

HOUSE OF ASSEMBLY

Thursday, 15 June 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.

Motions

AUKUS

Adjourned debate on motion of Hon. D.J. Speirs:

1. That in the opinion of this house, a joint committee be established to inquire into and report on matters relating to South Australia's contribution to the AUKUS agreement, and particularly to consider—
 - (a) how to ensure that all submarines are delivered on schedule;
 - (b) education and training initiatives to build the future workforce;
 - (c) the role of the South Australian industry;
 - (d) opportunities from emerging technologies;
 - (e) the progress of task forces and working groups;
 - (f) interstate and international partnerships; and
 - (g) any other relevant matters.
2. That in the event of a joint committee being appointed, the House of Assembly shall be represented thereon by three members, of whom two shall form a quorum of assembly members necessary to be present at all sittings of the committee.
3. That a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

(Continued from 4 May 2023.)

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (11:02): I rise to speak on the motion before the house, which is to establish a select committee on the AUKUS agreement. This committee, proposed by the Leader of the Opposition and supported in previous debate by the bipartisan shadow minister for defence industries, the member for Morphett, deserves the support of this house. This motion deserves the bipartisan support of the house because this issue is too important for South Australia for petty partisan politics to play any part.

Indeed, the success of the AUKUS agreement is tremendously important for Australia's national security. To successfully deliver Australia's part of the AUKUS agreement requires an immense effort from our state. The opportunity presented by the AUKUS agreement to our state, in terms of its economic activity and opportunities for our young people, is potentially transformational. The importance of this cannot be overstated.

It was tremendously important for our economy and our defence industries when South Australia won the opportunity to build the submarines, and indeed previous surface vessels, in the past. Yet the importance and significance of those deals and those achievements is rendered small in comparison to the opportunities that the AUKUS agreement presents, just as the AUKUS agreement is tremendously important for Australia's national security. We cannot mess this up. If any of us were to put political opportunism or ambition ahead of the national interest and the state interest

in relation to this matter, it would be a grievous error and history will judge such a government or such a member poorly.

The opposition has tendered this suggestion. We raised it with the government ahead of doing so. We seek the government's support. We still hope to have the government's support, and we hope to have it today because this work is actually starting now. It is critical that it starts now. However, I raise a couple of issues, which the Premier himself has raised as arguments, as to why the Labor Party and the government should support this motion and should support it today.

The Premier on a number of occasions has given quite appropriate speeches and answers to questions in relation to matters relating to AUKUS. He has talked, as I have just done, about the significance of the arrangement, the importance for our national security, the importance for our future in South Australia, and the fact that this is not a matter that is going to be the responsibility of one government to deliver.

This is going to be a matter that will be critically important for South Australia for decades to come. It will be a generational matter. It will surpass the lifetime of this government, whether this government lasts for another three years, as I hope, or for another seven years, as they may hope. There will be a range of governments that will be responsible for overseeing South Australia's involvement in delivering the opportunities presented by the AUKUS agreement.

A parliamentary committee to have oversight of these matters will give continuity, and it will give the opportunity for both sides of the parliament to make a contribution. It will give an opportunity for the government of the day to be supported by His Majesty's Loyal Opposition in having oversight of those matters, to be a testing ground for government plans and to keep the Public Service supported through parliamentary oversight.

It will ensure that both sides of politics are invested in the solutions and that the solutions being presented by government are understood by both sides of politics so that when there is a change of government—whenever that may be and at whichever stage in the generation of the AUKUS project that may be—there will be people who already have experience and understanding of the issues.

The committee is proposed to particularly consider how to ensure that the submarines are delivered on schedule, education and training initiatives to build the future workforce, the role of South Australian industry, opportunities from emerging technologies, the progress of task forces and working groups, and interstate and international partnerships. It is proposed that members from this house—three members from the assembly, presumably two government members and an opposition member—and members from the Legislative Council as well be appointed.

This is not an opportunity for the government to lose control of the committee. We are quite open to the government having the numbers, if that helps them out in any way. We are quite open to suggestions if they wish to add terms of reference or edit terms of reference. We have said this along the way. We look forward to the government, hopefully, putting the state's interest first and the national interest first and inviting the bipartisan cooperation that this committee presents.

I speak from my own interest as shadow minister for education and training. Yesterday, the Premier in question time was reflecting on the government's submission to the surface vessels review and talking about the things that the South Australian government was putting in place in order to ensure that the future workforce that Australia would need was available, as we would need the ongoing provision of shipbuilding to maintain that workforce delivery.

Those matters would only be improved by having a bipartisan parliamentary committee to support the government in their endeavours. The way the Premier described that submission we would like to give it our absolute full support, because we seek the same outcomes of continuous shipbuilding in South Australia. From the way the Premier described it, I am confident that a bipartisan parliamentary committee might have added value, might have tested some of the rationale being put forward to ensure that when the state is putting its best foot forward to the commonwealth we do so having had those suggestions tested and polished up into their best possible form.

I think that a bipartisan committee would enable the parliament to progress with a shared understanding of priority areas so that when the government are considering making particular

investments in a particular way they can do so confident that the opposition understands the priority and the need for that, because the opposition will have participated in the committee that is considering those matters.

I think it has the opportunity to reduce the risk of South Australia appearing in any way non-bipartisan in any of the matters related to AUKUS. The requirement that we would have to test the government in question time on certain matters might be reduced because we would already understand the government's thinking or actions in a certain place. It will have had the opportunity to be tested by a committee where the politics will not even be seen to be present because of the nature and the way that we have suggested it be set up.

The Leader of the Opposition has gone about this in the right way. We have approached the government—and, as I understand, there has been a direct approach to the Premier as well—identifying our eagerness to pursue this course of action. We would envisage that a committee such as this will exist not just for the term of this parliament but potentially for the term of the AUKUS agreement, which is, as we expect, decades and generations into the future.

We think we should start with a select committee so that we can establish a framework for how this matter will operate. This is an alliance—an agreement to share technologies and a commitment for Australia to undertake work in the shared national defence with the UK and the United States in the years to come—that presents for South Australia a unique opportunity to make a contribution.

Young people who are currently in primary school might well have significant leading roles in a whole range of industries, not just shipbuilding, because the AUKUS agreement is more than building submarines. Those submarines are going to be amongst the most significant technological challenges that this country has ever delivered upon, and those opportunities must be met by a workforce that is capable and that has a broad range of skills. Indeed, the opportunity for high-paying jobs, for work with peoples' hands and for work with peoples' minds across a whole range of industries that AUKUS opens up is breathtaking.

Those primary school students and secondary school students need to be given great advice, need to be incentivised and encouraged along the way, and that is also the duty of all of us as community leaders. I think that the government bringing the opposition into their thinking in the way that it is going about that business can only benefit the state to ensure that when we talk about those opportunities to young people, through whatever mechanisms we do—through the media, through our personal engagements in the community—we do so with one voice. It is only by doing that that we will realise those opportunities.

This is something on which there cannot be a partisan divide. There cannot be politics played. The government should support this motion, and we should support it today and on every opportunity it is presented if it is not supported today. We will continue to call on the government to support this motion. We hope and we trust—and we will, indeed, congratulate them if and when they do agree with this motion. We urge them to do so in about 10 seconds.

Mr ODENWALDER (Elizabeth) (11:12): Disappointingly, I move:

That the debate be adjourned.

The house divided on the motion:

Ayes21
Noes.....12
Majority9

AYES

Andrews, S.E.
Champion, N.D.
Fulbrook, J.P.
Hughes, E.J.
Odenwalder, L.K. (teller)

Bettison, Z.L.
Clancy, N.P.
Hildyard, K.A.
Koutsantonis, A.
Pearce, R.K.

Brown, M.E.
Cook, N.F.
Hood, L.P.
Michaels, A.
Piccolo, A.

Picton, C.J.
Szakacs, J.K.

Savvas, O.M.
Thompson, E.L.

Stinson, J.M.
Wortley, D.J.

NOES

Basham, D.K.B.
Brock, G.G.
Patterson, S.J.R.
Tarzia, V.A.

Batty, J.A.
Gardner, J.A.W.
Pratt, P.K.
Teague, J.B.

Bell, T.S.
McBride, P.N.
Speirs, D.J. (teller)
Telfer, S.J.

PAIRS

Boyer, B.I.
Pederick, A.S.
Close, S.E.
Pisoni, D.G.

Marshall, S.S.
Malinauskas, P.B.
Hurn, A.M.
Bignell, L.W.K.

Mullighan, S.C.
Cowdrey, M.J.
Hutchesson, C.L.
Whetstone, T.J.

Motion thus carried; debate adjourned.

Bills

STATUTES AMENDMENT (SEXUAL OFFENCES) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 14 June 2023.)

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (11:17): I believe that I was part way through my remarks to close the debate yesterday. I will be very brief in finalising those closing remarks. I had thanked a number of people who had contributed their thinking, their expertise and their steadfast commitment to making a difference in this area in the development of this bill and in the passage of this bill in the upper house. Indeed, I was also thanking the members who spoke on it in this house.

There is another group of people I wanted to thank and they are the staff in the Attorney-General's office, Elliette Kirkbride in particular, who has just come in for the possibly not committee stage, and also Laira. They have done remarkable work on this bill and also on a suite of legislation that we have progressed—legislation that will enable us to better advance our shared commitment to ensure that children and young people have the best opportunity to live their lives free from horrific child sexual abuse—and also legislation that deals with perpetrators of that horrific abuse in the way that they should absolutely be dealt with. So I say thank you to Laira and to Elliette and to all in the Attorney-General's office and, indeed, department for their work in this space. With those words, I commend this bill to the house.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 and 2 passed.

Clause 3.

Mr TEAGUE: New section 10AA(2) includes the definition of 'child sexual material'. It is defined to mean child exploitation material within the relevant part of the CLCA. I just wonder why the definition is not picked up directly. Is there any reason for not just using the term 'child exploitation material' and keeping that consistent from one act to the next?

The Hon. K.A. HILDYARD: If I am understanding your question correctly, the short answer is that we want the definition here to align with the offence that the perpetrator is actually being charged with.

Mr TEAGUE: Yes, I take that as a given. I have a couple of questions that are perhaps both associated with clause 3. So child sexual material is defined to mean child exploitation material within the meaning of part 3. I think I am probably repeating myself, but why are the words in the penultimate line of subsection (1) that for the first time use the term 'child sexual material' not 'child exploitation material'? In other words, subsection (1) might read, words leading up to, and then, 'take into account the harm that people who deal with child exploitation material cause to children by contributing to the demand for the abuse of children' and that way, for what it is worth, there would appear to be then consistency across the two statutes.

The Hon. K.A. HILDYARD: Thank you, that is a really good question. We will certainly seek more information from parliamentary counsel about that particular word. We think that parliamentary counsel's intention may have been to explore a broader definition of material to be captured, particularly thinking about the offences relating to, for instance, childlike sex dolls. We think that is the intention, but if it is acceptable to the shadow minister I am certainly happy to check on that particular issue and to provide information to you about that particular word.

Mr TEAGUE: I am grateful for that indication. Perhaps there might be a clue to this in terms of the definition that precedes it, which is a newly defined child sexual material offence, which is defined to be an offence against those particular sections of the CLCA. If that is the case, and if it is about then using the consistent term for the purposes of what is going to be this new 10AA in the Bail Act, the question might be: is there a broader task? We have had a bit of a focus on language lately. If it is a better means of capturing the scope of offences, then I wonder whether the question might be put the other way round and the reform of the term 'child exploitation material' might be the one that is in the frame.

The Hon. K.A. HILDYARD: I take your point. As I said in answer to the second question that you asked, I do agree that it possibly is to make sure that we are capturing the broadest range of possible horrific exploitation material that is designed to exploit and abuse. But certainly we can investigate that particular matter.

Mr TEAGUE: Chair, I have now found myself using three questions on clause 3. I just indicate that the one further question that I have in relation to the bill perhaps relates most to clause 3.

The CHAIR: I am more than happy to be flexible.

The Hon. K.A. HILDYARD: That is fine. I think we want to try to work this—

The CHAIR: That is fine—within reasonable limits.

Mr TEAGUE: It is going to another topic, a broader topic, and it is just to give the government an opportunity to provide any indication, without going too far into debates that have occurred in another place.

It is well known and has been publicly canvassed that the Hon. Connie Bonaros in another place had proposed some definitions—again, a bit of overlap with the Child Sex Offenders Registration Act—for the purposes of defining child-related work and then the introduction of a particular provision, again to guide the court's more particular consideration of where someone who is bailed may or may not be able to work.

Again, with or without reference to the Attorney's response and to the opposition's attitude in the context of the Attorney's response, that all happened on 4 May in terms of the debate and in early May in terms of the subsequent public discourse. In case there is anything that the government might add at this point, in relation to what the Attorney described as wanting to do a body of work and having a look at how it operates across a number of acts and so on, then I would invite that.

The Hon. K.A. HILDYARD: I do not think there is anything new to add to what the Attorney spoke about in relation to this particular proposed amendment. However, I can certainly reiterate that, as everybody knows in this house and as everybody supports in this house, the safety of

children is of course absolutely a priority. As the Attorney said, we want to look at the subject matter of this particular amendment in a holistic way and take into account the three relevant acts in relation to this issue, those being the Child Sex Offenders Registration Act, the Bail Act and the Child Safety (Prohibited Persons) Act.

It is certainly my understanding of the intention of the Attorney that we will look at those issues in a holistic way so that we can come up with the best possible piece of work to continue to advance child safety as a priority but with an examination of the interaction on this issue with those three acts.

Clause passed.

Remaining clauses (4 to 12) and title passed.

Bill reported without amendment.

Third 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) (11:32): I move:

That this bill be now read a third time.

Bill read a third time and passed.

SUCCESSION BILL

Second Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (11:33): I move:

That this bill be now read a second time.

This is the Succession Bill and I am happy to move the second reading on behalf of the Deputy Premier. The bill represents some of the most extensive reforms to succession law in South Australia since the development of the Inheritance (Family Provision) Act in the 1970s. The process leading to the development of this bill started in 2011, when the then Attorney-General of South Australia the Hon. John Rau MP invited the South Australian Law Reform Institute to identify the areas of succession law that were most in need of review to conduct a review of each of these areas and to recommend reforms.

SALRI's advisory board identified several topics for review and established a succession law reference group to assist. The reports produced by SALRI between 2014 and December 2017 were 'Sureties' guarantees for letters of administration', 'State schemes for storing and locating wills', 'Administration of small deceased estates and resolution of minor succession law disputes', 'South Australian rules of intestacy', 'Management of the affairs of a missing person', 'Review of the Inheritance (Family Provision) Act 1972' and 'Who may inspect a will'.

I acknowledge the work of the former government, which introduced a version of this bill to parliament in late 2021. The current bill is largely the same as this previous iteration, updated to include the set of amendments filed by the previous government that dealt with some of the technical matters. I note that some further amendments to the bill were passed in the other place, largely as a result of the feedback provided by the Law Society, and the government also supported an amendment from SA-Best to include a clause to require a review of the Succession Act five years after commencement.

The bill enacts the recommendations from these seven SALRI reports that are legislative in nature and they have been accepted by the government. Most significantly, the bill repeals the Administration and Probate Act, the Wills Act and the Inheritance (Family Provision) Act and consolidates the provisions into one new substantive act. The bill also makes consequential and related amendments to the Aged and Infirm Persons' Property Act, the Guardianship and Administration Act, the Law of Property Act, the Public Trustee Act, the Supreme Court Act, and the Trustee Act.

Having one piece of legislation to deal with all aspects of succession law will greatly enhance the usability of the legislation, particularly for laypeople who may have to act as an executor or an administrator of an estate. For many people, the death of a family member will be the first time they ever need to deal with new legislation, and it is important to make it as easy to understand as possible.

It became apparent during the drafting of the bill that many of the terms used in the legislation were significantly outdated, including, of course, a reference to the reign of King Charles II in the definition of 'will' and sometimes referred to common law concepts that no longer exist or practices that fell out of use many decades earlier.

This bill modernises and updates the language used where possible to make the legislation simpler and easier to understand. The bill reorganises the provisions that have been consolidated from other legislation so that the bill is set out in a logical manner. Part 1 contains the preliminary provisions, such as the interpretation provisions; part 2 contains provisions related to wills; part 3 deals with administration and probate; part 4 deals with the administration of deceased estates; part 5 with intestacy; and part 6 with claims for family provision, followed by miscellaneous provisions in part 7.

I will flag at this point that there are two government amendments to this bill that have been filed and I will briefly outline the amendments here with a fuller explanation to come during the committee stage. The first amendment relates to the qualifications of the Registrar of Probates in clause 51. This amendment is for the requirement that the Registrar or Acting Registrar of Probates must have been a legal practitioner for at least five years in order to be appointed; however, for the appointment of a Deputy Registrar of Probates, that person must only be a legal practitioner.

The amendment has been made to ensure that the office of the registrar can continue to employ junior legal practitioners with less than five years' post-admission experience to process simple applications for probate, which requires them to be appointed as an associate deputy registrar.

The second government amendment makes amendments to the Stamp Duties Act to provide for two new exemptions from stamp duty as recommended by SALRI. Firstly, it will exempt surviving spouses from paying stamp duty where they elect to purchase their deceased spouse's interest in the family home, where the deceased has died intestate. The second exemption will be where there is a property distribution in accordance with a new distribution agreement provided for in clause 111 of the bill.

Part 1 of the bill contains the preliminary provisions. Some of the definitions in the definition section have been modernised or simplified where possible. For example, the definition of 'will' has been modernised and is based on the definitions used in interstate legislation. Part 2 contains provisions that formerly made up the Wills Act. There were very few recommendations from SALRI that dealt with the provisions of the Wills Act; therefore, the changes in this part of the bill are focused on modernising and simplifying language where that has been possible.

One of the SALRI recommendations that does come with this part of the bill is a new provision that gives certain classes of persons a right to inspect a will of a deceased person. The classes of persons include persons named in the will, beneficiaries, surviving spouses and domestic partners or former spouses and domestic partners, parents or guardians of the deceased, and persons eligible for a share of the estate under the rules of intestacy had the person died intestate. Persons with claims against the estate in law or equity can inspect the will but only with the permission of the Supreme Court, if they have a proper interest in the matter and it is appropriate for them to do so.

Part 3 of the bill contains provisions related to the granting of administration and probate and incorporates a small number of amendments arising from the SALRI recommendations. The court has been given the power to pass over applications for a grant of probate or administration, to appoint another person whom they consider to be appropriate and to vary or revoke a grant.

One of the other significant inclusions in part 3 of this bill are the provisions introducing a deemed grant model for the administration of small estates. This was a SALRI recommendation from

the report on the administration of small deceased estates. These provisions allow the Public Trustee to give notice to the Registrar of Probates that they intend to administer a small estate of the value of \$100,000 or less under the deemed grant provisions.

The Public Trustee will not have to apply for a formal grant of letters of administration and will instead be taken to have a deemed grant of administration. The Public Trustee will be required to gazette a notice that they are electing to administer an estate under the deemed grant provisions and also publish it on a website approved by the minister. This will make the process for the administration of small estates by the Public Trustee simpler and less costly, which is important for small estates so that the estate does not get unnecessarily reduced by fees and costs. It will also provide an alternative process for the Public Trustee to use rather than the Public Trustee administering small estates informally.

