is a great win not just for Murray Bridge, not just for Hammond and not just for the state but for the whole country in terms of what this will bring. As it expands into the future with its lamb processing plant there will be 2,000 jobs for people directly employed there at Thomas Foods, and another 4,000 indirect jobs.

I am so proud to have worked side-by-side with Thomas Foods to make this vision a reality, and I note their investment in this state.

An honourable member interjecting:

The SPEAKER: Lambs from MacKillop, the member for MacKillop says.

AUSTRALIA POST, OAKLANDS PARK CLOSURE

S.E. ANDREWS (Gibson) (15:17): I rise to speak on a matter of great concern to my community, and that is the imminent closure of Australia Post at Oaklands Park. It has caused so much concern; people are walking into my office visibly distressed that this service to our community, this essential service to our community, is closing.

It is worth thinking about the location of this office. It is at the Marion shopping centre which, of course, is a public transport hub; if you cannot drive, that is how you get there. The surrounding suburbs of Sturt, Warradale and Oaklands Park are suburbs where many people are not particularly

mobile, where many people are elderly. They rely on this essential service and they rely on buses or even simply walking to get to this essential service. It is outrageous that Australia Post is closing this service on June 30 this year.

I have been doorknocking about this matter, and people are absolutely shocked and distressed at this decision. While I was doorknocking I met Ann, a lovely woman who was actually at the post office in March 1968, the day it opened, and she has been going there ever since. In fact, many people talk to me about how they have had their post office box there for the last 20 years.

We hear about Australia Post consolidating their stores. They used to have two stores at Marion shopping centre, and we are already reduced down to one. Now they want to close this one. I have been standing outside this post office for the last few weeks getting petitions, speaking to the community about their concerns, and there is always a queue. It is also worth noting that this is one of the few Australia Post outlets in the area that is open on a Saturday morning—a very busy time to attend the service.

It is also worth noting, when I have been speaking to the community, how much regard they have for their relationship with the staff there. The staff there have been there for a long time, and a lot of people who use the services of Australia Post are there because their bank office is no longer open. They do their banking there. They do all their financial transactions there. They rely on this service and having staff there they can rely on and they know and who are a friendly face means an awful lot to them. To have that taken away from them is really a shocking decision.

It is also true that the City of Marion community bus takes people from all around, even wider suburbs, to come and visit and they go to this post office because it is located at Marion shopping centre. They can use the postal services and then, of course, they can also do their grocery shopping, so it is going to really make it particularly difficult. The closest post offices at Brighton and Park Holme do not have easy public transport services available, so it is going to have an absolute impact on our community.

Of course, I have written to the CEO of Australia Post, urging them to reconsider this terrible decision. I have written to the Minister for Communications, Michelle Rowland, asking her what she can do to make a difference for our community because this is an absolutely terrible decision. In fact, it has been of such community interest that in just the last week I have done two radio interviews on this matter. I particularly feel for the elderly people in my community. They are worried about the future. They say, 'Well, I can walk there now, but what about when my husband can't drive me there? What am I going to do then?' It really is going to have a massive impact.

Unfortunately, there is a lot happening at Marion shopping centre at the moment and none of it is particularly good news. In March, I heard on the radio the mayor, Kris Hanna, being interviewed saying that he had been approached by Westfield Marion about their consideration to bring in paid parking. It is remarkable. You would think they may have paid attention to the campaign my colleagues ran in the lead-up to the last election to prevent paid parking at Tea Tree Plaza, but, no, they are contemplating having another crack and this time the people of my community are their target.

We know, of course, that this going to mean that people will no longer shop there. It will have a terrible impact on the workers. People who work in retail are often casual, low-paid staff. They cannot afford to park while they are doing their three-hour minimum shift. It is all happening at Marion, but do not worry, you can sign the petition and campaign with me.

SCHUBERT ELECTORATE

Mrs HURN (Schubert) (15:22): Recently, we celebrated International Nurses Day and International Day of the Midwife, and it is a really fantastic opportunity to thank our hardworking, frontline healthcare workers in South Australia for the compassion and support they provide to all South Australians. It is not just for their compassion and care but also for their professionalism and around-the-clock commitment that they provide to all South Australians.

I would particularly like to thank all the hardworking nurses in my local area in the Barossa Valley and in the northern Adelaide Hills. They do a remarkable job. They provide so much care and support to those in our community, whether that is just being a friendly face when you

present to emergency or whether you are calling your local GP to get your results. They do a remarkable job, so thank you not just for today but for every day for all the work that you do.

The intersection of Greenock Road, Samuel Road and Moppa Road South in my local community continues to cause some distress and daily challenges for people in my electorate and not just for those who are familiar with this intersection, whether they are locals or whether they are truckies going about their business, but also for tourists in our region. That is why I am calling on the government to do what they can to fast-track the installation of a roundabout at this really challenging intersection.

We already have \$2 million on the table from the former federal Coalition government for the delivery of a roundabout and we already have in place the councils—both the Barossa Council and the Light Regional Council—which I know are working so hard on a design for approval. No stone should be left unturned to fast-track a solution at this intersection. I speak to so many locals who are genuinely fearful that there could be a fatality at this intersection. Thankfully, there has not been one there yet, but so many people have had really close calls and I am among many people in our region who are really concerned about this.

If further additional money is needed to deliver this roundabout, then I have also written to the state government, calling on them to inject additional funds, should that be required, to see this intersection upgrade delivered. I also had the opportunity to host the Minister for Regional Roads, Geoff Brock, in my electorate. I took him to a range of locations highlighting some of the downfalls, and I am really hopeful that I impressed upon him and that he saw firsthand some of those challenges.

Everyone knows that a hospital cannot be built overnight. In fact, no-one expects it to be built overnight. Building a hospital takes really careful and extensive planning, and you have to start somewhere. You have to start somewhere when it comes to building a hospital. In the short four years of the former Liberal government more was done to progress the delivery of a brand-new Barossa hospital than was ever done in the entire 17 years of the former Labor government.

For the first time ever, money for this was put into the state budget by the former Liberal government and this was done in the time when the former Liberal government spent 50 per cent of its four years managing a global pandemic better than anywhere else in the world. That money that was secured in the budget was for the finalisation of plans, the purchase of the land and the start of early works.

After the election, it probably will not surprise you, Mr Speaker, that one of the first letters I wrote was to the Minister for Health. I sought a guarantee that they would continue with all of the really significant progress the former Liberal government had made in getting on with this hospital. On behalf of the local community I fought hard to keep that money in the budget and with the support of the local community, we were able to achieve that.

I also fought hard to ensure that the Labor government continued with the progress made by the former Liberal government on things like having the expert clinical planners in the field, doing the detailed planning work, the consumer reference groups and getting the site location down to two sites. The final plans for the hospital were due in March. We are yet to see them, but I will keep fighting for this Barossa hospital. I will hold the minister and the government to account for the commitment they made to continue with the plans for the Barossa hospital, spearheaded and started by the former Liberal government.

WALKERVILLE YMCA

Ms HOOD (Adelaide) (15:27): I rise to speak about a beloved community hub in my community, the former Walkerville YMCA site at 39 Smith Street. For the last 2½ years, I have been fighting for this important community space and I am really excited to be able to finally say that we are bringing back a community hub to 39 Smith Street.

This week, we released the first concept image of what a refurbished 39 Smith Street will look like. I think it finally shows to the community that we are absolutely bringing back this important recreation community and sport hub, and I cannot wait to see it reopened. We are going to be upgrading the squash, basketball, gymnastics and community spaces and giving the site a fresh

facade. I think anyone in our community would know it is not the prettiest building in the electorate, but it has been beloved for decades all the same.

My campaign for the site began back in September 2020 when the then council was looking not to renew the lease of the INEA YMCA, which launched a massive community campaign to try to save the YMCA. Despite the huge outpouring of support to retain the YMCA at the building, the lease was not renewed and they unfortunately had to move out. There is an image that is really ingrained in my mind from that time. It was around December when the YMCA were moving out of the site and their sign had been ripped off the building and was sticking out of the dumpster. That really was where a picture can tell a thousand words. It was so incredibly devastating to the community that the YMCA was moving out.

For the last two years, the building has sat completely empty. It was really disappointing that the former Liberal government at the time sat back and watched because the outpouring of support for this centre was deafening. Everyone you spoke to in our community had a story to tell, had a special memory about being at the YMCA site, whether it was themselves playing sport there, their kids attending vacation care or a children's party or their grandkids going to the site.

So what I did was I started knocking on doors and I started holding community forums that were booked out. I was proud to make an election commitment that, if the Malinauskas government were successful at the election, then we would commit \$5 million to bring back a sport, rec and community hub to the site. That did occur and upon coming into government we delivered that \$5 million to the Town of Walkerville, and I was able to start working with them on a process to bring back a sport, rec and community hub to the site.

Now that we have a new council at the Town of Walkerville, I have been working closely with the administration and the new mayor, Melissa Jones. It is very exciting that in the last couple of weeks a council has endorsed a plan to refurbish 39 Smith Street, which will cost around \$6.5 million in total, and that includes my \$5 million election commitment. We have released a concept image. We are going to very soon open an expression of interest process for community and sporting groups to show their interest in setting up at the site, and we hope to start construction on the refurbishment of the site later this year.

This is a really amazing example of why elections matter, because we were able, as a community, to have our voices heard. We were able to secure this election commitment. We were able to win government and now, as a result of that, we are taking a building that has sat empty for two years for no good reason and bringing it back as a community sport and rec hub for Walkerville, Gilberton and all the surrounding suburbs.

I want to say thank you to every single person in my community who lent their support to this site, to the campaign, and got behind it. I know that, along with all of you, we cannot wait to hear the sound of sport, the sound of kids' laughter and the sound of kids' sneakers on the floorboards at 39 Smith Street once again.

Ms HOOD: Mr Speaker, I draw your attention to the state of the house.

A quorum having been formed:

Parliamentary Procedure

SITTINGS AND BUSINESS

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) (15:34): I move:

That the house at its rising adjourn until Tuesday 30 May 2023 at 11am.

Motion carried.

*Bills***TOBACCO AND E-CIGARETTE PRODUCTS (TOBACCO PRODUCT PROHIBITIONS)
AMENDMENT BILL***Second Reading*

Adjourned debate on second reading (resumed on motion).

