

## HOUSE OF ASSEMBLY

Thursday, 6 July 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*

#### ARTIFICIAL INTELLIGENCE

**Mr BROWN (Florey) (11:01)**: I move:

That this house establish a select committee on artificial intelligence (AI) to investigate and report on—

- (a) the current state of AI development, deployment and application across various sectors, with a particular focus on the economic, social and ethical implications for South Australia;
- (b) the potential for AI to transform sectors critical to the South Australian economy, such as agriculture, mining, manufacturing, and services, and the skills required for this transformation;
- (c) issues surrounding the use of AI in the commission of criminal offences;
- (d) the challenges and opportunities of AI in relation to privacy, data security and the ethical use of AI, including the risk of bias in AI decision-making;
- (e) the potential for South Australia to develop a competitive advantage in AI, including through the development of a strong AI research and development sector, the attraction of international AI investment and the training and retention of AI talent; and
- (f) any other related matter.

Unless you have been living under the proverbial rock for the last year, you would have noticed the hype that has surrounded artificial intelligence (AI). Many have speculated that the future widespread adoption of artificial intelligence will have the same effect on our economy and our society as the adoption of the internal combustion engine or the telephone—that is, completely transformative.

Even if this is only partially true, it seems certain that we are at the beginning of a period of major change. Whilst it is true that there are only limited actions that can be taken by a state such as ours to situate us favourably regarding the future that is to come, they do exist and I believe an investigation by this house is the most appropriate vehicle to do so. It is worth considering some of the areas of investigation laid out in the motion in detail.

AI has a capability to dramatically enhance agriculture in this state, for example. Overseas AI-based systems are already using machine vision, temperature sensors, moisture sensors, soil analysis and infrared data from drones to advise farmers on how to maximise yield, nutrition and flavour. Experiments are already being conducted to use AI-driven robotics in harvesting, and successful experiments have even been conducted into how the humble sheepdog may be replaced by a drone.

Regarding mining, perhaps no jurisdiction in the world is so impacted by overburden-driven uncertainty as South Australia. AI systems that can analyse data from various sources—such as geochemical, geomagnetic and satellite data—can be used to identify prospects with a greater degree of certainty and thus encourage more investment in our state.

It is a fact that any transformative invention—including the telephone, the motor vehicle or the internet—has been used for both good and ill. One of the first known examples of AI being used to commit a criminal offence was in 2019, when an official with a company in the United Kingdom was asked by someone she thought was her CEO to transfer €243,000 to a company in Hungary. In

fact, the voice was computer generated, with the model likely trained on public appearances the CEO had made. Such crimes are now regularly attempted on larger and also much smaller scales by organised gangs across the world.

Another very worrying trend is the increase in so-called pornographic deepfake videos. A 2019 study showed that 96 per cent of all deepfake videos known were non-consensual pornography of women. It is a sad indictment on our society that nearly any woman with a global profile has been the subject of a pornographic deepfake video. However, the technology is now regularly being used to create videos that have been commissioned by men to humiliate women known to them. New laws may be required to properly deal with this issue, and I believe that it is something the committee should examine specifically.

AI has also been used successfully in crime investigation. It has been used to find the likely relatives of murderers and rapists by sorting through vast amounts of DNA data held by genealogy databases. AI-enhanced facial recognition has been used to find missing people and international fugitives. It is also currently being used in Ukraine to identify victims of alleged Russian war crimes. However, these two examples also raise issues of privacy.

Models are enhanced by giving them more data. The form of that data, where it is sourced, and who ultimately owns it are questions that need to be addressed in our local context. South Australians should have confidence that their personal data is not being misused, especially in the cause of profit. Hopefully this will be something for the committee to consider. Bias, particularly in models of risk assessment, is an issue that has been raised internationally, with a number of jurisdictions in the United States ceasing the use of AI in crime prevention due to the issue of racial bias.

We know that the mass introduction of AI technology will provide opportunities, but equally important is the identification of the skills required in our populace to take advantage of these opportunities. This does not just mean a demand for researchers and programmers but the identification of which skills we can equip our society with more generally to take advantage of the productivity gains AI can provide. Just as basic computer knowledge and skills have been added to our school curriculum, so I believe we will eventually add knowledge of AI concepts.

Other less obvious impacts are likely to be observed. For example, South Australia has an ageing population, and we need to ensure that our older South Australians have the capability and support to make the most of these new technologies. AI technology may also assist people in ageing in place. That is why digital literacy and training is an area that will also need to be considered to ensure that its full potential is able to be accessed by all South Australians.

There has also been much said about the use of AI, particularly ChatGPT, in an education setting. When the model was unveiled in November, there was concern expressed by many that the relative ease with which it could be used to write essays would lead to an explosion of cheating and undermine the very foundations of our teaching system. Many jurisdictions moved to introduce an immediate ban. I was pleased to see that our state was being a little more forward thinking in committing to exploring ways in which AI can be used to improve educational outcomes, such as using the Socratic method with individual students or by assisting teachers with marking or lesson planning.

In 1970, the renowned AI researcher Marvin Minsky said 'from three to eight years we will have a machine with the general intelligence of an average human being'. This can easily be compared with the hype that currently surrounds generative AI and ChatGPT in particular. Many prognostications have been made and will be made about how AI is going to change every facet of our lives in the very near future.

It is not my intention for this committee to come back with a shopping list of plots for science fiction stories, but instead to acknowledge that the age when AI is regularly used as a tool for the enhancement of productivity in our society for both good and ill is now upon us. There is opportunity for this house to ensure that the proper framework exists so that our state can continue to be a leader not only in AI research but also in the practical application of this technology to enhance our lives. I commend the motion to the house.

**Mr TEAGUE (Heysen) (11:09):** Briefly, I indicate the opposition's support for this meritorious committee. I commend the member for moving its establishment. I indicate that there is clear interest across the house and I look forward to contributing to the important work ahead of the committee. I commend the motion.

Motion carried.

**Mr BROWN:** I move:

That a committee be appointed consisting of Mr Ellis, Mr Odenwalder, Mr Patterson, Mr Teague, Ms Thompson and the mover.

Motion carried.

**Mr BROWN:** I move:

That the committee have power to send for persons, papers and records and to adjourn from place to place and that it report on 30 November 2023.

Motion carried.

**Mr BROWN:** I move:

That standing order 328 be so far suspended as to enable the Chair to have a deliberative and a casting vote.

**The SPEAKER:** An absolute majority is required and is not present, ring the bells.

*An absolute majority of the whole number of members being present:*

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

Motion carried.

#### **DISTRICT COUNCIL OF MOUNT REMARKABLE BY-LAWS**

**Mr FULBROOK (Playford) (11:14):** It is with disappointment that I move:

That by-laws made under the Local Government Act 1999, entitled Local Government Land for the District Council of Mount Remarkable, made on 19 April 2022 and laid on the table in this house on 17 May 2022, be disallowed.

**The SPEAKER:** The motion has been moved; is it seconded? In fact, the Deputy Leader of the Opposition is seeking the call momentarily.

**The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (11:14):** Apologies if I am missing a standing order here, but can I move that debate be adjourned so that this matter can be considered in more detail?

**The SPEAKER:** You could.

**The Hon. J.A.W. GARDNER:** I move:

That the debate be adjourned.

**The SPEAKER:** Is it seconded?

**An honourable member:** Yes, sir.

**The SPEAKER:** Very well. I will have to put the question because it is seconded and it has been moved.

Motion negated.

**Mr FULBROOK:** Before I go into detail, I will begin by reminding the house and interested parties that the Legislative Review Committee has been set up to inquire into, consider and report on subordinate legislation referred to it under the Subordinate Legislation Act 1978. Each sitting week we hear ministers table reams of regulations from their departments, along with numerous by-laws made by councils. These are, in turn, considered by the committee in which I, along with the members for Light and Flinders, sit as members.

From the outside looking in, this constant process of referral may appear as a formality but this could not be further from the truth, and is a responsibility that we all take very seriously. Through the aid of the committee secretariat, each piece of subordinate legislation is reviewed under a process where it is considered against seven key scrutiny principles. Rather than take up too much of the chamber's time, I suggest interested parties seek further details on these principles online. That said, I bring to your attention to principle No. 4 which I quote as follows:

Whether the regulations are in accord with the intent of the legislation under which they are made and do not have unforeseen consequences.

I am sorry that I am not sorry if this comes across as dry, and stress that this background is important to consider against the actions before the house today. I particularly refer to the latter part of this scrutiny principle that compels the committee to consider if there would be any unforeseen circumstances against any tabled regulation. The committee has formed the view that section 5, in particular part 5.8, ticks this box.

Section 5 of the regulations relate to the prohibited activities that cannot occur on local government land. It is prescriptive to a plethora of restricted activities around areas such as playgrounds, smoking, fishing and, of course, toilets or public amenities, which is addressed in section 5.8 of the by-law.

The regulations prescribe that it is a prohibited activity to enter any public convenience that is set aside for use by the opposite sex, except where, under section 5.8.5.1, a child under the age of five years, accompanied by an adult person of that other sex and/or under 5.8.5.2, to provide assistance to a disabled person. Supporting documents provided by the council make it clear that the by-law would be policed by inspection, the issuing of warnings, expiation notices or by prosecution if necessary.

As I understand, section 246(1)(g) of the Local Government Act 1999 outlines that a breach under the by-law can result in a fine of up to \$1,250. Given this, it becomes very clear that there are a number of reasonable circumstances that may permit someone from the opposite sex to enter a designated toilet. This could range from a genuine emergency, but the most pressing deficiency in this instance revolves around the need to accompany a child over the age of five years who, for a number of reasons, may be in need of the assistance of an adult. As a parent, it is my strong view that it should not be a crime to act in the best interests of my child but, unfortunately, this by-law prevents this from happening.

I know that there will be voices keen to stress the actions we undertake today are motivated by political correctness gone wrong, but I do not feel that this is the case. The fact remains that age is not an appropriate reason to be in breach of a by-law when a parent or caregiver is acting in a reasonable manner to ensure the safety of a child.

Casting our minds back to the Legislative Review Committee's report on public conveniences tabled last September, it rightly suggests that a reasonable person in the position of a caregiver to a child of five years would not leave that child outside a public convenience, nor allow that child to use the convenience unaccompanied. I remind this house that the by-law we are discussing provides the exception for children under five years of age.

On its own, the reason I outline is solid enough to have this by-law disallowed. That said, the committee also has concern on the use of language that could be considered antiquated, which, on this occasion, relates to reference of the opposite sex in section 5.8.5. Before anyone jumps to conclusions, it is worth noting a separate scrutiny peak principle compels the committee to review subordinate legislation to determine whether regulations unduly trespass on the rights previously established by law. Through a legislative lens, this is achieved if the person seeking to use a public convenience does not identify as either male or female.

I have read the work of a journalist who has tried to paint this issue as political correctness gone wrong, and I do not accept this. Irrespective of the individual value we place on the second concern that I have outlined, the fact remains that the by-law set by the District Council of Mount Remarkable remains defective because age is not an appropriate barrier to determine if a child should or should not receive assistance from an adult.

There are several other factors I feel should be cleared up before this matter is given over to the house for its consideration. It should be pointed out that the District Council of Mount Remarkable is not alone when it comes to having similar by-laws. In the last parliament, the efforts of the previous Legislative Review Committee initially identified this concern through the tabling of a similar land-related by-law from the City of Tea Tree Gully. Under the Chair of the Hon. Nicola Centofanti from the other place, the previous committee began an inquiry into this concern, which was then carried over by the new committee, of which I am a member.

As councils gradually update their by-laws, it became apparent that the defective elements were widespread and it was therefore decided that a model by-law should be developed. As mentioned, this was tabled in September last year and has been on the public record for councils and the public to note. While I will not pre-empt the position of the opposition, it is worth noting that the initial work of the inquiry was overseen by a committee controlled by either Liberal or former Liberal members and that the tabled report does not contain a dissenting statement.

I mentioned right at the start that I am disappointed it has come to the point where there is need to have this by-law disallowed. I say this on the basis that efforts were made by Minister Brock to reach out to the council and negotiate on this matter. It must be stressed that the work of the committee led to the development of a model by-law. While encouraged and supported by strong evidence, it is not binding on councils to adopt, but it does plot a course on how to shape laws to avoid the concerns that I have outlined.

Councils are at liberty to use the report how they see fit, but they, like any responsible government, must adopt laws that are functional and without unintended consequences. I understand that pointing out the obvious defects to the council CE would not sway him on the need to develop something more appropriate. This is a big concern, as it casts a shadow over who exactly runs the District Council of Mount Remarkable.

I understand the chief executive has been involved in political parties in the past, and I cannot help feel that this is more a political exercise than him working in the best interests of the community. It should be noted that the council has stated that they were not prepared to take any further action until the by-law was up for renewal again in 2029. In the interim, they suggest they would not police any alleged contraventions.

Six years to get this right is a long time to wait. This compromise is as flimsy as the wafer-thin promise not to do anything to fix up the problem until then. I can appreciate it costs money to develop by-laws, but I remind the house that that is what councils are supposed to use ratepayers' money to do. It is therefore my view—and I hope the view of this house—that waiting six years to fix this problem does not cut the mustard.

We are now at a point where I feel it is imminent that this by-law will soon cease to exist. Had there been a genuine need to work through the issue, it could have remained on the *Notice Paper* until a replacement set of laws was developed and adopted. The house should note that this is what is happening with other councils that have considered this glaring error and are now acting to address it.

Before any accusations are made that we as a committee, and possibly the parliament, are stifling the democratic right of a council to govern, please ask yourself: who will scrutinise council by-laws if we do not? It is my view that a defective law has been identified and, while I feel that a negotiated pathway would have been more desirable, this council has chosen to avoid consensus and now must address the consequences. While it is regrettable, I have outlined why the by-law should be disallowed. I commend this action to the house.

**Mr TELFER (Flinders) (11:25):** I rise to speak on this motion that has been moved by the member for Playford, as both the shadow local government minister and a member of the Legislative Review Committee. There are two different parts to the words that have been said on this motion already by the honourable member. Some strong words have been used, and I hope the honourable member reflects in time that this sort of process perhaps is not the time to try to big-note or score political points—it is a procedural matter that is within the remit of the Legislative Review Committee, yes, but on pieces of legislation, regulation or council by-laws that the committee sees are defective or unworkable.

As someone who has connections with local government all around the state, and as someone who totally respects the capacity and jurisdiction of local government to make by-laws which appropriately reflect their communities, I am disheartened to say the least at the way the government is pushing through this disallowance motion. The work that was done in the previous term by the Legislative Review Committee was really important work. There were inconsistencies around the state with council by-laws, particularly relating to public conveniences, on the specification of the age of children who would be allowed to go into a toilet of the opposite sex, along with their carer or parent.

That work was done in recognition that perhaps the age as designated, as has been mentioned, of five years, some of eight and some of 10, may be something that needs appropriate attention, and the attention of the council was drawn to it. The additional work that was then included, purely based on the submission of the Equal Opportunity Commission to that Legislative Review Committee, really is bordering on the roles and responsibilities of the Legislative Review Committee. It becomes ideological rather than practical, rather than workable, rather than looking at whether or not by-laws are defective.

To disallow a by-law because of the words 'the opposite sex', or to look to disallow a by-law because it includes gendered pronouns like 'he/him' or 'she/her' I think is well beyond the remit of this place to be considering. I am disappointed that we have got to this point and we are spending time in state parliament debating these subject matters. It really is incredible that we have got to this point.

I have the utmost respect for councils to totally consider and reflect their communities, to put in place by-laws and appropriate measures within their community as the democratically elected representatives—the mayors and councillors of those areas—to appropriately reflect the views of their people. That is exactly what the District Council of Mount Remarkable has done. They have not been so headstrong, as the member seems to portray, that they have not been open to looking at changing the wording, trying to get it to adapt to reflect the concerns of the Legislative Review Committee, but still the number one thing they are trying to reflect is the views of the people of the District Council of Mount Remarkable.