Part 4 of the bill deals with the process of administering deceased estates and contains a number of changes as recommended by SALRI. Some of the significant inclusions in part 4 give the court additional powers to hold executors and administrators to account in relation to the administration of estates. This includes new powers to require an executor or administrator to give an undertaking to the court as well as a wide range of powers to remedy loss if an executor or administrator fails to perform their duties. For example, the court may order the executor or administrator to pay into the estate an amount equivalent to the financial benefit obtained by the executor or administrator as a result of their failure.

The court may also order for the executor or administrator to compensate persons who have suffered loss or give any other order the court considers to be appropriate. These provisions provide an important mechanism to ensure the beneficiaries of estates can hold executors and administrators to account for failing to undertake their duties.

On SALRI's recommendation, the bill allows persons who hold small amounts of money or personal property of a deceased person to give it directly to the surviving close family of the deceased without needing a grant of probate or administration. This will apply to money or property up to the value of \$15,000. This is intended to allow banks, for example, to transfer the money in a bank account belonging to the deceased to the person's surviving spouse in a much faster time frame than if a grant of probate were required. This money can often be vital for the surviving spouse's immediate day-to-day living expenses, and therefore it is so important that it can be accessed as quickly as possible.

An addition to the bill that came from stakeholder feedback is the inclusion of a provision to codify the application of assets in the payment of debts and liabilities in solvent estates. There are existing provisions dealing with insolvent estates, but South Australia currently relies on the common law for solvent estates. Reliance upon the common law has meant that the rules are more complex to apply in South Australia, and a clear, codified formula will be beneficial for executors and administrators when dealing with deceased estates. Therefore, a provision has been included at clause 83 based on the provisions used in the Victorian legislation.

Part 5 of the bill contains provisions that deal with intestate estates, which are estates where the deceased person died without a valid will. SALRI made a number of recommendations in their report on the laws of intestacy. However, a significant number of those recommendations endorsed maintaining the status quo and therefore no legislative amendments were required to implement those recommendations. One of the changes that was recommended was an increase in the amount of preferential legacy received by the surviving spouse of the intestate. A preferential legacy is a payment that a surviving spouse receives from the deceased estate. It has been increased from \$100,000 to \$120,000.

Another change is that the distribution of intestacy has had one additional degree of relatives—the grandchildren of relatives of the fourth degree, being the children of the first cousins of the intestate—included in the distribution order before the estate passes to the Crown. This change has been undertaken, as there was a strong preference expressed to SALRI during their public consultation that people would prefer their estate to pass to a more distant relative, if there is one, rather than for it to go to the Crown.

There is also a catch-all provision where a person with a just or moral claim can apply to receive the estate if there are no relatives in the chain of distribution. Therefore, there is a mechanism to allow even a distant relative to receive the estate instead of it passing to the Crown. Where there are a number of relatives in the chain of distribution, the distribution of the estate is on a per capita basis in equal proportions to children and grandchildren of the intestate but, on a per stirpes basis, inheriting a portion through your parent in all other cases.

It has also been clarified that a spouse or domestic partner of an intestate has no entitlement to any part of an intestate's estate if they are a party to a prescribed agreement or order. The intention of these changes is to provide that spouses or domestic partners who have separated but not legally ended their relationship through divorce or removal from the Relationships Register and have finalised the financial matters between them are removed from the order of inheritance for intestate estates.

Part 6 of the bill deals with claims for family provision and contains the provisions formerly in the Inheritance (Family Provision) Act. In the feedback received by SALRI during the preparation of their report into family provision, it was generally agreed that claims under the family provision act are too easy to make and that not enough weight is placed on the wishes of the testator.

There are often unmeritorious claims made by beneficiaries who do not need the financial support, and currently there is very little disincentive to making a claim, as costs are borne by the estate. Therefore, in order to rebalance the wishes of the testator with the right of beneficiaries to make a claim where they have not been provided for, the categories of claimant who are automatically entitled to bring a claim under the family provision sections of the bill have been narrowed.

Former spouses and domestic partners are excluded from making a claim for family provision if they have been a party to a prescribed agreement or order similar to the exclusion from the order of inheritance of intestate estates. This is to prevent long-divorced former spouses from making claims from the estate years after the marriage ended and the financial matters were settled.

The position in relation to adult stepchildren has also been clarified. In order to be eligible to make a claim, adult stepchildren have to demonstrate that:

- they are disabled and significantly vulnerable by reason of their disability; or
- they were genuinely dependent on the deceased at the time of their death; or
- they cared for, or contributed to the maintenance of, the deceased immediately before their death; or
- they significantly contributed to the estate of the deceased; or
- assets accumulated by the stepchild's parents substantially contributed to the estate of the deceased person.

The last category of claims will ensure that adult stepchildren have a way to make a claim on their step-parents' estate where their own parent had left their assets to the spouse rather than directly provided for their children at the time of their own death. Additionally, stepchildren who are minors are entitled to make a claim if they satisfy the court that they were wholly or partly, or were legally entitled to be wholly or partly, maintained by the deceased immediately before their death.

Grandchildren of the deceased person will now have to satisfy the court either that the parent who was the direct relation to the deceased has died or that the grandchild was wholly or partly, or was legally entitled to be wholly or partly, maintained by the deceased before they will be able to make a claim.

Clause 116 now provides that when determining whether to make a family provision order the court's consideration is to be the wishes of the deceased person. The court may also order a party to proceedings to give security for costs that may be awarded against the party if it appears to the court that the party's claim for family provision may be without merit or the party is unwilling to negotiate a settlement of a claim for provision. This amendment is aimed at discouraging unmeritorious claims.

Part 7 of the bill contains the miscellaneous provisions. One significant addition in this part is the provision that will codify the rules that apply when there are simultaneous deaths, or deaths where it is unclear who died first, of spouses or domestic partners. Currently, South Australia relies on common law rules in this situation, which means that the rules in South Australia are different from other Australian jurisdictions. The new provision in clause 127 states that where there are simultaneous deaths any jointly owned property will devolve in equal shares to each person's estate as if they were tenants in common.

An additional provision in part 7 has been included to codify the presumption of survivorship. The provision in clause 126 provides that where two or more persons have died in circumstances where it is not possible to determine the order of death the deaths will, for all purposes affecting title to property other than jointly owned property, be taken to have occurred in order of seniority, with the eldest having died first.

The Succession Bill 2022 represents the culmination of a significant number of years of work from SALRI, the Attorney-General's Department and parliamentary counsel on these reforms. I also acknowledge the work of the former government and the former Attorney-General, the Hon. Vickie Chapman, who introduced a version of this bill herself.

The passage of the Succession Bill will give South Australia a modern, usable piece of legislation that will have benefits for the legal profession, the courts, the Public Trustee and the general public. I commend the bill to the house.

Mr TEAGUE (Heysen) (11:54): If I might pick up where the minister left off, I do not propose to reiterate what has now been rehearsed a number of times in terms of the outline of the contents of the bill. We have heard the Attorney address those matters in another place on 20 October last year and we now have those remarks on the *Hansard* record of this house.

I pick up where the minister left off in taking a moment to pay tribute to the former Attorney-General and former Deputy Premier, the Hon. Vickie Chapman, who, in concluding her remarks outlining the bill in the course of the second reading in the previous parliament, really put the scope and nature of the work in context in terms of her contribution to the parliament on 23 June 2021.

In paying tribute to her work, I draw on and repeat her remarks. She first indicated that she was 'particularly proud of the establishment of an appeal court in South Australia'—indeed, a signature achievement. She goes on to say:

...if I were to pick out one other very large body of work of reform it would be in relation to succession law. A massive amount of research has been undertaken. It is centuries of developed common law and statute that we are bringing together in a modern piece of legislation that we hope will serve the people of South Australia well into the future.

The Hon. Vickie Chapman then went on to say, and I think this provides some context to that work:

I would just like to particularly thank the many people across South Australia, particularly in our regional areas, who came forward either individually or through their legal representatives to present to SALRI [the South Australian Law Reform Institute] during their statewide survey and invitation to South Australians to make a submission on this. It was a massive amount of work and I am deeply indebted to them.

She concludes, 'I am very satisfied that the parliament will be well served in being able to consider these reforms,' commending the bill to the house, as she did at that time. I am pleased to say as lead speaker for the opposition, and indicating of course the opposition's wholehearted support for the passage of the bill, that I am particularly conscious that I now stand here in the Fifty-Fifth Parliament as shadow attorney-general. If in some small way I can carry on to see, to endorse and to commend the fruition of that work, I hope relatively soon in this parliament—I hope in the coming hours—then I will be glad to have made that contribution to this significant body of work.

In terms of the time this has taken, I take on board what the Attorney said when he was addressing this in the course of the second reading in another place: that there is no particular anxious rush to see this passed by the parliament. I do just observe that that was in October last year, and there is every reason at this point, I suggest, for there to be no delay in the passage of the bill.

There have been one or two particularly discrete amendments to that 2021 bill that was completed and introduced by the Hon. Vickie Chapman in 2021, and there is nothing controversial about those matters. There are another couple of amendments that are, I understand on advice, necessarily introduced by way of amendment in this place at this time because they are money clauses and they relate to the treatment for stamp duty purposes of beneficiaries in those discrete circumstances.

So I understand why we have some work to do in terms of the final shape of the bill in this place, and I think we can do that promptly. I have been grateful for the opportunity to have briefings about that from the Attorney-General's office along the way, and I reiterate that there is wholehearted desire on this side to see the bill finally pass the parliament and to do so soon. I will provide a little bit of context about what the bill will be doing, because here we are again, and perhaps just make some remarks particularly about part 6.

We know that it has been a long time coming and that the result of the passage of this new bill will be to repeal and replace the Administration and Probate Act 1919, the Wills Act 1936 and the Inheritance (Family Provision) Act 1972 and consolidate all of those into this single act. It is also going to be making amendments to the Stamp Duties Act 1923 as the result of the amendments proposed to be introduced in this house; we will get to those in committee.

It might be acknowledged, by the way, that this work commenced as early as 2011 under the then Attorney, John Rau, and really very substantially has been driven by seven reports of the South Australian Law Reform Institute. Those have been the subject of reports, particularly between 2014 and 2017. The bulk of them were in 2016 and 2017, but they started with the sureties' guarantees report in 2013; the small deceased estates and minor succession law disputes report, 2016; who may inspect a will, 2017; missing persons, 2017; will register, 2016; intestacy, 2017; and family inheritance, 2017. We know that in all there are 113 recommendations.

The former Labor government, the Weatherill government, in 2014 adopted one of those, so the work was underway. Of the remaining 112 recommendations, the 2021 bill, as it was presented to the last parliament by the Hon. Vickie Chapman, saw 104 recommendations adopted in whole or in part. That is the context. It has been a long time coming. Important thanks needs to be made and recognised to SALRI as well as of course, as I have said, to the Hon. Vickie Chapman in her capacity as the Attorney in bringing all this together.

The bill addresses substantially in part 2, Wills; part 3, Probate and administration; part 4, Administration of deceased estates; part 5, Intestacy; part 6, Family provision; and a number of miscellaneous matters in part 7, all of which have been rehearsed now over the course of the debate both here and in another place. I particularly commend those who have followed the progress of the debate, as I have indicated earlier, to the second reading contribution of the Hon. Vickie Chapman on 23 June 2021.

I said that I would make some particular remarks about part 6. I want to do that because it also serves to illustrate some of the territory that was covered by SALRI and the range of matters and consideration that need to be taken on when seeking to consolidate a whole body of legislation and to look at where really does the balance fall in terms of the administration of deceased estates, what is the proper level of control of the testator, as opposed to reasonable expectations of those who might expect to be beneficiaries and so forth.

The minister has made reference to the fact that, as the result of this work, there has been a tightening of the categories of those who may be automatically entitled to bring a claim under the family provision sections. I want to make particular reference to clause 116(2)(a), which makes clear the overriding and primary concern of the court, and perhaps I will take a moment to emphasise it:

- (2) In determining whether to make a family provision order—
 - (a) the wishes of the deceased person is the primary consideration of the Court.

I draw particular attention to that because it is a topic of current consideration, both the categories and the nature and priority of the court's consideration of the wishes of the testator. Clause 116(2) makes clear that the primary consideration of the court is the wishes of the testator.

Again, just to give some context about that, when SALRI were embarking upon their consideration of this in 2017 they considered a whole range of ways of dealing with those circumstances of what is occurring in the lead-up to death, what is to be found in terms of provision in the will and then the rights that might follow for family provision, notwithstanding a will.

One area of exploration highlights really where it came in to land in terms of the priority that is set out now in the bill at clause 116(2)(a) about the primary consideration being the wishes of the deceased person. SALRI considered and ultimately rejected the adoption of what we find in New South Wales, for example, that is, provisions that provide for a clawback regime, equivalent or consistent with what happens in an insolvency, where a testator shortly prior to their death makes certain dispositions. If that all happens close to death, the question is: should it somehow be regarded as part of the notional estate, the so-called notional estate provisions and clawback provisions?

SALRI, in embarking on its inquiry in that regard, made the observation that in most jurisdictions, including in South Australia, if a person gives away or otherwise disposes of their property prior to death then the Inheritance (Family Provision) regime has no role to play. The observation is made that in New South Wales a regime has been adopted that allows the court to treat that property that has been disposed of prior to death—not necessarily needing to characterise the purpose, but with the effect of avoiding family provision claims—as part of the person's estate when they died.

The consideration at that point went on to observe that the National Committee for Uniform Succession Laws had recommended that provisions be implemented based on these New South Wales laws to ensure that the primary object of the family provision laws could not be, as it was perceived, frustrated by people disposing of all their property immediately prior to death, but there was significant controversy about that.

The Victorian Law Reform Commission, in particular, had mixed views about the way in which people should be permitted to deal with their property while they are still alive. SALRI makes the observation that in its review of the Victorian provisions the commission noted that there were many reasons why someone might be dealing with their property in a certain way during their lifetime—and they might include tax considerations and provision for family members while they are alive—and that there was not sufficient evidence that dealing with assets during a lifetime was so overwhelmingly geared towards depriving family and others who might otherwise be eligible for provision within the Inheritance (Family Provision) regime.

SALRI was interested to explore that matter in the course of their work, particularly in the 2017 process. It ultimately came to the conclusion that perhaps the considerations of the Victorian Law Reform Commission, but otherwise in terms of the balance of matters of principle, were weighed in favour of the principle that is really there expressed at clause 116(2)(a). That principle is that in the course of a person's life, their decisions about the disposition of the estate ought to be their own decisions and ought not to be subject to clawback via any form of what has been termed 'notional estate provisions'. We see indeed that really emphasised in terms of clause 116(2)(a).

I highlight that particular aspect of the consideration for the purpose of identifying in some small way the significant range and scope of subject matter that SALRI navigated over the course of many years of its very significant contribution to what has ultimately been presented in terms of the 2021 bill that we now see complete and close to its passage through the parliament.

There will continue to be all kinds of competing private and public policy considerations that will play in terms of this area of law. I am glad to see that it has been possible to consolidate the law from a series of discrete and, in many cases, longstanding statutes, as well as aspects of the common law going back hundreds of years, as the Hon. Vickie Chapman observed, into a new and consolidated piece of legislation.

It would be a regret of mine to miss the opportunity otherwise to express my own thanks and recognition of those leaders of SALRI and those who were particularly involved in the work in the lead-up to this bill, not because they worked alongside me—I had very little involvement, if any, in the work leading up to the introduction of the bill in the last parliament—but I have certainly worked with SALRI and with those involved in the time before and during and very much since that time in mid-2021, and so I, too, particularly acknowledge the contributions of Professor John Williams;

Dr David Plater; Dr Sylvia Villios; Louise Scarman; and also the Hon. Tom Gray KC, former Justice of the Supreme Court; Ms Dianne Gray; and, as I understand it, the law reform class at the University of Adelaide.

As the Hon. Vickie Chapman did, I also take the opportunity to note the valuable contribution of Helen Wighton, the founding deputy director of SALRI. As the Hon. Vickie Chapman observed in her contribution in 2021, Helen is acknowledged as having started the work on this important reference at SALRI but, sadly, passed away in 2014.

With those words, I again indicate the opposition's wholehearted support for the bill and for its passage finally through this parliament, contributed to as it has been by so many over such an extended period of time. It is my sincere wish that the new act will serve South Australians long into the future. I commend the bill to the house.

Ms HOOD (Adelaide) (12:20): I rise to speak in support of the Succession Bill. It is one of the many necessary tasks in life to ensure our affairs are in order before we depart this earth. I also acknowledge, though, that life can become complicated, relationships can be complex, family units now come in all shapes and sizes and that sometimes people just do not get around to the task of organising where their estate will go when they leave this life. Thus it is vitally important that we have strong succession laws in place to govern the execution of wills, inheritance and other important matters.

This bill represents some of the most extensive reform to succession law in South Australia since the Inheritance (Family Provision) Act in the 1970s and is a result of the SALRI review first undertaken by previous Attorney-General John Rau in 2011. The bill enacts the recommendations from the seven resulting SALRI reports that are legislative in nature and have been accepted by the government.

This bill repeals the Administration and Probate Act, the Wills Act, and the Inheritance (Family Provision) Act 1972 and consolidates the provisions from those acts into a single act. It also includes many modernisations and updates needed to language to address outdated references, and it also updates legislation to reflect modern society, such as that people would prefer inheritance to be kept in the family before going to the Crown.

Part 2 of the bill contains the provisions that formerly made up the Wills Act, with the changes in this part of the bill focused mainly on modernising and simplifying the language where that has been possible. One of the SALRI recommendations that has come within this part of the bill is a new provision that gives certain classes of persons the right to inspect a will of a deceased person.

The classes of persons include persons named in the will, beneficiaries, surviving spouses and domestic partners or former spouses and domestic partners, parents or guardians of the deceased and persons eligible to a share of the estate under the rules of intestacy had the person died intestate. Persons with claims against the estate in law or equity can also inspect the will, but only with the permission of the Supreme Court if they have a proper interest in the matter and it is appropriate for them to do so.

Part 4 of the bill deals with the administration of deceased estates and contains a number of changes recommended in the SALRI reports. Some of the significant inclusions in part 4 are provisions that allow the court to require an executor or administrator to give an undertaking to the court related to how the estate is to be administered or in relation to other related matters.

The court has also been given a wide range of powers to remedy loss if an executor or administrator fails to perform their duties. The court may order the executor or administrator to pay into the estate an amount equivalent to the financial benefit obtained by the executor or administrator as a result of their failure and order for the executor or administrator to compensate persons who have suffered a loss or any other order the court considers to be appropriate.

The ability of the court to impose these types of orders is important, as the criminal offences related to the duties of executors and administrators have been removed from the legislation as a result of another SALRI recommendation.

Part 5 of the bill includes provisions that deal with a situation where the deceased has died without a valid will. This has been the subject of a number of recommendations from SALRI, with one of the main changes being in regard to the amount of the preferential legacy a surviving spouse is entitled to under the rules of intestacy, with the bill increasing this by \$20,000 to \$120,000.

Another main change is that the distribution on intestacy has had one additional degree of relatives included in the distribution order before the estate passes to the Crown, that being the grandchildren of relatives of the fourth degree, being the children of the first cousins of the intestate. This change has been undertaken as there was a strong preference expressed to SALRI during their public consultation that people would prefer their estate to pass to a more distant relative, if there is one, rather than go to the Crown.