Mr FULBROOK (Playford) (15:34): It is flattering that so many of you could come back to hear me speak. As I was saying before we adjourned, even the much-maligned tobacco companies have reason to be frustrated and seen as losers under the circumstances that I described earlier. We can chastise them as much as we like, but it is fair to point out that, though their antics may be questionable, at face value they are at least acting legally. This is more than you can say about those caught up in the illicit trade of these products.

When you divide what the community misses out on in revenue with the \$14.3 billion collected, it gives some idea of the broad problem this is and paints a picture of how the illicit market is booming. Missed revenue to the tune of \$1.9 billion buys a lot of goods and services we could all use within our community.

When we talk of illicit tobacco, we refer to products sold without branding, contraband produced by legitimate manufacturers where no local taxation has been levied, and also counterfeit products. Up until now, the battle to tackle illicit tobacco has been a fight almost exclusively undertaken by the commonwealth. If we get this bill passed, I am pleased to say that South Australia will be joining these efforts. With similar laws now in place in New South Wales and Victoria, it is great to see momentum building across the states.

Under existing laws, there is limited provision to allow local authorised officers to enforce compliance with the commonwealth laws around the packaging and labelling of tobacco products. This shortcoming means that cases of possible noncompliance must be referred to the commonwealth for enforcement. Changes outlined in this bill will make it illegal to sell tobacco products in South Australia under the same provisions set out in the commonwealth's Tobacco Plain Packaging Act, Customs Act and Excise Act. This will encompass products without appropriate health warnings and will restrict supply or sale of prohibited products and selling products when the required excise duty has not been paid.

If successful, it will mean authorised officers under the South Australian act, such as our police, would have extra powers and incentive to enforce the laws with increased penalties. In her speech to the Legislative Council, the Hon. Ms Bonaros pointed out that under existing laws the current expiation fee sits at \$500, with a maximum penalty at \$10,000. Her bill, which the Malinauskas government supports, proposes an expiation fee of \$1,250 and a maximum penalty of \$50,000. This is a significant increase that I hope creates a strong deterrent within our community.

I am potentially showing a sign of my age, but last week I spoke to a 15-year-old student in my electorate who said he was very worried about the rise of vaping amongst his peers. His concerns were genuine, and I hope this is another positive step to minimise underage activity. As I said earlier, prevention is better than cure, as the last thing we want is for vaping to be a distraction for young people in receiving a grounded education.

I have never been a smoker. At maximum, I think I may have touched a cigarette three times in my life. I do recall a misguided foray into sampling snuff in England. It was a painful experience, which was about as enjoyable as spreading mustard up my nostrils. Thankfully, it was unpleasant, as the fact remains that the use of any tobacco product can lead to nicotine addiction. Needless to say, my sampling of tobacco products has been limited, unless you count years of passive smoking as a child.

In painting this picture of limited exposure to the more traditional stuff, I hope I can be forgiven for not initially having firsthand information of what goes into a vape. Ministers Boyer and Picton should be commended for shining a light onto some of the awful stuff going into these products. It is scary to think that items such as nail polish remover, weedkiller and bug spray make it into the mix.

While I do not know much about vapes, I know enough about these chemicals to appreciate that anyone consuming this is taking a risk and that ultimately it will not do them any good.

It is worrying that statistics from Drug and Alcohol Services South Australia show a significant increase in vape use amongst young people, with the percentage of 15 to 29 year olds using e-cigarettes being at 7.8 percent in 2022.

While there are still smokers out there, I think that through concerted efforts in the past the tide has turned on the consumption of tobacco. More than anything, education was the key to making this happen. I am sure there is a long race to run, but I am encouraged that SA Health is working with the Department for Education on a range of initiatives for schools, including information for students, teachers, parents and carers on the risks of vaping and the help that is available.

We cannot pretend that nicotine is not a problem until a child turns 18. Nicotine, unfortunately, changes the way the brain works, meaning cravings are just the beginning in adverse effects. Dependency issues will develop at any age, with young people at risk of experiencing difficulties concentrating in class, sleeping and suffering from anxiety, irritability, restlessness, frustration, anger and strong cravings to relieve symptoms with repeat nicotine exposure. This is not the life we want for future generations, which is why every measure we can take, including this piece of legislation, should be thoroughly considered.

In this case, I understand the bill did not originate from a government minister or from the Public Service but, rather, from the crossbenchers in the other place. It has been given due consideration by the Malinauskas government which we believe will go some way to having a positive impact on several fronts. With this in mind, Ms Bonaros from the other place should be congratulated on bringing this bill to the parliament, and I am happy to commend it to the house.

Ms SAVVAS (Newland) (15:41): I am really proud of this bill today, and I think it is an incredibly important one about changing not only the practicality but also the narrative with respect to tobacco and e-cigarette products. I would like to acknowledge the very good work of Connie Bonaros for working hand in hand with the government to truly address the issues that relate to illicit tobacco and e-cigarette products here in South Australia.

All of us in this place, even young me, surprisingly, have seen significant changes with respect to government regulation relating to tobacco over many years. The member for Playford referred to experiences of passive smoking as a child, which I am sure lots of us had, and I remember all too well, as my grandparents and my parents were smokers, when plain packaging came in and what that meant for a change in supermarket shops and also, of course, when those plain package cigarettes then went behind a locked cabinet.

I also remember when legislation came in with respect to smoking in cars with minors, and what a win that was for us young passive smokers at the time as well, and also changes to smoking at restaurants and outside on the streets. This bill is another piece of work that will assist in furthering not only those important, life-saving initiatives but also those initiatives to change the narrative, as I said before.

Smoking remains the leading preventable cause of death and disease in Australia still to this day. Two of my own relatives have died from emphysema, and I am sure that there are a number of people in this place who have relatives and friends or know people who have seen the impacts of smoking firsthand, particularly those quite devastating impacts on those who eventually pass from smoking-related diseases.

It has been drilled into me from a very young age that the easiest way to quit smoking is to never start. I do believe that we have an obligation to do what we can to ensure that tobacco and e-cigarette products are regulated and regulated properly, not just for the generation that may be smoking now but for the generations after them—changing that narrative and the storyline that go with what smoking is and whether smoking is seen to be cool and/or accepted and supported by regular groups or the majority of groups in society.

We know that public health measures have had an enormous impact on smoking prevalence in South Australia and nationally.

I often speak fondly of visiting Canberra, of going to the Museum of Australian Democracy and seeing what I jokingly refer to as the 'Minister Picton display'. That, of course, refers to the plain packaging of cigarettes displayed in the Museum of Australian Democracy. It is presented there as the huge change it was for us as Australians, and what that meant for health reform going forward, and I do think that was an incredible time in our history and did so much to change the narrative around smoking for Australians.

Minister Picton was working in the federal health sphere at the time, so I often joke to him about his display at that museum. I am sure that all the individuals involved in that body of work are very proud and should be rightly proud of the initiatives that were taken to move forward with smoking and health reform for Australians.

This bill refers to illicit tobacco, and that refers to things such as tobacco that is sold without branding, either loose or rolled up into cigarettes. I do note that quite a large number of shops have been found to sell loose cut-up tobacco, which does have a number of names. I asked my teenage brother if he had heard of all the different names for non-branded tobacco and he listed about 15. There are a large number of shops located around Adelaide that do sell that product and, of course, have not until now been subject to the regulations.

The bill also refers to contraband cigarettes that have not had excise, customs duty or GST paid on it and to counterfeit cigarettes produced to appear like those produced by registered manufacturers. I have heard stories of counterfeit cigarettes that are branded per the old-style branding of particular brands to entice people with a bit of a nostalgia element to the old-school cigarette packets, but they are not in fact that brand and of course not abiding by the plain packaging regulations as well.

It is also important to note when looking at this bill that the existing South Australian laws do not actually allow for compliance to be enforced with the commonwealth laws around packaging and labelling of tobacco products and therefore require the compliance officers to refer on those cases, particularly those cases of noncompliance to the relevant commonwealth government enforcement authorities. This is a really important move to bring us into line with some other states, and with those commonwealth mechanisms as well.

By amending the South Australian Tobacco and E-Cigarette Products Act, this bill will prohibit the supply or sale of tobacco products that do not meet the requirements of the 2011 act, which includes health warnings. It will also prohibit those products that have not had the required excise duty paid, and it will give those authorised officers, as I mentioned before—but including our police as well—extra powers and incentive to enforce the law with increased penalties, which is of course another incentive to reduce this trade here in SA.

I understand that the majority of these approaches have been bipartisan, and I do want to acknowledge the work—hand in hand with the government again—of Ms Bonaros in the other place. We have brought in or committed a number of initiatives to ensure better health outcomes for South Australians to reduce smoking.

The government committed to providing \$400,000 to the Cancer Council to fund a Tackling Tobacco pilot program. The government also has a commitment to reduce tobacco and e-cigarette use, and that is outlined in the South Australia Tobacco Control Strategy, which was launched just a few weeks ago.

We do know that the nature of smoking is changing and that it is just as important, if not more important—as it is often a gateway cigarette—to tackle e-cigarette use, particularly for younger generations as well. The strategy includes a range of programs and initiatives to drive down the prevalence of smoking in South Australians aged 15 and over and that is a really ambitious target. It is the most ambitious target in the country: to reduce that by 6 per cent by 2027.

As the older sister of two teenagers, and also the cousin of countless teenagers, I was incredibly pleased to see that the vaping campaign has commenced in schools last week noting again as my mum said, and always says—both to my siblings and to my cousins—the best way to stop an addiction to anything is to never commence that addiction in the first place. I do think it is so

important to be raising awareness of the effects of smoking and vaping to young people, particularly noting the prevalence of vaping in schools and for school-age students.

I think it is really important to acknowledge here that where there have been incidents and reports of antisocial behaviour by students within schools over the past year or two, a lot of those incidents have coincided with vaping in toilets or vaping in schools. I think it is really important to actually acknowledge the way that vaping is existing as endemic within our school system, particularly around the year 9 and 10 age bracket where a lot of those students are accessing it at school and, obviously, are continuing to access it at home.

The new campaign is being rolled out across South Australian schools, aiming to teach our young people about the harms of vaping. There are harms in vaping. I think a lot of those students are misinformed in the belief that it somehow is a safe way to be smoking, which is, of course, not necessarily the case. It is crucial that we are proactive in addressing this issue, particularly the vaping in schools, and to respond with the best resources and education in a preventative manner.