That is why the opposition is against this moving forward as a disallowance motion. I understand the process to put a disallowance motion on the *Notice Paper* to hold it at a point where the Legislative Review Committee and the council can consider by-laws as a whole, but to get to a point where this parliament is disallowing a council by-law, which is an incredibly detailed document that covers a whole heap of things but purely specifically based on arrangements with their public conveniences, I think is a ridiculous state of affairs.

I hope that in time there is an appropriate reflection of the government that local government has been appointed as their decision-making body within their jurisdiction to make decisions that reflect their community. There are 68 councils all around the state. If there is a piece of legislation or a council by-law that the government believes should be consistent across the whole state, bring it as legislation here to this place.

Councils have the capacity to make their own by-laws because they are the ones responsible for their communities, they are the ones responsible for policing these by-laws within their communities, and they are the ones most responsive to the needs of their communities. If it is something important enough to disallow, to say, 'Thou shalt not pass this expectation of state parliament,' how about you just bring in a law across the whole state—because that is exactly what the expectation is starting to show here. If councils do not have the capacity to build appropriate by-laws into their system, what is the use of them having the capacity to do so?

Each community is different and, although there is a challenge that councils have to reflect the ongoing needs of their community, it really does fall on them as democratically elected members of their community and the responsibility is theirs. This is why, as I said, I am disappointed that the government has chosen to push through with this disallowance motion with no regard for the work that the District Council of Mount Remarkable has actually done to try to adapt their by-law to reflect perhaps more appropriately what the expectations of the Legislative Review Committee are.

If we get to a point where a council cannot have a by-law that specifies gender, I think it is a sad state of affairs that reflects poorly on us as a society, and this is why the opposition is going to vote against this. I hope that the independent jurisdiction of councils in their council by-law making is not undermined by this arrogant approach by the government.

**Mr TEAGUE (Heysen) (11:32):** I rise as a former member of this particular committee to raise a concern. I am conscious that the Legislative Review Committee is a standing committee of another place. It has members from this chamber, and I have been one in the past.

To underscore the importance of the role and function of the Legislative Review Committee, it is essentially one of assessing delegated subordinate legislation against a criterion of whether or not the relevant delegated support in the legislation has been made within power. Is it ultra vires? Is there some reason why, if enacted, it would suffer a defect of being unable to be enacted because of a lack of power? That is the core function of the Legislative Review Committee.

I am not a current member of the committee. As a member of this house, now being asked to determine a question that appears to have come along on the basis of all sorts of merits propositions, there is a cause for concern—and I bring it to the attention of all members of the house—if the Legislative Review Committee is now to be seen traversing matters of merit.

I wholeheartedly endorse the contribution of the member for Flinders just now. There are ample means by which the house can go about legislating matters on the merits. Indeed, the house can go about dealing with these things in a number of ways, but the Legislative Review Committee, let's remember, has a core function. It is expected to deal with, for that reason, a very large volume of delegated subordinate legislation of all kinds with a view to determining primarily: is it made within power? So I share the concerns of the member for Flinders that the house is being moved to deliberate on what appears to me to be a question that is characterised as much by a question of merits as anything else.

**Mr FULBROOK (Playford) (11:35):** I thank the opposition for their contribution to this particular debate. In relation to comments made by the member for Flinders, he said that my motivation, indeed the government's, was to score political points. I take this opportunity to remind people, as I said in my opening address, that Minister Brock took the opportunity to meet with the CE of the District Council of Mount Remarkable in order to reach a compromise. To the best of my knowledge, I was informed that the CE was not willing to take him up on the offer. To suggest that we have acted in an attempt to score political points is something that I do not accept.

I also do not accept that our motivation is driven by the need to shape by-laws that are woke in perspective. The fact remains that, irrespective of the issues raised by the member for Flinders, this by-law remains defective. It has an unworkable component to it that sets age as a reason to preclude adults from helping their children if they are over the age of five years. With that in mind, even though I would have much rather preferred that the council took the opportunity to work through this—I have had no information to suggest they have done otherwise—I am quite happy to ensure that this motion is accepted by the house.

*An honourable member interjecting:*

**The SPEAKER:** Order!

Motion carried.

#### *Parliamentary Committees*

#### **PUBLIC WORKS COMMITTEE: EDWARDSTOWN AMBULANCE STATION**

**Mr BROWN (Florey) (11:38):** I move:

That the 30<sup>th</sup> report of the committee, entitled New Edwardstown Ambulance Station, be noted.

The Department for Health and Wellbeing, or SA Health, proposes to establish a new Edwardstown ambulance station to provide a significant expansion of service delivery capacity and capabilities to the South Australian Ambulance Service (SAAS). SAAS is the state's provider of emergency ambulance transport, clinical care and patient transport patient services. It operates 119 ambulance

stations across South Australia and the MedSTAR emergency medical retrieval service at Adelaide Airport.

The new station forms part of the state government's 2022 election commitment to improve infrastructure, increase staffing and provide additional resources for SAAS. It will provide alignment with the SA Health strategic plan by strengthening primary health care and enhancing hospital care by providing more services close to where people live by ensuring, firstly, that patient-centric emergency services are designed around community needs; secondly, that SAAS emergency preparedness and response capacity are commensurate with state and national emergency management arrangements; and, thirdly, that ambulance services evolve in line with the health system.

The entire program of works will deliver four new and four rebuilt ambulance stations, 10 upgraded ambulance stations, the purchasing of 36 new vehicles and the recruitment of 350 additional staff. The total budget to deliver the scope of the election commitment is \$70 million. The allocated investing budget for the new Edwardstown ambulance station is \$8 million. Construction is anticipated to commence later this year, with practical completion in December 2024.

SAAS has identified increased demand for its services in South Australia over the last few years. For the Edwardstown locality, the required demand and increased capacity cannot be accommodated within the existing stations. This additional station will house 16 paramedics and 12 emergency support service ambulance officers.

It will be a modern, fit-for-purpose facility for additional workforce to meet operational needs and complement stations in Glengowrie, Marion and Mitcham. As a result, SAAS will improve its ambulance coverage and demand response through the provision of both new crewing and station in this high-demand area, increasing health care and services and enabling appropriate emergency services provision to the surrounding community.

The new ambulance station will be located on Daws Road, Daw Park, adjacent to the Repatriation General Hospital precinct. This parcel of land was identified as the preferred location following a detailed investigation process in consultation with SAAS and Renewal SA. The station design has been strongly influenced by the site constraints and shape, including the overall size and north-south configuration.

The design considers how vehicles arrive and depart the facility via surrounding roads by locating the facility at the southern part of the allotment so that ambulances depart the station directly onto Daws Road. Ambulances can turn right via traffic management signalling and a designated break in the central median strip. The station garage houses four ambulances, with space for two light fleet operational vehicles, and uses a herringbone layout to maximise space and allow for a drive-through function to enable ambulances to enter and exit the building without restriction. The plans submitted by SA Health detail how the station will comprise key functional areas including:

- garage space for ambulance vehicles, one being bariatric, and light fleet vehicles;
- a training room with seating for 26 persons;
- office spaces, study room and meeting room;
- a kitchen-dining room;
- a crew rest room;
- six personal work/rest/break rooms for staff;
- staff and visitor car parking spaces, including two accessible spaces; and
- covered light fleet parking for four vehicles.

The expected outcomes of the project include:

- an improved ambulance response coverage for consumers in the southern suburbs;
- an increased capacity for additional crews and vehicles in order to meet increasing demand;



- enhanced consumer care;
- expanded SAAS crew training facilities; and
- the opportunity for expansion to meet future growth.

The Department for Infrastructure and Transport has confirmed a general building contractor will be appointed under a design and construct form of contract. The elected contractor will provide input into detailed design of facilities as stage 1 of the contract, with progression to stage 2 to construct the main works.

Ecologically sustainable development strategies have been incorporated into the design, construction and operation of the new ambulance station. Ecologically sustainable development principles will be included in all phases of the project life cycle. SA Health notes the facility will have environmental qualities to enable a positive environment and workplace for staff, patients and occupants, supporting better healthcare outcomes and improved wellbeing.

SA Health states that engagement and clinical consultation has been a key theme throughout the concept planning, and will continue with various stakeholders during the design and construction process. Stakeholders include clinical and non-clinical staff, consumer reference groups and industrial bodies. Consultation with the local community is underway and will be supplemented by targeted letter drops and community engagement sessions.

The committee examined written and oral evidence in relation to the new Edwardstown ambulance station. Witnesses who appeared before the committee were Tim Packer, Executive Director, Infrastructure, Department for Health and Wellbeing; John Harrison, Director of Building Projects, Department for Infrastructure and Transport; and Rob Elliott, Chief Executive Officer, SA Ambulance Service. I should note for the house the support of the local member, the member for Elder, for this particular project, and I thank her for not only her diligent service on the committee but also her support for this project.

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

**Mrs HURN (Schubert) (11:44):** I would like to thank the member for Florey for bringing this to the parliament. It was a very productive discussion in the Public Works Committee. I do note that I do not think that in the 10 minutes the honourable member spoke he mentioned the word 'ramping' once. I find that quite remarkable given, as the honourable member did point out, this formed part of the government's overall election promise not just to fix health in South Australia but also to fix ramping in this state.

Now what we know is that under this Labor government the pressure on our paramedics, the pressure on our health system, has frankly never been worse; in fact, it is going backwards on nearly every single metric. What this means is that not just are we seeing more ambulances stuck outside our emergency departments on the ramp but we are also seeing so much more pressure inside our hospitals in our emergency departments. I believe that is highlighted on a number of different metrics.

First of all, if we cast our eyes over the last month, over the month of June, nearly every second day we saw our entire health system on a system-wide Code White. That is a pretty shocking situation because, when we look at the Code White, it is so much more than a colour palette. What Code White means is that our health system is at breaking point. It means that there are not any beds available, and as a direct result we are seeing ramping that is absolutely through the roof.

I have made this point many times in this place, but for a government that went to the election promising to fix ramping, to see our health system crumbling under their watch is a particular affront. It is an affront to communities right across South Australia, whether they are regional communities or whether they are in the city. If we look at the month of June, we saw ramping reach 2,973 hours. That is worse than any single month under the former Liberal government—2,973 hours of our paramedics' and patients' time spent stuck outside our emergency departments, stuck on the ramp waiting for care.

That is worse than any single month under the former Liberal government in their four years in office, yet those opposite went to the election promising to fix it. If we look back on the last 13 months, what we know is that our paramedics and patients have spent an eye-watering 44,000 hours stuck outside on the ramp waiting for a bed in an emergency. That is the equivalent of five entire years—five entire years that our paramedics and patients have spent stuck outside our hospitals waiting for a bed.

It does not matter if you look north or south; patient outcomes are dwindling. Patient outcomes are going backwards under the watch of this government, and it is the opposite of a Midas touch. The government has an opposite effect. If we look at the recent budget papers, I think the full picture of the crisis under this government is pretty stark. In fact, if you look at the emergency care our patients should be getting in the clinically accepted time frame of about 10 minutes, four out of five patients from north to south are not getting that on time. Four out of five patients are not getting the care that they need in our health system on time.

All of this is from a government that promised to fix ramping. We expect, just like the people of South Australia expect, that the new ambulance stations we are seeing in Norwood, Woodville and Edwardstown will go some way in alleviating that extraordinary pressure that our health system is under, the significant pressure that our paramedics are facing under this government. Our paramedics fought really hard at the election, and they delivered a government. They worked hard with many people on the benches opposite because they voted for a clear promise to fix ramping, and now we know that the results have never been worse.

From east to west and north to south, we do hope for the sake of all South Australians that this will go some way to addressing the challenges in our health system. I would like to take this opportunity to touch on some of the concerns that were raised about one of the ambulance stations, the Norwood one in particular. There were some practical issues that were raised in relation to some of the parking issues around that area of Norwood. The honourable member—

**Mr BROWN:** Point of order, sir.

**The SPEAKER:** There is a point of order from the member for Florey.

**Mr BROWN:** Relevance, sir: we are actually talking about the Edwardstown project, not Norwood. That is a different motion.

**The SPEAKER:** Yes, I will bring the member for Schubert to the subject matter of debate.

**Mrs HURN:** Thank you, Mr Speaker. I also note that when these three projects were brought to the Public Works Committee they were presented as one bundle. I find it interesting that for the benefit of this committee business we need to do them bit by bit, but I do take the member's point—and there are still five minutes to go when I can touch on a number of issues.

There are a number of practical concerns that people from right across South Australia have raised with a number of these stations. We are hearing from people who live in the local areas. These are issues around car parking and issues around what traffic studies, if any, have been done, and they are also asking—certainly, I asked this question through the committee—about whether some of the heat maps could be provided to the committee to really outline where the pressure is. Where is the pressure on our SAAS crews? I am looking forward to that information being provided to the committee.

Overall, this type of action is absolutely required from the government. The situation in our health system shows that we need the government to act and we need the government to take the health system seriously. This is a government that are paralysed by politics when it comes to health because they know that at the election they really overreached in what they promised, and now we expect, just as people in the member for Elder's electorate expect, that ramping will be fixed at the next election.

It is our job on this side of the house to remind South Australians about what is exactly happening under our health system, under our hospitals, at the moment—because guess who is not talking about it anymore? All those opposite. No-one on the opposition benches wants to talk about the dreadful things that are happening in our health system anymore. Why not, I wonder? Why not,

you ask? It is because things have never been worse from the north to the south, and that is highlighted across nearly every single metric.

Our paramedics want to be fighting to save people's lives. They do not want to be fighting against Labor's record ramping and they do not want to be fighting to get a bed for their sick patient, but that is the reality under this Labor government, under this government who went to the election promising to fix ramping. We do support this new infrastructure, and we support it because we know that it is part of the government's plan to fix ramping. They have set that target themselves and that is what we expect to see at the next election.

Every single day we will continue to remind South Australians what they voted for. We will continue to go from suburb to suburb and region to region to remind people that the number one priority this government had was to fix health. Now that the election is over, they do not want to talk about it anymore, and the reason they do not want to talk about it is that the results are getting worse and worse. In fact, if you are in the south, the results of people in the south are going south, and that is something that is particularly concerning.

It is fantastic that throughout the Public Works Committee we do have the opportunity to ask a series of detailed questions because I think often the devil is in the detail. The devil is often in the detail and so, through the Public Works Committee, we were very grateful to have SAAS representatives come forward so that we could ask questions. We were able to ask questions across all three sites, and we are looking forward to some of those answers being provided to the committee in due course.

We will continue to hold the government to account. We will continue to remind people in the honourable members' seats—the member for Elder, the member for King, the member for Newland, the member for Adelaide and all those opposite—that they knocked on doors throughout the election promising one thing: a fix to ramping. They have yet to deliver it. In fact, things are going backwards under this government, and the people who are actually paying the price are South Australians.

**Ms CLANCY (Elder) (11:54):** I thank the member for Schubert for my promotion to honourable. I always tell people that I am dishonourable when they refer to me as honourable, so I appreciate it, and who knows what will happen in many, many years to come? I want to stand in support of this. I am really pleased to be a member of the Public Works Committee. We get to see so many incredible projects. I have wonderful colleagues on that committee.

I would probably say that the last meeting, a couple of weeks ago, was the most exciting for me because we got to talk about the Edwardstown ambulance station. I was incredibly excited when I found out during the campaign that we had secured a station for that community. It is an area that is in need of that extra support, and I am really glad that instead of waiting until the new station was built to put in those extra paramedics, we actually got them online as soon as we could.

In November, we saw 32 new paramedics start at the Marion station, which is based in Mitchell Park, and 16 of those paramedics will be moving to the new Edwardstown station when it opens. There was a community engagement session last Monday night at the Pasadena Community Centre. As a side note, I am really proud that I was able to advocate for funding to the City of Mitcham to be able to help turn that old Sea Scouts hall into a community space that can be used for events such as these and for community consultations.