Part 5 of the bill contains the miscellaneous provisions with one significant addition being the provision that will codify the rules governing the situation where there are simultaneous deaths of spouses or domestic partners. Currently, South Australia relies on common law rules in this situation, which means that the rules in South Australia are different from other Australian jurisdictions. The new provision states that where there are simultaneous deaths any jointly owned property will devolve in equal share to each person's estate as if they were tenants in common.

An additional provision in part 7 has been included to codify the presumption of survivorship. This provision provides that where two or more persons have died in circumstances where it is not possible to determine the order of deaths, the deaths will, for all purposes affecting title to property, be taken to have occurred in the order of seniority, with the eldest having died first.

I would like to acknowledge the enormous amount of work that has occurred to undertake significant reform and enact the recommendations of SALRI through this bill. I commend the bill to the house.

Mr WHETSTONE (Chaffey) (12:26): I would like to make a contribution to the Succession Bill for a couple of reasons. Obviously, it is an important amendment and also an important body of work that has been undertaken by a number of politicians, particularly the Hon. Vickie Chapman, the former Deputy Premier and first female Attorney-General of this state. The body of work and the tireless effort that she put into this bill came through her own experience and her passion to cumulate a serious body of work.

The bill also came about after eight years of work and research by the South Australian Law Reform Institute. I must commend all the members of the Law Reform Institute for their great work and their commitment to making sure that, as legislators, we are given all the detail needed to modernise this reform work. SALRI produced seven reports between 2013 and 2017 and made 113 recommendations.

Prior to 2014, the former Labor government adopted only one of the recommendations and, through this bill, the former Liberal government, led by the Hon. Vickie Chapman, adopted 104 recommendations in whole or in part. This body of work fell by the wayside and now we have it before the parliament. It is great to see some of the most extensive reform to the succession law in South Australia since the development of the Inheritance (Family Provision) Act in the 1970s.

It also consolidates South Australia's previous three succession laws into one act, setting out provisions in a logical and coherent manner, those previous laws being the Administration and Probate Act 1919, the Wills Act 1936 and the Inheritance (Family Provision) Act 1972. The bill will reshape the way succession laws work in South Australia, placing more weight on the wishes of the testators but still allowing eligible people to make claims where they have a genuine need to do so.

The definitions have been modified, simplified and are more consistent with the definitions of our interstate counterparts. The legislation will hopefully stand the test of time and reduce the complexity that many testators have encountered over many years. I can attest to that myself, having fallen to the complexities of being part of a will. Whether contested or not, it is always quite complex and it has always needed to be modernised.

When the former Liberal government introduced the bill, the deliberate intention was to ensure that the testator's wishes are the court's primary consideration in family provisions and claims.

The threshold has been raised for such claims to reduce the number of trivial and speculative claims that currently bog down our court system.

The reform modernises succession law so that we no longer rely on outdated common law principles. The current provisions include outdated terms and common law principles that have not been used for decades. We are committed to keeping these laws current and relevant, reflecting the changing composition of South Australian families. Uniting current common law principles under one act will make handling deceased estates simpler for executors and administrators.

SALRI's extensive community consultation found that insufficient weight had been given to testators' wishes. To date, it has been far too easy for people to contest a will by making family provision claims. The cost of contesting a will is usually carried by the estate, meaning that there are not many disincentives for contesting a particular will. Placing more weight on a testator's wishes and narrowing the group of eligible persons will reduce the number of improper and opportunistic claims that bog down the court system. However, the court still retains the power to intervene when a will is unfair and a family member has not been adequately provided for. I think this modernised bill will go a long way.

Again, I want to pay tribute to the former Attorney for her great body of work and her dedication to modernising the Succession Bill. I think it is pertinent to mention that my contribution today is based on the great work and dedication of the former Attorney. This huge body of work that was undertaken to get us where we are today is a testament to the dedicated legislators we have here in South Australia. The former Attorney was an absolute anchor point in making sure that this modernised legislation has come to this place. I look forward to a steady pathway forward for the Succession Bill.

Mr BROWN (Florey) (12:32): I am pleased to speak today on the Succession Bill, representing as it does some of the most extensive reforms to succession law in South Australia since the development of the Inheritance (Family Provision) Act in the 1970s. I would like to begin by thanking the Attorney-General's office for their assistance and their provision of advice on this bill.

As we have already heard, the process leading to the development of this bill started in 2011, when the then Attorney-General the Hon. John Rau invited the South Australian Law Reform Institute to identify areas of succession law that were most in need of review, to conduct a review of each of these areas and to recommend reforms. SALRI's advisory board identified seven topics for review and established a succession law reference group to assist.

The reports produced by SALRI between 2014 and December 2017 contain a number of important recommendations that are worth considering in detail. While the reports are meritorious and informative, I do not intend to discuss in detail those reports that deal with surety guarantees for letters of administration and the proposed system for the state storage of wills. However, the report on small estates and minor succession disputes recommended:

1. That the deemed grant model be introduced and implemented in South Australia.
2. That features of the deemed grant model, as identified and recommended by the Victorian Law Reform Commission, be implemented subject to the following refinements:
 - (a) a threshold dollar value of estates that may be administered under the scheme to estates with a gross asset value of \$100,000 indexed to reflect changes in the consumer price index;
 - (b) inserting a second safety net value expressed as a percentage of the threshold figure above which administrators would need to apply for a full grant to accommodate any underestimation of the value of the estate at the time of filing;
 - (c) adding a requirement to file the will, if there is one, which would alert the probate office to the expedited grant, with legislative clarification needed to ensure that the probate office would not be required to review any wills submitted as part of an expedited process;
 - (d) replacing the requirement to advertise in a newspaper with a requirement to advertise on the court's website, thereby creating a searchable record;

- (e) it should specifically discharge from liability third parties who deal in good faith with the administrator; and
- (f) it should require the administrator to keep accounts of the administration for a set period to be available for inspection by anyone with an interest in the distribution of the estate or otherwise by order of the Supreme Court.

3. In any event, the institute does not recommend the simplified procedures without a grant for lay administrators referred to in the issues paper, i.e. summary administration by collection affidavit, court-approved summary administration, verified summary administration or summary administration by declaration.

4. The Supreme Court retains its existing exclusive role in the administration of small estates.

5. The amendment of subsections (71) and (72) of the Administration and Probate Act 1919 (also known as the A&P Act) on the lines of the model provision in relation to protecting certain payments by third parties with an appropriate CPI adjusted monetary limit to allow payments of greater amounts in a wider range of circumstances to a wider range of survivors and with less formality. The institute considers that a maximum amount of \$25,000 annually adjusted for CPI seems a reasonable monetary limit.

6. Provision for expedited dealings with land belonging to a deceased person based on the Queensland model, which is the Land Title Act 1994, not be introduced in South Australia.

7. There is a need for reform in some categories of a succession law dispute in which the estate is considered small. Those categories include claims for further provision pursuant to the Inheritance (Family Provision) Act 1972 and the validity and construction of wills.

8. All succession law disputes should at this stage continue to be determined by the Supreme Court, not only because of the court's jurisdiction in relation to probate matters conferred by statute but also as a result of the particular knowledge and expertise of Supreme Court judges, masters and court staff in such a specialised area as succession law and practice.

I seek leave to continue my remarks.

Leave granted; debate adjourned.

STATUTES AMENDMENT (SERIOUS VEHICLE AND VESSEL OFFENCES) BILL

Second Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (12:37): I move:

That this bill be now read a second time.

I rise to introduce the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill 2022. This bill fulfils a commitment made by the government in the wake of the tragic death of Sophia Naismith in 2019, which highlighted a clear deficiency in the law of South Australia in relation to driving offences. Sophia Naismith lost her life at the age of 15 when she was hit by a high-powered sports car. She died at the scene of the crash.

The Naismith family were left devastated by the loss of Sophia and have been understandably frustrated and disheartened at the lack of serious penalties available to address the gravity of the crime that took Sophia's life. The court found that the maximum penalty available when sentencing the driver was only 12 months' imprisonment and a maximum of six months' licence disqualification for aggravated driving without due care.

Sophia's family—her parents, Pia and Luke, her sisters and the rest of her relatives—have borne a loss that is simply unimaginable. Today, I acknowledge Pia's presence here in the chamber and I acknowledge Luke, who is unable to be here today. I wish to express my admiration for their grace in the face of every parent's worst nightmare. It is a loss borne by too many families in South Australia and we as a government must do what we can to prevent another family going through the same tragedy.

The need for legislative change has been echoed by voices across our community. The Commissioner for Victims' Rights has strongly advocated for changes in line with community expectations on behalf of the many families who have endured similar tragedies and whose loss has been exacerbated by the inadequacy of the available penalties. Current laws do not sufficiently cater for the range of circumstances that can lead to the loss of life caused by driving. In August 2022, in response to the clear need for reform the Premier, the Hon. Peter Malinauskas, announced that our government would:

1. Make changes to the Criminal Law Consolidation Act 1935 concerning a new offence or other amendments to address driving-related deaths;
2. Strengthen laws banning drivers accused of killing a person from holding a licence until their case is resolved;
3. Ban the disabling of traction control in high-powered vehicles; and
4. Introduce a new licensing scheme for motorists who want to drive elite, high-powered super sports cars.

The government has heard the pleas of Sophia's family and those of other families devastated in similar circumstances. We have heard those pleas and commend the families for their bravery and advocacy in championing changes to the law to see that justice is done. This bill implements the government's commitment by:

- creating a new indictable offence of causing death or serious harm by careless use of a vehicle or vessel in the Criminal Law Consolidation Act 1935 to bridge the gap between maximum penalties for existing driving offences;
- empowering police to immediately suspend or disqualify a person from driving if they are charged with or reasonably believed to have committed the new offence or other serious driving offences and closing a loophole in the operation of the scheme; and
- creating a new offence in the Road Traffic Act 1961, prohibiting the driver of an ultra high-powered vehicle from disabling automated intervention systems, which implements the government's commitment to ban the disabling of traction control in high-powered vehicles.

The government's commitment to introduce a new licensing scheme for elite, high-powered super sports cars is also being carried through but is being progressed separately from this bill, as it involves changes to regulations. This package of reform was developed with the support of a cross-government working group and, in relation to the licensing scheme, in consultation with industry stakeholders.

I turn now to the details of this bill. This bill inserts a new mid-tier offence of causing death or serious harm by careless use of a vehicle or vessel at section 19ABA of the Criminal Law Consolidation Act 1935. The introduction of this new offence will allow for a more appropriate penalty range for serious driving conduct leading to the death or serious harm of another where the conduct has not met the higher threshold of dangerous driving.

Currently, the offence of dangerous driving causing death or serious harm in section 19A of the Criminal Law Consolidation Act carries a maximum penalty of 15 years' imprisonment for a basic offence or life imprisonment for an aggravated or subsequent offence, in addition to a licence disqualification for at least 10 years.

However, when the threshold for dangerous driving is not met, a driver will generally face the charge of aggravated driving without due care causing death in section 45 of the Road Traffic Act 1961, which has a maximum imprisonment penalty of only 12 months and licence disqualification of at least six months. The difference between these two offences is significant and can result in disproportionate sentences for serious offending.

The new mid-tier offence introduced by the bill effectively raises the penalty for driving without due care, where a person dies or is seriously harmed, from 12 months' imprisonment to five years' imprisonment for a basic offence and seven years' imprisonment for an aggravated

offence. Similarly, the maximum licence disqualification period is also raised from six months to one year for a basic offence and three years for an aggravated offence. Separate penalties are also provided for when a person commits the new offence using a vehicle other than a motor vehicle. This would cover, for example, riding a bicycle and is consistent with the structure of penalties in other serious driving offences in the Criminal Law Consolidation Act.

To ensure these changes fit within the scheme of existing driving offences, the bill amends section 45 of the Road Traffic Act so that aggravating factors of causing death or serious harm are removed, and the aggravating factor of 'causing harm' is inserted. This ensures there are appropriate penalties for the spectrum of consequences where harm is caused by driving. The aggravating factors for new offences cover circumstances which capture what is considered the most serious 'driving without due care' behaviour. Aggravating factors include where the offender committed the offence:

- knowing they were disqualified from holding or obtaining a driver's licence;
- with a prescribed blood alcohol level of .08 grams or more;
- driving under the influence of alcohol or drugs;
- driving or using a motor vehicle knowing it had a material defect and that material defect contributed to the commission of the offence; and
- driving in contravention of section 44C of the Road Traffic Act 1961.

Material defects are those which affect the safe operation of the vehicle. They could manifest in a number of ways—for example, by neglected tyre and vehicle maintenance. The aggravating factor of driving in contravention of section 44C of the Road Traffic Act refers to a new offence, introduced by this bill at clause 13, which prohibits the driving of an ultra high-powered vehicle where an automated intervention system has been disabled.

'Ultra high-powered vehicle' is to be defined by regulation to mean a motor vehicle with a gross vehicle mass of 4.5 tonnes or less and a power-to-weight ratio of 276 kilowatts per tonne or greater. In light of developments in motor vehicle technology, particularly in relation to electric vehicles, the definition may be subject to change in the future. The offence does not cover buses, motorbikes and motor trikes but captures the most powerful vehicles, such as Bugattis, Ferraris and Lamborghinis.

The inclusion of this offence as an aggravating factor for the new mid-tier offence will capture, amongst other conduct, a driver of an ultra high-powered vehicle driving in sports mode who causes death or serious harm. Putting an ultra high-powered vehicle in sports mode or other similar mode makes the car more responsive and sensitive to input and makes the engine more powerful and more aggressive. It is not, under any circumstances, a mode that should be used in a built-up area, and we have seen the tragic consequences of those decisions.

As a standalone offence, driving an ultra high-powered vehicle with a disabled automated intervention system carries a maximum penalty of \$5,000. The disabling of automated intervention systems typically occurs when a driver changes the vehicle's mode to a more agile mode, such as a sports mode or other racing-type mode. This is distinguished from simpler, non-intervening warning systems, such as reversing warnings or lane drift warnings.

The bill also appropriately provides for a defence where the person did not disable the system and did not know and could not be expected to know it was disabled. It is also a defence if it was impracticable to drive with the automated intervention system enabled, as there are some circumstances where such systems should legitimately be turned off, like when a vehicle is bogged or being driven on loose surfaces.

Turning now to other amendments in the bill, clause 9 amends section 19B of the Criminal Law Consolidation Act 1935 to provide for appropriate alternative verdict provisions for the new mid-tier offence. Clauses 4, 10 and 15 of the bill include amendments consequential to the creation of the mid-tier offence. These changes are to ensure consistency of penalties across other relevant offences, namely, 'extreme speed' in the Criminal Law Consolidation Act 1935, 'excessive speed' in the Road Traffic Act and 'careless operation of a vessel' in the Harbors and Navigation Act 1993.

In summary, the bill removes the aggravating factor of 'causing death or serious harm' from these offences and inserts 'causing harm' as a new aggravating factor. For those offences, conduct causing death or serious harm will be captured by the new mid-tier offence, which carries the appropriate higher maximum penalties.

To implement the government's commitment to strengthen laws banning drivers accused of killing a person, clauses 7 and 8 of the bill amend the immediate licence disqualification or suspension provisions in the CLC Act to extend the circumstances in which police can issue on-the-spot licence suspensions or disqualifications. Currently, police can only issue an on-the-spot licence suspension or disqualification for the offence of extreme speed or for dangerous driving where the offence has resulted in death. Broadening circumstances, as proposed, will ensure greater safety to our community. The changes also close a current loophole which may technically allow a person to lawfully drive between the period in which one notice ends and a new notice is issued.

As I mentioned earlier, the government's commitment to introduce a new licensing scheme for elite, high-powered super sports cars is also being carried through but is being progressed separately from this bill so as to involve changes to regulation.

Clause 11 of the bill amends the Motor Vehicles Act to support the introduction of a licence class through regulations. This amendment will ensure that a new class of licence for ultra high-powered vehicles, when ready, can be implemented effectively.

With these reforms, drivers will think twice when driving on South Australian roads, and they will think twice before needlessly endangering other road users. Families will never have to go through the pain of losing a loved one on our roads. They will never know that they are the beneficiary of these reforms. Every life that these reforms save will justify this bill 100 times over. I commend the bill to the chamber, and I commend the advocacy of Sophia's family. I 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 *Criminal Law Consolidation Act 1935*

3—Amendment of section 5AA—Aggravated offences

This clause inserts aggravating circumstances for the proposed new offence of causing death or serious harm by careless use of a vehicle or vessel and makes related amendments.

4—Amendment of section 19A—Causing death or harm by use of vehicle or vessel

This clause amends the heading of section 19A to distinguish that offence from the proposed new offence.

5—Amendment of section 19AB—Leaving accident scene etc after causing death or harm by careless use of vehicle or vessel

This clause changes some of the wording in section 19AB to better reflect the other 'without due care' offences (new 19ABA and section 45 of the *Road Traffic Act 1961*).

6—Insertion of section 19ABA

This clause inserts a new offence as follows:

19ABA—Causing death or serious harm by careless use of vehicle or vessel

A person who drives a vehicle or operates a vessel without due care or attention or without reasonable consideration for any person and thereby causes the death of, or serious harm to, another is guilty of an offence under this provision. The penalty for a basic offence involving a motor vehicle or motor vessel is imprisonment for 5 years and, if the offence involved a motor vehicle, disqualification from holding or obtaining a driver's licence for at least 1 year. The penalty for an aggravated offence involving a motor vehicle or motor vessel is imprisonment for 7 years and, if the offence involved the use of a motor vehicle, disqualification from holding or obtaining a driver's licence for at least 3 years. The penalty for an offence not

involving a motor vehicle or motor vessel is 3 years imprisonment if the offence causes death and 2 years imprisonment if the offence causes serious harm. A defence to an offence against the section is provided for emergency workers (mirroring the defence in the current section 19A).

7—Amendment of section 19AE—Commissioner of Police to impose immediate licence disqualification or suspension following certain charges against section 19A(1)

This clause amends section 19AE to extend the application of the section to all offences against sections 19A, 19AB and 19ABA where a motor vehicle was used in the offence and the offence resulted in the death of, or serious harm to, a person.

8—Amendment of section 19AF—Power of police to impose immediate licence disqualification or suspension where offence against section 19A(1) or 19ADA(1)

This clause amends section 19AF to extend the application of the section to the offences in section 19A(3) and section 19AB.

9—Amendment of section 19B—Alternative verdicts

This clause amends the alternative verdicts provision to extend the application of the section to the offences in section 19ABA.

Part 3—Amendment of *Harbors and Navigation Act 1993*

10—Amendment of section 69—Careless operation of a vessel

This clause amends section 69 to replace the reference to causing death or serious harm in the provision setting out circumstances of aggravation to a reference to causing 'harm'.

Part 4—Amendment of *Motor Vehicles Act 1959*

11—Amendment of section 145—Regulations and fee notices

This clause clarifies that regulations made under section 145(1)(gc) or (gd) may require a person who holds a particular class of licence to obtain a different class of licence in order to drive a class of motor vehicle that they had previously been authorised to drive.

Part 5—Amendment of *Road Traffic Act 1961*

12—Amendment of heading to Part 3 Division 4

This clause makes a minor consequential change to a heading.

13—Insertion of section 44C

This clause inserts a new section as follows:

44C—Driving ultra high powered vehicle with disabled automated intervention system

It is an offence for a person to drive an ultra high powered vehicle on a road if an automated intervention system of the vehicle is disabled. The penalty for the offence is a fine of \$5,000. Certain defences are specified.