One of the key actions in that strategy was a consultation period on how we should best address and introduce new smoke-free and vape-free laws in outdoor public areas. The proposed new laws would actually ban smoking and vaping in the following areas, which I do think are really, really important: firstly, within 10 metres of children's education and childcare centres, which is incredibly important for the growth and health of our young people and, secondly, within five metres of non-residential building entrances at public hospitals and health facilities, including aged-care facilities, and within five metres of their boundaries. Again, this is incredibly important, particularly for those who are already struggling with respiratory illnesses and the like.

I do remember when one of my grandparents, who I mentioned before, was suffering from emphysema we took him out for a walk when he was incredibly unwell. As soon as we opened the hospital doors there was someone smoking right at the door of the hospital. What that meant for him was basically that we had to return to his room because he was unwell and coughing and not able to go on the walk with the family that we had been planning in his final weeks.

There is also banning at outdoor public swimming facilities, at major sports events and facilities and at or within 10 metres of playing and viewing areas during organised under-18 sporting events—so local community sporting events—and on beaches within 50 metres of patrol flags and under and within five metres of jetties. Again, I think this is incredibly important and further assists in changing attitudes towards smoking. I think that is a really important part of this bill—about not just the preventative or the health aspects but the way that it changes attitudes and changes that narrative towards smoking and smoking culture.

The simple fact of allowing individuals to smoke at major sport events or at local sport events for young students has not only health implications but, of course, it has social implications. Attitudes must change towards smoking and vaping, and we must ensure that we do not normalise it. I think that this really does send a message towards what we are seeking for our young people and the way that we would like that narrative to move in the future.

I think it is already really interesting to look at the way that that narrative has changed over just a generation or two. In my generation, going through school, smoking was certainly not seen as cool, but I know that even in the last few years (talking to my cousins and my siblings going through high school) that vaping is well and truly back on the agenda as something that is cool to do. I think that just shows how quickly those attitudes can change and also how quickly those popular fads can start to exist and start to permeate the consciousness of young students.

When I think of smoking, I often think of the way that *Mad Men*, one of my favourite shows, portrayed smoking and also the way that brands like Marlboro and Lucky Strike were marketed at that time. You could really see the immediate impacts of that marketing—people were smoking at work, smoking in restaurants, smoking in cabs, smoking before someone arrives for a date, and that was both male and female.

There are lots of images in shows like that, where you see the person at the reception desk sitting there smoking as she answers the phone. I think it is really important to think about how far

we have come in a relatively short period of time and the way that that narrative has changed and the implications for our health.

We are also proposing to outlaw cigarette vending machines in licensed venues and increase penalties for selling to minors, which I guess for me is probably one of the most important aspects of this, because there is a proposal to double penalties for the sale or supply of tobacco products to children. Again, the easiest way to quit is to never start and changing those attitudes from an early age is so incredibly important.

There is also the first government-funded program of its kind in Australia to offer incentives to quit smoking. As so many would know, quitting smoking is incredibly difficult for lots of people, even those who have the best intentions. South Australians will be offered financial incentives, such as supermarket vouchers and the like to quit smoking and vaping, as part of a groundbreaking trial in the northern suburbs.

It aims to support people to give up smoking and e-cigarettes and to improve their health in the long run. I am incredibly interested to see how that plays out. I do not believe that that area intercepts with my own community, but I do think that the implications and the research that comes from that will be really significant in discovering and deciding the best way to go forward with smoking and vaping initiatives in the future.

The federal government has also announced a range of national initiatives to address e-cigarette use which our government fully supports. SA Health will continue to work with the federal government and interstate jurisdictions to strengthen the e-cigarette laws and their enforcement. That includes things like banning the importation of non-prescription e-cigarettes, regulating flavours, colours and other ingredients, requiring those health warnings and pharmaceutical-like packaging, reducing the allowed nicotine concentrations and volumes and the like, as well as funding public campaigns to assist Australians to help quit smoking and vaping, and continuing those programs to assist with prevention, particularly for young people as well.

I do think this is a really incredible piece of work and a really important one moving forward to change those attitudes and I am very happy to be supporting the bill today.

Ms THOMPSON (Davenport) (15:57): I, too, rise to support the Tobacco and E-Cigarette Products (Tobacco Product Prohibitions) Amendment Bill. As we have heard today, smoking remains the leading preventable cause of death and disease in Australia. It is responsible for more than 20,000 deaths annually and, as we have known for many decades now, increases the risk of various health conditions including lung cancer, heart disease, stroke and many, many more.

We also know that smoking not only impacts public health but also imposes a significant economic burden. According to the Australian Institute of Health and Welfare, tobacco use costs the nation more than \$136 billion each year. While our government both nationally and here in South Australia has already made good progress in reducing smoking over the years, there are still significant challenges and opportunities ahead.

We need to be significantly reducing tobacco-related death and disease. Currently the laws in our state do not allow for South Australian authorised officers to enforce compliance with the federal laws around packaging and labelling of tobacco products. They instead need to refer cases of possible non-compliance to the relevant commonwealth government enforcement authority.

This amendment bill will prohibit the supply or sale of tobacco products in South Australia that do not meet the requirements of the commonwealth Tobacco Plain Packaging Act 2011 and prohibit the supply or sale of tobacco products that are prohibited goods or have not had the required excise duty paid as per commonwealth customs and excise acts. This bill will also give authorised officers extra powers and incentives to enforce the law with increased penalties and a view to addressing this illegal trade here in South Australia.

The Malinauskas government is committed to ensuring better health outcomes for South Australians, and an important element of this commitment is to see a reduction in smoking. The South Australian Tobacco Control Strategy 2023-2027 released last month outlines our government's commitment to reducing tobacco smoking and e-cigarette use to improve the health

and wellbeing of South Australians. I am proud to be part of a government that has set the most ambitious targets in this country.

Our strategy sets a goal to drive down the prevalence of smoking in South Australians aged 15 and over, from 9.8 per cent in 2021 to 6 per cent in 2027. Our state strategy also declares a vision for South Australia to have the lowest rate of smoking nationally for both the general population and prevalence groups as well as the lowest rate of e-cigarette use amongst young people.

It is terrifying how popular vaping is becoming with young people. My daughter is 11 years old and in grade 6 at primary school, and she knows kids in her class who are vaping. I have seen the videos circulated on social media and, put bluntly, they are horrifying. A survey of 13 to 19 year olds by South Australia's Commissioner for Children and Young People in 2022 found that two in three young people had tried vaping, with almost one in four describing themselves as a regular vaper. Just as they did with smoking, big tobacco has taken another addictive product, wrapped it in colourful packaging and added flavours attractive to kids to create a whole new generation of nicotine addicts.

Last week, the Minister for Health and Wellbeing, the Hon. Chris Picton, along with the Minister for Education, the Hon. Blair Boyer, and the Chief Public Health Officer, Professor Nicola Spurrier, launched our government's campaign to curb the prevalence of vaping amongst young people. This campaign will see educational materials displayed in all public high schools in South Australia, warning students of the dangers associated with vaping.

I know this news will be warmly received by parents and guardians of high school-age children in my electorate, and some primary school-age children, sadly—many of whom have contacted me with their concerns about vaping in our schools. The campaign will also draw the attention of students to the supports currently available to them, including programs run by Encounter Youth, the organisation responsible for the ever reliable Green Team, and Life Education SA.

Delivery of these programs is supported by \$2.25 million in funding, as committed to in the Vaping Action Plan. Importantly, this funding will assist Encounter Youth in delivering its programs for free to 60 disadvantaged schools to assist students in breaking their addiction. This targeted support is exactly what schools and educators have called for, including in my own electorate, where schools have investigated installation of expensive vape detecting devices in student toilet facilities.

Some kids who will try vaping think that it is a safe alternative and that there is no risk associated, but we know now that is not the case. Vape contains more than 200 chemicals that do not belong in our lungs, some of the same chemicals you would find in nail polish remover and weedkiller. That is pretty confronting to hear, which is why hard truth messages displaying the harmful substances found in vapes are being shared in materials across all our public high schools right across the state.

A letter from South Australia's Chief Public Health Officer, Professor Nicola Spurrier, is also being sent to parents and carers to inform them of the dangers. Hopefully, educating young people about vapes will stop them from trying e-cigarettes or help them to quit. It is crucial that we are proactive in addressing this issue. Another initiative of the state strategy is to consult with stakeholders on how best to introduce new smoke-free and vape-free laws in outdoor public areas, particularly in areas where young people hang out.

The proposed new launch would ban smoking and vaping in outdoor areas, such as within 10 metres of education and childcare centres, within five metres of non-residential building entrances, at public hospitals and health facilities (which seems to be a no-brainer), within outdoor public swimming facilities, at major sporting events and also young kids' sporting events, on beaches within 50 metres of the red flags, and within five metres of jetties.

We are also proposing to outlaw cigarette vending machines in licensed venues and increase penalties for selling to minors, with the proposal of doubling penalties for the sale or supply of tobacco products to children. The federal Albanese government has also announced a range of initiatives to address e-cigarette use, which our government fully supports. These initiatives will be funded to the tune of \$737 million and will support smoking and vaping cessation programs, a commitment to

tackling smoking within Indigenous Australian communities and deliver a ban on all single-use and disposable vapes.

SA Health will continue to work with the federal government and interstate jurisdictions to strengthen e-cigarette laws and their enforcement. The initiatives include banning the importation of non-prescription e-cigarettes; regulating flavours, colours and other ingredients; requiring pharmaceutical-like packaging; reducing the allowed nicotine concentrations and volumes; banning disposable e-cigarettes; and funding public awareness campaigns and service enhancements to help Australians to quit smoking and to quit vaping.

I would like to thank the Hon. Connie Bonaros in the other place for her hard work on this legislation and her willingness to work with the government to ensure that this legislation provides robust measures for addressing illicit tobacco in South Australia. In supporting this bill, the government is reaffirming its commitment to reduce smoking and ensuring better health outcomes for South Australia. I commend this bill to the house.

The Hon. D.G. PISONI (Unley) (16:05): I rise to make a contribution to the bill and perhaps talk through the history of smoking and how it has changed from something that was very fashionable and seen as the thing to do. Even during the war, I understand, soldiers were given cigarettes for free because it was supposed to help them feel valued by having access to tobacco products. Then, of course, we saw the glamour of the 1950s and 1960s.