That was last Monday, and the focus was on the station and also on the development of the Repat more generally because the new Edwardstown station will be at the Repat, on the Daws Road side. There is some exciting bunting up there, letting everyone know where it is going. I am really excited that construction will begin on that project quite soon, in the next few months, hopefully by the end of the year. I understand it will likely take 12 months to build, but once it is built those 16 paramedics who are currently over in Marion will be, I think, very happy to be moving over to the brand-new station.

It is important to thank the Marion crew, who have been so welcoming of the Edwardstown crew and have been able to make the space and have them there. As a side note, it is important to recognise that the Marion station will also be receiving an upgrade. It will not be a brand-new one, but it will be getting a redevelopment soon as well. I also want to draw attention to the fact that while,

yes, we have the new paramedics and we will have the new ambulance station, obviously we are very conscious that we need other health infrastructure to support this project, which is why we have also hired more doctors and nurses and we are bringing online over 200 extra beds in the southern region. That is across Flinders, the Repat and Noarlunga.

This new station forms part of our government's 2022 election commitment to improve infrastructure, increase staffing and provide additional resources for the South Australian Ambulance Service. It will provide alignment to the SA Health strategic plan by strengthening primary health care and enhancing hospital care, by providing more services close to where people live, and by ensuring patient-centric emergency services are designed around community needs, SAAS emergency preparedness and response capacity is commensurate with state and national emergency management arrangements, and ambulance services evolve in line with the health system.

I know the member for Schubert has claimed that we have not wanted to talk about this. We do. We are really proud of the work that we are doing in this space. We knew it was never going to be a quick fix. There is not a silver bullet, but it is why we are doing so many different things in this space to improve our health system: more beds, more doctors, more nurses and more ambos, and additional infrastructure that makes a real difference to members of our communities. I really look forward to seeing what comes next to the Public Works Committee. Hopefully, it is as exciting as the Edwardstown ambulance station, but I think that would be tricky.

**Mr BROWN (Florey) (11:58):** I would like to thank all those members who have contributed to the debate: the member for Schubert, as usual very much illuminating the issue from her particular perspective, and also the member for Elder for her impassioned support of the project on behalf of her local community. I would like to take the opportunity to thank all members of the Public Works Committee, again the member for Schubert and the member for Elder, for their assistance on the committee itself but also the member for Hartley and the member for King for all they have done.

It bears repeating that, as a committee, I have been very, very pleased with the way that the committee has worked together to actually not only consider these particular projects, but consider them in a reasoned way and make sure that we give proper consideration and also a proper recommendation to this house. With those words, again I endorse this particular project.

Debate adjourned.

#### *Parliamentary Procedure*

### **STANDING ORDERS SUSPENSION**

**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) (12:00):** I move:

That standing and sessional orders be and remain so far suspended as to enable me to move a motion without notice forthwith.

**The SPEAKER:** An absolute majority is required, please count the house. An absolute majority not being present, please ring the bells.

*An absolute majority of the whole number of members being present:*

Motion carried.

#### *Motions*

### **JOINT COMMITTEE ON THE ESTABLISHMENT OF ADELAIDE UNIVERSITY**

**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) (12:01):** I move:

1. That in the opinion of this house, a joint committee be appointed to inquire into and report on the establishment of Adelaide University, and in so doing consider—
  - (a) the proposal to create Adelaide University, to be formed by the amalgamation of the University of Adelaide and the University of South Australia;

- (b) the expected impact (including non-commercially confidential modelling generated by the existing universities) of the new university, on:
    - (i) the South Australian economy and society;
    - (ii) current and future staff and students of the two existing universities; and
    - (iii) the higher education sector in South Australia.
  - (c) ensuring Adelaide University's legislative, governance and funding arrangements provide for a university that:
    - (i) facilitates access to education by South Australians from a broad range of socio-economic and cultural backgrounds, including Aboriginal South Australians;
    - (ii) is engaged with industry and business in South Australia on research and education outcomes;
    - (iii) generates high-quality research and engages in commercialisation of research of strategic importance to South Australia;
    - (iv) is likely to be consistently highly ranked against universities globally;
    - (v) is attractive to and welcoming of international students; and
    - (vi) has a modern governance framework consistent with high standards of fiduciary responsibility and understanding of the value of universities to the state's economy and society and of the Australian and global higher education environment.
  - (d) any measures by which the parliament and government can facilitate these outcomes in creating the Adelaide University; and
  - (e) any other related matter.
2. That in the event of a joint committee being appointed, it report on 17 October 2023, and the House of Assembly shall be represented thereon by four members, of whom three 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.

The prospect of having a new university in South Australia is an exciting one. It is obviously not the first time that that has happened. There was not only the establishment of the University of Adelaide in the first place, but in 1966 there was the generation of the Flinders University of South Australia—one that caused a great migration of young and eager academics to this state, including my parents, and thenceforth I have always been grateful to the existence of Flinders University because that is why I am South Australian, Australian and not English.

Then, 32 years ago, there was the creation of the University of South Australia, itself created in many ways in a merger environment where two institutes of education were brought together to create a new university. In a way since the creation of Flinders, but escalating since the creation of the University of South Australia, there have been ongoing discussions about whether three is the right number, and whether the mix of what is taught where and what research occurs where is the right one.

Having been in and out of universities essentially all my life, I have constantly heard the idea that we are about to have a merger between two of the universities. But it took a government taking an interest before that became a conversation that translated into serious action. There was a near discussion, a discussion that came very near to landing, the idea that there could be a merger between the University of Adelaide and the University of South Australia, in 2018, but that foundered for many reasons, and many will have their own theories.

My view is that it was that the South Australian government took no interest in what was happening and that it left those two institutions to have a conversation, and it observed quietly from the outside and offered no guidance and no support for the idea of the merger. This government has chosen to take a different approach. This government has said, and from opposition, that it was committed to at least having the question exhaustively asked and that it saw that there might well be merit in the creation of a single larger institution.

Subsequently, of course, the two institutions have worked through a significant process to determine first of all the threshold issues of who would lead the institution, what its name would be, when it would start, and then there has been the last six months of very serious due diligence with intent to determine the feasibility of such a process. The reason I believe this to be meritorious, and I think I have canvassed this in this chamber both in question time and earlier this week in estimates, is that the way in which our education is structured in Australia argues for having at least one institution of a large scale in each state.

Our South Australian economy is highly dependent on the quality and scale of our universities. Our economy is bound up both in the quality of education that is provided by these institutions and in the quality and impact of research. It is also enormously dependent on the number of international students who come here. Immediately before COVID, international students were the highest export earner for this state. International education and wine vie between the two about which one will be first. I am not sure who is winning this month but they are both enormously important to us.

But the complexity with universities, of course, is that the state has a vested interest in their quality, the state has the act that creates these institutions, but the state largely does not control the levers that guide the policy and the funding of these institutions; that is held by Canberra. As I say, over the last 30 years in particular it has become increasingly clear that the settings that Canberra has created argue for a university of scale, and that that is rewarded in research, and that high-quality research is then itself rewarded by more students, international and domestic, choosing to study at the institution. Given those circumstances, I have become in favour of, and an advocate for, a new university created from two of our existing universities.

There are arguments that I hear often against this. One of them is that small institutions are better institutions, that they do very well internationally, and that the ANU is an exceptionally good institution. All of those things are true but irrelevant to the circumstances of South Australia. The ANU is funded to be the Australian National University. It is funded differently from the other institutions. It is based in a very small jurisdiction. It is not structured in the way that the state-based institutions are, and it was created with the express design to be the national university and, as I say, it is funded accordingly.

All the other universities that are referred to commonly—and the names trip off the tongue, Oxford, Cambridge, Harvard and Yale—are smaller institutions but enormously wealthy, enormously wealthy and enormously prestigious. The idea that the University of Adelaide is simply not trying hard enough because it does not have as much impact in research as Oxford does is ludicrous. It is a different institution and one on which we are dependent, but we need to create the right circumstances for it to be successful.

The aim of this institution is to bring together the research intensity of the University of Adelaide, which is not to say there is not excellent research that occurs at the University of South Australia, with the equity of reach of the University of South Australia, which is not to say that Adelaide University has no equity of reach, but the two have different strengths. The two together become not only high-research intensive and with an emphasis on equity but, on the first day, the single largest educator of domestic students at the university level in Australia. That will make a difference to our economy.

Why set up a committee of inquiry? It is important that we have one because we need this parliament to pass the legislation. This institution cannot exist without this parliament choosing for it to exist. We on this side want to give every opportunity for this legislation to be passed for this to be successful. Why have we brought forward a motion now, suspending standing orders so that we can create it before the break? Because there is a sense of urgency, not just because it would be good to have this institution because it will help our economy but, more particularly, because having had the suggestion made that this might occur, that the universities are willing for it to occur, we cannot allow them to linger with doubt and uncertainty about what is happening to them.

They are major employers as well as being highly significant in the training of South Australians. We cannot allow the question mark to linger over whether they will be dissolved for the formation of a new university. Either way, they need certainty. The drumbeat, as the Premier

has referred to, the demands of the academic cycle, means the sooner they are able to be clear on what is happening for early 2026, the better. Early next year, they need to gain accreditation from TEQSA, the accrediting authority in Canberra, so that they can create this new university. They then have a huge amount of work to bring over the courses into that new institution while maintaining their institutions at the same time.

So we have set up a committee with terms of reference, which I hope the opposition will also see, that cover all the questions that could reasonably be asked and receive all the information that can reasonably be expected. We have set it up now so that we are ready to go with this legislation as soon as possible and get it through, if not by the end of the year then at least very early into the following year. We owe those institutions that. They have in good faith offered to go through a process to determine whether this is the right thing to do. They have made a determination that, under the conditions agreed between the two of them and with the funding package that has been described, they believe this to be in their best interests. I am confident it is in the best interests of the state, which is properly the responsibility of this parliament as well as of the government.

It is now our job not to make them wait, but to—without party politics but with a firm view to the prosperity of the future of South Australians—have a careful look at what the proposition is, whether the piece of legislation does the job that it needs to, and then proceed to make a decision so that we all know, once and for all, if we are creating a new university in this state. I commend the motion to the house.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (12:13):** I move:

That the debate be concluded by 12.50pm.

Motion carried.

**The DEPUTY SPEAKER:** Member for Morialta?

**The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (12:14):** The first guillotine moved by the government in this parliament notwithstanding—the opposition is disappointed in that. It comes hot on the heels of the opposition having been advised earlier this morning that there were no surprises today, when we specifically asked, and then standing orders were suspended, and here we are. I will not dwell, but I reflect.

*Mr Odenwalder interjecting:*

**The Hon. J.A.W. GARDNER:** No surprises this morning, says the Government Whip. So by the mode of semantics that the government has moved to suspend standing orders at 12pm, we reflect on this motion the character that has been the spirit of the debate on the matter in question all week.

We asked questions in question time last week about the university merger proposition and we come to the idea with an open mind, but the way in which the debate was carried with the JFK impersonations in the parliament last week was not helpful. The manner in which the announcement was made with a drop to *The Advertiser* on Saturday night—and full credit to *The Advertiser*. A lot of people read them and I can understand why the government would want to consolidate their front page with the announcement.

Having had no opportunity for anyone else to contribute and consider the matter over the previous six months due the lack of information provided, it was within that vacuum of information that the government then came out on Sunday morning and the Premier said, 'Delay is denial', quoting Martin Luther King Jr this time, saying that there will be absolutely no consideration by the government of any course other than that which they had charted, for which they had not yet provided evidence of its benefits.

In the vacuum of information, a range of members of parliament, including I think all of the crossbenchers in the upper house, and the Liberal Party, confirmed that actually it would be a suitable proposition for this considerable expenditure of government money for this radical change to the way in which two of our most significant institutions have operated—in one case for well over a hundred years—should be subject to some scrutiny, an opportunity to expand upon the scant information that

had heretofore been provided: a very high-level summary of what a university of the future might look like released in March, and a 19-page transition case released on Sunday morning, which provides a level of information but not enough information on which to base one's decision on whether the legislation that is yet to be seen should be advanced.

The opposition in presenting our desire for a committee—which certainly judging by their media statements was suggested by the Hon. Robert Simms and was supported by the Hon. Frank Pangallo and SA-Best, and my understanding is that One Nation are also supportive; I could be mistaken. Nevertheless, the Premier changed his tune on Monday and said he would support a committee. My understanding is the Premier approached the Greens to talk about their terms of reference; I think other members of parliament had too.

There has been discussion around the building about what a parliamentary committee might look like, yet the first time that the Labor Party has seen fit to engage with anyone outside of its own caucus on the motion we are debating today, is when standing orders were suspended some 16 minutes ago. As far as we are aware, the opposition has not been advised of this. The opposition is being asked to take a position—

**The Hon. L.W.K. Bignell:** We don't know who is in the Liberal Party these days, mate.

**The Hon. J.A.W. GARDNER:** And we hear the arrogance of the government, which is characterising the whole thing. The member for Mawson has decided to turn up to parliament today, shout across the chamber—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —when the government is asking for our support for something, that they are seeking our support on legislation providing an avenue to consider the matters that we have raised in the public domains, and the member for Mawson continues to shout, sir. It is characteristic of the way the Labor Party has been operating all week. If the Labor Party were fair dinkum about—

*The Hon. A. Koutsantonis interjecting:*

**The Hon. J.A.W. GARDNER:** —getting cross-partisan support for the proposition at hand, then the leader of the house would not be shouting across the chamber right now. The Labor Party have said that they want to work with others. The Premier said the other day that he wants to work in good faith with people across the chamber.

**The Hon. P.B. Malinauskas:** Let's have a committee then.

**The Hon. J.A.W. GARDNER:** He said that anybody who wants to look at the opportunities for South Australia he will be happy to work with. The opposition has only ever said that that is what we want to do, yet we still hear the rhetoric, we still hear the urgency—

*Members interjecting:*

**The Hon. J.A.W. GARDNER:** I have not even stated a position yet and the Premier is arguing, sir.

**The Hon. P.B. Malinauskas:** I am not arguing, I am agreeing.

**The Hon. J.A.W. GARDNER:** He is shouting across the chamber, sir, and this is characteristic of the nature of how he has been presenting himself. It does not help his case.

**The DEPUTY SPEAKER:** Member for Morialta, could you just take a seat. Members on my right, the Deputy Premier was heard in silence. I think the member for Morialta deserves that respect too.

**The Hon. J.A.W. GARDNER:** Thank you, sir. Sir, you were with us on Monday afternoon in estimates where the Deputy Premier and I had questions and answers on this matter for 35 minutes in a respectful vein. I appreciated the way in which that was conducted. There was more information released by the Deputy Premier in the house on that occasion in that 35 minutes than the sum total



of the information released by the government prior to Sunday morning about this significant proposition that will impact nearly 7,000 staff, more than 40,000 existing students and, indeed, have much broader impacts across the state of South Australia, impacting communities and our future prosperity.

The government and the two vice-chancellors say that it is all to the good. I believe that they believe so, but the basis upon which they have come to that conclusion is not evident to the South Australian community. The business cases, the range of feasibility studies that the university vice-chancellors and chancellors took to their councils over the weekend, informed their view of whether it was in the best interests of those institutions from the point of view of the university councils. Their purpose as a council was to consider that from their point of view.

The government's purpose, and our purpose as parliamentarians, is different: it is to consider whether it is a good deal, good legislation and a good investment on behalf of the people of South Australia. The government is yet to release a bill. The government has been working on a bill, apparently for some time, but it is yet to release it to anyone other than the people within government. I understand that there has been consultation with the universities, but the broad sweep of people across this state have yet to have a look at this bill that the government is proposing to have a committee consider.

I had a quick look while the Deputy Premier was speaking at the page and a half of terms of reference for this motion. While the opposition is very cognisant of the numbers in this house and will consider this matter further between the houses, on face value the terms of reference do not appear to cover more than the governance of the institutions. There is one term of reference on the top of the second page that states:

Any measures by which the parliament and government can facilitate these outcomes in creating the Adelaide University...