14—Amendment of section 45—Careless driving

This clause amends section 45 to replace the reference to causing death or serious harm in the provision setting out circumstances of aggravation to a reference to causing 'harm'. This clause also provides for an exception to the mandatory imposition of a licence disqualification in aggravating circumstances if the circumstances were such that the offence caused harm to a person that was not serious harm.

15—Amendment of section 45A—Excessive speed

This clause amends section 45A to replace the reference to causing death or serious harm in the provision setting out circumstances of aggravation to a reference to causing 'harm'.

16—Amendment of section 116—Meaning of breach of light vehicle standards or maintenance requirement

This clause provides that it will be a breach of light vehicle standards or maintenance requirements if a light vehicle that is an ultra high powered vehicle is driven on a road and a mechanical fault or system error has resulted in an automated intervention system of the vehicle being disabled.

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (12:50): I rise to make some brief remarks on the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill which the minister has just made a contribution towards. I want to begin by saying that I do not stand here today as the Leader of the Opposition. I do not even stand here as the local member of parliament representing Pia, Luke, Saskia and Ursula, but I stand here as someone who knows the family and

has done for many years, and I stand here as someone whose heart breaks for what they have endured over the past few years since that awful night in 2019.

It is an honour to lead this party and be able to stand here today with the highest degree of bipartisan support provided from the Liberal Party to the government in seeking the efficient and as rapid as possible passage of these laws. I thank the minister and I thank the government for working alongside the community, in particular Pia and Luke and their family and friends, as they have undergone a process of working out what laws needed to be improved, what penalties needed to be strengthened to provide an appropriate level of discouragement and disincentive to do what occurred back in 2019 which resulted in such devastating consequences.

The suite of laws before us today have been worked on very carefully by the government, by people who understand how these laws should be formulated, but more importantly they have the passion and the emotion of her family affected in the most horrendous way injected into them. I think the passage of these laws will create a situation where perhaps Sophia's passing is not in vain. I think that term 'not in vain', when we talk about people who have left us, is used quite loosely sometimes, because there is so much pain, there is so much heartache, there is a legacy of so many unanswered questions, so many unfulfilled dreams. To say 'Well, we hope it's not in vain because we have passed these laws' might be cold comfort, but I do mean that.

I hope, Pia and Luke, that you and your family feel that you have been part of something here that can make it that bit more difficult for this to happen in the future so that other people do not endure the pain you have endured. I do not want to go into the details—the minister has done that very effectively in terms of outlining the range of law reforms on the table today—apart from to say very clearly, very wholeheartedly, that the opposition stands with the government, standing with you, as we seek to improve South Australia's laws in regard to this area and as we seek to honour Sophia's memory.

The Hon. V.A. TARZIA (Hartley) (12:54): I also rise to support the bill. My thoughts and prayers do go out to the Naismith family. Can I also say that we will do everything possible to make sure that we can continue to pass laws like these here to make sure that these types of incidents are never able to happen again. In government, we certainly worked hard in the past. We continue to work with the government if they present a good idea on things like laws to stop excessive speed, extreme speed, strengthening impounding laws and strengthening laws around drug driving as well, to make sure that we punish people who do horrible things on our roads.

As we speak, even this year we see that SA has had the worst road toll in over two decades. At the rate we are going, we are set to surpass last year's total road toll around the middle of the year. We all have a duty to do more because we know that road safety is everybody's responsibility—government, opposition, every single person on the road. This bill specifically addresses and aims to rectify a number of the shortfalls in some of these measures, but we do need to punish those who do the wrong thing.

We have seen a deeply tragic incident from 2019 that we have spoken about today. This bill aims to strengthen the punitive thresholds available for dangerous driving by amending the Criminal Law Consolidation Act and also amending the Motor Vehicles Act to enable the eventual introduction of new laws that seek to tighten licensing around high-powered vehicles.

Subsequent to this bill's second reading, I believe that there have also been some amendments, with some input from bodies like the Law Society. I thank the government for taking those on as well. I will talk about a couple of the bill's clauses, particularly clause 13, which amends section 45 of the Road Traffic Act to remove the aggregating factor of 'careless driving causing serious harm or death' and insert a new aggregating factor of 'careless driving causing harm', resulting in an alternative measure of mandatory licence disqualification.

An amendment has also been made to address concerns raised that the new offence prohibiting the driving of an ultra high-powered vehicle where automated systems have been disabled may inappropriately capture situations where these systems have been disabled through mechanical fault or system error, as opposed to deliberately. Obviously, we are going after people who deliberately do the wrong thing.

Road safety is paramount in bills like this. We know that driving is a privilege, but safety is a right. We have a duty to protect not only those in these vehicles but also those on the other side of the road: passengers, cyclists, people who use our footpaths and our roads. Our laws need to uphold and enforce this safety on our roads. Updating and also modifying these laws where appropriate is extremely important; it is something we certainly take very, very seriously.

It is my view, and also the view of the opposition, that what we have seen here certainly justifies a very substantial and clear need for reforming our laws. That is why we are here supporting the government and will continue to do so in a bipartisan manner for any sensible reform in this area. With those few words, I commend the bill to the house.

Ms CLANCY (Elder) (12:58): I rise today in support of the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill 2022. This bill delivers another commitment our government made to the family of Sophia Naismith and the broader South Australian community in the wake of Sophia's tragic death. In 2019, Sophia and her friend Jordyn were walking along the footpath on Morphett Road, Glengowrie, near a popular local Chinese restaurant that I am sure a number of locals have gone to—I have—when they were hit by a high-powered sports car. Sophia was killed at the scene.

The news of this event shook all of us and left a family and community heartbroken. I think the greatest nightmare of any parent is the police turning up at your front door and giving you this news. Most of us can never comprehend the loss and pain that Sophia's family, her parents—sorry for my sniffing, Pia and Luke—her sisters and the rest of her relatives have felt since that night. While I wish we could build a time machine and stop this tragedy from ever happening, our government must do everything we can to make sure our children come home safe at the end of every day and night.

As if the pain and grief were not enough, Sophia's family were left feeling sickened and appalled at the suspended jail sentence handed to the driver who took their daughter's life. The driver of the vehicle proceeded to trial, where he was found not guilty of the offences of dangerous driving causing death. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

APPROPRIATION BILL 2023

Message from Governor

Her Excellency the Governor recommends to the House of Assembly the appropriation of such amounts of money as may be required for the purposes mentioned in the Appropriation Bill 2023.

STATUTES AMENDMENT (BUDGET MEASURES) BILL

Message from Governor

Her Excellency the Governor recommends to the House of Assembly the appropriation of such amounts of money as may be required for the purposes mentioned in the Statutes Amendment (Budget Measures) Bill 2023.

Petitions

UNLEY HIGH SCHOOL

Ms STINSON (Badcoe): Presented a petition signed by 306 residents of South Australia requesting the house to urge the government to deliver an all-weather, multisport pitch at Unley High School.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following papers were laid on the table:

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

Budget 2023-24—Estimates Committee Schedule 2023

By the Minister for Child Protection (Hon. K.A. Hildyard)—

Children and Young People, Office of the Guardian for—Child Protection in South Australia
(from the Productivity Commission's Report on Government Services 2023)—
Report—May 2023

*Parliamentary Committees***ECONOMIC AND FINANCE COMMITTEE**

Mr HUGHES (Giles) (14:03): I bring up the third report of the committee.

Report received and ordered to be published.

*Question Time***CONSTRUCTION INDUSTRY**

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:04): My question is to the Premier. Has the Premier seen John Setka's comments that the fears of South Australian builders about the expansion of Incolink into South Australia are unfounded? If so, what is his response? With your leave, and that of the house, I will explain, sir.

Leave granted.

The Hon. J.A.W. GARDNER: *The Advertiser* recently reported that John Setka, CFMEU state secretary and a director of Incolink, said, 'I don't see what the downside is. I can't understand what the hysteria is, I think it's people being a bit parochial.' He then went on to compare Incolink to a Rolls Royce scheme and the BIRST scheme to what he described as a 'rusted-out VH Holden'.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:04): No, I haven't seen the remarks from John Setka to which you refer.

The SPEAKER: I might also add, deputy leader, that I am not certain as to what exactly it is that is being inquired of in terms of the Premier's responsibility to the house or in respect of his ministerial responsibilities. Those may be matters you are coming to.

CONSTRUCTION INDUSTRY

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:05): I refer the Speaker to the Premier's answers in last question time. My question is to the Premier. Can the Premier provide an update on what actions are being taken to protect our local construction industry from the CFMEU takeover of the BIRST worker redundancy fund? With your leave, sir, and that of the house, I will explain.

The Hon. A. KOUTSANTONIS: Point of order.

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

The Hon. A. KOUTSANTONIS: Sir, standing order 97: questions should not involve argument. The deputy leader has involved in his entire question a whole series of arguments and purported facts. I ask him to either rephrase or learn how to do it properly.

Members interjecting:

The SPEAKER: Order! I am going to turn to the deputy leader and give him an opportunity to recast the question.

The Hon. J.A.W. GARDNER: Thank you, sir. My question is to the Premier. Has the Premier taken any actions to prevent the BIRST worker redundancy fund being replaced by Incolink? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. J.A.W. GARDNER: On 1 June, *The Advertiser* reported, and I quote:

Premier Peter Malinauskas is moving to block a takeover in South Australia of construction workers' entitlements by a fund backed by controversial union leader John Setka.

Vowing the state was willing to deploy powers to throttle the move, Mr Malinauskas highlighted the higher cost to workers and a lack of complaints about the existing scheme.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:06): I thank the Deputy Leader of the Opposition for his question. As I have enunciated in this place previously, we are as a government assessing our options about how to respond to this, but we have also asked a series of questions that I think are pertinent in respect of what is actually occurring within the system.

We are aware of the basics around what Incolink does interstate and what BIRST does locally. To the extent that the government has an interest—and I am not talking about interest in a regulatory sense or in a legislative sense; I am talking about having an interest as a matter of public affairs—it is simply making sure that workers in South Australia who operate in the industry and who are beneficiaries of such a redundancy scheme are best protected and afforded the best entitlements that can reasonably be accommodated through the industry.

BIRST has seemingly done that with effect in the past in an arrangement that has been governed jointly between the Master Builders Association of South Australia and also the unions in South Australia, including the CFMEU but also others as well—the CEPU representing electricians and plumbers, for instance. We see that arrangement having operated with a degree of effect in the past in a way that I think has been largely non-controversial and an example of where unions and industry can work together to achieve outcomes for employees within the sector.

That is largely what happens with Incolink, and the question that we have is whether or not there is a need for a change, or if there is a differential in the arrangement between Incolink and BIRST that might provide a benefit to workers or might have an unreasonable expense to industry. These are live questions that the government is turning its mind to by making inquiries, but we will garner all the information that is required and assess our options.

What we have made clear, and what I said in a statement to the house previously and that I maintain, is that if we see a deleterious impact on workers or the industry, but particularly the workers because that's for whom the scheme is designed, as a result of a takeover, then we stand ready to take whatever actions we reasonably can.

As I explained in an answer to the house previously, when questions were asked I think by the Deputy Leader of the Opposition then, most of the regulatory powers and functions that the state has had since been lost to the commonwealth on the back of the WorkChoices referral of powers that happened back then, particularly around the High Court decision around WorkChoices. That is the constitutional framework we operate within. That is not for negotiation or interpretation, but there are potentially options that the state government can turn its mind to, and that is what we are assessing, provided of course that there is a need to do so.

More recently again, I spoke to the Master Builders Association. I will be speaking to unions regarding the matter to understand the issue as fully as we can. I have been in receipt of correspondence from the secretary of the CEPU locally here in South Australia, Mr John Adley. That was correspondence I had in my weekend bag. As far as I can tell from the advocacy I have received from organisations in South Australia, either industry organisations or union organisations, I think the consistent theme that I have picked up in the correspondence and the conversations I have had is that there is a collective desire to ensure that workers are better off as a result of any changes that are made.

CONSTRUCTION INDUSTRY

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:10): Supplementary: in the Premier's answer, he referred to consideration of potential actions that the government might take. When is the government going to announce any such actions in response to these submissions that have been made by Master Builders and other business groups?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:11): At the appropriate time.

SPACE INDUSTRY

Mr PATTERSON (Morphett) (14:11): My question is to the Deputy Premier. Did the Deputy Premier recently meet with the federal Minister for Industry and Science? If so, did she secure a reversal of the federal government's cuts to our space industry?

The SPEAKER: There is a point of order from the member for West Torrens. I anticipate 97.

The Hon. A. KOUTSANTONIS: Yes, sir, standing order 97: debate.

The SPEAKER: Yes, I uphold the point of order. I am going to give the member for Morphett the opportunity to recast the question.

Mr PATTERSON: Thank you. My question is still to the Deputy Premier. Did the Deputy Premier recently meet with the federal Minister for Industry and Science? If so, did the meeting result in any outcomes for the South Australian space industry? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: Labor's recent federal budget cut nearly \$80 million from the space industry, leaving South Australian space companies anxious about their future and about Labor's commitment to supporting them.

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) (14:12): Yes, indeed, I did have a meeting with Ed Husic, the federal minister, and discussed with him our very serious concerns about the cuts that exist in the current federal budget against the space program, noting that not all of that money is indeed a cut to the overall federal budget. It is about a reprioritisation into advanced manufacturing, which is also of significant advantage to South Australia.

The nature of the cuts is still being determined to a large degree by the minister. There is the cancellation of the Moon to Mars mission, the involvement that Australia was playing in that, and then beyond that the savings or the reduction in expenditure on space are being determined at present. It was a very good opportunity for me to put to Mr Husic the reasons why the South Australian space industry is particularly significant. He gave a guarantee, of course, that discussions will continue and ways in which we can work further together will continue.

He also guaranteed that the Australian Space Agency will be staying in South Australia, which is significant because in large part that decision came off the back of the international congress that was held in South Australia in 2017. That congress will be held in New South Wales in the next couple of years and therefore there has always been a concern that New South Wales would use that as a bid to try to have the Space Agency moved. Mr Husic has given a guarantee that that will not take place.

Further to that, we continue to discuss the importance of the space industry to South Australia and the ways in which we can continue to work together, but at no point do I resile from a criticism of the federal government for making that decision. Unlike the previous government, which acquiesced, capitulated, rolled over every time the Morrison government made a difficult decision—

Members interjecting:

The SPEAKER: Order! Member for Chaffey! Member for Morialta on a point of order under 134.

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

The SPEAKER: I have the question. The Deputy Premier, of course, is permitted to introduce some context. It may be that that context has now been introduced and we will bring the Deputy Premier to the question.

The Hon. S.E. CLOSE: Unlike the previous government—and, indeed, when the Liberals were previously in opposition and Joe Hockey made the decision to cancel the car industry and not a word was said, not one word was said, unlike that—

Members interjecting:

The SPEAKER: Order! Member for Chaffey!

The Hon. S.E. CLOSE: Hear, hear! You supported—

Members interjecting:

The SPEAKER: Order! Member for Hammond!

The Hon. S.E. CLOSE: —the destruction of an industry.

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

Members interjecting:

The SPEAKER: Order! Deputy Premier, there is a point of order from the member for Morialta, which I will hear under 134.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Member for West Torrens! The member for Morialta has the call.

The Hon. J.A.W. GARDNER: Standing order 98: having drawn the minister back to the question, the minister continued in the same vein and is debating.

The SPEAKER: There is some force in the member for Morialta's submission. I will listen carefully. I remind the Deputy Premier of the terms of standing order 98.

The Hon. S.E. CLOSE: Unlike their attitude on the River Murray, which was utter acquiescence to every decision made—

Members interjecting:

The SPEAKER: Order!

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

The SPEAKER: I anticipate 98 from the member for Morialta.

The Hon. J.A.W. GARDNER: Sir, the disrespect she shows to you amounts to obstruction—at the very least, standing order 98.

Members interjecting:

The SPEAKER: Order! There are limited restrictions on the nature and scope of questions or the content that can be introduced by way of answer to questions that have been asked in the house.

Mr Pederick interjecting:

The SPEAKER: Order, member for Hammond!

Members interjecting:

The SPEAKER: Order! However, one of those limitations is standing order 98, and I emphasise its terms to the Deputy Premier.

The Hon. S.E. CLOSE: Thank you, Mr Speaker. The question asked what outcomes occurred as a result of that meeting. One of those outcomes was that I was very clear about our criticism of the government in the decision that it made, and that stands in contrast to others.

ADVANCED STRATEGIC CAPABILITIES ACCELERATOR

Mr PATTERSON (Morphett) (14:16): My question is again to the Deputy Premier. Has the Deputy Premier had discussions with any South Australian defence and space companies in relation to the time frame for the Advanced Strategic Capabilities Accelerator? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: It has been reported in *The Australian* that the immediate suspension of the Defence Innovation Hub and scheduled introduction of the Advanced Strategic Capabilities Accelerator, scheduled in 18 months, is 'likely to cause a gap in sovereign defence industry innovation'.

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) (14:17): I think we should be very wary about assuming that what appears in the newspaper has any force or weight. This is a matter that is being studied at present and I am receiving briefings on.

The SPEAKER: Unless it appears in *The Advertiser*, of course. The member for Gibson, who has been waiting patiently.

RIVER MURRAY FLOOD

S.E. ANDREWS (Gibson) (14:17): Thank you, Mr Speaker. My question is to the Minister for Climate, Environment and Water. Can the minister update the house on the progress of the government-led River Murray flood clean-up?

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) (14:17): As members of the house may well be aware, the portfolio agency inside climate, environment and water—Green Industries—has been activated for some time as the functional lead agency for managing the waste clean-up and the debris arising from the flooding event.

On 3 January 2023, as part of the continuing River Murray disaster relief program, co-funded by the commonwealth and state governments, \$60 million was provided by this government for waste management and other clean-up. That forms part of \$120 million of joint funding.

In late March, we appointed Disaster Management Australia of the Johns Lyng Group as the principal contractor to coordinate and manage the disaster waste clean-up program with local suppliers. In fact, I enjoyed sharing the podium with the manager of that company recently and talking to people about their shacks and what they can expect in the clean-up process.

The program is now well established. It includes a number of concurrent phases. There is the site and structure assessment, hazard reduction and removal, removal and disposal of flood-affected waste, demolition where required, other waste management (such as displaced materials that have come down the river) and, of course, sandbag removal. It's not too late to register for assistance, and I would like to encourage all affected property owners to do so through the government hotline, and I am sure that the relevant local members are well acquainted with that.

The scale of the clean-up program is difficult to fully appreciate, but there are some statistics that can guide the extent of it. There have been nearly 1,800 properties registered for assistance under the clean-up program; 576 people have indicated that they no longer actually require assistance due to the damage being less than expected, and using the vouchers that have been provided through Green Industries to conduct their own clean-up, or perhaps because they have received confirmation of coverage from their insurer; 1,720 free disposal vouchers have been distributed with 710 thus far redeemed, and they have been extended until the end of July to

complement the broader clean-up program; and 398 property assessments have been completed with 128 assessment reports issued to property owners.

Currently, there are 44 properties going through the relevant approvals required for demolition, two of which are caravan parks; 10 properties have received volunteer muck-out assistance, and that is where people are not in a position themselves to be able to get in and empty their shacks or their houses, and people have volunteered to go in and do that for them, another example of the extraordinary resilience and generosity of our community; and 5,558 tonnes of material have been collected in total, and about 30 per cent of that has been able to be diverted from landfill.