I do not remember my father smoking, but apparently he was a heavy smoker as a new migrant to South Australia, a habit he took up in fashionable Milan, where if you were wearing the right fashion you would also be smoking a cigarette. It was the way the world was back then. He even had a cigarette vending machine in the house that somebody would come and fill up. You put your coins in it when you wanted a new packet of cigarettes, and you would pull them out. I think he was very pleased to start saving money when he decided he was going to give up smoking. It must have happened when I was very young because I do not actually remember seeing him smoke.

What we are seeing with vaping around the world now is what we saw with cigarettes when I was at a vulnerable age and smoking cigarettes was a part of growing up. Even before I hit double figures, I believe, I had started trying the odd cigarette. I remember getting the cane at high school for being caught smoking behind the sport sheds at Salisbury High School. It was something that a lot of people did. Nobody would complain if somebody smoked next to them. Nobody would raise concerns about health and smoking.

There were still cigarette advertisements. I think it was not until the mid-seventies before the cricket was not sponsored by Benson & Hedges. Remember Benson & Hedges? Probably, there would not be many in this chamber who would remember that brand. Dunhill was another sponsor of major sport. These were also sold as very prestigious products—gold packaging or bright red packaging with lovely gold writing on them.

Of course, you had the type of smoker who thought they were elevating themselves in social status by smoking Dunhill or Benson & Hedges and then you had those who did not really care as they just wanted the packet of cigarettes where you could buy 50 for the price of 20. I think Winfield was one of those brands. Paul Hogan made a lot of money out of advertising Winfield cigarettes, both on television and big billboards, when he was at the peak of his comedy career on television.

In the eighties, if you were not a smoker you would smell as though you had been smoking all night if you went to a nightclub because you had no choice. People would smoke in the nightclub and at the bar and you would be breathing that in all day or all night. As the eighties came to an end and the nineties arrived we started to see some changes, some restrictions put on smoking, and then there were these cries about people's rights and liberties being breached: 'How dare you say I can't smoke inside this building. It's an infringement of my freedom.'

They were completely forgetting, of course, the consequences of passive smoking. We are all libertarians in this place, but liberty stops when it affects other people. Your liberty does not override somebody else's liberty. Your ability to do something of your choice is up to you, providing it does not have a negative effect on somebody else.

Consequently, those arguments started happening where people would argue that restrictions on smoking were restrictions on liberty. That is not right because we are actually expanding the liberty of those who wish not to smoke or participate in a smoking environment. There are those who want to go out and not go home stinking of smoke, those who want to go out and not put their health at risk, and those who do not want to have to deal with asthma or manage breathing conditions they have just because they have gone out for a meal.

I think one of the most bizarre things when smoking was commonplace was when planes had smoking and non-smoking areas. In the end I really do not think it mattered where you sat, whether it was at the front or the back of the plane. I think the back of the plane was non-smoking and the front of the plane, in economy, was the smoking area. What was even more bizarre was that on Japanese airlines they had a line down the middle: the left side was non-smoking and the right side was smoking. I am not quite sure how that used to work either.

In 1997, the Brown-Olsen government brought in changes to smoking. Smoking in hotels was restricted. I remember the Hotels Association coming out and saying it would ruin their businesses because their businesses relied on smokers going in to use them. What did we see? We did not see people not going into pubs. We saw people smoking less. We saw fewer people smoking. It was a very strong signal.

We also saw big increases in tobacco excise. Every now and then when you are in a service station, you might be waiting to pay for your petrol and someone ahead of you will be buying a packet of cigarettes. The cigarettes are swiped over the reader and \$65 comes up on the screen. You think, 'My God, that is an extraordinary amount of money.' That of course has had a very big impact on the reduction in new people, young people in particular, taking up smoking.

Then, throughout the 2000s, we saw the introduction of e-cigarettes, which were a real novelty in the beginning. People who did not have any medical or science qualifications were online and putting claims up in their shops that this is safer than smoking and will help you give up smoking. There were no prescriptions. Even though the Controlled Substances Act 1984 had nicotine as being illegal to be sold under that act, we saw an industry that got around regulations that were there for like products growing and popping up in shops all around the suburbs.

I remember one on the corner of Opey Avenue and Unley Road that looked as dodgy as hell, selling vapes and cartridges for vapes, opening at different hours of the day with these amazing big signs claiming that this was a health product. I reported that and had some success in forcing those signs to come down, because it simply was not true. It was in breach of the regulations, because you are not allowed to advertise cigarettes, of course. You have not been allowed to do that since 1975 or so.

Then, in 2019, the previous government brought in more changes as we saw the growth of e-cigarettes. It banned the sale and supply of e-cigarette products to any person under the age of 18. You could only sell e-cigarette products by retail through a Retail Tobacco and E-Cigarettes Merchant's Licence. You cannot provide free samples, prizes, gifts or other benefits, including through sponsorships, competitions or rewards. In other words, it was an extension of the ban on advertising.

You could not sell e-cigarette products from temporary outlets, so you could not set up something at a market or a shop set up to take advantage of an empty building in a shopping strip, for example. It had to be a permanent, licensed location. The use of e-cigarettes in public areas that were currently smoke-free under the law, including a motor vehicle if a child under the age of 16 was present, was also made illegal under that process. Like the evolution of further restrictions on cigarettes, we are seeing further restrictions now being brought on e-cigarettes for all the right reasons.

I did smoke for a couple of years. When you are a young apprentice you get very excited about your spending power, and I think I did for a year or two spend some money on cigarettes every week but was very pleased to give them up when I was about the age of 18. I became almost a smoking Nazi after that—a reformed smoker. I was very annoyed if I was affected by cigarette smoke through passive smoking or people who I considered to be inconsiderate with their smoking. Smokers now are seen really as victims, I guess, of an addiction. It is not socially acceptable.

Mr Odenwalder interjecting:

The Hon. D.G. PISONI: I am sorry for the member for Elizabeth. He is a very sociable guy. We all love him, but we do not like his habit. Even for married couples it is the case. I have seen situations where a cigarette is not allowed to be had in the house and even at particular times of the day. The non-smoking partner in that relationship will have very strict rules. It has brought in a lot of challenges. The easiest way of managing those challenges, of course, is to give up smoking, but I know for those who have been smoking for a long time that is not an easy thing to do.

I encourage people to consider speaking to a medical practitioner about what they could do to kick the habit, extend their quality of life, extend their life as well, increase their health by giving up smoking and certainly not taking up e-cigarettes. I think the member for Newland made the point that e-cigarettes are now having that prestige amongst young people that cigarettes had when I was a young person in the seventies, when having a cigarette was seen as part of growing up. We must smash that perception that it is a glamorous thing to do, that it is an adult thing to do. It is a very unhealthy thing to do.

We heard other speakers talking about the chemicals that are in e-cigarettes. I would like the conversation to extend to talk about the chemicals that are in soft drinks, fizzy drinks, as well. We seem to be ignoring that conversation and the damage they do to your health over extended periods of time. There are even instant impacts. Just like you can have an instant change in your mood through nicotine, some of the things, whether they be artificial sweeteners or colours that are in soft drinks, can have an instant effect on your mood or the way you feel. Many people do not realise that; they do not know that.

People are talking about an education process in reducing the uptake of smoking through e-cigarettes, and I fully support that. I think that is a great idea, but I would like to see it extended to all things that people consume, because your body reacts to what is consumed. I think it would be a great way of reducing the use of our hospital resources if people had a better understanding of the consequences of particular lifestyles and particular diets.

This is not a suggestion that people should be on diets, because diets do not work, but lifestyle changes work and they can make a big difference to your health. The lifestyle change of giving up smoking is not a diet—you are actually changing a habit, and in some instances it is a lifetime habit—it is a lifestyle change. Not drinking soft drinks is, again, a lifestyle change. It is not a diet but a change of lifestyle that will have health benefits for those who decide to give it a try.

In closing, this has been a long journey from a very long way away. We started with cigarettes being the pinnacle of prestige and success and moved to a situation now where we have very few people smoking cigarettes, and cigarettes are really seen as antisocial. However, we are seeing an influx of e-cigarettes for the very same reason, namely, the glamour that was used to sell traditional cigarettes all those many years ago.

I support the bill. It would be great for this to have an impact. I think more needs to be done for people to understand that an aid to give up smoking is not a reason to start smoking by using that aid. I would like to see the medical research according to which many people claim it helps people to give up smoking if they take up vaping. There are many other products that are proven and produced by pharmaceutical companies, after years of scientific research, to help you give up smoking, such as patches, for example, that are already available for that purpose.

So do not fall for the red herring that we need vapes available to help people to give up smoking, because that is not the impact that they have had. They have actually helped increase the number of people who smoke in South Australia, who are predominantly young people.

Ms WORTLEY (Torrens) (16:22): I rise to speak briefly on the Tobacco and E-Cigarette Products (Tobacco Product Prohibitions) Amendment Bill 2022. This was a bill that was introduced by the Hon. Connie Bonaros in the other place. I take the opportunity to acknowledge the Minister for Health and Wellbeing for his dedication in tackling the issues of smoking and e-cigarettes and for his continued work in strengthening partnerships with terrific organisations like Cancer Council South Australia.

We know that smoking remains the leading preventable cause of death and disease in Australia. The government's commitment to reduce tobacco and e-cigarette use and harm is clearly outlined in the South Australian Tobacco Control Strategy 2023-2027, which was launched last month and is now available, for everyone who is interested, on the South Australian Health website.

The strategy includes a range of programs and initiatives to drive down the prevalence of smoking in South Australians aged 15 and over to 6 per cent by 2027, the most ambitious target in the country. The strategy integrates a comprehensive set of initiatives to achieve targets and actions across the areas of priority, including social marketing and public education, evidence-based cessation services, reduced smoking prevalence in Aboriginal communities, and smoke-free areas. It also includes regulation of products; marketing and supply; research, evaluation and enforcement; and preventing interaction with the tobacco industry.

As one of the key actions in the strategy, the state government recently consulted with stakeholders and the community on how best to introduce new smoke-free and vape-free laws in outdoor public areas, particularly those that are popular with young people. The proposed new laws would ban smoking and vaping in the following outdoor areas: within 10 metres of children's education and childcare centres; within five metres of non-residential building entrances; at public hospitals and health facilities, including aged-care facilities and private hospitals, and within five metres of their boundaries; within outdoor public swimming facilities; at major sports or events facilities; at or within 10 metres of playing and viewing areas during organised under-18 years sporting events; and on beaches within 50 metres of patrol flags and under and within five metres of jetties.