That talks about measures and the manner in which they would interact with facilitating outcomes for the university, but I am interested in the broader outcomes on the community and the broader outcomes of the investment. The value for money for taxpayers has been raised but it is far from the only thing.

We think that a committee should consider matters related to all aspects of the deal. The legislation is first, and that provides for the governance frameworks for the university and a range of things that are dealt with in the terms of reference for the motion at hand. But we also believe that it is necessary to look into the nature of the government investments: a \$200 million research fund to be held within SAFA and the investments being provided to Adelaide University—we understand not to any other degree-giving institution or research institution in South Australia but purely for one entity. That is, presumably, \$10 million or \$15 million a year from the government, effectively, to the university.

There is a \$100 million investment fund to support low SES students to help the university fulfil its requirements under the federal arrangements to increase equity and support low SES students. This is not in itself potentially a bad thing, but we certainly need to look into those arrangements, understanding also the implications of having these investments for one institution and potentially denied to other institutions—Flinders University is the obvious one, but they are not the only degree-giving institutions in South Australia.

The third aspect, of course, is the land sales. On Monday, the Deputy Premier described the land sales as, I think, a no-risk or a no-regrets investment. She says that because the value of the land will sit on the Treasury books, so it will not affect the budget bottom line. We will exchange money for something that looks like money as far as the Treasury balance sheet is concerned. But is it really? We are proposing to have an investment at Mawson Lakes for land that the government, as far as I am aware, does not have a purpose for using. The investment at Magill is very significant: \$60 million for pieces of land in the member for Hartley's electorate and in my electorate.

This is community open space at the moment with a childcare centre, a swimming pool, sporting grounds usage—indeed, the university itself is using it. The government made use of those facilities not two months ago when it was used to house the Morialta Secondary College students for the first month of their schooling experience because the building was not finished. There is a wide

range of uses for the community at the moment in that space, and there is an extraordinary biodiversity component where the creek runs through. There are a lot of questions to be asked.

The Deputy Premier said that for 10 years the western side of the road would continue to be owned by the government, operated by the university for as long as they needed, and there would be no changes there. That would give time to master plan. What would be the nature of that master plan? Certainly, I think we need to have some understanding there before we are capable of moving forward with an understanding. As I understand it from the Deputy Premier, she is proposing that there would be development on the eastern side of the road in my electorate sooner than that.

There has been significant development in that area, there are enormous traffic issues, there are enormous infrastructure issues more broadly, and we have recently had to build a new school to cater for the student population that is already there. There are questions to be asked. These are not necessarily issues that cannot be resolved and satisfactory solutions arrived at, but they are not captured by these terms of reference. To inform any credible or sensible party looking at taking a position on this bill, these matters need to be considered.

We asked about the \$30 million investment that is proposed for international students—or, indeed, we did not ask about it because I think the Deputy Premier identified in her statement that there was more work to do on how that would be used. These are matters that should reasonably be considered by a parliamentary committee for us to come to a reasonable point of view.

Then we come to the question of the information that has informed the decisions. Obviously, the universities are going to have some information they would want to redact from the public release of any documentation, and that is understood, but we would ask the universities, as I have done in person, to consider releasing as much as is humanly possible, because it is necessary for lawmakers who are seeking to change legislation to take into account every bit of information that will help inform whether it is in the best interests of our community as well as the institutions.

We need this committee to consider the impact on students and staff. There have certainly been some commitments given, and they sound like good commitments, but they do need to be tested and we are uncertain, from the information that has been provided, whether the government has done any of that testing.

I do not want to go into the back and forth of the politics of the other day in relation to reading business cases, other than to say that I remain extremely concerned that there has been no attempt by the government to release any information about analysis it has done to inform their decision to invest \$440 million of taxpayers' money, beyond the fact that the Premier says it is a good idea and that the Deputy Premier has some arguments, which I will take on face value that she believes but which have not been backed up by evidence presented or analysis done by an independent body.

I come back to the point that the government had an election commitment to have a commission. It would have been a natural thing, had that commission been established, say on 1 July last year—around the time I was asking the Deputy Premier further questions about it in estimates last year—for that commission to have considered at length. Indeed, that commission could have considered not just whether it was in the interests of the universities but whether it was in the interests of the community.

The government has come at this, since the second half of last year, with a proposition not that we should research whether or not this is a thing we should do, but on the assumption that this is a thing we should do and then how do we get the university councils to agree to it. The university councils have obviously taken into consideration, in their business cases, in their summaries, in the documents that have been considered on the weekend, the government's investment, because it derisks for the universities all the matters they may have been concerned about in relation to coming to a merger.

They have made their decision on the basis of the government investment that has been proffered. These investments were not put to an election, they were not taken to the people of South Australia to be the arbiter, so there must have been some process by which cabinet determined that \$440 million should be spent this way. It was not done through a budget process either, as far as we understand it, because the Treasurer told us there was no money in the budget

for this but that Treasury had taken a view—this is last Wednesday in question time—that there was enough flex in the budget to allow for a deal to be done.

This is where we come to it, because this has been approached from a dealmaker's point of view. Somebody says, 'I want an outcome. How do I get the outcome? What do universities need? Let's give them this. Let's offer them \$100 million here so that they don't have to do that. The universities can do investment in this area and we'll do investment in that area, and here is the sum of money.' That is the approach the government has taken.

Whether or not it is a good deal remains open to consideration—and we are open to consideration. We are open to consideration in good faith, and we want the information. We will consider, between the houses, whether this committee is the mechanism to do that, or potentially one of the mechanisms to do that. We have not had a chance to consider this because it was, as I said, presented about 10 minutes before I stood on my feet today.

I will comment in relation to the issue of timing. I advised the house that not much information has been provided and that is the case; however, the 19-page document that was released on Sunday and is on the university's website, in terms of their transition plan, talks very clearly about legislative requirements.

The universities want the legislation in place before they can consolidate their accreditation with TEQSA. The universities want the legislation in place ahead of the middle of next year, which will enable them to have sufficient time to advertise to international students who might be seeking to start in 2026. They want a decision one way or the other in the first quarter of next year, so they have time to prepare for that approach.

If it is to start at the beginning of 2026, which has been the government's time line, the universities want to be able to advertise 18 months ahead of that to get international students on their journey to come to Australia and they need TEQSA accreditation to do that and they need the legislation. They need the legislation by the end of March next year.

We tested this with the vice-chancellors. I tested it with the Deputy Premier on Monday and her argument as to why the end of March was not optimal from her point of view was that she thought the parliament might potentially take longer. Our view has been that we have a committee and we form a position and we do not seek to filibuster beyond that. There is going to be an answer one way or the other after the committee if the committee has sufficient opportunity to get the information we need to form our view.

The Premier and the Deputy Premier have clearly determined that the committee needs to report by 17 October, so, depending on what the Legislative Council do, that sounds like a three-month inquiry. Indeed, it is less than that. If it were passed today, it would be a three-month inquiry, but the Legislative Council does not make a habit of passing things in one day that they were told about at 12.01pm on that day, so when parliament comes back we are effectively talking about a six-week inquiry, thanks to the extraordinarily long winter sitting break that the government has chosen to provide. It is an extraordinarily long time between sittings. That does not strike me on the face of it as sufficient time—

*Members interjecting:*

**The Hon. J.A.W. GARDNER:** I remind members who are shouting across the chamber that the Labor Party is seeking the support of the opposition on this matter because, unless the Greens or the SA-Best party change their position, the Liberal Party has expressed the most open-mindedness of any party in the parliament about this proposition from the government. It is unusual to shout at the people whose support you are asking for, but that is how the Labor Party has conducted the politics on this matter.

**Mr Brown:** Is that right?

**The Hon. J.A.W. GARDNER:** Yes, keep going. Keep going, that is very helpful. A colleague of ours in the Legislative Council has put forward a motion to members that he is likely to give notice of a motion. We will consider that and we will consider this motion as well. But I think the conduct of

the government in the way they have carried this from a political point of view, always seeking to get advantage, is unbecoming of them.

In regard to the timing, we will consider it, as I said, but I am utterly unconvinced that the timing is sufficient. The period between the end of October and the end of the parliamentary sitting year has about three or four sitting weeks, I think. I think the government will say their purpose is that they want the legislation by the end of the year. There is no question that the government have the numbers in the House of Assembly. They could introduce the bill at any time and, without even going around normal process, they could have it through within a couple of weeks. They could do that this year.

As long as the bill is released publicly, a Legislative Council committee or a joint committee is able to consider it as part of the terms of reference and that is what we have called for the government to do, but it is the government's decision not to release any information until the last weekend before the winter break when there is only one sitting day left and it is the government's decision not to release the bill publicly before now. They have been working on this for a long enough time that they could have done it before the budget. They could have done it in an earlier sitting week.

We could have had this all sorted out in a much more orderly way, but, for whatever reason, it was done on the weekend with one sitting day left before the winter break. That timing is on the government. If this was so urgent that it needed to be dealt with today with a suspension of standing orders, it could have been urgent enough to be introduced last week. The chance that there were final details that had not been resolved between Wednesday of last week and Sunday morning is nil. I just do not believe it. The chance that that is something that was decided between Wednesday night and Sunday morning, on the government's side is just non-existent. I am certain that they had the information in time so that we could have been looking at this during the last sitting week.

I will tell you another thing: if the government were serious and fair dinkum about this as a state-building measure rather than a political measure, it would not have hurt them to give us a call to try to bring us through it. They want our support and that is a way by which partisan policy is often undertaken. It would not have hurt the government to give us a heads-up that, rather than supporting a parliamentary inquiry—which I understand they have been engaging with the Greens on in recent days, that they were proposing to do their own thing—they were even planning on doing this suspension of standing orders motion today. It is unbecoming, it is political and it does not help the case they are seeking to make.

The Deputy Premier in her contribution talked about the purpose of the government's election policy, which was to enable the question relating to whether or not it was in the state's interests to form a merged institution and to have the government contribute to that support. She used the term 'exhaustively asked'. I put it to the house that we have reservations about whether the committee, as proposed within the time frame as proposed, will be able to exhaustively ask these questions. We will explore the terms of reference further between the houses and we will explore our thoughts on the date proposed between the houses and the mechanism.

We think that it is useful for the bill to be released as soon as possible. We spoke about this in estimates on Monday, and the Deputy Premier confirmed that it was not far away. I think she said that the government was looking to consult on the bill over the winter break. That is a fair enough proposition. That would enable the bill to then be considered with the benefit of whatever consultation the government does over the break by a committee of one form or another in that September/October/November period, alongside those other questions about the research fund, about the low SES fund, the land purchase at Mawson Lakes, the land purchase at Magill and the impact on the community there, the proposed international students fund and, indeed, concerns that have been raised by stakeholders of different natures around South Australia.

Some of those concerns have been identified by the vice-chancellors and are seeking to be met. I commend the vice-chancellors. I understand that Peter Hoj has already conducted the first of his virtual town halls, engaging for several hours the other night with hundreds and hundreds of interested staff through Zoom. I understand that David Lloyd may have overdone that either yesterday or today, the first one. They all have a series more of direct consultations with their direct

stakeholders. That is important work for them to do, and I commend them for the way they are doing it. I commend them also for the way in which since Sunday they have engaged with the opposition constructively and openly. We look forward to continuing that constructive engagement with them as we work our way through our processes.

But it remained significant that the question of the bill, which has not been released, is the main subject of the terms of reference here. We are being asked to pass terms of reference relating to a bill which nobody has seen, which will be significant and which do not, of course, include the rest of the funding package. The information and evidence the government took to form the basis of their funding package needs to be tested. The information and evidence, as much as can be released reasonably by the universities to inform us on whether this investment is going to have the value that it has claimed to have needs, to be tested.

There is merit in that for the South Australian people, and we would urge the government and, of course, the universities as well to cooperate with such committees, whether they be this joint committee. The key difference is that I think the government would prefer a committee they control as well as one that has the time frame they want. If it is a government committee with government-dominated numbers, then that enables the report of that committee to say one thing. I think the government is concerned about a committee that has an uncertain outcome.

As I understand it, the Legislative Council committee proposed was to have two Labor members, two Liberal members, a Green member and another crossbench member in order to come to a balanced view. The composition of that committee, the question remains unresolved, because there are people with strong views either side of the debate and there are people in the middle with open minds under that composition.

That would be a genuine inquiry, where the composition of the committee itself would not necessarily have a predetermined outcome and use the committee in order to form the bullock of their argument to achieve that predetermined outcome. There is something to be said for having a committee of that nature. Perhaps a joint committee could be established in a way that did not have a government majority and did not, indeed, have a majority of members with a predisposed position already on this bill. That is something the opposition would take into account between the chambers.

With that said, I express my disappointment that the government has conducted itself in this way. I reiterate that the opposition is open-minded about the prospect. I urge the government to do several things. I urge the government to release the bill as quickly as possible. I urge the government to take into account the way in which I have described their conduct because it does not need to be a partisan debating point every time this issue comes up.

If the government are fair dinkum about putting this forward as a measure that they believe is in the best interests of the state, then the way to go about it is to try to collaborate with people, even if they are your political opponents—because it is Labor's political opponents that they are seeking to convince on this argument, and they have made no effort to do so. Every single step of the way this week they have sought to shut out the opposition, and the various posturing has been directly unhelpful to the outcome. We will not oppose this motion on this occasion. We will reserve our rights between the chambers to consider this motion, which we are now just reading for the first time.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (12:41):** Naturally, I rise in support of the motion and I take this opportunity less to speak to the merit of the new university policy proposition more broadly than to speak to the question that is before the house, and that is around the establishment of a committee. Notwithstanding the Deputy Leader of the Opposition's contribution to this debate most recently, I can assure the Deputy Leader of the Opposition and the opposition more broadly that at the heart of this proposition is a joint committee that reflects the gravity and the significance of the legislation and the proposition more broadly.

It is a truly historic event to have these two outstanding institutions come together in conjunction with the government to formulate a view that it is in the state's best interest for a new university to be created. Those universities have done that separately to each other but also together and also in conjunction with the government. It is a big deal, it is historic, and the Deputy Leader of

the Opposition, who echoes the remarks of the Leader of the Opposition, is right to say that any proposed bill, along with the proposition more broadly, deserves scrutiny.

The Deputy Leader of the Opposition would be well aware of the raw volume of work that has been undertaken to get us to this point. That is work that has had to be done between the various parties and has been done in an iterative process that in many respects has had to be done with confidence because our negotiations and discussions have been occurring on a without-prejudice basis. That is standard operating procedure, particularly for something of this magnitude and size.

But none of it would come as a surprise to them because this has been a stated public policy objective of the parliamentary Labor Party going right back to 2020, when this policy was first announced in full public view on the front page of the *Adelaide Advertiser*.

*The Hon. V.A. Tarzia interjecting:*

**The DEPUTY SPEAKER:** Member for Hartley!

**The Hon. V.A. Tarzia:** I said 'not to close campuses', sir.

**The DEPUTY SPEAKER:** No, you are interjecting.

**The Hon. P.B. MALINAUSKAS:** Ever since then, the government has adhered to our policy objective and we continue to pursue it accordingly.

**The Hon. V.A. Tarzia:** What are you talking about? Magill is closing under this plan.

**The DEPUTY SPEAKER:** Order! The Premier has the floor. The next person who speaks out of order will be leaving the chamber.

**The Hon. V.A. Tarzia:** For how long, sir?

**The DEPUTY SPEAKER:** Out of the chamber—under, what was the rule? 136?

**The Hon. V.A. Tarzia:** 137A.

**The DEPUTY SPEAKER:** Yes, that's fine—until 12.50pm.

*The honourable member for Hartley having withdrawn from the chamber:*

**The Hon. P.B. MALINAUSKAS:** As the Deputy Leader of the Opposition is aware, an historic agreement was reached in December last year, and we stated at the time there would be a lot more work and discussion to occur between the various parties between then and, we set a time line, on 1 July. That time line has been complied with. We are now in a position to be able to release all of that information, as much as we reasonably can, in the public realm, and it strikes us as an eminently reasonable proposition to use a parliamentary inquiry as a vehicle to achieve that. In our view, a joint house committee is a good option, because a joint house committee affords none other than the shadow minister for education, the deputy leader himself, the opportunity to be on that committee, which he may or may not choose to do.