Also, 49 contractors have been onboarded after completing full induction. What is important is that, although the primary contractor that has been employed is an interstate firm doing the same work in Victoria, they are required to attempt to have local contractors and have been making earnest efforts to ensure that they are able to do that. Over 500 items have been identified during a detailed river survey, and you can go on the internet and see that river survey and look at each of the hazards that have been identified. We are talking about things like large rainwater tanks, fridges, pontoons and, indeed, houseboats that have washed up on properties. Both Green industries and DIT are working together to determine and prioritise items that may need to be removed by government.

There is also the organisation Disaster Relief Australia that has joined the program to provide volunteer support for individuals. As members of this house will be aware, this is a not-for-profit organisation and people should be encouraged to assist them if they have that capability.

ROAD TOLL

The Hon. V.A. TARZIA (Hartley) (14:21): My question is to the Minister for Police, Emergency Services and Correctional Services. How is the government responding to the road toll on South Australian roads? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: The current number of fatalities on South Australian roads so far in 2023 is 59 and that represents an over 60 per cent increase from the same time last year.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:22): I thank the member for his question and, whilst I acknowledge that it is not common and, in fact, against standing orders to refer to debate in this place, I note the member for Hartley's very genuine and very constructive comments made in this place just before the lunch break regarding our government's initiatives regarding high-powered vehicles, very strongly supported, in a true demonstration of bipartisanship by the Liberal opposition.

In his remarks, the member for Hartley talked about road safety, with the pursuit of zero road fatalities being one of those very few matters in politics more broadly which commands non-partisanship and very much bipartisanship support, and on which it is incumbent upon every single person in this place to lend our voice in order to drive down the road toll.

It is entirely correct to categorise the start of 2023 as a shocker. There has been no hiding from that and nor should there be any hiding from that for the South Australian community. The majority of those deaths we have seen on our roads in 2023 have been preventable. A very high proportion of those road fatalities have involved single vehicle collisions—never an accident, always a crash or collision—but those single vehicle collisions have been very high in proportion to the overall road toll.

While there are factors which do demonstrate that potentially 2023 will show a different start to the year to 2022—for example, it is absolutely no secret that in January, February and March and even April of 2022 there were still a whole series of very significant restrictions in place that were imposed because of the pandemic, in terms of movement and enjoyment of community.

That meant that there were simply many fewer vehicles on our roads and, in course, fewer people driving more significant distances. But that is no excuse, nor should it be taken as an excuse, because every single death on our roads needs to be treated as preventable. That does go some way to demonstrate why, as part of the 2023 budget, already announced but to be formalised today

with the Treasurer's address very shortly, there is an over \$90 million package to deliver safer outcomes, safer roads and safer drivers here in South Australia.

I think everybody in this place would understand that there are a series of moving parts when it comes to road safety. It starts, quite frankly, in the years of three, four and five. It was just in the last couple of days that I was speaking to the amazing road safety team at SAPOL, those who run the Road Safety Centre, about the extreme amount of effort being put into improving the throughput of people as young as five, six or seven. I have a three year old and an eight year old, and I can tell you this: there are no greater advocates in the backseat of our cars than our children.

When you are driving, just remember that voice behind you. I can tell you—and I am sure that others in this place would reflect the same—that my eight year old, if I can indulge, is the start of what needs to be a massive throughput, with each and every one of us committing ourselves to better outcomes on our roads.

ROAD SAFETY

The Hon. V.A. TARZIA (Hartley) (14:26): My question again is to the Minister for Police. What is the government doing to meet its road safety targets? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: The government has set a target of zero lives lost on our roads by 2050, yet this is the worst road toll in two decades, while we have a road maintenance backlog of \$3 billion.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:26): Whilst I won't be talking about road maintenance because that is a matter for the Minister for Infrastructure and Transport, I can absolutely say that, notwithstanding the difficulty and the potential enormity of the task of reducing our road toll to zero, we are not a government that is going to give up because of the enormity of the task.

The pursuit of zero road fatalities is one that has been shared through the National Road Safety Action Plan. That is one that as recently as a couple of weeks ago the first-ever national meeting of road safety ministers committed ourselves to. I can say—and I have reflected on this—that I, as minister, and all of us on this side as ministers participate in many different national committees of ministers and different ministerial councils, but I was really emboldened by the commitment of my fellow ministers around the country that we would simply not be shying away from the enormity of the task.

Directly to some of the substance of the question from the member for Hartley, of course the improvements to roads, road conditions, road treatments—everything from intersections to roundabouts to duplication of major stretches of highway—are a priority of the federal government and supported by the state government through commonwealth and state funding.

But on a more microlevel, as I started to touch on in my previous answer to the member for Hartley, we need to change people's decisions, and we need to influence people's decisions. A safer stretch of road is critical, and it must happen, but somebody is still at liberty to make a poor decision in a fraction of a second on that road. No stretch of road that is safer will prevent someone from making the dumb decision not to put a seatbelt on.

We know that this misconception that country deaths are city folk who are travelling to the country is nonsense. It's country people and regional people who are killing themselves on our roads. In a breathtakingly devastating proportion of these cases, it's people not wearing a seatbelt, or it's people who are choosing to drink to excess, consume drugs and drive; it's people who are speeding. Every other minister in this place and I are constantly searching for our ability to legislate away stupid. We are constantly searching for the way that we can make laws that can codify out stupidity in our community, on our roads—but we can't. We can't.

People are still going to be making these bad decisions. That's why we need to make sure that our laws are as strong as they possibly can be to dissuade people from making these dumb decisions and, in the instances that they do make these dumb decisions, to ensure that their liberty

and at times their livelihood, through loss of licence and other penalties, are very severely impacted by their decisions. But, at the core of it, it is every conversation, every interaction with a potential driver, making sure that that interaction leads to better decisions and safer decisions on our roads.

STATE ECONOMY

Mrs PEARCE (King) (14:31): My question is to the Premier. Can the Premier update the house on the latest ABS economic data?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:31): I thank the member for King for her question. I am more than happy to do this, particularly in the absence of the Treasurer, who obviously has an exceptionally busy day. This economic data that was released today in the form of labour force statistics from the ABS, which of course everyone accepts as being independent, has been an extraordinary set of data—

The Hon. D.G. Pisoni: Biggest drop in job ads in the country yesterday—4.2 per cent.

The SPEAKER: Member for Unley!

The Hon. P.B. MALINAUSKAS: The sorts of numbers that even the member for Unley must surely be very, very happy about.

The Hon. V.A. Tarzia interjecting:

The SPEAKER: Member for Hartley!

The Hon. P.B. MALINAUSKAS: The unemployment rate—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —in South Australia has fallen by 0.3 per cent to now being 4 per cent. In particularly good news—and again I am sure the member for Unley is celebrating this, like most South Australians would be—the state's economy is outperforming the rest of the nation, and it has been doing it for some time.

More than that, we know that when it comes to labour data, labour force statistics, over the course of the last 12 months there is much to celebrate, which is presumably why the member for Unley and the member for Hartley, amongst others, would have constituents of their own who are employed today who weren't 12 months ago, constituents who are working more hours today than they were 15 months ago. What would have the member for Hartley's constituents particularly up and about is the fact that in South Australia on almost every metric we have outperformed the rest of the country. Let me give you a few for instances.

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: The number of people unemployed in South Australia over the last 12 months, in trend terms, has fallen by 8.9 per cent. For the rest of the country, that number is 2.8 per cent, so the number of unemployed people in South Australia has collapsed in comparison with the rest of the country.

In terms of the number of full-time people employed—and on this side of the house we believe in secure work and we believe in making sure that people are moving from part-time work to full-time work—

Members interjecting:

The SPEAKER: Member for Morialta!

The Hon. P.B. MALINAUSKAS: On that score, we know that in South Australia over the last 12 months the number of people employed full time has increased by 5.8 per cent—5.8 per cent. In comparison with the rest of the country, it's 4.2 per cent—4.2 per cent. So we have outperformed—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —the rest of the country in that regard. In terms of total hours worked, that is the cumulative number of all hours worked in trend terms over the last 12 months—

Mr Whetstone: What about the cost of power? What about the cost of rent? Talk about the real stuff.

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —in South Australia that number has improved by 6.9 per cent. In the rest of the country: 5.4 per cent. These numbers create a theme, a trend, that demonstrates that in terms of the labour market in our state we have outperformed the rest of the country in trend terms, and that is an irrefutable fact. Those opposite for some reason interject. They are interjecting, full of effervescence, around the government's outperformance of those opposite in respect to what is happening within the labour market. But on this side of the house, we believe in jobs. We believe in well-paid jobs. We believe in secure jobs.

Members interjecting:

The SPEAKER: Order! Member for Chaffey!

The Hon. P.B. MALINAUSKAS: More than that, what we love to see is the participation rate—

Members interjecting:

The SPEAKER: Member for Flinders!

The Hon. P.B. MALINAUSKAS: —improve to the extent that we now have a record participation rate in the state of South Australia, which means that more people are engaged, more people are employed, more people are earning more and more people are providing for their families in a way that is wholeheartedly good, and we welcome the opposition's endorsement of our economic policy.

PUBLIC LIBRARY FUNDING

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:35): My question is to the Minister for Arts. Has the minister received any representations in relation to funding challenges for our public libraries network and, if so, who from and what has been her response?

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (14:35): I thank the shadow minister for the question. I know there is a public campaign being run by the Local Government Association that I have seen comments in the media on and I have been on radio discussing those.

Public libraries funding was an agreement reached with the former Marshall Liberal government in 2021 for a four-year term and we are committing to sticking with that agreement, which is the agreement the LGA signed up on, which is the agreement that the former Marshall Liberal government was happy with.

Members interjecting:

The SPEAKER: Order!

The Hon. A. MICHAELS: Further to that, public libraries funding is about 20 per cent coming out of the State Library and about 80 per cent from the Local Government Association, so any issues around cost pressures I'm sure will be dealt with by the Local Government Association appropriately.

PUBLIC LIBRARY FUNDING

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:36): Supplementary: has the minister had any delegations from the Libraries Board and, if so, when and what was her response to them?

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (14:36): I have regular quarterly meetings with the chair and the director of the Libraries Board. Funding more generally has been discussed, but nothing in particular on the agreement that has been signed by the former government.

VIRTUAL HEALTHCARE SERVICES

Mr FULBROOK (Playford) (14:36): My question is to the Minister for Health and Wellbeing. How is the government boosting virtual healthcare services to address hospital overcrowding?

Members interjecting:

The SPEAKER: Order!

The Hon. C.J. PICTON (Kurna—Minister for Health and Wellbeing) (14:37): As we have talked about in this house previously, this government is tackling every part of the patient journey and the health system to address the issues that we face, right from the 000 call, right through to helping people discharge out of hospital, and there is one key area in which there is more focus that is coming in today's budget and that's in relation to virtual care services.

We know we need more beds in terms of the health system. Previous budgets delivered that, and we have many of those sites underway at the moment with more to come. But we know that there are people who can get their care without having to come to an emergency department and that's not only better for the health system overall but it's better for those patients in particular.

Just yesterday, the Treasurer, the Premier and I had the pleasure of visiting the Women's and Children's Hospital and visiting the team that provides the virtual care services, the child and adolescent virtual care services (CAVUCS). It means that now it's been expanded to the whole state you are able to log on, connect to that service, speak to doctors and nurses at the Women's and Children's Hospital and, in many cases—in fact, about 90 per cent of those cases that connect to that service—avoid a trip to hospital that's unnecessary.

The doctors and nurses who work there are incredibly skilled in terms of their ability to help people through teleconferencing. They are able to connect people with other local services. They are able to connect people with prescriptions that they may require. We know that there's a big issue that we are facing in relation to primary health care and GPs across South Australia and the whole country at the moment, and clearly that's one of the factors that's leading to an increased demand of that service.

This is a service that was only established on a temporary basis under COVID. There was no ongoing funding for that service. We are now making the service permanent and putting that money in the budget to make it operate into the future. In addition, the South Australian Virtual Care Services that operate out of Tonsley have doctors, nurses and paramedics there who really do a number of factors in terms of helping to avoid hospitals: one is helping paramedics. Whether it be through secondary triage that will be done on 000 calls that come in, whether it's being done in terms of paramedics who arrive on the scene and need additional help from a doctor or nurse at the Virtual Care Service, that's being provided.

The other element we introduced last year that is proving successful and we really want to expand on now is in relation to the virtual calls that we can do into residential aged-care facilities, because for a lot of people who live in residential aged care, who have a fall or have another ailment and can't get a doctor to come out and see them, often they've got no choice but to take that resident to the emergency department.

That's obviously more pressure on the health system, but it's also often a worse outcome for that person because taking somebody out of their home environment, particularly when they might be frail and very elderly, is not necessarily a great outcome for them. So having that ability to virtually consult the doctor and maybe order a mobile X-ray to come around the next day in many cases can be a better option than going to the emergency department.

The third element of what we have announced is that in the last couple of months we have established the Health Control Centre. This is being run out of the Tonsley service as well and ultimately will move to our new Emergency Operations Centre with SA Ambulance. That's enabling

eyes on the system 24 hours a day right from 000 calls through to discharging patients at the other end. It's the first time that that's been in operation. Having those clinicians being able to step in and predict issues is really important.

REGIONAL NURSING STUDENTS

Mr BELL (Mount Gambier) (14:41): My question is to the Minister for Health. Can the minister update my community regarding support for regional nursing students who are required to undertake placements in metropolitan hospitals, such as Belinda Myers, whom I spoke about in this house on 8 March?

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:41): Thank you to the member for Mount Gambier. I know his very strong interest in relation to the issue of nursing students who face significant hurdles in having to undertake placements in metropolitan areas. This is something I know other members, particularly the member for Giles, have raised as well as being of concern for people in regional areas across the state. I think this is an area where we need to do some more work, and I am very keen to work with the member more in relation to this matter and work with our universities.

Obviously, we need to train more nurses right across the board as well as other health professionals. Part of the requirements that they have from particularly the Nursing and Midwifery Board of Australia sets forth the requirements they need to put in place a certain number of hours of clinical placements they need to do, and obviously that can be more difficult for some people who have to travel to undertake those placements.

I think it is a very worthy area where we need to do more work in relation to working between SA Health, the federal government and colleges that undertake nursing, particularly the three universities here in South Australia. So, while I don't have a particular answer today in relation to that, it is a longer term piece of work that we need to do to work through how we can help those nursing students into the future, and I am very keen to work with the member on that.

BITUMEN CONTRACTORS

Mr ELLIS (Narungga) (14:43): My question is to the Minister for Consumer and Business Affairs. Can the minister advise what is being done to bring dodgy bitumen contractors who visited my electorate last month to justice?

Members interjecting:

Mr ELLIS: Bitumen, to be clear.

The SPEAKER: Order!

Mr ELLIS: With leave, I would like to explain a bit further, please, Mr Speaker.

Leave granted.

Mr ELLIS: Last month, farming businesses in my electorate were doorknocked by an interstate ute offering to perform work bitumenising their driveways. They had gone to great lengths to appear legitimate, but ultimately the work was dodgy or substandard. What is being done to pursue these offenders, considering that numberplates and phone numbers were provided to try to catch them?

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (14:43): I do want to thank the member for Narungga for the question. 'Bitumen bandits' is what they are commonly referred to as. They have been around for a long time. The difficulty, as the member highlighted, is actually catching them. Just for the house's benefit, these are generally itinerant workers roaming from suburb to suburb in metro Adelaide but also across the regions.

They are unlicensed, doorknocking homes and small businesses saying, 'We've got leftover bitumen and we can do a really cheap job for you to resurface a driveway,' or something like that. They are dodgy. The work, as the member highlighted, is often substandard and leaves consumers out of pocket. There are also very often high-pressure tactics to pay at the end of the job and pay

more than was quoted, which is a cause of concern for particularly some of the more vulnerable constituents these people are attacking.

Unfortunately, we are hearing reports of these quite regularly. The last reports we heard were in late May. I go out publicly with the Commissioner for Consumer Affairs trying to make that publicly known to areas where they are hitting. The last reports were, just for the benefit of members, around the member for Narungga's electorate but also Stirling North, Mallala, Athelstone, Renmark, Murray Bridge, Ceduna, Dry Creek, Mile End, Melrose Park, North Plympton, St Mary's, and Lonsdale—in late May there were reports around there.

Once CBS receives a complaint, it goes to the compliance and enforcement branch for them to investigate. What we need is to find as much information as we can from people who are targeted so that we can try to identify these people and gather evidence. CBS works very closely with SAPOL and other enforcement areas across the country, including Border Force. Some of these people in the past have been deported.

As well as working with relevant authorities, CBS is just trying to make that public awareness so people know not to go accepting high-pressure tactics. The advice is to go and get multiple quotes, to check if people are licensed, and they can do that on the CBS website, to check that builders' licences actually exist. If anyone has any complaints or if anyone has seen these people, please report it as quickly as possible through to CBS. The quicker we get on top of that and start investigation, the more likely it is that we will be able to catch these people and at least be able to make the public aware that they are out there doing this in certain areas.

There are hefty penalties, of course, as there are breaches of the Building Work Contractors Act if they are caught. There are also breaches of Australian Consumer Law, which have quite substantial penalties, particularly around false and misleading representations and asserting a right for payment for unsolicited goods; they are the potential breaches that could be pursued. Penalties of up to \$2.5 million for an individual or \$50 million under ACL for corporations apply. There are a range of penalties.

CBS is, as I said, working with SAPOL, Border Force and various other agencies. It is a national problem, but we do see it come up quite regularly in South Australia, both in metro and now in regional areas as well. Again, please let us know when that happens so CBS can investigate as quickly as possible to try to stop these people from taking advantage and pursuing these scams.

STRZELECKI TRACK

Mr PEDERICK (Hammond) (14:47): My question is to the Minister for Regional Roads. Is the Strzelecki Track upgrade on time and on budget, and can the minister provide an update on its progress?

The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs) (14:47): I thank the member for the question. The Strzelecki Track is fully funded. It is on budget at this stage and it is also on time. However, as the member understands, there has been a fair bit of rain up there in that area in the last few months in particular, but certainly, as with that and other roads in the outback, the department are doing the best they can with the contractors going up that way. I am very happy with the progress on the Strzelecki Track.

Just recently, I had the opportunity to be in Lyndhurst to talk to the people there. They are looking forward to the completion of the Strzelecki Track. The member will understand this and I am just going to reinforce it to the whole house: the Strzelecki Track is a very important part of the direction for South Australia in particular, coming down from Queensland. It has been a challenge with a lot of the stuff going forward.

To the member, the other issue is that we have some good contractors up there, and what I will do, if I can, is read something out for the member's information. The Strzelecki Track is part of the \$215 million funding for the Strzelecki Track upgrade. It is 472 kilometres long; it's a very long stretch of road.

An honourable member interjecting:

The Hon. G.G. BROCK: You know that. The unsealed road requires maintenance grading on a regular basis. This is subject to flooding quite often, and the current road that hasn't been sealed at this stage. To the member for Hammond, there is a lot of corrugation on that road there. As I say, I have regular contact with the pastoralists in that area. I have regular contact with the outback roads committee, which meets on a regular basis. I have regular contact with people at Lyndhurst, and I have contact with people at Marree and so on. The response from people in that area up there means that they have had more attention in the last 14 months than they have in the last four years.