The bill also proposes to outlaw cigarette vending machines in licensed venues and increase penalties for selling to minors, with a proposal of doubling penalties for the sale or supply of tobacco products to children. I understand that consultation closed this week, and now SA Health has the task of compiling all the feedback to report back to the minister. I look forward to hearing the views of the community and stakeholders that will hopefully inform the next steps of our government.

The Malinauskas Labor government has also introduced the first government-funded program of its kind in Australia to offer incentives to quit, also known as I2Q. South Australians will be offered financial incentives such as supermarket vouchers to quit smoking and vaping as part of a groundbreaking trial in Adelaide's northern suburbs aimed at supporting people to give up smoking and e-cigarettes to improve their health.

This means that smokers and e-cigarette users who want to make a genuine attempt to quit may be eligible for I2Q if they are accessing one of the participating Northern Adelaide Local Health Network services as an inpatient or outpatient, are over the age of 18 and are willing to make a genuine attempt to quit smoking or e-cigarettes. These services include Aboriginal health, mental health and cardiopulmonary health.

I encourage any Torrens residents within the Northern Adelaide Local Health Network who may be in this eligibility catchment to reach out to their treating health professional if they would like to consider being part of this program. Sometimes all it takes is for someone to help you along this journey to make the decision to quit. No-one ever said it was easy, but it is the support that can keep you going.

The federal government has also announced a range of national initiatives to address e-cigarette use, which our government supports. SA Health will continue to work with the federal government and interstate jurisdictions to strengthen the e-cigarette laws and their enforcement. The initiatives include banning the importation of non-prescription e-cigarettes; regulating flavours, colours and other ingredients; requiring pharmaceutical-like packaging; reducing the allowed nicotine concentrations and volumes; banning disposable e-cigarettes; and funding public awareness campaigns and service enhancements to help Australians quit smoking and vaping.

I was pleased to hear the announcement by the Minister for Health and Wellbeing, Minister for Education and Chief Public Health Officer about the government's campaign to curb the prevalence of vaping among young people. Some of the materials that have been designed for this campaign include bright pictures of weedkiller, nail polish remover, insect killer and disinfectant to show that toxic chemicals contained in these products can also be found in e-cigarettes or vapes.

I know that schools in my electorate of Torrens will be interested in receiving these materials to help educate students about the dangers of vaping and also help support them if they are already addicted or having difficulty giving up. It is great to see that as part of these materials information for teachers, school counsellors and parents and carers is included so that we are not just educating the students but these people as well.

Most of the time, parents and carers of young people are not aware that their children are vaping. Protecting the children and young people of South Australia is so important, and I am pleased that our government are doing all they can to reduce the harm posed to them. I commend the bill to the house.

The Hon. A. PICCOLO (Light) (16:29): I rise in support of the Tobacco and E-Cigarette Products (Tobacco Product Prohibitions) Amendment Bill 2022. I note that the bill was introduced in the upper house by the Hon. Connie Bonaros in late 2022 and acknowledge the contribution she has made to this bill. I congratulate our Minister for Health and Wellbeing on taking up the cause as well and on the other work he has been doing in this area of smoking and vaping.

Unfortunately, smoking still remains one of the leading preventable causes of death and disease in Australia. We know that we need to be vigilant about any new forms of addiction or of products that cause addiction in our society, and this bill undertakes measures to address illicit tobacco in South Australia.

For the purposes of the record, illicit tobacco includes tobacco that is sold without branding, either loose—which I understand is called chop-chop—or rolled up into cigarettes. Not being a smoker, I am not familiar with these terms. Contraband cigarettes are produced by legitimate manufacturers and sold or onsold without excise, etc., and counterfeit cigarettes are produced to appear like those produced by registered manufacturers.

Sadly, existing South Australian laws do not allow for South Australian authorised officers to enforce compliance with the commonwealth laws around the packaging and labelling of tobacco products and therefore require them to refer those cases for possible noncompliance to the relevant commonwealth authorities. Amending our own act would enable our officers to deal with those matters. The bill will give authorised officers under the South Australian act, including our police, extra powers and incentive to enforce the law, with increased penalties with a view to addressing the illegal trade.

In supporting this bill, the state Labor government is reaffirming its commitment to reduce smoking and ensure better health outcomes for South Australia. In addition to supporting this bill, the government is also looking at a range of other measures to address smoking and also vaping. The government's commitment to reducing tobacco and e-cigarette use and harm is outlined in the South Australian Tobacco Control Strategy, which was launched just recently.

As one of the key actions in that strategy, the state Labor government will consult with stakeholders on how best to introduce new smoke-free and vape-free laws in outdoor public areas, particularly those that are popular amongst young people. I raise that issue because I certainly am aware of the concern of school principals and teachers in my community, as well as students, about the use of vaping by young people.

It is interesting to note that it is unlawful to sell vaping products to minors, but it is certainly taking place. I also get complaints from residents who see young people in school uniform go in and out of houses in various streets, clearly to purchase vaping products because they actually dispose of the packaging outside, along the footpath. Unfortunately, we need to do more to clamp down on the illegal sale of existing vaping products, and these measures, plus what is being proposed, hopefully will make clear to people that vaping is not a good health thing.

It is very important that we understand the impact of vaping. As has been mentioned by others, part of the public narrative is that vaping actually helps people get off smoking. That is the theory. That may be true in some cases but not overwhelmingly. The major impact of vaping has been an increase in young people taking on vaping, which is actually seen as a precursor to smoking as well.

We have spent decades and decades on education and a whole range of economic policies to drive down smoking rates, and we can undo this if we believe that vaping is okay and we do nothing about it. Vaping is quite rife amongst young people, sadly. We need to understand why young people are vaping and also address some of the social issues that lead young people to vaping. Obviously, we need to make vaping unattractive, in the sense that people need to understand the harm it can cause them, and also make sure that vaping is not allowed to be marketed in a way that makes it attractive for young people to take up.

In my own youth advisory panel, young people themselves have raised concerns about vaping that takes place in schools. Vaping could, to some extent, also mask some other addictive behaviours that young people need to address and not hide behind the vaping itself.

In terms of the new proposed laws that are being consulted upon, they would ban smoking and vaping in the following outdoor areas: within 10 metres of children's education and childcare centres and within five metres of non-residential building entrances. I would also add that, if there is an opportunity, I think we should also ban vaping on footpaths in shopping strip areas.

For example, my main street is a shopping street. If you are vaping along the footpath, you may get caught by the five-metre rule of commercial entrances, but there will be big gaps. You want to make it quite clear that where there is a concentration of people that the overflow of smoke etc. does not affect them. We should actually ban that activity, as we have done with cigarettes. I think vaping and smoking on footpaths in those shopping strip areas should also be banned. How that is defined I will leave up to the lawyers, but it is very important.

I think we need to regulate vaping much more strongly. I am not a huge fan of trying to outlaw, ban or prohibit complete products because that just generates an illegal underground market. As we can see with the illegal use of drug products these days, even though a lot of drugs are banned they are quite prominent and prevalent in our community. We need to make sure we use education about the health effects, and we need to educate people to make sure they are not seen as a product that is useful. There are a whole range of things we need to do to make sure we keep the rate down.

Smoking and vaping will also be banned at public hospitals and health facilities, including aged-care facilities and private hospitals, and within five metres of their boundaries; outdoor public swimming facilities; major sporting events and facilities; and within 10 metres of playing and viewing areas near organised under-18 sporting events. I think it is very important to make sure that vaping is not allowed at our sportsgrounds where young people play sport because allowing it does actually condone the activity. We need to make very clear that it is not an activity we support. Smoking and vaping are also to be banned on beaches within 50 metres of patrol flags, etc.

The government are also investigating outlawing cigarette vending machines in licensed venues and increasing penalties for selling to minors, with a proposal to double penalties for the sale of tobacco and products to children. I think that those proposed laws, combined with the first government-funded program of its kind in Australia to offer incentives to quit, will make a significant contribution, on an ongoing basis, to reducing the rates of smoking and hopefully turn around the increasing rates of vaping as well.

I am glad to hear that across the chamber there is bipartisan support for this proposal. I assume it was bipartisan support in the upper house and that is why it came to us from the other place. I think that it is one of those health issues we need to address and is preventable in a very clear way. Vaping is no different from where we were perhaps 50 years ago with smoking, when it was quite trendy and a whole range of attributes were given to people who smoked. We need to address those behavioural characteristics to make sure those attributes are not applied to people who vape.

I have never smoked. I have been lucky and I have never take up the habit, but certainly other people have. Unfortunately, a lot of people now later in life are, sadly, paying the price for smoking. We do not want that for the next generation of people who vape. With those comments, I certainly support this bill and also seek its speedy recovery through the chamber.

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (16:40): I thank all the members who have made a contribution in relation to this debate. As other members have noted,

this is a particularly important topic in terms of reducing the incidence of tobacco in the community, and it is also increasingly important as we look to the emerging issue of vaping and e-cigarettes in South Australia.

As I made clear, we are going to be bringing further legislation to this parliament that will take on the issue of vaping and e-cigarettes in South Australia, working with the federal government, who have announced some very significant changes in that area. But here, in relation to illicit tobacco, we have a very clear opportunity to improve our enforcement to make sure that South Australian authorities can use the same powers as the federal government under the federal provisions.

I thank Connie Bonaros for her work in relation to this legislation. I thank DASSA and its team for their support in providing advice to the government and enabling us to support this legislation with the amendments we will move in the committee stage. I also thank Hannah Evans from my team for her work on this legislation. With that, I endorse the bill to the parliament and look forward to its passage into law.

Bill read a second time.

Committee Stage

In committee.

The CHAIR: A quorum not being present, please ring the bells.

A quorum having been formed:

Clause 1.

Clause passed.

Parliamentary Procedure

VISITORS

The CHAIR: Before I go to the next clause, I acknowledge in the gallery the presence of the Hon. Connie Bonaros, the author of the bill.

Bills

**TOBACCO AND E-CIGARETTE PRODUCTS (TOBACCO PRODUCT PROHIBITIONS)
AMENDMENT BILL**

Committee Stage

Debate resumed.

New clause 1A.

The Hon. C.J. PICTON: I move:

Amendment No 1 [HealthWellbeing-1]—

Page 2, after line 5—Insert:

1A—Commencement

This Act comes into operation on a day to be fixed by proclamation.