The sincerity of the government's position in respect of affording a genuine parliamentary inquiry is underpinned by the fact that we are not seeking to have a majority on the committee. I am happy to say that we are open-minded to a non-government Chair of the joint house committee, should the parliament resolve that that is what it wants to establish. We simply as a government are seeking for a thorough examination to be done on an objective, evidentiary-based basis and also done in a timely way.

The terms of reference that the Deputy Premier has collated seek to be as broad in scope as one could possibly hope, to allow for the full remit of questions that might be applied to this proposition to be accounted for, along with consideration of the legislation or the bill itself. The government is happy to commit that, once the bill is in its final draft form, which we anticipate to be in around about a fortnight's time, the bill will be furnished to the committee for thorough scrutiny.

It is my hope that the government will be able to enjoy the opposition's support on this proposition; in fact, it is our hope that we get support from across the political divide and representative of the crossbench as well. That would be the best possible start that a new institution could get off to. That is a question of course for the opposition itself, and I have noted, I do not mind

saying, that the language that both the Leader of the Opposition and the Deputy Leader of the Opposition have used in the public realm has been one that speaks to an open-mindedness to the proposition, and we are grateful for that.

I appreciate that the Leader of the Opposition and the Deputy Leader of the Opposition have to do their level best to critique the process and complain about it—they have a job to do. If you are in opposition and you like the outcome the government has arrived at, then the next available political opportunity to pursue is to complain about the process, about how they have got a good outcome. That is their prerogative. But, there is an open-mindedness in all the public language that the opposition is using regarding this proposition.

The Deputy Premier and I are sincere about allowing the committee to do its work; a joint house select committee seems to be an appropriate vehicle to be able to achieve that. I have made it clear that we are open-minded to not having a majority on that committee, that we are open-minded to having an independent Chair of the committee. We just want the committee to be able to do its work in a timely way so as to facilitate passage of the legislation this year. Now, why is that important?

The Deputy Leader of the Opposition referred to the work that he has undertaken around time, but there is another imperative here that has to be front of mind for the parliament and each member of it, and that is that just prior to Christmas, as the former education minister well knows, kids get their year 12 results, and very quickly, in the early weeks of January, or over Christmas more or less, they start making decisions about what universities they are going to apply for. They are entitled to have a degree of confidence and certainty around what the plan is into the future regarding what the structure of the tertiary sector in our state will be. I think they should be afforded that opportunity: we enjoyed that, they should too.

If the parliament forms a view that the new university should not be established, let that be the decision before Christmas. We of course have a different aspiration: we hope the parliament decides before Christmas that it should be established, and that is the time line this government is keen to pursue so that students, young people, at one of the most important decision points of their life understand what the rules of the game will be for the state going forward.

There will be other vehicles to be able to discuss the merit of the policy itself. No doubt, there may be an opportunity for that in question time. This is a big one. I hope that we can come together to achieve it because, if we do, we will have all collectively taken ownership of what is a really special moment for the state.

Motion carried.

### *Bills*

## **STATUTES AMENDMENT (SERIOUS VEHICLE AND VESSEL OFFENCES) BILL**

### *Second Reading*

Adjourned debate on second reading.

(Continued from 15 June 2023.)

**Ms CLANCY (Elder) (12:50):** During the first minute of my speech previously, Sophia Naismith's parents were actually in the gallery. It was lovely to see them—Luke and Pia—as always, but it was also really challenging to speak about this incredibly difficult topic with them here. I just want to again pay a tribute to their incredible strength.

Picking up roughly where I left off, we understand the importance of our criminal justice system and the capacity for reform and growth of incarcerated people. We understand that an eye for an eye makes the world go blind, but we also understand that the suspended sentence handed down to Mr Campbell was grossly inadequate.

The need for legislative change, led by Sophia's parents and echoed right across our community, has been heard by this government. The Commissioner for Victims' Rights has strongly advocated for changes in line with community expectations on behalf of too many families who have endured similar tragedies, and whose loss was only exacerbated by the inadequacies of the available penalties.

The bill before us today will go a long way to addressing many of those inadequacies, including 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. This new mid-tier offence will increase the available penalties for where there is driving conduct causing death or serious harm, which does not meet the higher threshold of dangerous driving.

By creating a mid-tier indictable offence, we can provide a more appropriate penalty range for driving conduct linked to death or serious harm, which better reflects the expectations of South Australians. This new offence raises penalties 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, or seven years' imprisonment for an aggravated offence. It also raises the minimum licence disqualification period from six months to one year for a basic offence, or to three years for an aggravated offence. An offence would be considered aggravated where the driver committed the offence in one of the following circumstances:

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

Material defects are those that affect the safe operation of the vehicle, such as neglecting tyre or vehicle maintenance. Section 44C of the Road Traffic Act relates to another new offence introduced in this bill. The new offence included in section 44C will prohibit the driving of an ultra high-powered vehicle where an automated intervention system has been disabled. Automated intervention systems include embedded safety systems, such as anti-lock braking, electronic stability control, traction control and automated emergency braking.

The inclusion of this offence in the bill as an aggravating factor for the new mid-tier offence will capture, among 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 similar makes the car more responsive to sensitive input, increasing the power and aggression of the engine. As the vehicle becomes more agile but less stable, the vehicle's tyres are more likely to lose traction and cause the driver to lose control.

My community, and I am sure communities right across South Australia, even the motoring enthusiasts among us—and I know there are many—would agree that driving such a motor vehicle in built-up or suburban areas is simply not appropriate and can lead to tragic and avoidable circumstances. A standalone offence of driving an ultra high-powered vehicle with a disabled automated intervention system will also now carry a maximum penalty of \$5,000.

An ultra high-powered vehicle is defined as a motor vehicle of gross vehicle mass of 4.5 tonnes or less and a power ratio of 276 kilowatts per tonne or greater. This definition would capture powerful vehicles such as Bugattis, Ferraris and Lamborghinis without including vehicles such as buses or motorbikes.

This bill also extends the on-the-spot licence suspensions and disqualifications to other serious driving offences found in the Criminal Law Consolidation Act where death or harm is caused. Currently, immediate suspensions and disqualifications under the Criminal Law Consolidation Act only apply for the offence of extreme speed or dangerous driving causing death. Upon successful passage of this bill, in the future event that South Australia Police charge a person with the new mid-tier offence, the driver will also be issued with an on-the-spot licence suspension or disqualification to keep them off the road until the matter is finalised.

In delivering upon our commitments to Sophia's family and the people of this state, the Malinauskas Labor government is also introducing a new licensing scheme for ultra high-powered vehicles, which is being progressed separately to this bill, as it involves changes to regulations. This bill instead will amend the Motor Vehicles Act 1959 to support the introduction of this licence class



through regulation. The amendment will ensure that a new class of licence for ultra high-powered vehicles can be implemented effectively as soon as it is ready.

In closing, I would truly like to thank Sophia's family, particularly her parents, Pia and Luke, for their fearless advocacy in the memory of their daughter. Your commitment to making South Australia a better place for tomorrow is impressive alone, let alone in the wake of the immense grief and loss you have gone through. Your work, in addition to the reform introduced to this place today, is part of Sophia's legacy. We need drivers in our state to think twice before they get behind the wheel in an unacceptable manner and put the lives of pedestrians and other road users needlessly at risk.

The most important legislation can often be the work people do not notice. I hope that families across our community will never experience the pain of Sophia's family and community and they will not even know these reforms have passed and potentially saved lives. I commend this bill to the house.

Debate adjourned on motion of Mr Patterson.

*Sitting suspended from 12:58 to 14:00.*

*Petitions*

**GRANGE ROAD**

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining):** Presented a petition signed by 650 residents of South Australia, requesting the house to urge the government to take immediate action to install a pedestrian actuated crossing across Grange Road to provide safe, reliable and convenient access to Allenby Gardens Primary School for students, families and the wider community.

*Parliamentary Procedure*

**PAPERS**

The following papers were laid on the table:

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

Remuneration Tribunal—

Determination No. 4 of 2023—Minimum and Maximum Chief Executive Officer  
Remuneration

Report No. 4 of 2023—Minimum and Maximum Chief Executive Officer  
Remuneration

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

Electoral Commission of South Australia—2022 South Australian State Election and 2022  
Bragg By-election—Report

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

Co-Management Board—

Kanku-Breakaways Conservation Park Annual Report 2018-19

Kanku-Breakaways Conservation Park Annual Report 2019-20

Kanku-Breakaways Conservation Park Annual Report 2020-21

By the Minister for Energy and Mining (Hon. A. Koutsantonis)—

Regulations made under the following Acts—

Electricity—General—Miscellaneous

Gas—Miscellaneous

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

Emergency Services Funding Act 1998—  
Declaration for Vehicles and Vessels—Notice 2023  
Declaration of Levy and Area and Land Use Factors—Notice 2023  
Regulations made under the following Acts—  
Emergency Services Funding—Remissions-Land—Miscellaneous—No. 2

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

Regulations made under the following Acts—  
Controlled Substances—  
Controlled Drugs, Precursors and Plants—Psilocybine and MDMA  
Poisons—Psilocybine and MDMA

By the Minister for Energy and Mining (Hon. A. Koutsantonis) on behalf of the Minister for Education Training and Skills (Hon. B.I. Boyer)—

Regulations made under the following Acts—  
Education and Early Childhood Services (Registration and Standards)—  
Amendment of Education and Care Services National Law Text—No. 2

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

Planning, Development and Infrastructure Act 2016—Early Commencement of the  
River Murray Flood Resilience Code Amendment Report

*Ministerial Statement*

**OFFICIAL VISIT TO CHINA**

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:01):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. P.B. MALINAUSKAS:** Today, I can announce that in September, as Premier I will make my first official visit to China via Singapore. This will be the first visit to China by a South Australian Premier since October 2019. As part of the visit, I will also lead a business delegation that aims to include representatives from our university sector, education, wine, agriculture, aquaculture, tourism and trade sectors.

This week, my government signed a historic heads of agreement with the University of Adelaide and the University of South Australia to support the creation of a new university for the future. That agreement includes a commitment to invest \$30 million to attract more international students to South Australia. A key focus of the visit will be to promote South Australia as a destination of choice for students from China and Singapore.

Students from mainland China currently make up the second largest cohort of international students enrolled in South Australia's schools and universities. Between January and April 2023, there were 6,785 Chinese students enrolled in South Australia, representing 19 per cent of all international students. However, this is significantly lower than the pre-COVID level in 2019, when there were 12,564 studying in South Australia. The visit will also focus on other elements of trade, including tourism, agriculture, aquaculture and wine, and will include high-level engagements with business leaders and government officials.

China is South Australia's number one export destination for merchandise. In the 12 months to May, merchandise exports to China totalled \$2.8 billion in value, a 48 per cent increase on the preceding year. While in China, I will be advocating for the easing of trade blockages affecting South Australian exporters, including wine and lobster. I welcome the progress made between Australia and China on agreeing on a path forward to lift unjustified duties on Australian barley. I hope that the duties on wine and crayfish can also be lifted through a similar process. While in China, I intend to visit Beijing, Shanghai and Jinan, the capital of Shandong Province.

South Australia has a 37-year sister state relationship with Shandong. Shandong is China's second most populous province, with a population of more than 100 million people. It is China's third largest provincial economy, with an annual GDP of \$US1.3 trillion. If Shandong were a country, it would have the 15<sup>th</sup> largest economy in the world. I look forward to meeting key senior officials in Jinan to deepen our strong relationship and explore ways to further strengthen this partnership.

Our economic relationship with China is a mutually beneficial one. After almost four years, this visit will provide an opportunity to reconnect with Chinese officials and business leaders from a range of industries. It will aim to strengthen our trade and tourism links, improve trade of South Australian products, and produce and develop stronger relationships to ensure South Australia is a preferred destination for Chinese students to study and live. The visit will take place between 14 and 21 September this year.

*Parliament House Matters*

**TELEVISION CAMERAS**

**The SPEAKER:** Before I call questions without notice, I observe that there is a pull TV camera in the gallery today.

*Question Time*

**INCOLINK**

**The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:06):** My question is to the Premier. Has the Premier made it clear to John Setka and the CFMEU that his Incolink scheme is not welcomed by the South Australian government—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —nor South Australian construction industry employers—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —and, if not, why not?

*Members interjecting:*

**The SPEAKER:** Order! Members to my left and right! The deputy leader might repeat the question.

**The Hon. J.A.W. GARDNER:** Thank you, sir. My question is to the Premier. Has the Premier made it clear to John Setka and the CFMEU that his Incolink scheme is not welcomed by the South Australian government nor construction industry employers and, if not, why not?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:07):** I haven't spoken to John Setka ever.

**The Hon. J.A.W. GARDNER:** And the CFMEU?

**The Hon. P.B. MALINAUSKAS:** No, I haven't spoken to the CFMEU either. There have been representations from the CFMEU to the government, as you would reasonably expect, but not exclusively from the CFMEU. I think the local branch secretary of the Electrical Trades Union (ETU), John Adley, has also been in touch with me. He is currently a director on the BIRST scheme. They have been in touch with us, as we have been in touch with the Master Builders Association, and the government's position remains as it had been ever since the Deputy Leader of the Opposition asked about this last.

We are keen to work with industry to make sure we get the right outcome here. We think there should be union representation on a redundancy scheme that's about protecting workers' interests. We think that both the Incolink model and the BIRST model, where there is collaboration between the MBA and the relevant building trade unions—CFMEU, ETU; I think there may be other unions on both Incolink and BIRST—is the right model.

In terms of the government, the only reservation the government has had in regard to some of the issues that have been raised and publicly aerated around Incolink speaks to the concern that we might have a situation where there isn't South Australian representation as part of that. Incolink as it currently stands, I am advised, is a strictly Victorian membership on the board, whereas BIRST is a strictly South Australian membership on the board.

If there is any substantial readjustment of the arrangement or a takeover of BIRST by Incolink, we would like to see an outcome where South Australians are represented as part of that process. To come back to the direct question from the Leader of the Opposition, I personally haven't spoken to either John Setka, to the best of my recollection, or a CFMEU official regarding this matter.

*Parliamentary Procedure*

**VISITORS**

**The SPEAKER:** Before I call the shadow treasurer, I acknowledge the presence in the gallery of Lauren Nitschke, a year 10 student from Faith Lutheran College, who is undertaking work experience with the member for Schubert. Welcome to parliament.

*Question Time*

**INCOLINK**

**Mr COWDREY (Colton) (14:09):** My question is again to the Premier. Has the Premier taken any steps to protect the South Australian construction industry from the rollout of John Setka's Incolink scheme and, if not, why not? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr COWDREY:** The opposition has been advised that the CFMEU is ramping up operations in South Australia to pressure businesses to swap balances from the BIRST fund to the CFMEU's preferred Incolink scheme. On 1 June, in response to a question in this house, the Premier stated that there were various acts, powers and functions that exist that he would willingly deploy should the need arise.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:10):** I thank the shadow treasurer for his question. As I have stated previously, this is something that the government is actively observing, and we have been engaged with industry about. The line of questions often from the opposition on this particular matter have a degree of inconsistency about them, though. On one hand they inquire, 'Has the Premier ever met with John Setka?' as though it would be a bad outcome if that had occurred—and, for the record, I haven't met with John Setka—but then they ask for me to make representations to the CFMEU to drive an outcome, which is hard to do without actually meeting John Setka. It's hard to know—

*Members interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** It is hard to know what the opposition actually wants from the government—

*Members interjecting:*

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

*Members interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** —so we will not waste our time and energy trying to understand what it is the opposition are particularly advocating for. Their position seems to be shapeshifting—

*Members interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** —on a regular basis. What the government is doing is what we have done since we have been elected to office and what we did prior to being elected to office, and that is—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.B. MALINAUSKAS:** —engaging proactively with the Master Builders Association. I had a conversation with Will Frogley, the CEO of the Master Builders Association, I think it was around about 2½ weeks ago on the matter. I understand, and I don't think he would mind me saying, that the Master Builders themselves have been seeking to engage with the CFMEU, which I would encourage. We remain committed to stand at the ready to make any interventions that may be available to us, and there are questions about what ones those might be, given that the industrial relations legal framework, the industrial relations legislative framework, has changed substantially since referral of powers back prior to WorkChoices.