Members interjecting:

The SPEAKER: Member for Hammond!

Members interjecting:

The SPEAKER: Member for Hammond, you are warned. Order!

The Hon. G.G. BROCK: Regarding the communication and the information—

Mr Pederick interjecting:

The SPEAKER: Member for Hammond, you are on a final warning.

The Hon. G.G. BROCK: —I have given to pastoralists up there, they have not had as much attention and communication with a government for many, many years. It is an issue that I am very passionate about personally, very passionate. The member for Hartley made a comment a minute ago about road safety, as did the Minister for Police. One of the things we have to be very careful of—and I know there have been some accidents on the outback roads—is how we drive on these roads there. The pastoralists in that region in particular are very passionate about what they are doing. Quite often, if the road gang is not there, the pastoralists will come out and assist and do some of the work.

I am happy to give the member for Hammond a full briefing on all the roads in the outback. On the Strzelecki Track, as I indicated before, the communities up that way have never had so much communication from a member up there. They are very passionate about it and they are very thankful for the attention they are getting.

Members interjecting:

The SPEAKER: Order, members to my left and right!

EARLY INTERVENTION FUNDING

Ms SAVVAS (Newland) (14:51): My question is to the Minister for Human Services. Can the minister update the house on the Malinauskas government's investment into early intervention to help children and families?

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (14:52): As a matter of fact, I can. I thank the member for the question and for her commitment to a much better future for South Australia's children. Early intervention services are essential in our collective efforts to strengthen families and keep children and young people out of the statutory child protection system. This work requires commitment and effort across government amongst many portfolios and with our very good partners in the community.

Early intervention refers to a range of activities, programs and services aimed at assisting families who display warning signs that they need support. The primary goal of early intervention is to provide families with the necessary resources and skills to disrupt the progression of emerging problems and to foster positive child development.

Early intervention services target various issues that can potentially pose challenges to families. These may include parenting stress, caring for children with significant disability, social isolation, poverty and parenting while managing disability and mental ill health or substance misuse. If left unsupported, these issues can become increasingly overwhelming and difficult for families to manage. In turn, this can impact their ability to parent effectively.

It is important to recognise that each family possesses a unique combination of risk and protective factors, along with existing strengths that can help them cope with the challenges they face. The Malinauskas government is proud to be using best practice and evidence-based approaches to early intervention.

As part of this commitment, the 2023-24 budget will fund a program, called Strong Start, in the north. The \$6 million Strong Start program builds on the government's commitment to get it right for every child from the start, in addition to meeting recommendations from recent reviews and Closing the Gap priorities through supporting at-risk parents in the north to break intergenerational cycles of harm. The new service will provide intensive family support services at the earliest opportunity, from pregnancy and through the first 1,000 days of a child's life.

As I previously noted, early intervention work takes effort from across government, and a key part of this program will be a strong partnership with birthing hospitals. This innovative model will use a linked data approach to support families experiencing complex disadvantage and cost-of-living challenges through a rapid response and multidisciplinary service.

This kind of data-led approach is only possible because of our earlier investments in long-term linked datasets that have tracked the development of South Australian children since the 1990s. The new system will include system navigators and prioritise connections to critical services that can help parents and children, including NDIS access, child care, early learning, financial support, mental health and drug and alcohol services, domestic violence services, and housing support.

The Department of Human Services does play a crucial role in supporting children, young people and families through its Child and Family Support System and the Early Intervention Research Directorate. These initiatives collaborate with other government agencies, such as the Office for Data Analytics, to evaluate progress and develop evidence-based approaches.

Recently, I was proud to also announce \$35.7 million over four years in additional funding to further enhance this critical work. With an annual investment now reaching almost \$70 million, the new funding will improve clinical and cultural governance in Safer Family Services and provide additional support to at least 250 families, benefiting around 625 children.

BAROSSA HOSPITAL

Mrs HURN (Schubert) (14:56): My question is to the Minister for Health and Wellbeing. Will the government release the final plans of a new Barossa hospital and, if so, when? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: The former Liberal government kickstarted the progress of delivering a new Barossa hospital, investing money in the state budget for the very first time. My community and I received an assurance that this progress and momentum would continue and that the money was kept in the budget. We were, however, promised that we would see the final plans by March, but we are yet to see them.

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:56): I really appreciate an opportunity to speak about this topic because ever since the member for Schubert has been a candidate she has been running around the Barossa saying that the former Liberal government had committed to building the new Barossa hospital, which was absolutely not true at all—100 per cent false. What the previous government committed to was only to fund a business case for that and also to fund, in many years' time, purchasing the land for that.

As a new incoming government, we are keeping exactly to that in terms of completing the business case, which I understand is close to completion. We also have the money in the forward estimates, as it was under the previous Liberal government, to purchase the land, but there was never a commitment from the Liberal government to building the hospital. There was only a commitment to doing the business case and to purchasing the land.

Some of the misleading statements that have been made to her community in relation to this I think are downright irresponsible because they are not in keeping with the facts of what was put in

the budget previously. There has been not one change in terms of the budgeting arrangements, in terms of the business case and also the land purchase, which is not set to happen for some time into the future still. The work in relation to the business case is continuing, and when that money is eventually there, as it was put in place by the previous government, then that will happen in relation to the land purchase.

Members interjecting:

The SPEAKER: Order!

COUNCIL RATES

Mr TELFER (Flinders) (14:58): My question is to the Minister for Local Government. Has the minister written to South Australian councils with concerns or warnings about the impact of excessive increases in council rates on South Australians?

The Hon. A. KOUTSANTONIS: Point of order, sir: standing order 97. The debate has been included in the question, sir, and I would ask the member to rephrase.

The SPEAKER: Yes. I will give him an opportunity to recast the question. The member for Flinders.

Mr TELFER: Thank you, sir. My question is to the Minister for Local Government. Has the minister engaged with councils regarding council rate rises?

The Hon. A. KOUTSANTONIS: Point of order, sir.

The SPEAKER: Yes, the Leader of Government Business.

The Hon. A. KOUTSANTONIS: I hate to be a stickler for the standing orders, but saying 'rate rises' implies facts and is in breach of standing order 97.

The SPEAKER: Yes.

Members interjecting:

The SPEAKER: Order! I will hear from the member for Morialta in relation to the point of order raised by the Leader of Government Business.

The Hon. J.A.W. GARDNER: Sir, I thought your earlier ruling was spot on when we talked about the use of the word 'excessive'. The mere fact of council rate rises does not possibly cross that threshold. A rate rise—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: Sir, argument or fact also relies on a body of convention in this house. There is no way that the recast question could possibly breach that convention.

Members interjecting:

The SPEAKER: Order! As much as I would wish to detain the house in a detailed argument over the standing orders, I think we can allow the question.

The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs) (14:59): I am surprised that the member for Flinders is asking a question that wants the minister to intervene or advise councils on what rates they should be charging their communities. As an ex-mayor, he would not have liked the opportunity of a minister coming into his council and saying, 'You will not raise these rates to such-and-such a rate.'

However, the member for Flinders was also the President of the Local Government Association for two years, and he knows exactly how council rates are devised and how they are calculated and consulted on. Also—

Members interjecting:

The SPEAKER: Order! The minister has the call.

The Hon. G.G. BROCK: Also, after the member for Flinders was the President of the Local Government Association he was also the past president for two years, so he would be very aware of how councils formulate their rates.

Can I reinforce that we are all concerned with the inflation rate across all of Australia, but I will say again: I have been out there communicating with the people as much as I can. Councils have their draft budgets out at the moment for consultation with their communities. Those communities have the opportunity to come into the council on the draft budget discussions and have a discussion with the council regarding that. I would hope that the member for Flinders, as the shadow minister for local government, is doing the same as I am doing and encouraging the community to go out and talk to their council and have that consultation.

The frustrating part about it is that if a minister or the government of the day then comes out and has the opportunity to tell councils what they have to do and what rates they can do, it will be going back to rate capping, which the parliament—

Members interjecting:

The SPEAKER: Order! Member for Badcoe! Member for Newland! The minister has the call.

Members interjecting:

The SPEAKER: Order! Member for West Torrens! The minister has the call.

The Hon. G.G. BROCK: Also, as I said a bit earlier, I am encouraging people. The responsibility of a council is to determine the rate. I am asking people to go out and talk to the draft budget discussions when they are going there so the councils can explain in simple terms where they are going, what they intend to do for the next 12 months and also in the long-term business plan.

I encourage all ratepayers to engage with their councils as they consult and finalise their annual business plans. I also encourage any ratepayer suffering hardship to contact their council or their councillors for the hardship policies that councils have. The previous parliament, through the previous acts, has asked for an independent assessment of councils' financial ability and long-term financial plans to be able to be identified and to be investigated by ESCOSA.

The first tranche of 15 councils has been done, and there are some councils out there that may be appearing to be unsubstantial, unsustainable if they continue going in the same direction they are going. Again, I reinforce the fact that the member for Flinders is the shadow minister. He is an ex-mayor and he knows exactly how council rates are formed—

Members interjecting:

The SPEAKER: Order!

The Hon. G.G. BROCK: —how council rates are consulted—

The SPEAKER: Order! Member for Newland!

The Hon. G.G. BROCK: —how council rates are expanded and, if for argument's sake there are any issues there, the community have the opportunity to talk to their elected members, to their council. I encourage people in the community to get out there and look at the draft budget plans, and I encourage everybody in this house to encourage their communities to go and talk to their draft budget plans for their relevant councils.

Members interjecting:

The SPEAKER: Order, members to my left and right!

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:04): I move:

That the house at its rising adjourn until Tuesday 27 June 2023 at 11am.

BUDGET PAPERS

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (15:04): I lay on the table the following budget papers:

Paper 1—Budget Overview
Paper 2—Budget Speech
Paper 3—Budget Statement
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I move:

That the Budget Statement, Agency Statements and Budget Measures Statement be published.

Motion carried.

Bills

APPROPRIATION BILL 2023

Introduction and First Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (15:05): Obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the financial year ending 30 June 2024 and for other purposes. Read a first time.

Second Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (15:05): I move:

That this bill be now read a second time.

It gives me great pleasure to present to the house the 2023-24 state budget, the second budget delivered by the Malinauskas government. This budget is framed at a time when the state's economy has never been stronger. The South Australian labour market is breaking records, in March recording the lowest ever unemployment rate and, indeed, only today the highest ever number of people in work and the highest participation rate since monthly records commenced in 1978.

Our export figures have broken all records and population growth is stronger with positive interstate migration. Our retail sector bucks the national trend, with April figures the strongest in the nation. Both the Australian Bureau of Statistics and Business SA attribute these results to the extraordinary success of two new major events, the AFL Gather Round and LIV Golf. According to Tourism Research Australia, domestic overnight visitor expenditure for South Australia in March was up 35 per cent on the same month in 2022.

Our state's economy is now ranked second in the CommSec State of the States report. Even more encouragingly, the major economic opportunities before our state continue to grow and materialise.

The AUKUS agreement has resolved that South Australia will be the home of a new nuclear submarine building industry. The rest of the country and indeed the world, is scrambling to catch up to our state's leadership on both renewables and hydrogen. The decarbonisation and electrification of industry globally means our state's copper mining and broader resources industry stands on the cusp of exponential growth, and over the last year our state has emerged as the major events capital of the nation.

Yet we are not without our challenges. Over the past 12 months, households and small business have been hammered by the dual blows of soaring inflation and the fastest increase in interest rates in a generation. These cost-of-living pressures are compounded by soaring housing costs, driven by rapidly increasing house values, higher mortgage costs and rents and a supply of

new homes that is not keeping pace with our population's needs. More broadly, the national GP crisis is driving ever-increasing demands on our hospitals, already under pressure with the ongoing demands of COVID.

Our child protection system continues to strain under the demand of higher numbers of children coming into care.

Communities along the Murray have endured the river flooding to a level not seen for 50 years, inundating regional communities along its length, displacing people from their homes, businesses from their livelihoods, and farmers from their land.

I am pleased to report to the house that the 2023-24 state budget both builds on the progress and momentum of the last 12 months and addresses the challenges confronting our community. The budget provides substantial cost-of-living relief, allocates large increases in funding for health, housing and child protection, and invests in our economy. It does this while maintaining the government's commitment not to introduce any new taxes, or increase existing taxes, and continues our commitment to return the budget to surplus. Importantly, as the government's infrastructure program ramps up and debt increases, the impact on the state's finances is managed responsibly.

This government accepts its responsibility to support those most in need in our community as the cost of living soars. This budget allocates over \$470 million in the single largest cost-of-living assistance package ever deployed in our state to assist hundreds of thousands of South Australian households and small business as they deal with increasing fuel, grocery, energy and housing costs.

We have targeted these measures to ensure we are supporting the community without adding to inflation: there is no point giving with one hand, only for the Reserve Bank to take with another. Instead, we have sought to directly reduce costs where we can, while improving existing supports.

We have partnered with the commonwealth government in a \$254 million Energy Bill Relief Plan, with a rebate of up to \$500 on 2023-24 electricity bills available to 420,000 eligible households, and up to \$650 available to a further 86,000 eligible small businesses. The \$127.2 million cost to the state budget is more than three times the amount of support provided in last budget's Cost of Living Concession increase.

The government has also indexed existing concessions at a further cost of \$44 million over the forward estimates, including the Cost of Living Concession, the state's existing energy concession, the water and sewerage concession and the medical heating and cooling concession by 8.64 per cent in 2023-24 to ensure existing supports remain in line with inflation. Together, these two measures can actually reduce next year's electricity bills for many South Australians.

This budget provides an additional \$57.2 million over four years to increase the payments it makes to non-government organisations providing disability, homelessness, housing and other support services, recognising that higher wages and inflation risk their capacity to maintain services to vulnerable South Australians.

This follows the additional \$55 million provided for the same purpose in the December Mid-Year Budget Review. Together, these amounts see funding boosted to these organisations by over \$110 million over five years.

The budget also provides free public transport and cheaper parking for thousands of workers in our metropolitan public hospitals, reducing transport costs for them to get to and from work, reducing these costs to workers by \$56.4 million over five years to 2026-27.

The budget also provides \$32.1 million over four years to increase payments by \$50 per child per fortnight to carers of children under 16 years in state care, on top of indexation, to recognise the impact higher costs of living are having on their efforts to support children in their care and also to encourage other families to become foster and kinship carers.

The budget has again allocated \$12 million in 2023-24 to continue the \$100 subsidy towards the school materials and services charge for the 2024 school year benefiting around 120,000 government school children. \$6.5 million over four years is provided to deliver approximately one million additional breakfasts and support the nutrition of students most in need through an

increase in grant funding to Foodbank SA and Kickstart for Kids to expand their school breakfast programs.

Foodbank SA will also receive \$2 million of a \$4 million food relief package for charities to support those South Australians struggling with the cost of groceries, and \$1 million will be allocated for additional financial counselling services. A further \$4.2 million over four years increases the grant to The Smith Family to provide support for an additional 700 students per year in the Learning for Life program.

I am also pleased to say that this budget axes the asset sustainability levy introduced by the former Liberal government, providing \$740,000 per year in total relief to approximately 3,500 residents across the outback.

These initiatives build on previous cost-of-living support provided by the government, including last year's doubling of the Cost of Living Concession, free public transport for our seniors, as well as reductions in the vast majority of CTP premiums that were made possible through the competitive CTP scheme legislated by the previous Labor government. While inflation is forecast to reduce in the coming year, the government is prepared to consider further cost-of-living relief measures in the future to continue supporting our community.

Our housing market is failing to meet the needs of South Australians looking for safe, secure and affordable housing. The housing boom over the last two years has seen house prices and rents soar, pushing some into homelessness and many others into insecure, unaffordable and temporary housing. Last year's budget started the work of addressing this, committing to 400 new homes in public housing.

This year's budget massively expands these efforts, investing \$474.7 million in a comprehensive suite of measures to deliver more social housing and affordable homes, more support for people to buy their first home, greater protections for those who are renting, and more affordable rental opportunities.

In total, the funding in this budget supports the delivery of 3,600 new homes over five years and reduces the cost of housing for around a further 14,000 new homes, supporting a much-needed boost to the supply of housing across our state. Measures include:

- expanding our commitment to public housing by providing \$72 million over the forward estimates to increase the number of additional public houses from 400 to 564, but also stopping the sell-off of a further 580 public housing properties committed to by the previous Liberal government;
- committing to develop 700 new affordable homes, in partnership between Renewal SA, community housing providers and the commonwealth government's Housing Australia, across a range of development sites throughout the state to meet the state's commitment under the National Housing Accord;
- the single largest release of land in South Australia's history, providing 25,000 more blocks across Adelaide's northern and southern suburbs;
- establishing the Office for Regional Housing in Renewal SA, to work with local governments to commence five new key worker housing developments across regional centres;
- \$1.7 million over four years is committed to extend the Aspire homelessness program for a further 12 months to 31 December 2024; and
- residential tenancy reforms including increasing the weekly rent threshold for six-week bonds from \$250 to \$800 per week, banning rent bidding, protecting tenants' rights and information, and expanding eligibility for the private rental assistance program—just part of our rental protections.

The Malinauskas government is well aware that for young South Australians home ownership has never felt further from their grasp. But we still believe the dream of home ownership should be

achievable for young South Australians, and that is why this budget provides \$147.3 million over four years to abolish stamp duty for first-home buyers when they purchase or build a new home.

Effective from today, this will benefit approximately 3,800 first-home buyers a year. It will apply to new homes with a value of up to \$650,000 and, in addition, they will remain eligible for the existing First Home Owner Grant of \$15,000, which will also have its property value cap increased to \$650,000. These measures mean an eligible first-home buyer can receive total relief of up to \$44,580 on the purchase of a new property.

To further support first-home buyers, the budget provides \$714,000 over three years to enable HomeStart to introduce a 2 per cent deposit First Home Buyer Construction Loan, improving on our election commitment to deliver a 3 per cent deposit option. We want young South Australians achieving their dreams of home ownership, and this budget gives them the support to finally make this happen.

Since the Mid-Year Budget Review, the government has allocated a further \$470 million in the current 2022-23 financial year alone to boost resourcing across our health system. The budget continues providing additional funding for the health system to maintain higher levels of capacity, transition from the height of the pandemic response, and provide a suite of new measures to address ramping. In total the budget allocates \$2.3 billion in extra funding to health from 2022-23 to 2026-27. Combined with our commitment in last year's budget, this means the government has now increased operating funding to health by \$4.4 billion since coming to office.

In this current financial year alone, more than \$1.2 billion in additional operating funding has been allocated by the Malinauskas Labor government compared to the funding levels committed by the former Liberal government. This budget includes \$1.3 billion over five years to meet activity demand pressures in our hospitals and a further \$567 million over four years to assist health as it transitions from the height of the pandemic response.

Over the next four years, nearly \$200 million is provided for measures that seek to reduce ramping, these include:

- \$27.6 million over four years to increase medical staffing in major metropolitan hospitals on the weekends to increase the discharge of patients ready to leave hospital;
- \$17.6 million over five years tackling long-stay patients through individual patient supports, such as short-term services, equipment hire and minor home modifications;
- \$67.8 million over five years expanding the Adult Virtual Care Service; and
- \$2.1 million in 2023-24 establishing two new Emergency Department Avoidance Hubs in the western and northern suburbs.