New clause inserted.

Clause 2.

The Hon. C.J. PICTON: I move:

Amendment No 2 [HealthWellbeing-1]—

Page 2, lines 9 to 14 [clause 2(1)]—Delete subclause (1) and substitute:

(1) Section 4(1), definition of *health warning*—delete the definition

(1a) Section 4(1)—after the definition of *premises* insert:

prescribed packaging requirements means—

- (a) the requirements for the retail packaging and appearance of tobacco products in the *Tobacco Plain Packaging Act 2011* of the Commonwealth; and
- (b) the provisions of the *Competition and Consumer (Tobacco) Information Standard* made under the *Competition and Consumer Act 2010* of the Commonwealth prescribed by the regulations for the purposes of this definition; and
- (c) any other requirements prescribed by the regulations;

Amendment carried; clause as amended passed.

Clause 3.

The Hon. C.J. PICTON: I move:

Amendment No 3 [HealthWellbeing-1]—

Page 2, line 18 to page 3, line 2 [clause 3(1)]—Delete subclause (1) and substitute:

- (1) Section 30(1)(b) to (d) (inclusive)—delete paragraphs (b) to (d) (inclusive) and substitute:
 - (b) a person must not sell a tobacco product unless it is enclosed in a package that complies with the prescribed packaging requirements;

Amendment No 4 [HealthWellbeing-1]—

Page 3, after line 6—Insert:

- (4) Section 30—after subsection (1) insert:
 - (1a) In subsection (1)(b), a reference to a tobacco product enclosed in a package includes a tobacco product that is enclosed in 2 or more packages.

The Hon. D.G. PISONI: Can the minister advise why the amendments were necessary and why they were not in the original bill?

The Hon. C.J. PICTON: I am being invited to make a critique of the drafter of the original bill, which I will not do. Members of the Legislative Council have a tough job; they seek to represent the whole of the state and come up with fantastic ideas, such as moving this bill.

Obviously, as we have discussed during the course of the bill, this is something that the Hon. Connie Bonaros from the other place has been passionate about. She introduced legislation to the parliament and the government sought to work constructively with her and seek advice from our officials on whether the bill should be supported in its original form or whether some amendments could be made that could enable its passage.

Specifically in relation to the first of those amendments we are discussing at the moment, amendment No. 3 amends section 30—Restrictions on retail sales of tobacco products and e-cigarette products. I am advised the prescribed packaging requirements in the government amendment aim to remove overlap and inconsistencies between offence provisions in the bill.

In relation to the second of the concurrently moved amendments, amendment No. 4, the reference to two or more packages aims to ensure that packages, such as tobacco cartons, do not circumvent the packaging requirements in the bill.

Amendments carried; clause as amended passed.

Clause 4.

The Hon. C.J. PICTON: I move:

Amendment No 5 [HealthWellbeing-1]—

Page 3, lines 9 to 20 [clause 4, inserted section 31]—Delete the section and substitute:

31—Requirements for packaging tobacco products

A person must not package tobacco products for retail sale in a manner that the person knows or ought reasonably to know does not comply with the prescribed packaging requirements.

Maximum penalty: \$50,000.

Amendment No 6 [HealthWellbeing-1]—

Page 3, lines 28 to 29 [clause 4, inserted section 32(c)]—Delete paragraph (c)

Amendment No 7 [HealthWellbeing–1]—

Page 4, lines 1 and 2 [clause 4, inserted section 33(2), definition of *prescribed tobacco product*, (b)]—Delete 'requirements of the *Tobacco Plain Packaging Act 2011* of the Commonwealth' and substitute:

prescribed packaging requirements

Amendment No 8 [HealthWellbeing–1]—

Page 4, after line 2—Insert:

- (3) In proceedings for an offence against subsection (1), if it is proved that the defendant had possession of a prescribed quantity of prescribed tobacco products, it is presumed, in the absence of proof to the contrary, that the defendant had possession of the prescribed tobacco products for the purposes of sale.

The Hon. D.G. PISONI: Can the minister explain why these amendments were required?

The Hon. C.J. PICTON: I am very happy to explain them in order. In relation to amendment No. 5, this amendment extends the bill's packaging offence in section 31 beyond just a health warning requirement to a broader health warning and packaging requirement.

In relation to amendment No. 6, this provision was removed as the Tobacco and E-Cigarette Products (Tobacco Production Prohibitions) Amendment Bill 2022 included overlap between some of the new offence provisions that could seriously undermine enforcement and prosecution of those offences in some circumstances. The intent of this provision is covered by the amendment to section 30(1)(b) of the act, which states that a person must not sell a tobacco product unless it is enclosed in a package that complies with the prescribed packaging requirements; therefore, section 32(c) is not required.

In relation to amendment No. 7, the government amendment replaces a proposed amendment to the definition of 'health warning' in the bill to instead prescribe an all-encompassing definition of 'prescribed packaging requirements', which includes all the commonwealth packaging and health warning requirements.

Last, but not least, in relation to amendment No. 8, this amendment was included to strengthen the enforceability and potential for prosecution of the amendment included in the Tobacco and E-Cigarette Products (Tobacco Production Prohibitions) Amendment Bill 2022 relating to the possession of certain tobacco products. This provision will allow for a quantity of prescribed tobacco products to be prescribed by regulation, meaning that any quantity equal or greater than this quantity be presumed for the purpose of sale, therefore providing further clarity to any enforcement related to illicit tobacco in South Australia.

The Hon. D.G. PISONI: When is it expected that the regulations will be ready?

The Hon. C.J. PICTON: On the presumption that parliament agrees to this and that Her Excellency provides the appropriate assent, I understand that the department and Drug and Alcohol Services SA have already started considering those regulations. We are not expecting significant delay, but obviously for any regulation there has to be the appropriate cabinet process to go through, as well as Executive Council. Obviously, with that, combined with the passage of legislation, it may be in the order of months for that to happen, but in the course of the passage of regulations certainly not an extended period of time.

Amendments carried; clause as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (16:52): I move:

That this bill be now read a third time.

Bill read a third time and passed.

EQUAL OPPORTUNITY (DOMESTIC ABUSE) AMENDMENT BILL*Second Reading*

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) (16:52): I move:

That this bill be now read a second time.

I am really pleased and somewhat relieved to bring to this house the Equal Opportunity (Domestic Abuse) Amendment Bill 2022, following its passage in the other place. This bill will rightly prohibit discrimination on the basis that someone is or has been subject to domestic abuse and, crucially, it will ensure that when someone is discriminated against they have a clear avenue for recourse, a way to seek justice. This provision is aimed at providing that protection—an avenue for recourse—to victim survivors and their families who experience discrimination in a range of areas in public life, including in employment, education or when trying to access services or accommodation.

This bill progresses a key election commitment made by this government as part of our strong and groundbreaking policies on women's safety, equality and wellbeing. This bill is overdue. This bill aligns with a bill that I moved not once, but twice from opposition. I first introduced a bill to progress this reform in 2019 and then again in 2021. Both were shamefully unsuccessful in gaining the support of the then government of those opposite.

If you were serious about tackling domestic violence, you would thoroughly consider legislative provisions that provide improved rights to those who experience it. Sadly, those opposite utterly refused to do so—not once, but twice. I am really proud and, as I said, also relieved that now, as a government, we can advance meaningful reform to ensure that those who experience domestic violence are not further disadvantaged.

It is absolutely our job in this place to ensure that victim survivors have access to support they need to ensure that they can maintain a vital connection to employment and are not discriminated against in the course of that employment, and to ensure that if they do experience discrimination, they have access to appropriate support and justice. Through this legislation and a range of other measures, we are ensuring that they do.

In the development of the previous bills, and as our government progresses the bill we speak to today, I wholeheartedly acknowledge the advocacy of a number of people: those brave women, victim survivors, who shared their stories with me and others when we first introduced legislation of this type. I also acknowledge domestic violence service providers, advocacy organisations, unions, the Working Women's Centre and others—those people and organisations who so often walk alongside women experiencing domestic violence and advocate for change to make the path to healing and recovery of victim survivors just a little bit easier, the people and organisations who help those courageous victim survivors know that they are never alone.

I have worked closely with the Attorney-General and his office in developing this bill, as well as the Commissioner for Equal Opportunity, and I am so pleased to lead debate on it in this house today. The bill amends the Equal Opportunity Act 1984 to add domestic abuse as a new attribute protected against discrimination. Under this proposed new legislation, it will be unlawful to treat someone unfavourably because they or their relative or associate have been or are being subject to domestic abuse.

The impacts of domestic violence are profound and they affect all aspects of the lives of victim survivors, including their working lives and how they interact with various services. Addressing unfavourable treatment will prohibit a range of scenarios, including criticising or otherwise treating an employee poorly because they took time off on domestic violence leave, or refusing to rent a property to someone because they are protected under an intervention order.

This legislation sits alongside our government's other efforts to support victim survivors, including the establishment of 15 days' paid domestic violence leave for those employed pursuant to the state fair work system. These reforms are crucial as we continue to see the scourge of domestic violence affect our community. We know, sadly, that over 200,000 South Australian women, or

29 per cent of women, have experienced violence, emotional abuse or economic abuse by a cohabiting partner since the age of 15.

We know that 80 per cent of child protection cases have a domestic violence element. We know, tragically, that more than one woman per week continues to be murdered by a partner or former partner. We know that domestic violence knows no boundaries, that it happens in every suburb, in every regional area and in every kind of family setting. We know that those who experience it can feel ashamed and isolated, and we know that intersectional barriers can make the experience of it even harder.

We know that it relentlessly persists. This is why we must not limit our responses to it. We must do whatever is within our power to speak, to act, to legislate and to spread the word that there is no excuse, that violence is never, ever an option and that those who are experiencing this violence will receive support and understanding from our broader community, not discrimination. Together, we must continue to do whatever is within our power to support those impacted and to prevent and end this terrible scourge. Supporting those impacted means doing what we can to keep them connected to their workplace, to their income, and empowered to seek housing and services.

I first started researching the possibility of making this legislative change a number of years ago. I did so because of the stories that I learned of, stories of women who, as well as bearing the horror of domestic abuse, were treated in a discriminatory and, frankly, abhorrent fashion because of that experience. I have heard the horrific account of a woman being raped by her ex-partner after he broke into her home. Her manager was deeply shocked by what the woman revealed about the abusive relationship when she accompanied her to make a police statement. Upon returning to work, the woman was urged to consider moving on from the workplace to seek a so-called fresh start.