*Mr Cowdrey interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** This is a government that is thoroughly engaged with industry, and people would be well familiar with that because only a couple of weeks ago the Treasurer and I stood up at a press conference side by side with Will Frogley, the CEO of the Master Builders, who was glowingly complimentary of the relationship the MBA has had with this government because of the things that we have delivered for their industry: abolition of stamp duty on first-home builds here in South Australia, a policy the MBA have been advocating for ever—the MBA have been advocating for the Born to Build program for a long period of time, something they got absolutely nowhere on with the former government; and the building of technical colleges in our high schools to make sure that we are providing young people a pathway to be able to get trades while at school that will assist the supply of labour that industry needs.

Every single step of the way this government isn't just talking to the MBA; we are actually delivering in such a way that has a positive impact on what is an exceptionally important industry in our state, as we have a housing shortage that we want to address with a lot more stock coming into the system. This is not a case of the government talking the talk; this is a government that is walking the walk when it comes to working with the MBA.

We continue to deliver for that industry because we believe in the people who work in it. I might add that the relationship that the government has with the MBA, we equally value with the trade union movement. Just yesterday, we had a press conference where the government was announcing its commitment to legislative reform around—

**The Hon. V.A. Tarzia:** Industrial manslaughter.

**The Hon. P.B. MALINAUSKAS:** —industrial manslaughter, thank you to the member for Hartley—again, a policy that we have worked on with both industry and the union movement to deliver better outcomes to people who work in the industry.

*Members interjecting:*

**The SPEAKER:** Order!

#### CITY WEST

**Mr TELFER (Flinders) (14:14):** My question is to the Minister for Police, Emergency Services and Correctional Services. Has the government received any advice from SAPOL in relation to extending the declared public precinct for the City West area? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr TELFER:** Two weeks ago the media reported that South Australia Police wanted to extend their powers to crack down on antisocial behaviour in Adelaide's central business district.

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:15):** I can advise the member, as I did previously, that the work that has been undertaken between SAPOL and the Attorney-General, as the decision-maker under the statute in this case, is ongoing. I understand that SAPOL is working collaboratively and closely with the Attorney-General to furnish him with the information necessary to determine a series of those matters that the act must contemplate in the consideration both of the current DPP and the extension of previous DPPs. I am not the responsible minister for that, but I can advise that SAPOL have been working very closely with the attorney.

*Parliamentary Procedure*

**VISITORS**

**The SPEAKER:** Before I call the member for Morphett, I acknowledge the presence in the gallery of Julie Lawrence and Michelle Keys, guests of the member for Morphett.

*Question Time*

**GLENELG ANTISOCIAL BEHAVIOUR AND VIOLENCE**

**Mr PATTERSON (Morphett) (14:15):** My question is to the Minister for Police, Emergency Services and Correctional Services. Will the minister increase police presence in Glenelg, especially in and around Jetty Road? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr PATTERSON:** Members of my community have raised concerns with me around the rise in antisocial behaviour and violence this winter in Glenelg, and are worried that the problems we are seeing in the city are making their way down the tramline to Glenelg.

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:16):** I can advise the member that the government is taking all of the appropriate advice to ensure that the very significant additional presence that has been deployed into the city by the police commissioner, as announced by the then acting commissioner, is being supported across government. That is just so important so that we are ensuring that we are not putting a bandaid in one place that would open up a wound somewhere else.

I note the member's intervention to support a member of his community down at Glenelg. I am not sure if this has been advised to the member, but I advise that individual was arrested and charged with assault and disorderly behaviour. I believe in addition to that he was charged with resisting police. I can advise that the individual who was charged with that offence has been refused bail.

As for the question regarding additional police resources, I note that there were two hours standalone of police estimates committee this week. That question wasn't asked by the member's counterpart, the member for Flinders. But I can advise, as I have to this house previously—

*Members interjecting:*

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

**The Hon. J.K. SZAKACS:** —that a basic reading of the Police Act—

**The Hon. V.A. Tarzia:** It was your opening statement that took up 10 to 15 minutes.

**The SPEAKER:** Order!

**The Hon. J.K. SZAKACS:** —would show that I don't command a police force in this state; that is the police commissioner who does that. It is appropriate that he does that. It is appropriate that he is charged by law to do that, and it is totally incomprehensible that there would be political interference in that.

What I can advise the member is that the police commissioner advises me that they are monitoring the situation closely in Glenelg and deploying resources.

*Members interjecting:*

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

**The Hon. J.K. SZAKACS:** I am sure that members would like the member to receive this answer. I can advise that the commissioner's advice to me is that a police presence is continuing in Glenelg. Additionally, high visibility foot patrols are being deployed in Glenelg, in response to some of these concerns that have been raised by the member himself, and also through this transit corridor into Glenelg. I can absolutely assure the member that it is not the case that there will be in the whole-of-government approach to antisocial and other behaviour in the city a position where we will be pushing problems elsewhere.

*Parliamentary Procedure*

**VISITORS**

**The SPEAKER:** Before I call the member for Flinders, I acknowledge the presence in the chamber of Luka Veaney from Temple Christian College who, I understand, is undertaking work experience with the member for Cheltenham, and also William and Geraldine Feneley, guests of the member for Davenport. Welcome to parliament.

*Question Time*

**PUTI ON KAURNA YERTA REPORT**

**Mr TELFER (Flinders) (14:19):** My question is to the Minister for Human Services. Has the minister been briefed on the Puti on Kaurna Yerta report and, if so, has the minister taken action to continue this initiative?

**The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (14:19):** Thank you very much for the question. Yes, I have, and since coming to government we have ensured that the task force and the remote visitor outreach team have continued, and not only continued within Adelaide but we have extended that into Port Augusta. The member would be aware—and I think we have had a conversation about that work and how important it is to continue to be responsive when there are particular issues that arise.

We are continuing to work across government with a range of stakeholders as well in the not-for-profit community, also with Aboriginal leaders within the community to respond to need as it arises, to be able to adapt to what is required.

**PUTI ON KAURNA YERTA REPORT**

**Mr TELFER (Flinders) (14:20):** I have a supplementary on that to the Minister for Human Services. Was Park 23 set up with basic infrastructure as a new initiative in April 2023 during Gather Round and, if so, why?

**The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (14:21):** We have responded to a range of things at different times. I am happy to get the member a more specific response regarding what may or may not have happened during Gather Round, but I do know that this task force meeting and the outreach group meet regularly and make decisions to change the response according to need. I am sure that will happen again over coming weeks and months. We work really closely with the Minister for Police around the responsiveness and Operation Paragon, and we know that that presence is very much appreciated as well.

I am happy to get the member a more fulsome response in relation to responses that may or may not have happened around Gather Round, but the most important thing is that we added money into the program through the Mid-Year Budget Review to respond to remote visitors. During the last budget as well we negotiated and secured money for the forward estimates to deliver on the remote visitor task force and outreach services.

It is also important to note that these services provide not only safety for the people who are from remote communities and options for those people. These groups do outreach into homes in the community, as well as hospital avoidance. While it is not a single one-stop shop that is the same from week to week, the task force meets regularly and is quite adaptive to what is needed. I am happy to get you a more fulsome response in terms of the particulars of that period of time.

### TRANSFER OF CARE DATA

**Mrs HURN (Schubert) (14:22):** My question is to the Minister for Health and Wellbeing. Has the minister or his staff received daily transfer of care data at any point and, if so, has this information ever been provided to a third party?

**The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:23):** This is very similar to a question that was asked in estimates and previously. Consistent with what we have said previously, there is a variety of different updates in terms of the progress of the system, but what happens is that we release, on a monthly basis, the transfer of care data and that goes through the process where SA Ambulance verify that that data is correct before it is released.

We are doing that on a monthly basis, as opposed to what happened under the previous government, where that was released on a three or four-monthly basis, only after substantial hassling from the media to the government of the time—I believe, including to the chief communications director for the then Premier at the time who—

*Members interjecting:*

**The Hon. C.J. PICTON:** I think that is the shadow minister.

*Members interjecting:*

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

**The Hon. C.J. PICTON:** I am happy to check in terms of what happens in relation to other distribution, but that is the very standard process that we are going through, and we are being transparent in terms of putting that information out every month.

### ESTABLISHMENT OF ADELAIDE UNIVERSITY

**Mr ODENWALDER (Elizabeth) (14:24):** My question is to the Premier. Can the Premier update the house on the historic heads of agreement between University of Adelaide and UniSA?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:24):** I thank the member for Elizabeth for his question. Let me be plain: we pursued this creation of a new university because we want more kids from Elizabeth going to university. In no small part, that has directly informed the structure of the government's policy. This policy has a genesis right back in 2018 and 2019, when the University of Adelaide and University of South Australia back then advised myself and the Deputy Premier that they were in favour of coming together because they had formed the view that it was in the best interests of those institutions and the state more broadly.

I found it incredibly disheartening that only months later and after being formally advised of that by the two then vice-chancellors, that that arrangement and the pursuit of that university had fallen apart, for reasons that still remain somewhat mysterious to this day. We won't go into that, but that was the genesis of the Deputy Premier and myself sitting down and formulating a policy that might recreate that moment to ensure that a new institution is indeed formed, if it is in the best interests of the state.

That led to our establishment of our policy around the university amalgamation commission and we were very grateful, coming into government, to receive advice from Adelaide University and the University of South Australia that they would be willing to sit down and engage amongst themselves. That precipitated the government making a decision to put on hold its commission in the event that an agreement should be reached. We are very, very enthusiastic—

*Members interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** —to inform the house that there is now—

*Members interjecting:*

**The SPEAKER:** Order!



**The Hon. P.B. MALINAUSKAS:** —not just a commitment to negotiate but an absolute policy and agreement between the two universities and the state government that in this state we should establish a brand-new university for the future. At the heart of the new university, there are multiple public policy objectives.

*Members interjecting:*

**The SPEAKER:** Member for Hartley!

**The Hon. P.B. MALINAUSKAS:** One is to see a greater diversity and degree of equity—

*Members interjecting:*

**The SPEAKER:** Member for Morphett!

**The Hon. P.B. MALINAUSKAS:** —in terms of student access to higher education in this state—

*Members interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** —more kids with lower SES backgrounds, more kids from regional South Australia.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.B. MALINAUSKAS:** That's why we have a \$100 million perpetual fund—

*Members interjecting:*

**The SPEAKER:** Member for Schubert!

**The Hon. P.B. MALINAUSKAS:** —that will be devoted specifically to that cause. The second, of course, is increasing the volume of R&D investment in our state.

**The Hon. V.A. Tarzia:** How do you know? You didn't even read the business case.

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

**The Hon. P.B. MALINAUSKAS:** In South Australia, we are below the national average when it comes to R&D. There is 1.7 per cent of Australia's GDP allocated towards R&D. Overseas, in the OECD, that number is closer to 2.7 per cent. We have a long way to go in this country. If we are serious as a nation about improving labour productivity, the productivity of our economy as a whole, then R&D is central to that cause. This combined university, this new university, will be able to facilitate 13,000 extra students in our state, more kids getting educated—

*Members interjecting:*

**The SPEAKER:** Member for Hartley!

**The Hon. P.B. MALINAUSKAS:** —plus more international students, which will mean \$500 million on a per annum basis being contributed to our economy. That allows for more investment in R&D. That is a good thing. This has been a moment—

*Members interjecting:*

**The SPEAKER:** Member for Taylor!

**The Hon. P.B. MALINAUSKAS:** —the state has been waiting for—

*Members interjecting:*

**The SPEAKER:** Member for Florey!

**The Hon. P.B. MALINAUSKAS:** —for 25-plus years.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.B. MALINAUSKAS:** We now have the opportunity before us to make this happen.

*Members interjecting:*

**The SPEAKER:** The member for Florey is warned!

**The Hon. P.B. MALINAUSKAS:** It has been the government's policy this year to do the big things, the bold things—

*Members interjecting:*

**The SPEAKER:** Member for Morphett!

**The Hon. P.B. MALINAUSKAS:** —and the hard things, to make sure that the state is in the strongest possible position to capitalise on the economic opportunity of our time and to make sure that no kid is left behind. That's why we choose to bring this university together, and we look forward to hopefully the parliament endorsing it later this year.

*Members interjecting:*

**The SPEAKER:** Order! The member for Hartley can depart under 137A for the remainder of question time.

*The honourable member for Hartley having withdrawn from the chamber:*

#### **ESTABLISHMENT OF ADELAIDE UNIVERSITY**

**The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:28):** In the Premier's answer, he made a number of claims, including kids from Elizabeth going to university, and indeed increasing numbers of student engagement that the Premier's proposition would achieve over any alternative. Can the Premier identify, first, when the bill will be released, and secondly—

**The SPEAKER:** There is a point of order, member for Morialta.

**The Hon. J.A.W. GARDNER:** —when further information will be provided to the people of South Australia—

**The SPEAKER:** Member for Morialta, there is a point of order.

**The Hon. J.A.W. GARDNER:** —to enable consideration of those—

**The SPEAKER:** Be seated, member for Morialta! I anticipate that this is inviting hypotheticals.

**The Hon. S.C. MULLIGHAN:** I understood that standing orders required the seeking of leave before making an explanation, particularly if it's made in advance of asking a question.

*Members interjecting:*

**The SPEAKER:** Order! The member for Morialta.

**The Hon. J.A.W. GARDNER:** It has been the convention for a long time that in relation to a supplementary one explains what was in the first question and then asks the questions. My question was in order.

*Members interjecting:*

**The SPEAKER:** Order! Member for Flinders, your colleague is seeking the call. I am going to give the member for Morialta the opportunity to recast the question, mindful of our concerns in relation to hypotheticals. Standing orders still apply to supplementary questions. The member for Morialta has the call.

**The Hon. J.A.W. GARDNER:** Thank you, sir. The supplementary is: when will the government release the bill and does the Premier commit to all the information that is relevant to the government's decisions being released into the public domain?

**The SPEAKER:** That is two questions, but I am going to allow it.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:30):** I welcome the questions from the Deputy Leader of the Opposition. I can confirm that, having had the final agreement signed between the three parties, Adelaide Uni, UniSA and the government, on Monday the Deputy Premier brought into cabinet a submission that facilitates the formal drafting of the bill and also public consultation on the bill. We anticipate, because much work has already been done, that the bill will be released publicly sometime in the next fortnight or thereabouts—in about a fortnight's time. As soon as that happens, of course it will be made available to the opposition and—

*Members interjecting:*

**The SPEAKER:** Member for Florey! Member for Chaffey!

**The Hon. P.B. MALINAUSKAS:** —also a committee of the parliament, should the other place choose to establish the proposed committee.

*Members interjecting:*

**The SPEAKER:** Member for Florey!

**The Hon. P.B. MALINAUSKAS:** In respect of the bill, in around about a fortnight.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Member for West Torrens!

**The Hon. P.B. MALINAUSKAS:** In respect of the other information, yes. So the government naturally—

*Mr Brown interjecting:*

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

*Mr Brown interjecting:*

**The SPEAKER:** Member for Florey, order! The Premier has the call.

**The Hon. P.B. MALINAUSKAS:** Naturally, there has been an awful amount of work done between the various parties over the course of the last six months and also in the lead-up to that. There has been a lot of information shared between the two universities and the state government that has instructed Treasury's formulation of the financial assistance package.