Other investments we are making in health include:

- \$100.8 million over two years for the new Mount Barker hospital project;
- \$31.1 million over three years for the deployment of the Electronic Medical Record program across all regional Local Health Network hospitals; and
- \$20.1 million over two years to upgrade the Paediatric Intensive Care Unit at the Women's and Children's Hospital to ensure it can continue delivering high-quality services while the new hospital is being built.

Reducing the number of children and young people in care requires a coordinated approach across government, the community and the child protection system. The budget provides \$216.6 million over five years for child protection and early intervention measures, including \$109.5 million for additional out-of-home care, and \$107.1 million for initiatives to start reducing demand on the child protection system. Measures include:

- \$35.7 million over five years to increase targeted intensive family support services;
- \$32.1 million over four years to increase carer payments;
- \$13.4 million over five years to increase family group conferencing services;

- \$6.1 million over four years for family support services for at-risk first-time parents; and
- \$4 million over four years to increase kinship care assessments.

The government shares the alarm of the community at the spike in the number of deaths on our roads this year. The budget provides \$98 million over five years for a comprehensive road safety package with measures including:

- \$40 million over three years to upgrade the intersection of Adelaide, Alexandrina, Wellington and Flaxley Roads in Mount Barker;
- \$31.2 million over five years for 15 new mobile speed detection cameras and 10 new mobile phone detection cameras, as well as the upgrade of 16 existing fixed speed cameras, with additional revenue generated to be reinvested in road safety initiatives;
- \$10 million over four years for regional road safety infrastructure upgrades, including audio tactile line marking, safety barriers, and rural junction activated warning systems at regional intersections;
- \$6.2 million over four years for additional Kangaroo Island road improvements and maintenance;
- \$6.2 million over four years for additional road safety campaigns; and
- \$3.8 million over five years to deliver the motorcycle RiderSafe reform, as part of the strengthened motorcycle licensing requirements.

Further, more than \$350 million is budgeted over the forward estimates for regional road maintenance by the Department for Infrastructure and Transport as part of its annual road maintenance program and the government will spend \$780 million over four years on road safety policing and support functions within SA Police and the Department for Infrastructure and Transport.

The budget contains a record \$21 billion investing program over the next four years, a huge increase over previous budgets, with \$5.3 billion allocated towards the Torrens to Darlington section of the north-south corridor, and \$1.2 billion over four years towards the new Women's and Children's Hospital. Other major new infrastructure projects funded in this budget include:

- \$348.9 million over four years for a new purpose-built facility for Forensic Science SA and the SAPOL Forensic Services Branch;
- \$55 million over three years to expand the facilities as part of the Adelaide Aquatic Centre project; and
- \$23.5 million over three years for upgrade works at the South Australian Aquatic and Leisure Centre at Oaklands Park.

The budget allocates \$20 million over four years to address critical works across the state's jetties by providing assistance to regional councils struggling to maintain these crucial community assets. There is also \$7.4 million in 2023-24 for continued replenishment of sand at West Beach and other Adelaide coastal areas, while the government undertakes its review of coastal sand management. The government is continuing its strong record of investing in public transport, with:

- \$23.5 million over four years to ensure the continuation of bus services across regional South Australia;
- \$8.7 million over five years to introduce a Lightsview to City Go Zone bus service; and
- \$7 million over three years to complete 'tap and pay' with credit or debit card and equivalent digital devices on the train network.

With a strong labour market comes the challenge for employers to recruit and maintain staffing levels. South Australia Police has not been immune to this pressure, and the budget provides:

- \$81.8 million over four years for the recruitment of an additional 189 sworn police security officers, to release more sworn police officers into frontline policing roles; and

- \$12.2 million over three years to accelerate police recruitment to restore sworn officer staffing levels to their funded levels.

In our prisons, the budget supports:

- \$30 million over three years to upgrade prisoner accommodation and staff facilities in two high security units at Port Augusta Prison;
- \$11.2 million over four years for an Aboriginal community-led initiative to reduce rates of Aboriginal incarceration;
- \$6.3 million over four years for the Work Ready, Release Ready Plus rehabilitation program in our prisons; and
- \$4.6 million over four years to secure and fit out a new Port Augusta Community Corrections Centre.

The Malinauskas Labor government continues its ambitious agenda in our education system. The royal commission established to enquire into the delivery of three-year old preschool is due to deliver its final report in August, and the budget holds significant provisions centrally for the commencement of this initiative, pending the report's recommendations into timing, staffing, delivery models and accessibility.

The five trade schools committed in last year's budget are progressing, and we look forward to the respective university councils considering a merger. This year's state budget provides \$100.2 million in school upgrades, including:

- \$64.7 million over four years for urgent capital works to address capacity pressures and condition and compliance works;
- \$25 million in 2023-24 to upgrade, repair and replace assets at over 50 metropolitan and regional school and preschool sites;
- \$10.5 million in 2024-25 to deliver new gymnasiums at Brahma Lodge Primary School, Hillcrest Primary School, Ingle Farm East Primary School and The Pines School;
- \$35 million over five years allocated for government and non-government schools to participate in the commonwealth-funded National Student Wellbeing Program; and
- \$15.8 million over four years allocated for regional school bus services to replace the existing bus fleet with four-wheel-drive buses on APY Lands, and to replace existing large buses in the regions.

The budget also allocates a further \$4 million over four years for autism support initiatives, building on the work led by the minister assisting the Premier, the Hon. Emily Bourke MLC, to assist schoolchildren and their parents and caregivers to receive better support.

In order for our state to secure the full advantages of the economic opportunities before us, we need to continue investing in improving skills in our workforce. Initiatives funded in the budget include:

- \$28 million over four years for a targeted increase in training subsidies for not-for-profit and industry-based training providers aligned with areas of skill demand and economic priorities;
- \$10.2 million over four years to establish a Regional Skills Development Fund that will ensure TAFE SA can offer more courses in rural and regional South Australia;
- \$9 million over three years for TAFE SA, not-for-profit and industry-based training providers to improve their facilities and equipment; and
- \$4.2 million over four years to continue the Group Training Organisations Boost program to support mature-aged apprentices.

I am pleased to report that this budget also continues to invest in the economic opportunities before our state. We are progressing well with the implementation of the Hydrogen Jobs Plan announced in last year's budget, and this year's budget allocates a further \$22 million to the Economic Recovery Fund announced last year.

The Northern Water Supply Project continues to develop as a critical opportunity for our state's mining, resources and energy industries, and the budget contains a provision for the government to partner with private sector proponents to undertake the necessary environmental studies, final engineering and costings, to facilitate a final investment decision in 2024. Further initiatives included in the budget include:

- \$33 million over four years to expand the existing space presence at Lot Fourteen and attract, grow and retain space companies in South Australia;
- \$27.8 million over four years to support the racing industry with a higher share of the state's betting operations tax revenues to help them maintain the nearly 4,000 jobs the industry supports;
- \$25.4 million over five years to continue supporting the ongoing operations of six South Australian-based National Collaborative Research Infrastructure Strategy facilities;
- \$20 million over four years to expand the Research and Innovation Fund and continued funding of the startup hub at Lot Fourteen;
- \$13.5 million over four years to extend the South Australian Video Game Development Rebate scheme; and
- \$5.5 million over four years to establish a new Office for AUKUS to support the implementation of the AUKUS submarine construction program at Osborne.

The budget also introduces a \$200 million Digital Investment Fund over five years to drive strategic and targeted investment in cybersecurity and digital initiatives across the public sector. The fund will allow the government to prioritise and release to the market a series of major cybersecurity and ICT platform replacements, providing a substantial opportunity for the state's cybersecurity and ICT sector to partner with government and generate further jobs and economic opportunity.

The last 12 months have shown what a targeted and ambitious strategy of investing in major events can deliver for our state. Put simply, since the last election our state has got its mojo back. In just over a year, we have regained the eyes of the nation—and the world—for our capacity to excel at hosting major events. The return of the Adelaide 500, the new Harvest Rock festival, record seasons of the Fringe, the Adelaide Festival and WOMAD were joined by two new stunning successes, the AFL Gather Round and LIV Golf.

In addition to the government's continued commitment to existing events, this budget commits a further \$20.8 million over four years for the Major Events Fund to secure new events and grow existing major events in South Australia.

To build on the success of the return of the Adelaide 500, the budget allocates an additional \$18 million over four years to install more shading for grandstand areas and to ensure the ongoing high quality of the event. Confirming the government's commitment to the arts, the budget provides \$2 million over four years to increase the Adelaide Film Festival Investment Fund.

The River Murray flood event quickly became one of the most significant natural disasters in our state's history, with over 3,000 properties inundated by flood waters. Our initial assistance package of \$51.6 million, announced in November, was designed to assist communities, businesses and councils prepare for the flood, and these funds were included in the Mid-Year Budget Review. Since that time, the government has committed a further \$142.8 million for relief efforts. We remain committed to working with affected communities to recover and rebuild after this catastrophic event.

Elsewhere in the emergency services, the budget provides:

- \$26.7 million over four years to enhance the state's aerial firefighting capability;
- \$5.6 million in 2022-23 for extraordinary fire response costs;

- \$1.9 million over four years to increase mental health and wellbeing support to more than 15,000 volunteers and staff in the sector; and
- \$1.3 million over four years for the purchase of a reserve of flood barriers, such as DefenCell, to guard against future flood risks.

The budget continues the government's significant investment in primary industries and the regions, with new funding including:

- \$25 million over two years to undertake significant emergency fruit fly response activities following the detection of further outbreaks across the Riverland;
- \$7.7 million in the next financial year for the cost of remediating the Mintabie township;
- \$6.3 million over four years to support industry through the extension of the current snapper fishery closure in the Spencer Gulf, West Coast and Gulf St Vincent fishing zones;
- \$3.2 million over two years to support the implementation of individual electronic identification for sheep and goats; and
- \$3 million over four years to support the Outback Communities Authority in delivering improved public facilities and community services in outback townships. This is in addition to \$3.7 million over five years to cease the asset sustainability levy introduced by the previous government.

On Sunday 26 March 2023, South Australia became the first state in Australia to enact a First Nations voice to parliament. The government is committed to implementing the Uluru Statement from the Heart at a state level, starting with the Voice.

Reinforcing our commitment, this budget provides \$10.3 million over four years to establish and support the ongoing operations and to conduct the first two elections of the First Nations Voice to Parliament. This will be supported with other initiatives, including \$11.2 million over four years to continue the multiagency response to support the safety and wellbeing of Aboriginal visitors, \$5.6 million over four years to support the operations of Tauondi college and \$4.7 million over four years to ensure the state's partnership commitments under the National Agreement on Closing the Gap are met, including to increase funding to the South Australian Aboriginal Community Controlled Organisation Network as the state's peak body.

I am pleased to advise that this year's budget papers include a Women's Statement. The Malinauskas Labor government is committed to tackling gender inequality and promoting safety, wellbeing and opportunity for women and girls in South Australia. The statement identifies existing strategies and initiatives undertaken by the government in this regard, and the statement will feature in budget papers from now on, recognising the importance of government efforts in this area.

In total, the 2023-24 budget provides \$4.3 billion over the period 2023-24 to 2026-27, in addition to \$713 million in 2022-23 for new expenditure initiatives and revenue measures. State taxation revenues, including payroll tax, conveyance duty and gambling taxes, have been revised up in 2022-23 and across the forward estimates, reflecting the strong labour market and the broader economic conditions, including a resilient property market. GST revenue grants have also been revised up in 2023-24 and 2024-25, reflecting expected pool growth and an increase in South Australia's share of the national pool.

With additional spending pressures for flood response and the health and child protection systems, combined with a reduction in expected GST revenues this financial year since the release of the Mid-Year Budget Review, the budget estimates a net operating balance deficit for this current financial year of \$249 million. The budget returns to surplus from next year, with a net operating balance surplus forecast of \$250 million, with growing surpluses forecast across the forward estimates, reaching \$639 million by 2026-27.

As a result of the additional resources provided in the budget for key services and the continued investment in infrastructure, non-financial public sector net debt is projected to increase over the forward estimates to \$37.6 billion as at 30 June 2027.

Importantly, the key budget metric of the net debt to revenue ratio remains well below the levels forecast by the previous government. At the end of the current financial year the ratio is expected to be 100.5 per cent, some 20 percentage points less than the ratio forecast by the previous government in its last budget.

At the end of the forward estimates, this budget forecasts the ratio will reach 121.6 per cent, still eight percentage points lower—two full financial years later—than was forecast by the previous government. Not only does the budget maintain Labor's commitment at the last election not to impose any new taxes or tax increases but the indexation rate for government fees and charges has been limited to 4.8 per cent in 2023-24, and the emergency services levy bill for a median-valued metropolitan residential property will increase by around 4.8 per cent in 2023-24, well below the prevailing rate of inflation.

The budget does not impose cuts to frontline services or a broad savings task. Instead, the budget includes only one savings measure: a further reduction of at least 50 full-time equivalent executive positions across agencies, in addition to the 50 executive full-time equivalent savings required last year, all of which have been delivered.

The budget forecasts a slowing of economic growth to 1 per cent in 2023-24 and 1¼ per cent in 2024-25, consistent with slower national growth projected in the federal budget. After the strong performance of the state's labour market in recent times, employment growth also moderates to 1 per cent in 2023-24 and ¾ per cent in 2024-25, again consistent with the commonwealth's estimates of slower growth and a rising unemployment rate nationally. Inflation is also due to moderate to 3¾ per cent in 2023-24 and 3¼ per cent in 2024-25, before returning to the Reserve Bank's target band in 2025-26.

Putting a state budget together is an enormous task. I would like to thank the many staff in the Department of Treasury and Finance for their tremendous efforts in recent months: Under Treasurer Rick Persse, Deputy Under Treasurer Tammie Pribanic, Executive Director of Budget Branch Tricia Blight, and the many, many others who have put in an extraordinary amount of time and effort.

I would also like to thank the staff in my office, led by my Chief of Staff, John Atkinson, for their diligence, assistance and advice over the past months. My thanks also go to my cabinet colleagues for their support, as well as to my caucus colleagues.

But the most important thanks of all go to my family, my wife, Antonia, and children, Ben, Isaac and Olivia. It is a difficult challenge to find some semblance of balance between work and being sufficiently present as a husband and a father, and I cannot tell the house how much I appreciate their unstinting love, support and, given the length of this speech, endless patience as well.

This budget delivers on the government's key priorities of health and housing, while providing substantial cost-of-living support. The budget returns to surplus from next year and introduces no new taxes. This places the budget in a strong position for the government to be able to respond to further unexpected events and capitalise on the economic opportunities to further diversify and strengthen our economy through government investment.

This government is determined to deliver on all of this while continuing our record of responsibly managing the state's finances. I commend the budget to the house. I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

1—Short title

This clause is formal.

2—Commencement

This clause provides for the Bill to operate retrospectively to 1 July 2023. Until the Bill is passed, expenditure is financed from appropriation authority provided by the *Supply Act*.

3—Interpretation

This clause provides relevant definitions.

4—Issue and application of money

This clause provides for the issue and application of the sums shown in Schedule 1 to the Bill. Subclause (2) makes it clear that the appropriation authority provided by the *Supply Act* is superseded by this Bill.

5—Application of money if functions or duties of agency are transferred

This clause is designed to ensure that where Parliament has appropriated funds to an agency to enable it to carry out particular functions or duties and those functions or duties become the responsibility of another agency, the funds may be used by the responsible agency in accordance with Parliament's original intentions without further appropriation.

6—Expenditure from Hospitals Fund

This clause provides authority for the Treasurer to issue and apply money from the Hospitals Fund for the provision of facilities in public hospitals.

7—Additional appropriation under other Acts

This clause makes it clear that appropriation authority provided by this Bill is additional to authority provided in other Acts of Parliament, except, of course, in the *Supply Act*.

8—Overdraft limit

This clause sets a limit of \$150 million on the amount which the Government may borrow by way of overdraft.

Schedule 1—Amounts proposed to be expended from the Consolidated Account during the financial year ending 30 June 2024

Debate adjourned on motion of Hon. J.A.W. Gardner.

STATUTES AMENDMENT (BUDGET MEASURES) BILL

Standing Orders Suspension

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (15:42): I move:

That standing orders be so far suspended as to enable the introduction of the Statutes Amendment (Budget Measures) Bill.

The SPEAKER: An absolute majority being present, I accept the motion.

Motion carried.

Introduction and First Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (15:42): Obtained leave and introduced a bill for an act to amend the Emergency Services Funding Act 1998, the First Home and Housing Construction Grants Act 2000, the Land Tax Act 1936 and the Stamp Duties Act 1923. Read a first time.

Second Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (15:43): I move:

That this bill be now read a second time.

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

Leave granted.

The 2023-24 Budget is focussed on the government's priorities of a sustainable, efficient health system, more affordable housing, assistance towards cost of living pressures, and providing better public services for South Australians.

The Bill contains amendments to relevant legislation to implement measures announced in the 2023-24 Budget and other administrative amendments, including:

- As part of the government's plan for A Better Housing Future, introducing a 50 per cent land tax discount for eligible new build-to-rent residential construction projects. The discount will reduce the land value for land tax purposes by 50 per cent to the 2039-40 land tax year for eligible projects;

- Providing stamp duty relief for eligible first home buyers on the purchase of new homes valued up to \$650,000 and a corresponding increase to the First Home Owner Grant property value cap; and
- Various administrative amendments relating to the Emergency Services Levy.

Mr Speaker, I turn now to a more specific discussion of the detail of these important amendments.

Emergency Services Funding Act 1998

- The Bill makes various amendments to the *Emergency Services Funding Act 1998*.
- Amendments are being made to allow the Commissioner of State Taxation to collect the Emergency Services Levy (ESL) from either a landowner and/or a private shack lessee.
- Currently, lessees of private shack sites are not specifically provided for as an 'owner' from which ESL can be collected, and Notices of Emergency Services Levy Assessments are issued to the lessors as the owners of the land.
- Owners of some privately leased shack site groups have requested that RevenueSA send separate ESL Notices to the lessees of the shack sites, as the responsibility of collecting the ESL from lessees can be burdensome.
- Following the changes, owners of privately leased shack sites could request the Commissioner of State Taxation to issue individual ESL bills to lessees, relieving the owner of the administrative difficulties of apportioning, collecting and paying the ESL for their shack group;
- An amendment is also being made to change references to Volunteer Marine Rescue SA Incorporated to a Volunteer Marine Rescue Organisation accredited by the State Marine Rescue Committee to be more in line with current marine rescue arrangements.

First Home and Housing Construction Grants Act 2000

- The Bill also amends the *First Home and Housing Construction Grants Act 2000* to increase the property value cap for eligibility for the \$15,000 First Home Owner Grant from \$575,000 to \$650,000.
- When combined with the new stamp duty relief, an eligible first home buyer could now receive total relief of up to \$44,580 on the purchase of a new home valued at \$650,000.

Land Tax Act 1936

- This Bill introduces a 50 per cent land tax discount for eligible new build-to-rent properties. The discount reduces the land value of the parcel of land being used as an eligible build-to-rent property by 50 per cent until the 2039-40 land tax year.
- The criteria for an eligible build-to-rent property includes that a minimum lease term of at least three years must be offered to tenants to support more secure tenure arrangements. Further requirements to be deemed an eligible build-to-rent property can be outlined in regulations, including but not limited to the minimum number of build-to-rent dwellings or units within a property and requirements to support the development of new affordable housing in build-to-rent properties.
- Build-to-rent projects where construction commences from 1 July 2023 will be able to apply for relief.
- The reduction in land tax for eligible build-to-rent properties is designed to support the uptake of investment in residential rental housing, increasing the supply of housing and creating more opportunities for renters.
- The amendments are largely consistent with those included as part of the *Statutes Amendment (Budget Measures 2021) Bill 2021* but ultimately not passed by Parliament at that time.