In another case, a woman revealed to her new prospective employer that she had an intervention order in place and was then advised that her services would no longer be required. I know of a woman who sought help at her local supermarket whilst her abusive husband sat outside. Doing the shopping at this one local shop was one of the only places he allowed her to go. On a particular day, she mustered the courage in the short time that she had to ask for help. She was asked to leave the shop and not shop there again because they did not want that kind of trouble.

We need to support people when this behaviour occurs, and we need to educate and equip our community however we can about the role they can play in helping to prevent and end domestic violence. We need to bring to life that oft repeated mantra that domestic violence is everybody's responsibility. A key place to educate, to raise awareness, to build that capacity of our community is in the workplace. The introduction of this legislation will enable us to do just that.

It will absolutely ensure that people who have experienced, or continue to experience, domestic violence and are discriminated against because of that experience will now finally have access to an avenue for recourse. When I first started researching this issue, it was incredibly sad to understand from the then equal opportunity commissioner that when a person did find their way to speak up about that experience they were, sadly, turned away. This law will rightly change that.

It is really important to note, however, that necessarily there will be decisions in which domestic abuse is a factor that will not be considered unfavourable treatment or discrimination. Under the Equal Opportunity Act, someone is found to be treated unfavourably based on an attribute if they are treated less favourably than someone else in similar circumstances without the relevant attribute.

An important and necessary distinction that will specifically be carved out from this legislation relates to child protection interventions. The Department for Child Protection is mandated to protect children at risk, whether that risk is due to domestic abuse or another reason. Therefore, removing a child from a situation where they are at risk as a result of domestic abuse would not be discriminatory treatment of the child when the same decision would be made if the child were at risk because of another cause.

Importantly, the bill will also prohibit indirect discrimination. Indirect discrimination occurs when a general requirement is imposed that persons with a protected attribute—in this case, subjection to domestic abuse—cannot comply with or will find it more difficult to comply with. For example, this might arise if a prospective landlord requires applicants to provide evidence of a recent

rental history. This requirement is of course imposed on all applicants; however, a victim survivor may be unable to comply because they have been residing in domestic violence crisis accommodation or have an unstable rental history with many short-term tenancies. Indirect discrimination would be unlawful if the requirement is not reasonable in the circumstances of the particular case.

The bill will prohibit discrimination in all areas of public life covered by the Equal Opportunity Act, those being engagement in work, including unpaid work; the provision of education; decisions of associations and qualifying bodies; and the provision of land, goods, services and accommodation. As is standard in the Equal Opportunity Act, the bill provides that measures to benefit persons who have been subject to domestic abuse will not be considered discriminatory.

The bill also contains an exception allowing discrimination in relation to employment to care for a child where that child resides. This will allow a child's safety to be considered when selecting employees for the residential care of children, particularly by the Department for Child Protection. The department employs people to care for extremely vulnerable children in residential care facilities. It is really important that they can take the employee's whole history into account, including any experiences of domestic abuse, when determining whether that person is suitable to care for children with complex needs.

The bill also contains a power for the equal opportunity commissioner to decline to take action on a complaint of domestic abuse discrimination if there is insufficient evidence that the complainant was subject to domestic abuse. This has rightly been put in place to address a risk of domestic abuse perpetrators misusing this new ground of discrimination. It is unfortunately common for perpetrators of domestic abuse to claim to actually be the victim and to perpetrate systems abuse through the manipulation of people, processes or services connected to the victim survivor.

This clause will provide a clear basis for the commissioner to screen out such complaints, in addition to their existing powers to decline to take action on complaints that are frivolous, vexatious or lacking in substance. The disingenuous complainant will then be unable to access assistance or conciliation through the commissioner, although they may still choose to take the matter to SACAT.

This requirement of providing sufficient evidence does not seek to place additional difficulties and burdens on victim survivors of abuse. The bill intentionally provides a broad definition of what can constitute sufficient evidence of abuse, including an intervention order, a medical record or evidence of seeking or obtaining assistance from a non-government charitable organisation, including not-for-profit legal assistance services.

Stakeholder feedback on this bill, and indeed the previous iterations of it not supported by those opposite, was really very positive. There was strong support for the bill across our community, as there has been for some time. I note that some stakeholders commented on the definition of 'services' under the Equal Opportunity Act, requesting clarification or reform on when particular actions of a government department or agency are or are not considered 'services' and therefore covered by anti-discrimination law.

This definition of 'services' applies to the whole act and affects every protected attribute. Because any amendment would affect the whole act, it was not considered for inclusion in this bill. However, the government is committed to giving further consideration to the issues raised in due course. This will include consideration of whether any government service providers have a legitimate need to discriminate based on one or more protected attributes for health, safety or similar reasons.

This bill is a clear step this parliament can take to improve the safety, the wellbeing and the franchise of domestic violence victim survivors here in South Australia. Through this legislation, we will support and we will empower those who experience domestic violence. It gives those who experience domestic violence additional rights, a voice and a mechanism to move forward, and in so many cases, importantly, it will enable a victim survivor to maintain connection to their employment.

This bill represents another step forward our government makes toward the prevention of domestic violence and toward healing, recovery and empowerment for those courageous victim

survivors. This bill is for them. I commend the bill to the house and seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Equal Opportunity Act 1984*

3—Amendment of section 5—Interpretation

This clause adds the definition of *domestic abuse* into the Act, being the same meaning as within the *Intervention Orders (Prevention of Abuse) Act 2009*.

4—Amendment of section 85T—Criteria for establishing discrimination on other grounds

This clause inserts a further arm into the definition of *discriminate* for the purposes of Part 5B of the Act (prohibition of discrimination on other grounds) such that to discriminate means to discriminate on the ground of a person being, or having been, subjected to domestic abuse.

This clause further outlines what it means for a person to discriminate against another on the ground of being, or having been, subjected to domestic abuse.

5—Amendment of section 85U—Application of Division

This clause provides that Part 5B Division 2 of the Act (discrimination against workers) applies to discrimination on the ground of a person being, or having been, subjected to domestic abuse.

6—Amendment of section 85ZA—Application of Division

This clause provides that Part 5B Division 3 of the Act (discrimination by other bodies) applies to discrimination on the ground of a person being, or having been, subjected to domestic abuse.

7—Amendment of section 85ZB—Discrimination by associations

This clause provides that it is not unlawful for an association to be established for persons who are, or who have been, subjected to domestic abuse such that other persons are excluded from membership.

8—Amendment of section 85ZD—Application of Division

This clause provides that Part 5B Division 4 of the Act (discrimination in education) applies to discrimination on the ground of a person being, or having been, subjected to domestic abuse.

9—Amendment of section 85ZF—Discrimination by person disposing of interest in land

This clause makes it unlawful for a person to discriminate against another in relation to the disposition of an interest in land on the ground of the other person being, or having been, subjected to domestic abuse.

10—Amendment of section 85ZG—Discrimination in provision of goods and services

This clause makes it unlawful for a person to discriminate against another in relation to the provision of goods and services on the ground of the other person being, or having been, subjected to domestic abuse.

11—Amendment of section 85ZH—Discrimination in relation to accommodation

This clause makes it unlawful for a person to discriminate against another in relation to accommodation on the ground of the other person being, or having been, subjected to domestic abuse.

This clause further provides, however, that it is not unlawful under this section to provide non-profit accommodation solely to persons who are, or who have been, subjected to domestic abuse.

12—Amendment of section 85ZI—Charities

This clause provides that a provision in a charitable instrument to confer benefits on persons who are, or who have been, subjected to domestic abuse is not affected by the provisions of Part 5B of the Act as amended by this measure, and that any act done to give effect to such a provision is not rendered unlawful.

13—Amendment of section 85ZK—Measures intended to achieve equality

This clause provides that an act will not be unlawful where it is done for the purposes of ensuring that persons who are, or who have been, subjected to domestic abuse have equal opportunities with those who are not, and who have not been, subjected to domestic abuse.

14—Insertion of section 85ZO

This clause creates an exemption from Part 5B of the Act such that the provisions of the Part will not apply to discrimination on the ground of being, or having been, subjected to domestic abuse in relation to employing or engaging a person to perform duties that involve the care of a child at a place where the child resides.

15—Amendment of section 95A—Commissioner may decline complaints in certain circumstances

This clause adds a further basis upon which the Commissioner may decline to recognise a complaint, being where the Commissioner is of the opinion that a complainant has, in a complaint alleging discrimination on the ground of being, or having been, subjected to domestic abuse, failed to provide sufficient evidence that they are, or have been, subjected to domestic abuse. The clause further provides the types of evidence that are considered to be sufficient.

Mr COWDREY (Colton) (17:12): I rise today to indicate that I am the lead speaker for the opposition on this Equal Opportunity (Domestic Abuse) Amendment Bill 2022 and wish at this juncture to thank the minister for the depth and breadth and detail she provided in regard to the act's objects and functions. That detail has certainly been well put on *Hansard* by her.

I also rise to indicate, as has already been done in the other place, the opposition's support for this legislation, which will add to existing provisions by ensuring that it is soon to be illegal to discriminate against people within the South Australian community on the ground of someone being or having been subjected to domestic abuse.

As legislators, it is always important that we ensure that our laws are in line with contemporary expectations. There has obviously been a significant shift—and collective shift—in our understanding of the nature and prevalence of domestic abuse and family violence in our community. It is vital that survivors are given the appropriate support to overcome their circumstances and trauma.

This is also an important step towards ensuring that all forms of discrimination are removed from our society and our workplaces, including, again, any such discrimination against victims and survivors of domestic and family violence. This bill certainly adds to the bipartisan view of this place—that it is everyone's responsibility to end and eliminate domestic violence and family abuse in our society. It also adds to this parliament's combined history of taking steps towards that end.

The opposition certainly support this legislation. We look forward to its passage and it becoming law here in our state. I commend the bill to the house.

Ms CLANCY (Elder) (17:14): I rise today in support of the Equal Opportunity (Domestic Abuse) Amendment Bill 2022 to amend the Equal Opportunity Act 1984. This bill seeks to prohibit discrimination on the basis that someone is or has been subjected to domestic abuse, delivering on yet another election commitment of the Malinauskas Labor government.