There has been other information the government has been in receipt of too; some of it will be subject to commercial-in-confidence. Both the Deputy Premier and I have made it clear to both vice-chancellors and chancellors that the government is enthusiastic to see the universities release as much information as they possibly can in such a way that doesn't compromise their commercial operations.

Much of the information that we have received, and the Treasurer, the Deputy Premier and I have consumed, I don't see a reason for, on first blush from my perspective, why that can't be put into the public realm. The reason why we have an appetite from the government to put as much in the public realm as possible is because, on almost every reading, this is a proposition that stacks up in the interests of the state.

Yes, there are undoubtedly challenges identified. Yes, there are risks. This is a big endeavour. You can't bring two institutions of this scale and scope together without there being risks. We have known that from the start. But there are also extraordinary rewards to be had, and we want as much detail in the public record to facilitate that, and it is something that we will be encouraging the universities to do.

We appreciate, as I know the opposition appreciates, there are some elements that they want to protect in terms of what is their IP, and there is good reason for that. We certainly want to facilitate more information being made available to the committee rather than less.

### NETBALL SA

**Ms THOMPSON (Davenport) (14:33):** My question is to the Premier. Can the Premier update the house on the future of netball in South Australia?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:33):** Absolutely, Mr Speaker. Not too dissimilar from the creation of a new university or the university amalgamation proposition, netball has also been crying out for active government leadership to aid their cause for some time. I think there is a degree of frustration that there was inaction from governments most recent past.

Having become aware of the situation that netball has in South Australia, we as a government have been very keen to engage. The Minister for Sport and Recreation and I, and our relative departments, have had a number of meetings over some time with Netball, including a substantially important one a few weeks ago here in the Watarru Room.

We had a few different objectives. The first thing is this: there is a problem that needs to be fixed at Mile End. Netball has over 35,000 participants in our state. It is one of the most participated in sports in our state by a very long way. It is, I think, quite frankly, a shame that netball at Mile End is participating in their most elite facility—it leaks, there are problems with backup generation. We wouldn't allow this in other professional sports; we shouldn't allow it to happen to this one. So we want to get a plan going forward. The Thunderbirds—and I note the member for Schubert is wearing pink, presumably—

**Mrs Hurn:** And black.

**The Hon. P.B. MALINAUSKAS:** —and black—in the name of the Thunderbirds this weekend. For the record, the whole parliament, I have no doubt, is behind the Thunderbirds winning on Saturday night. They deserve an elite facility. We believe that the obvious answer for that is the Adelaide Entertainment Centre. The 36ers play there now for their home and away games. We should be doing the same for the Thunderbirds. That hasn't happened in the past because there has been financial risk to Netball SA for doing that.

The government has stepped in. Treasury has put a bit of work in this, along with Sport and Rec, and we are now underwriting the risk to netball in South Australia for those games. I don't think there is a risk because I think they are going to get 7,000 to 9,000 people week in, week out at the Entertainment Centre, which will generate new revenue for the Thunderbirds, particularly from season ticket sales and corporate facilities being made available for revenue purposes.

The T-birds are going to the Entertainment Centre for their home and away games. We have also made a cash injection to netball in South Australia to aid them in the preparation for that effort ahead of next year. Now that we have a permanent, long-term home for the Thunderbirds, we are able to look at the way Mile End is constructed to get more courts in an appropriate frame. Not having to build 7,000 seats there, we can invest that money more wisely in community facilities.

Finally, as has been made known publicly, I was trying to get the grand final this weekend to be here in Adelaide. It is desperately unfortunate from my perspective it's in Melbourne, but when it was clear that we couldn't get the grand final here this year we thought, 'Well, let's get it next year,' and I can confirm to the house that next year the Suncorp Super Netball League Grand Final will be here, where it should be—right here in Adelaide.

Hopefully, this time in 12 months we will all be celebrating the fact that the T-birds are defending their premiership at the Adelaide Entertainment Centre in front of 9,000 fans because the Labor government has backed in netball in South Australia.

### FELMERI GROUP

**Mr TEAGUE (Heysen) (14:37):** My question is to the Minister for Consumer and Business Affairs. Can the minister please provide an update on the situation facing clients of the Felmeri Homes development at O'Halloran Hill, who are facing significant challenges with the completion of their properties?

**The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (14:37):** I thank the member for Heysen for

the question. Similar to what I said on Tuesday in estimates, the O'Halloran Hill project is about 20 homes, as I understand it. The difficulty there is that the development company that has the responsibility for finishing those projects, in particular the road to give them access to their homes, is not the company that's going into administration.

I think the legal entity that has gone into administration is Felmeri Builders and Developers Pty Ltd, which is trading as Felmeri Homes. There are two related development companies that are not yet in administration. They are the ones that are responsible for that road. The road is obviously critical. Without that, people can't actually access their homes—their homes can't finish being built—so Consumer and Business Services has been working really well with the administrator on Felmeri Homes but also has had meetings with Marion council and Mr Frank Felmeri, particularly in relation to the O'Halloran Hill development.

There was a meeting back in June, and the commissioner asked for certain information around quotes for finishing the road, a work plan, time frames for when that would be completed and what the plan is for that. I understand the first response to that request for information the commissioner didn't consider was adequate and has gone back seeking further information.

I understand from a media article this morning or last night that Metro Homes had publicly stated they have been asked to quote for that road, so something is being done. Apart from that situation, CBS is also working on whether there are alternatives to finishing that road, and they are working through that process. So as much as can be done is being done with Consumer and Business Affairs, and I certainly hope those 20 home owners get into their homes as soon as possible.

#### **LOCKLEYS RIDING CLUB**

**Mr COWDREY (Colton) (14:39):** My question is to the Deputy Premier. Will the minister meet with the representatives from the Lockleys Riding Club? If not, why not? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr COWDREY:** The Lockleys Riding Club recently wrote to the minister to request a meeting to discuss their lease arrangements at Breakout Creek. The club has not received a direct response as yet from the minister but has received verbal advice from SA Water that the minister would not meet with 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) (14:40):** I am pleased to be asked this question because it has been a matter of some mystification in my office this morning when we had heard that Lockleys had both asked to have a meeting with me and were disappointed not to receive an appointment. I have not been aware of any such request and I have asked my office to look through and they haven't been able to find any such request.

So it would be perhaps useful if I could speak the member after question time and see whether perhaps the letter was directed to SA Water rather than to my office. Something will have happened, and I by no means mean to suggest that Lockleys Riding Club is deliberately misleading, and it may well be yet that the administration in my office has missed an invitation. Nonetheless, any suggestion that I have refused to meet with them is not the case. I am happy to meet with them.

The issue that they are raising, of course, is that they have until now had access to free water in Breakout Creek. The project that was initiated under the previous administration is starting to near its completion and involves moving where the riding club is located. SA Water has indicated that they weren't providing the free water previously and that they have no remit within their terms to provide free water to sporting clubs. The council, which we think probably had been either knowingly or unknowingly providing the free water through the riding club having access to an access point in the council's water supply, has declined also to provide continued free water.

So we are at rather an impasse, where there is a sporting club or a community club that would like to have access to free water, as I am sure many sporting and community clubs would like,

and no obvious way in which that could happen. I understand that Lockleys Riding Club has been aware of this for some years now that that was a likely situation the upgrade of Breakout Creek would provide.

But if there is some confusion still, as I say, I am very happy to meet with any community group, and there is absolutely no intention or expectation that we would have not had a meeting. I understand the club wrote sometime last year to my office but has not been in touch since July last year, so in the last 12 months. As far as I understand, I have had no request from them to meet with me.

*Members interjecting:*

**The SPEAKER:** Order!

### **ARDROSSAN COMMUNITY HOSPITAL**

**Mr ELLIS (Narungga) (14:43):** I have a question for the Minister for Health. Can the minister update my community as to the status of an SA Health consultant's report on the Ardrossan Community Hospital? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr ELLIS:** SA Health sent a consultant to the Ardrossan Community Hospital in early May and we understand her recommendations were provided to the LHN about a month ago. The hospital desperately needs clarity on the contents of that report and its future.

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:43):** Thank you very much to the member for Narungga for his question, and I note his very strong interest and passion for health services in his community, including at Ardrossan. Ardrossan, of course, is a private community hospital that operates and involves an aged-care facility as well there. We had undertaken in relation to having a report undertaken in relation to the sustainability of the Ardrossan hospital where there have obviously been concerns for a long period of time in relation to the financial sustainability and also workforce issues at that community-run private hospital.

A process was undertaken. Michele Smith, who is the chair of the Eyre and Far North Local Health Network and also has experience in terms of running country hospitals and also a private community hospital as well, undertook a review in relation to that. I understand that has been provided to the local health network, as the member said.

I only recently today met with the chair and the CEO of the Yorke and Northern Local Health Network, and that was one of the topics we discussed. The board of the Yorke and Northern Local Health Network is going to be meeting with both Michele Smith, who undertook the report, and also with the Ardrossan Community Hospital, and its board and executive, to work through the recommendations and appropriate consideration of those.

### **SOUTHERN INTERMEDIATE CARE CENTRE**

**Ms PRATT (Frome) (14:45):** My question is to the Minister for Health and Wellbeing. Is the Southern Intermediate Care Centre open to the public and, if not, why not? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Ms PRATT:** The opposition has been advised that southern suburbs residents have asked the minister for the Southern Intermediate Care Centre to be reinstated stating:

The SICC website is still active, the phone number, fax and email address is still there. The SICC is not and has not been in use for more than 12 months.

As of today, the phone number is still working.

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:45):** I am happy to address this question from the member for Frome. Of course, the Southern Intermediate Care Centre was a facility that was operated in the southern suburbs and was closed in January 2022. It was closed by the previous Liberal government.

**The Hon. S.C. Mullighan:** Under the previous government?

**The Hon. C.J. PICTON:** Under the previous government this facility was closed.

*Members interjecting:*

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

*Members interjecting:*

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

**The Hon. C.J. PICTON:** In fact, I visited that centre on the day that it closed and met with a number of the staff members who were obviously very upset in relation to that decision. Since then, we have been working to try to make use of that facility—

*Mrs Hurn interjecting:*

**The SPEAKER:** Member for Schubert, order!

**The Hon. C.J. PICTON:** —which was sitting completely empty when we came to government. There were some infrastructure issues that had to be addressed there. It is now being used for a short-term basis in relation to Minister Cook's department for also helping people who would otherwise have been stuck in hospital, to help get them out of hospital with the NDIS. So it is being used to provide care for people in the southern community.

There is also a process underway that is being led by the Southern Adelaide Local Health Network, working in conjunction with the Office of the Chief Psychiatrist and the department, in considering the future use of that facility and to make sure that we can get the most appropriate use for that facility. But, yes, this is yet another one at those facilities that was closed under the previous government.

#### WHYALLA BIRTHING SERVICES

**Ms PRATT (Frome) (14:47):** My question is to the Minister for Health and Wellbeing. Has the minister appointed a reviewer of birthing services in Whyalla, and when will the review be completed? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Ms PRATT:** On radio last week, the minister said:

We're in the process of appointing a reviewer now that this decision's been made...I hope in coming days we'll have somebody appointed who can start this work quickly...

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:47):** Absolutely, this is something we want to start very quickly, so the department has been working with other health departments around the country to try to identify if there is an appropriate person with the right experience who can undertake this work very quickly. We hope to announce that imminently. Obviously, if we can get somebody from interstate who has that experience, then we will do so; if not, then we will identify somebody locally who can do that work—but this is going to be resolved very, very quickly.

#### RIVERLAND MALLEE COORONG LOCAL HEALTH NETWORK

**Mr WHETSTONE (Chaffey) (14:48):** My question is to the Minister for Health and Wellbeing. Will the minister provide additional resources to the Riverland Mallee Coorong Local Health Network to improve security and protect nurses and hospital staff? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr WHETSTONE:** Recent reporting has highlighted that the Riverland General Hospital has limited restraint-trained security after a series of incidents of staff being assaulted.

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:48):** We are providing additional funding to the Riverland Mallee Coorong Local Health Network through the

excellent work of the Treasurer through the state budget in making sure that there is additional funding going to health services right across the state. Of course, if we had kept the budget that was in place for health services across the state that was in place previously, then we would be facing significant cuts that would need to be made right across the board in terms of our health services.

This is something which, under the devolved model that was put in place four years ago under the previous government, where we have hospital boards in operation, those government boards are considering. I have spoken to a number of the LHNs where they are actively considering their security arrangements. This comes after we came to government and we took action in relation to the security arrangements at Port Lincoln Hospital, where there had been a number of assaults and concerns in relation to security there. There is now security in place there.

There has also been work undertaken in relation to a review of security arrangements at that hospital that is also going to provide a guide for other local health networks in terms of implementing security arrangements in their own hospitals. This is under active consideration by the Riverland Mallee Coorong Local Health Network and also by other regional health networks around South Australia, in terms of how to get the balance right in terms of making sure that they provide that security for their staff and address security measures that may need to be put in place at a number of sites across South Australia.

*Members interjecting:*

**The SPEAKER:** Order!

*Personal Explanation*

#### **LOCKLEYS RIDING CLUB**

**The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Defence and Space Industries, Minister for Climate, Environment and Water) (14:50):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. S.E. CLOSE:** In the answer to the question previously to the member for Colton, I indicated that I did not believe there had been any request to meet with me. I did indicate that there had been a letter from July of last year. My office has now indicated to me that, contrary to what I had understood earlier, in fact that letter did request a meeting with me, and I will now act on that immediately.

*Question Time*

#### **REGIONAL TOURISM**

**The Hon. A. PICCOLO (Light) (14:51):** My question is to the Minister for Tourism. Can the minister advise the house how the Malinauskas Labor government is supporting tourism businesses in our regions?

**The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (14:51):** I thank the member for Light, who may well be the gateway to the Barossa. There is easier access now with the wonderful road so that people can enjoy their time there. Our regions are having a renaissance in tourism. I am so pleased to see South Australians discover their own backyard post COVID, but this continues and now 48¢ in every dollar in our visitor economy is spent in our regions.

Of course, a key part of my focus has been on the river revival, and I haven't taken my eyes off the river. Round 2 of our River Revival Vouchers is rolling out now. I am so pleased to share with the house that we have already seen 2,415 bookings. These are redemptions of people's vouchers as of this morning, and that is \$2.1 million of direct investment going in there.

For the very first time, houseboats are included, with \$750 vouchers. These were developed in consultation with industry to assist those businesses that were hardest hit, remembering that they were hit the first. They had to close very early on, and because they took time to come back we really wanted to support them. Usually the winter period is a quiet period on the river. Summer is their peak



time, but it is absolutely stunning at this time of the year, so I would encourage all South Australians, whether you have a voucher or not, that it is time to go to our river regions.

One houseboat operator who is incredibly active and out there is Riverfun Houseboats, and within hours of round 2 vouchers being released they saw more than 20 inquiries and nine confirmed bookings. We know, because we took the time to talk with industry, and industry impacted so heavily, how this could work the best for them. That is whom our focus is on and how we support our industries in the river regions.

It is not just the river that is getting our attention. We are about to announce round 2 of our Experience Nature Tourism Fund that supports businesses that connect visitors with our spectacular national parks. It is a \$2 million fund to increase investment in nature-based tourism experiences. These grants range from \$10,000 to \$50,000 for new and improved tourism products and experiences. They need to be in or near a national park, reserve, wilderness protection area or marine park.

What we want to do is showcase our state's natural landscapes. We know that through COVID people were keen to get out and about, experience our outback and experience our wilderness, and we have seen an increase in visitors to national parks since that time. But what we want to keep on producing are these world-class products and experiences.

Round 1 or year 1 of ENTF has seen a total of \$485,000 allocated to 18 projects, but the total project value was more than \$800,000. We saw some incredible products come to fruition like a sailing journey to marine parks, a cultural immersion experience, a luxury camping experience and e-bike tours in Cleland Wildlife Park. Round 2 applications will open on Monday 31 July and close on Friday 15 September.