Stamp Duties Act 1923

- This Bill provides stamp duty relief for eligible first home buyers who enter into a contract to purchase a new home or vacant land to build a new home, on or after 15 June 2023.
- No stamp duty will be payable on the purchase of an eligible new home valued up to \$650,000 with relief progressively phasing out for properties valued up to \$700,000.
- For the purchase of vacant land on which a new home will be built, no stamp duty will be payable for vacant land valued up to \$400,000 with relief phasing out for land valued up to \$450,000.
- To be eligible for relief, the new home must be occupied as the principal place of residence, similar to existing requirements for the First Home Owner Grant, under the *First Home and Housing Construction Grants Act 2000*.
- Stamp duty relief of up to \$29,580 will be available for eligible applicants under this measure.

Mr Speaker, the 2023-24 Budget is a responsible budget focused on strengthening our health system, increasing the supply of affordable and appropriate housing, and alleviating cost of living pressures. The measures contained in this Bill support the objectives of this government to ensure South Australia remains an attractive place to live, work and do business.

I commend this Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Emergency Services Funding Act 1998*

3—Amendment of section 3—Interpretation

This clause updates a reference in the definition of *emergency service* and amends the definition of *owner* to include a person who is entitled to the right of occupation of a River Murray shack lease.

4—Amendment of section 28—The Community Emergency Services Fund

This clause updates a reference in section 28(4)(a)(v).

Part 3—Amendment of *First Home and Housing Construction Grants Act 2000*

5—Amendment of section 7—Entitlement to grant

This clause amends section 7 of the *First Home and Housing Construction Grants Act 2000* so that no first home owner grant is payable where the market value of the relevant home exceeds \$650,000. Currently, the grant is not payable if the market value exceeds \$575,000.

Part 4—Amendment of *Land Tax Act 1936*

6—Insertion of section 7A

This clause inserts a new provision in the *Land Tax Act 1936* allowing for a 50% reduction in the taxable value of land (from 1 July 2023) where the Commissioner is satisfied that a building constructed on the land on and after 1 July 2023 is being used and occupied for a build-to-rent property in accordance with the provision. The provision will expire immediately before midnight on 30 June 2040.

Part 5—Amendment of *Stamp Duties Act 1923*

7—Insertion of sections 71DD and 71DE

This clause inserts two new sections.

71DD—Relief from duty in respect of certain purchases of new homes and land

Proposed section 71DD applies to a conveyance or transfer if the Commissioner of State Taxation is satisfied that—

- an applicant for relief under the section is a purchaser under a contract for the conveyance or transfer of a new home or vacant land on which a home is to be built; and
- the conveyance or transfer qualifies for relief under the section.

If section 71DD applies to a conveyance or transfer, the duty payable on the conveyance or transfer is as follows:

- if it is a conveyance or transfer of a new home and the market value of the home (including the land on which the home is situated) when the contract is entered into does not exceed \$650,000—no duty is payable;
- if it is a conveyance or transfer of a new home and the market value of the home when the contract is entered into exceeds \$650,000 but does not exceed \$700,000—the duty otherwise payable will be reduced in accordance with other provisions of the section;
- if it is a conveyance or transfer of vacant land and the market value of the land when the contract is entered into does not exceed \$400,000—no duty is payable;
- if it is a conveyance or transfer of vacant land and the market value of the land when the contract is entered into exceeds \$400,000 but does not exceed \$450,000—the duty otherwise payable will be reduced in accordance with other provisions of the section.

A conveyance or transfer qualifies for relief if—

- the contract for the conveyance or transfer was entered into on or after 15 June 2023; and
- the purchasers under the contract are at least 18 years of age (but this requirement operates subject to other provisions of the section); and
- at least 1 of the purchasers under the contract is an Australian citizen or permanent resident at the time application is made; and
- no purchaser under the contract, and no spouse or domestic partner of a purchaser under the contract, has—
- been a party to an earlier conveyance or transfer for which no duty, or a reduced rate of duty, was payable under the section; or
- before the commencement date of the contract, held a relevant interest in residential property in South Australia or another State and occupied the property as a place of residence for a continuous period of at least 6 months; and
- the market value of the new home or vacant land when the contract is entered into does not exceed—
 - in the case of a new home—\$700,000; and
 - in the case of vacant land on which a home is to be built—\$450,000.

Subsection (4) of the new section imposes a requirement for purchasers to occupy a home on the land that is conveyed or transferred, including where the land that was vacant at the time of the relevant conveyance or transfer. Occupation must be for a continuous period of at least 6 months. For a new home, the period of occupation must commence within 12 months of the date on which the conveyance or transfer occurs. For vacant land, occupation must commence before the date falling 12 months after the date on which the purchaser was lawfully first able to use a home constructed on the land as a place of residence or, if this occurs earlier, before the date that is 36 months after the date on which the conveyance or transfer occurred. The Commissioner may vary a residence requirement or, in certain specified circumstances, determine that a conveyance or transfer qualifies for relief even though a purchaser has not satisfied the residence requirement. The Commissioner may also determine that a conveyance or transfer qualifies for relief despite a purchaser under the contract not being at least 18 years of age provided that the Commissioner is satisfied that the residence requirement will be satisfied. The Commissioner must also be satisfied that the application does not form part of a scheme to circumvent limitations on, or requirements affecting, eligibility or entitlement to relief.

An application can only be made by a natural person and must be made jointly by each person who will be an owner of the new home or land to which the application relates.

71DE—Duty payable if relief ceases to be available

This proposed section provides for the payment of duty at full rates where section 71DD ceases to apply to a conveyance or transfer because the Commissioner ceases to be satisfied that the section applies or there is a failure to comply with the residence requirement.

8—Amendment of Schedule 2—Stamp duties and exemptions

This clause deletes a redundant note from Schedule 2.

Debate adjourned on motion of Hon. J.A.W. Gardner.

SUPPLY BILL 2023

Final Stages

The Legislative Council agreed to the bill without any amendment.

Adjournment Debate

LAWRIE, MS J.L.

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:45): I take the opportunity to offer a contribution to the adjournment debate today in loving and respectful memory of Jean Lawrie. Jean Lawrie was a servant of our nation, of our state, of the Liberal Party, but I suspect in Jean's and her family's mind first and foremost she was a servant of her beloved Port. The Port Adelaide community knew Jean and her entire family not just for a short period of time but for decades, for more than half a century.

She grew up in Hindmarsh Valley on the Fleurieu Peninsula. She attended school in a very small schoolhouse, which I remember attending and being told of Jean's stories of being educated in that very small schoolhouse. I do not know if she suspected at the time when we were discussing it that I might one day be an education minister but in Jean's memory, when I was education minister I had a look at that schoolhouse again. It did not bear a financial representation worth reopening it, but for Jean it was worth a look.

Jean served the Liberal Party over many decades, which is how I got to know her first and foremost. She joined the party because she felt there was an opportunity to serve her community through supporting the Liberal Party in the area, which she did by doorknocking the entire state seat she was running for, encouraging people to join the Liberal Party, and in that seat—I think it was Price at the time—the membership has never again been so high.

She ran for parliament seven times, which for a woman in the 1960s, 1970s and early 1980s I suspect was a record, certainly for somebody who was unsuccessful but kept putting herself forward as an authentic representative candidate for her community, someone for whom Liberal voters could vote with confidence, knowing that, if she had been elected, she would have served with absolute confidence, composure, compassion and ability.

For federal Port Adelaide, for state seats in the north-western suburbs, in Jean Lawrie the party had an excellent candidate. Jean passed away after living with Parkinson's disease for more than two decades; she ended up ultimately succumbing to COVID in recent weeks. She lived to the age of 95 and lived a very full life, a life of which her family, her community and certainly our Liberal Party can be very proud, but of course every death we mourn and are sad for, particularly her family.

Her children Rae, Sue, Jock and the late Jo mourn her passing, along with grandchildren and great-grandchildren. The eulogies given by Rae and Sue, along with other members of the community, including Simon Birmingham and Rosalie Haese, representing her Liberal Party involvement, were incredibly heartwarming, and some of the stories of Jean's contribution to the community were amusing, heartfelt and evidence of the substance she offered.

I think a couple of the contributions she made to the broader community are worth bearing in mind. Jean was a founding member of the Bangka Strait SA Women's Memorial Playing Fields Trust. In memory of those women who were massacred in 1942, I think it was, Jean committed herself and every year would attend the annual ceremony in their memory. She was acknowledged by the trust for that, and that was on display at her funeral. Also on display at her funeral was the life membership that she was granted by the Electric Light Cricket Association. The reflections of one of her former adversaries on the pitch were most amusing, and I think the contribution she made to women's sport in South Australia is significant.

To the Liberal Party, there is the memory of her being granted a Meritorious Service Award. It is granted to people in our Liberal community who have served the party with honour and dedication and go above and beyond. It was matched only by the fact that she was awarded a Distinguished Service Award as well. Very few Distinguished Service Awards are granted by our Liberal family. In South Australia, there are usually between one and three every year—I think there are some years where none are awarded—mostly to people who have postnominals and titles. Jean did not have those postnominals, but in the heart and eyes of the Liberal family she certainly deserved and merited those awards.

Jean's family will miss her greatly. Rae gave a beautiful speech at the funeral outlining what Jean had done across her life, the way she had contributed to local businesses in the Port, the way she stood up for her community and the contribution she made to community life. Her daughter Sue, the member of the family I know best, along with Sue's son Robert, similarly has served the Liberal Party. She has run for parliament on, I think, seven occasions.

Indeed, I reflect that Sue's eulogy was one of absolute passion and was heartfelt. It was a story of making friends again with her mother in her 30s. The life they had together and the travels she had with so many I do not think will be forgotten by anybody who was at the funeral.

A measure of the high esteem in which Jean was held by the Liberal Party can be reflected by the fact that Senator the Hon. Simon Birmingham; Senator the Hon. Andrew McLachlan; the

member for Frome, Penny Pratt; the member for Bragg, Jack Batty; and myself were in attendance along with former members Christopher Pyne and Wayne Matthew. In this chamber, I would like to also place on the record for the parliamentary *Hansard* the wonderful life of service of Jean Lawrie.

MOTOR NEURONE DISEASE

Ms THOMPSON (Davenport) (15:51): It is not the first time, and it will not be the last, that I rise to shed light on an insidious and devastating disease that affects thousands of lives around the world, and that is motor neurone disease. MND knows no boundaries. It affects people of all ages, races and backgrounds and its impact extends far beyond the individuals themselves.

In 2020, MND took my beautiful mum and so I am familiar with the profound impact that this disease has on families and communities as they witness their loved ones confronting the gradual loss of independence and the significant challenges that this disease presents. This progressive neurodegenerative condition relentlessly attacks the nerve cells responsible for controlling our muscles, gradually robbing individuals of their ability to move, to speak, to swallow and eventually to breathe. There is currently no cure.

I remember when my mum was first diagnosed. She joked that her favourite Jansz sparkling wine just would not be quite the same through a feeding tube. That was the spirit of my mum, but while she kept smiling and tried very hard to stay positive, particularly around her grandchildren, it was really tough. She quickly progressed to a walker, then to a wheelchair. She used an iPad to communicate with text to voice, and there was a forever growing list of equipment that she needed as the disease progressed. Amidst the challenges posed by MND and, until we find a cure, there is care, and that is what brings me to share with you the remarkable work of MND SA.

MND SA is a not-for-profit community organisation that operates in South Australia and provides incredible support and resources to individuals living with MND, and their families. They offer assistance in areas such as equipment provision, financial aid and access to specialised care. The over 65s amount to approximately 65 per cent of MND SA's clients. However, if you are diagnosed with this disease when you are over 65 years old, you will currently not qualify for NDIS support and must instead apply through overwhelmed federal systems, such as My Aged Care. As a result, 80 per cent of South Australians living with MND who are over 65 pass away before receiving an appropriate level of support.

This is where organisations like MND SA step in. I am proud to say it is also where the Malinauskas Labor government has stepped in, committing to providing ongoing funding to MND SA that will assist South Australians living with motor neurone disease and their families. Next week is MND Awareness Week. This dedicated week aims to educate the public about MND and its impact on individuals and their families. It serves as a platform to share stories of resilience and advocate for increased understanding and empathy.

This winter, I will be joining the MND SA team to embark on a challenging six-day trek along the iconic Larapinta Trail in Australia's Northern Territory, all while raising funds to support MND SA's vital work. If you are in a position to donate, please do. Your donations, big or small, will provide vital resources to improve the lives of those affected by this devastating disease. Your support will also allow MND SA to continue offering essential services and support to individuals and families facing the daily challenges of MND.

Finally, next sitting week the Minister for Health and Wellbeing, together with the member for Frome and myself, will be hosting a Parliamentary Friends of MND morning tea. This is a great opportunity for members to recognise MND Awareness Week and speak with members of the South Australian motor neurone community. I hope to see you all there.

ADELAIDE AQUATIC CENTRE

Ms HOOD (Adelaide) (15:56): I rise to talk on an incredibly important project in my local area, and that is the delivery of a brand-new Adelaide Aquatic Centre. On the weekend, I was really excited to be joined by the Premier, the Minister for Infrastructure and Transport, the Treasurer and the Lord Mayor to unveil the very first concept designs of a brand-new facility at Park 2 in North Adelaide.

We are doing this project because the current facility is ageing. It was never built for purpose, and it is in decline. It has concrete cancer, the diving tower is structurally unsafe and closed off, and large parts of the grandstand are closed off. I am there every Friday evening with my two children as they do their swimming lesson, and I think any user who attends the facility knows that it is in need of a complete rebuild. That is why the Malinauskas Labor government has stepped in to deliver a brand-new facility.

At the election, we did have two very different tales: we were stepping in with a fully funded commitment to the Adelaide Aquatic Centre, unlike the then Liberal government at the time who merely put \$25 million on the table for an unfunded project. They had no commitment from the federal Coalition government at the time towards the centre, which was really concerning for locals because in some ways the Aquatic Centre had become quite the political football—literally, when even the Adelaide Crows got involved—and there was a real concern around its long-term future.

There was also concern around the burden placed on Adelaide City Council ratepayers in regard to the centre. When you look at the number of people who use the centre, only around 11 per cent of those users are Adelaide City Council residents, yet the former Liberal government was asking Adelaide City Council ratepayers to effectively shoulder the burden of a new facility.

At the time, the then Treasurer, Rob Lucas, said that if they could not get the funding from the federal government they would look to Adelaide City Council ratepayers to pay the bill. That really is not fair. This is a facility that serves a huge area, not just the Adelaide City Council area but communities to the north, the west and the east as well. That is why we stepped in to make sure we were delivering a fully funded, new facility that is going to serve generations to come.

Over the past 12 months we have been working really hard on consultation, first on the location of the new centre, its design and also its features. When we look at some of those features I can say that this facility is going to be an absolute game changer for our area. We are going to have indoor and outdoor pools. For the indoor pools it is going to have 10 lanes for lap swimming, and there will be a 25-metre outdoor pool, which is going to be incredible.

Picture North Adelaide in summer, in our beautiful Parklands setting—we are going to have outdoor pools and outdoor play areas. Families are going to be able to come and have picnics and barbecues and be in that beautiful Parklands setting, which is going to be an absolute game changer for our area. Having attended the centre on those really hot days, I know that it is probably more like a sauna than a swimming centre, particularly in the heat of summer, so the fact that we are going to have these outdoor pools for the community to enjoy is just amazing.

It is also going to have a dedicated warm-water pool for rehabilitation, and it is going to have a dedicated learn-to-swim pool. Teaching kids to swim is something I am incredibly passionate about. I spent every single summer at the Naracoorte Swimming Lake learning to swim and then learning to be a swimming instructor and a lifeguard, so I am incredibly passionate about teaching our young kids to swim. The fact that we are going to have a dedicated swim school pool within this facility is so incredibly important.

Another thing that I am really proud to be delivering as part of this project is an increase in open green space and an increase in Parklands as part of this development. We are going to be delivering an extra 1,000 square metres of Parklands as part of this project, and that has come from this extensive consultation of listening to the community and delivering on the feedback we have heard.

As part of the fact that we are going to be delivering an improved design with more Parklands, more facilities, more family fun facilities, it will require a closure of the current centre in August 2024. Again, I understand and acknowledge the inconvenience that will cause for users. Again, as a mum of two children who do their swimming lessons at the centre, I will need to find alternative arrangements. We have set up a dedicated hotline, a dedicated email for users, and importantly we have allowed 12 months lead-in time ahead of that closure.

We are also going to be holding some information sessions for people to come and view the designs and ask any questions. Those sessions will be held on Thursday 22 June at 4.30pm to 6.30pm and Saturday 24 June at 1pm to 4pm at Eliza Hall at the Prospect Town Hall, so please

come along, view the amazing designs and ask all the questions. We cannot wait to get on with delivering this incredible project for our community.

LAWRIE, MS J.L.

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (16:02): I rise this afternoon just to provide some brief remarks on the passing of Jean Louise Lawrie, who was a significant contributor to her community in Adelaide's western suburbs and was particularly a stalwart within the Liberal Party of South Australia. Jean was a much-loved mother to Sue and an adored grandmother to Robert.

She joined the Liberal Party of South Australia in 1968, and in the 1970s she was instrumental in the establishment of the Woodville branch of the party and of the Price State Electorate Convention, also known as an SEC. Jean was the Liberal Party's candidate for Price and for the federal seat of Port Adelaide on seven separate occasions. When not involved in campaigns as a candidate, she was capably assisting our candidates in the seat of Cheltenham and other electorates in our western suburbs, including previous candidates, now members of parliament, who saw Jean as a mentor. These include the member for Frome and the member for Bragg.

Jean's service to the Liberal Party was not always visible. In the lead-up to each electorate day, she was a champion fundraiser, establishing and hosting for some 25 years the well-regarded annual Australia Day luncheon. As the longest serving president of the Woodville branch of the Liberal Party and a delegate to state council for some 50 years, she was an icon of the party who received our Meritorious Service Award in 1998, and in 2016 she received the Distinguished Service Award, only the 20th recipient of this award.

However, Jean's influence in South Australia actually extended well beyond her involvement in the Liberal Party. She was a fierce advocate for the western suburbs and a strong supporter and champion for imposing the 25 km/h speed limit restrictions around our schools, ensuring that schools were as safe environments as possible for young people to navigate. Despite being a staunch loyalist to the Liberal Party, Jean personally called each member of parliament to advocate for these changes, which are a significant legacy. She also had a very significant role in the Women's Memorial Playing Fields. Along with May Mills, she was a founding member of the trust that looked after those fields and was a contributor at many of the services of remembrance held there.

Jean's legacy is significant and her contribution to the Liberal Party was gratefully received in a part of the city where we would not necessarily do electorally well but where it is so important for a major political party to continue to fly the flag. We could not have done it in the western suburbs without Jean. I want to thank her publicly for her contribution to our party and particularly pass my sympathies to her children, Rae, Sue and Jock, and I also acknowledge Jo, who has now passed away. Vale, Jean Lawrie, a great servant of the Liberal Party.

At 16:05 the house adjourned until Tuesday 27 June 2023 at 11:00.