At present, the Equal Opportunity Act prohibits discrimination against South Australians on their race, ethnicity, gender or sexuality, or how they choose to express their age, religion, disability or work as a carer, or whether or not they are pregnant or breastfeeding, or their spousal status, as it should, but it does not prohibit discrimination against South Australians who have experienced or who are currently experiencing domestic violence. The successful passage of this bill would change that. South Australians experiencing or who have experienced domestic and family violence could have already been afforded this protection.

Three years ago the then shadow minister, now Minister for Women and the Prevention of Domestic and Family Violence, introduced a bill to include the experience of domestic violence as a ground of discrimination in the Equal Opportunity Act. Even in opposition, it was Labor who led the charge for the promotion of gender equality in South Australia. It was a Labor opposition who introduced legislation to criminalise coercive control, toughen penalties for breaches of domestic violence intervention orders, waive fees for court-initiated domestic violence intervention orders and to ban the Wicked campervans.

But we will not just sit here and pat ourselves on the back for things we have or could have done. The horrific scourge of domestic and family violence, harassment and disrespect towards women continues. It is unacceptable, and every single member in this place and the other place should be doing everything they can possibly do to prevent violence and to address gender inequality at its core. Our parliament and those right across this country must continue to do more until we no longer have to say that more than one woman per week in Australia dies as a result of domestic violence perpetrated by a current or former partner.

Labor is committed to achieving gender equality. Addressing inequality and empowering women and girls to equally participate in our homes, our schools, our workplaces, our parliaments and in every single aspect of our economy and community life is a core Labor value. We want and we need to create a state in which your gender has no bearing on the opportunities available to you and no bearing on your safety.

The bill before us today is a reflection of that value and commitment: a commitment to ensuring that every woman in South Australia is safe, able to build a financially sustainable future for themselves and their loved ones and can socially and economically participate to the fullest extent they choose. The passage of this bill would deliver on our commitment to promote the safety and wellbeing of South Australian women and to promote gender equality in our state.

This would join a list of achievements already accomplished by this government in our first 12 months, including legislating 15 paid days' domestic and family violence leave for public sector and local government workers, reinstating the Premier's Women's Directory, establishing the homeless women's taskforce, and supporting Catherine House—not cutting their funding—and much more.

A huge thank you to the work of our Attorney-General, our Minister for Women and the Prevention of Domestic and Family Violence and their respective departments and staff, as well as the Commissioner for Equal Opportunity, for all their work in bringing this bill to this place. We must also show our appreciation for the South Australian trade union movement and organisations supporting those experiencing domestic and family violence including my old workplace, Women's Safety Services SA, and indeed every single South Australian who has long called for this simple yet powerful change to our Equal Opportunity Act. I understand that more than 20 stakeholders were invited to comment on this bill, and I thank them for their important contributions and for their support.

This bill proposes to make it unlawful to treat someone unfavourably because they or their relative or associate have been, or are being, subjected to domestic abuse. The Intervention Orders (Prevention of Abuse) Act 2009 defines an act of abuse as any act:

...against a person if it results in, or is intended to result in—

- (a) physical injury; or
- (b) emotional or psychological harm; or
- (c) an unreasonable and non-consensual denial of financial, social or personal autonomy; or
- (d) damage to property in the ownership or possession of the person or used or otherwise enjoyed by the person.

This act further defines an act of abuse as domestic abuse if it is committed by a defendant against a person with whom the defendant is, or was formerly, in a relationship. The bill before us today shares the definition of domestic abuse with the existing intervention orders legislation—a broad and progressive definition encompassing physical, emotional and financial abuse, as well as coercive controlling behaviours.

As I have shared with the house previously, while the majority of domestic and family violence perpetrators are men, the majority of men are not perpetrators. It is still important to note that the Australian Bureau of Statistics' Personal Safety Survey paints a sobering, non-negotiable reality that it is overwhelmingly women against whom domestic and family violence is perpetrated.

As of the most recent ABS data, one in six women have experienced physical and/or sexual violence by a current or former partner since the age of 15, one in four women have experienced emotional abuse by a current or former partner since the age of 15, and one in five women—or

1.7 million Australian women—have experienced sexual violence since the age of 15. Since the start of the COVID-19 pandemic, we know these numbers have only become worse.

The Australian Institute of Criminology found that between February 2020 and February 2021 18 per cent of women respondents reported experiencing emotionally abusive, harassing and controlling behaviours from an intimate partner for the first time—that is one in five women. I think the fact that people were trapped at home during COVID meant that these behaviours of some partners were exacerbated, and people did not have the support options they would normally have and were not able to get out and find supports that they needed and connect with their networks.

The National Community Attitudes towards Violence against Women Survey in 2017 found that almost one in three Australians believed that women who do not leave their abusive partners are partly responsible for violence continuing. Over 40 per cent of Australians agreed that it was common for sexual assault accusations to be used as a way of getting back at men. More than one in five Australians agreed that sometimes a woman can make a man so angry that he hits her without meaning to. These attitudes are deeply wrong; they are disgusting and they have no basis in reality or fact whatsoever. It is attitudes such as these that we must target to promote gender equality and end domestic and family violence.

We need to educate our community. In our homes, in our schools and in our workplaces, I know we can achieve this. Bills such as this will help us to achieve this. By including the experience of domestic abuse in the Equal Opportunity Act, we can help protect victim survivors and their families. We can give those South Australians who encounter discrimination as a result of their experience of domestic violence a voice and an avenue for redress. We can open the door to victim survivors being heard.

South Australians would be rightly disgusted to learn that without this amendment a worker could be criticised or treated poorly because they took time off on domestic violence leave. They would be ashamed to learn they live in a state where a landlord could refuse to rent a property to someone because they are protected under an intervention order. They expect more from their representatives, and I am so glad that now they find enough representatives in this place who prioritise the safety and wellbeing of women to support bills such as these and to prioritise them.

This bill is so simple yet so powerful to victim survivors of domestic and family violence in South Australia. It is yet another example of our government empowering women in the workplace, to the benefit of everyone in the workplace—employers included. We have and will continue to legislate in the interests of Labor, not to scare employers but to show that to lift one, can lift all.

This bill will not prohibit employers from taking reasonable action in relation to an employee underperforming who has been or is experiencing domestic or family violence, so long as it is in accordance with fair and reasonable policies that apply equally to any underperforming employee. If a rising tide can lift all boats, then good government can empower all workplaces to provide the conditions required for their workers to prosper.

By amending the Equal Opportunity Act, this bill will prohibit discrimination in all areas of public life, being employment or engagement in work (including unpaid work), the provision of education, decisions of associations and qualifying bodies, and the provision of land, goods, services and accommodation. Discrimination against anyone subjected to domestic and family violence will be prohibited, regardless of whether they have an intervention order in place.

This bill also does not require the perpetrator of the abuse to have been convicted of any offence. South Australians experiencing domestic violence need to know they are heard and they are believed. They need to know their workplace and their government have their back. I am relieved that this legislation is finally being seriously considered by a state government who cares and cares deeply. I commend the bill to the house.

Ms HOOD (Adelaide) (17:26): I rise to speak on the Equal Opportunity (Domestic Abuse) Amendment Bill. Domestic violence is a cowardly act, a heinous act, that has devastating and long-lasting effects on victims including physical, mental and emotional injuries and in some cases, death. Domestic violence is despicable, intolerable behaviour that should have no place in our society but sadly as we all know, domestic violence does exist in our society.

The ABS in March published that an estimated eight million Australians have experienced physical or sexual violence since the age of 15, that is 41 per cent of our population. With such a large cohort experiencing violence, it is crucial that we protect victims from further harm through discrimination. That is why the Attorney-General has been working with the Minister for Women and the Prevention of Domestic and Family Violence and the Commissioner for Equal Opportunity in drafting this bill which progresses a key election committee made by the Malinauskas government to improve women's safety.

The amendment bill proposes to make it unlawful to treat someone unfavourably because they or their relative or associate has been, or is being subject to, domestic abuse. In other words, discrimination against anyone subject to domestic abuse will be prohibited. Evidence of domestic abuse may include an intervention order, medical records, or evidence of seeking or obtaining assistance from a charitable organisation. Importantly, the legislation would not require the perpetrator of the abuse to have been convicted of any offence. This is why the bill intentionally provides a broad definition of what constitutes abuse.

The bill further aims to provide protections to prevent perpetrators of violence from disingenuously claiming to be the victim under this proposed legislation. These protections include the requirement of sufficient evidence and giving the commissioner the power to not review claims that lack evidence or seem disingenuous. The amendment bill will not prohibit employers taking reasonable action against underperforming employees merely because they have or are still experiencing domestic violence. The employer's action must be in accordance with fair and reasonable policies that apply equally to any underperforming employee.

The bill will extend to all areas of public life covered by the Equal Opportunity Act, including employment, engagement in work and unpaid work, the provision of education, decisions of associations and qualifying bodies, and the provision of land, goods, services and accommodation. New discriminatory behaviours that are set to be prohibited include criticising or otherwise treating an employee poorly because they took time off work on domestic violence leave and refusing to rent a property to someone because they are protected under an intervention order or have been residing in domestic violence crisis accommodation.

Recently, I was proud that my office was able to assist a mum of one who was sadly amongst those eight million Australians experiencing domestic violence. The mum had moved interstate with her child after her partner had got a job offer, but soon after moving away the partner became controlling and abusive, cutting the mum off from family and friends back in SA and preventing her from forming new relationships. After experiencing years of abuse, she fled with her child in the middle of the night back to Adelaide to live with family members. Since returning to SA, they have rekindled friendships, returned to school and work and reconnected with family. They are able to live their lives again.

This story is just one of thousands that women and children experience each year in our country; however, not all these stories end with victims being able to reconnect and live with their loved ones. Many stories result in women fleeing their home and having no place to go. That is where organisations like Catherine House are so incredibly important.

Catherine House is South Australia's only specialist homeless and recovery service for women. It provides a safe space for women to build relationships, learn and engage in activities that support their health, wellbeing, confidence and recovery. Catherine House accommodates up to 54 women every night. I seek leave to continue my remarks.

Leave granted; debate adjourned.

PUBLIC FINANCE AND AUDIT (AUDITOR-GENERAL ACCESS TO CABINET SUBMISSIONS) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

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

Final Stages

The Legislative Council agreed to the bill without any amendment.

At 17:32 the house adjourned until Tuesday 30 May 2023 at 11:00.