I love going out to our regions. Just last weekend I was up at the Flinders visiting our Pichi Richi rail volunteers, who are very passionate about the work they do, but I was also up there to relaunch an extension of Flinders Gin. It is a bit tough having a gin at 10am on a Sunday but I did it. To Alby and Leah Trotta, Alby a former Kapunda guy—pandemic business—and now they are winning international awards for their gin.

### CHILD PROTECTION

**Mr TEAGUE (Heysen) (14:55):** My question is to the Minister for Child Protection. Is the minister aware, and, if so, for how long, of any children in state care leaving their homes to be abused by men they meet online in exchange for money, drugs, vapes and cigarettes? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr TEAGUE:** There is some context. In an ABC radio interview on 4 July about reports in *The Advertiser* newspaper that children in state care as young as 11 are allegedly leaving their homes to meet men they have met online to sell sex for goods and money, the minister was asked how many children were involved, to which the minister replied:

So what I've just said to you, David, is over any period of time I am made aware of circumstances where children and young people in care are preyed upon by disgusting predators.

**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) (14:56):** Can I first of all just say the term that the member used in his question about children selling sex is not a term that we should ever use because the reality is that children do not have sex, and they certainly do not sell sex if children are, sadly, subject to exploitation, to abuse and to assault. So I just wanted to make that very clear. Exploitation, assault and abuse are utterly sickening and perpetrated by utterly vile predators.

I did want to say that this government has a comprehensive legislative program. A number of parts of that program have already been progressed in this parliament, and that program rightly focuses on holding those disgusting predators to account. What I can also say, sadly, is that a life that begins for children and young people where they are subject to abuse and where they witness violence and substance misuse, makes them, tragically, incredibly vulnerable.

When I first became the Minister for Child Protection, I went about a comprehensive change to policy to make sure that I am kept absolutely abreast. I require and I have an expectation to be kept abreast when vulnerable children are subjected to exploitation and abuse. It is my expectation that I am made aware of those particular instances.

What I would also say really importantly, and I think the Commissioner of Police, Grant Stevens, also traversed this issue on radio in the past couple of days, is that of course SAPOL also rightly receive information and rightly conduct investigations into the behaviour of these vile predators. As the commissioner also said, SAPOL and the Department for Child Protection work very closely together in relation to these horrific matters.

What I would also say, and I did say this on radio the other day, is that it is my expectation that matters are reported to me. It is my expectation that, should any person become aware of suspected instances of abuse or exploitation of children, they should immediately, of course, report it to SAPOL so that appropriate action can be taken.

What I also wanted to let the member know about in response to his question is that there are a number of proactive measures that the Department for Child Protection undertake when there are allegations of abuse, exploitation and assault. What is really important is that for that most vulnerable group of young people in care that response is comprehensive. I have spoken first of all about the work that we do alongside SAPOL when there is an understanding that there is an imminent risk of danger and how closely SAPOL and the department will work together.

What I would also draw the member's attention to is the work that is done by the department to—

Time expired.

#### CHILD PROTECTION

**Mr TEAGUE (Heysen) (15:00):** Supplementary question: how many children in state care is the minister aware of who have gone missing in circumstances, as the minister has described, to be exploited and abused by men they meet online in exchange for money, drugs, vapes and cigarettes?

**The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (15:00):** As I said, it is my expectation that particular matters are reported to me. That is my expectation, and I have been very clear about the sorts of matters that I want to have reported to me. What is also very clear is that there is data made available also about instances where children are reported missing, and there is a comprehensive policy that SAPOL and the Department for Child Protection adhere to in terms of those particular reports.

I did want to assure the member about particular really important programs that are instituted in the context of these really, really vulnerable young people who do engage in very risky and vulnerable behaviours. I wanted to assure the member, and I am sure he is interested in this, about some of those programs. I have spoken about what the department does in conjunction with SAPOL, and rightly so.

What I would also let the member know about is a few other things, first of all about a partnership that we have forged with the Australian Centre for Child Protection, the Western Australian government and the South Australian government. That is a program—from memory, a \$2 million program—to which we can contribute a particular sum. That program is absolutely designed to better understand that connection between vulnerability and harmful, sexualised behaviours. It is a very important piece of work that is being done because, as I said, that vulnerability, that exposure to particular circumstances for children means—

**Mr TEAGUE:** Point of order.

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

**Mr TEAGUE:** It's in the context of both estimates and a long week of pursuing a simple question.

**The SPEAKER:** What is your point of order, member for Heysen? It doesn't need a preamble.

**Mr TEAGUE:** The standing order is 98A. The minister needs to address what was a very straightforward question, and I ask that you direct the minister to the answer.

*Members interjecting:*

**The SPEAKER:** Order, member for West Torrens! I bring the minister to the question.

**The Hon. K.A. HILDYARD:** I have outlined what my expectations are in terms of understanding particular experiences that children go through and my expectation in relation to any missing person reports in terms of the numbers of those, etc. Again, just for the member's information and to help him to understand, that is something we work very closely with SAPOL on. We rightly have protocols and procedures about that, which I know the Minister for Police would also be aware of.

What I wanted to say, though—and this is the really important part of this answer, but all parts of the answer are incredibly important—is that I really want the member to understand about the proactive work that we are doing. It is incredibly sad that there is a cohort of children and young people in care who are incredibly vulnerable, and often, sadly, children and young people who have suffered abuse and violence are now in care.

The proactive things that we are doing to support them, to nurture them, to care for them, include, as I said, the work that we are doing in conjunction with the Australian Centre for Child Protection and the West Australian government to understand that nexus between harmful sexualised behaviours and the—

**Mr TEAGUE:** Point of order.

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

**Mr TEAGUE:** Standing order 98A, the same point of order: it's a straightforward question and the minister should answer the question.

**The SPEAKER:** I observe that 98A requires the minister to reply to the substance of the question. The remarks that the member for Heysen has made might suggest that he would wish to have an answer in a different form. In fact, the standing orders also permit the minister to answer in any way that she or he sees fit and—

*Members interjecting:*

**The SPEAKER:** Order! Some context is permissible. I will bring the minister to the question.

**The Hon. K.A. HILDYARD:** It is a very complex area and a heartbreaking area in which we are determined to make improvements. The other program that I wanted to make the member aware of—a really important program that is happening—is the work that is being done to embed Australia's best practice model, the MacKillop Power to Kids program, into our residential care setting so that we can improve children and young people's—

**The SPEAKER:** Minister, your time has expired.

#### **BUSINESS CONFIDENCE**

**The Hon. L.W.K. BIGNELL (Mawson) (15:06):** My question is to the nightwatchman, the Treasurer. Can the Treasurer update the house on business confidence levels in South Australia and how we compare to the rest of the nation?

**The Hon. S.C. MULLIGHAN (Lee—Treasurer) (15:06):** I thank the member for Mawson for his question and, of course, I will endeavour, as I always do, to stay in my crease. I am very pleased to update the house about this information because today we saw the release of the ANZ Property Council Survey for the June quarter, and it showed the rise in confidence of the South Australian property industry to be the highest in the nation. There is more confidence in South Australia to equal highest in the nation, along with Western Australia.

This increase in property industry confidence was driven by strength across a range of indicators. South Australia recorded the strongest expectations for staffing levels of all the states. The South Australian property sector has the second highest expectation for their forward work schedule in the nation.

South Australia recorded the second highest expectation for state economic growth, and expectations for debt financing availability are the best in the nation. South Australian capital growth expectations are the strongest in the nation for industrial, retail, retirement living, hotel and office properties. The South Australian state government performance remained strong, with state government performance ranked second in the nation only behind Western Australia.

Helping to drive the South Australian property industry's confidence is undoubtedly how the government continues to address key issues of importance to the property sector. Recently in the state budget we presented a \$474 million housing package and, importantly, at the same time, no new taxes or tax increases. It is always really important for the South Australian property sector to have confidence and certainty from their state government when it comes to property taxes—a lesson well learnt in this state over the last five years.

The budget was well received, with the Property Council's executive director, Bruce Djite, commenting:

We certainly welcome and applaud the Government for the housing measures that they've introduced in this budget.

Business confidence, of course, in South Australia is not limited to the property sector. Business SA's Business Expectations Survey showed that South Australian business confidence rose in the March quarter of this year, despite falling nationally. Business SA suggests that the rise may have been influenced by large-scale community events, the AUKUS announcement and the state economy's recent strength.

More broadly, the National Australia Bank's quarterly SME business survey for the March quarter showed an improvement in confidence in South Australia but also a deterioration nationally—once again South Australia performing well in the national economic context. NAB's monthly business survey for May shows confidence improved in South Australia but fell in all other surveyed states in seasonally adjusted terms.

This is undoubtedly good news for the state's economy, further good news of course on the back of such strength over the last 12 months. But we have to be clear: the nation is facing mounting economic headwinds and South Australia won't be immune from that. I am pleased to report to the house that as we enter this period of uncertainty, as we enter this period of growing economic headwinds, South Australia starts from a very, very strong position, of course, with the economy and the state well led by the Malinauskas Labor government.

#### *Grievance Debate*

#### **INCOLINK**

**Mr COWDREY (Colton) (15:10):** Sadly, this grievance today should not be necessary, but it most certainly is. Why? Because of the complete inaction of this Premier. Despite standing in this chamber just a number of weeks ago using one of his go-to lines—the Premier committed to use every lever available to him to address the pending infiltration of the CFMEU Incolink scheme into the building industry—there has been no action, no acts, no powers, no functions or, frankly, any leadership deployed by the Premier to date.

The Premier today in question time in fact was confused by the opposition's questions around why he had not met with John Setka yet. Well, there is an easy explanation: the Premier said he would personally do something about this issue. That is what was reported in *The Advertiser* that very day. Instead, it seems by his answers in question time today that his actions involve watching and observing. That is what action and leadership look like under this Premier. I am sure watching and observing are going to drive the Incolink scheme straight out of South Australia and stop it in its tracks.

The CFMEU have made it clear that they are interested in undertaking a rollout of the Incolink scheme early this financial year. As we understand it, the CFMEU have been keen to ensure that builders, subcontractors and others in the industry understand the expectation that, moving forward, Incolink will be the choice of fund in South Australia. The opposition understands also that some builders are even being pressured so that remaining balance funds in the BIRST scheme can be transferred over into the Incolink scheme.

The parliament is about to go on a seven-week recess. The situation that confronts us when we return may very well be catastrophic for the future of the building industry and workers as far as the building industry is concerned. The CFMEU and the Incolink scheme may very well be well and truly entrenched by the time we return. The building industry is on its knees. South Australian money that should be invested in South Australia is potentially on its way out of the state to be controlled by the Victorian branch of the CFMEU and the Victorian MBA, yet the Premier stands idly by as it all happens. This is simply unacceptable.

But let's not be led astray. If the Premier wants to flex a bit of muscle and authority, there are options. A bill can be introduced to this place to provide a safe haven, a government-protected fund. The government has already proposed two funds this week; why not one more so that the contributions that South Australian businesses made into the BIRST scheme, that have been invested for the singular purpose of South Australian workers' redundancies and training, can be quarantined and protected?

While we may be unable, due to the nature of the industrial relations heads of power that have been handed over to our federal colleagues in Canberra, to compel businesses to use a particular fund, we can strongly recommend that they do and we can provide an alternative. We can give South Australian businesses an option to protect their contributions made into the BIRST scheme. We can give second-tier builders in South Australia an option that is not Incolink, should they have been able to this point to avoid having to sign a CFMEU EB compelling them to pay into that fund. This issue is time sensitive, this issue is of significance, this issue is about the future viability of one of our biggest industries and the future of this state.

On this issue, so far the Premier has failed to do his job and to demonstrate any real leadership. He has just talked and he has watched. No legislation has been introduced by this government. As the Premier of this state, as the leader of the Labor Party, as the leader of the union movement in South Australia, he needs to stand up like previous generational Labor leaders have.

The same Premier who accepted a \$125,000 donation from the CFMEU days prior to the election and then was forced to return it, this Premier has authority within the union movement. He must demand that the CFMEU ensure that at the very least the funds that are already in BIRST are kept in South Australia and protected for the sole use of South Australian workers.

If the Premier cares about the South Australian building industry, if he cares about South Australian workers, if he cares about doing anything more than just talking, he will take action and he will do it quickly.

#### **MEMBER FOR MACKILLOP**

**Mr McBRIDE (MacKillop) (15:15):** I rise today to inform the house of my decision to become an Independent member of MacKillop. I have come to the conclusion that it is no longer tenable for me to remain in the Liberal Party.

I have been a proud member of this party for more than 30 years, so this has been an extremely difficult decision for me. I believe my constituents and electorate will be better served by me working as an Independent member of MacKillop. My primary aim is to achieve better outcomes for the people of the MacKillop electorate. I believe a party should work together regardless of individuals to achieve good results for their community.

Despite what the Liberal Party must say, there are factional pressures at play, which have resulted in disunity. I understand some people may be disappointed with my decision, given I was elected as a Liberal member. I hope those people can understand I have found it increasingly difficult to represent the party that I believe is trying to ostracise one of its own.

At the 2022 election, I won 62.3 per cent of the first preference votes, the highest in the state. On the two-party preferred basis, I received the second to highest number of votes, at 72.6 per cent. I believe this is a testament to the work my election team and I had achieved, supported by my hardworking office staff.

Despite what people may think, winning the seat of MacKillop was not easy. Prior to the election, MacKillop constituents in the cross-border community were battered by the restrictions put in place by my Liberal government. During this time, there was little support offered to assist, and even back then I questioned my position in a Liberal Party that would not listen.

More recently, these factions in the party have revisited my seat of MacKillop and have now removed the very team who worked so hard to see me re-elected. I no longer have the core support required in the Liberal Party. As I have said, I believe my position as a Liberal is untenable.

Five weeks ago, I was pressured by the Liberal Party into signing a statement reaffirming my commitment to them. This was at the same time when unfounded rumours circulated regarding a deal offered to me to join the Labor ministry. I reiterate now this was never the case. While I know this will be denied, I believe there were people working behind the scenes to discredit me.

I now believe that the electors in MacKillop will be best served by an Independent member who is not aligned to a particular party, an Independent who will focus on the issues that matter in the region, such as affordable housing; improved health care; child care availability; education; cost-of-living pressures; industry, which includes forestry, agriculture and fishing; regional roads and transport; telecommunications; energy; and coastal erosion.

In my maiden speech in parliament in 2018, I spoke of my election motto being 'substance not spin'. In the five years since being elected, I do not believe I wavered from that motto. I am a firm believer in doing what is right and representing the people of my electorate. I am tired of the games and the infighting of party politics, and I want to concentrate on working on what is good for my constituents, rather than what is good for the party. This involves having and building relationships with all sides of politics.

The MacKillop electorate is important to the state's economy and should never be forgotten. I believe that, as an Independent, I will be able to deliver results that lead to an even stronger electorate. I am excited about my future as an Independent and I look forward to communicating a clear strategy that ensures MacKillop receives a fair share of funding that helps shape the success of our region. I look forward to contesting the next election in 2026 as the Independent member for MacKillop.

**The SPEAKER:** Member for MacKillop, your courage and willingness to serve your community first and before factional interests is manifest.

## ROTARY

**Mr PATTERSON (Morphett) (15:19):** I rise to speak about an important time in the Rotary community's calendar, and that is of course their changeover dinners. Of course, this year recognises the 100<sup>th</sup> year of Rotary in Australia, and so this week I have had the wonderful opportunity to go to the changeover dinners of two really important Rotary clubs in Adelaide, South Australia, and also in my area. They are the Rotary clubs of Glenelg and Holdfast Bay.

If we start with the Rotary club of Glenelg, they are in their 70<sup>th</sup> year, so they have been very consequential. Their club president, Alison Rogers, spoke at their changeover dinner about some of the highlights for the year for the Glenelg Rotary Club, ranging from raising funds, whether that is donations to Foodbank or, importantly, donating funds to the crisis in Ukraine, a war-torn country that is desperately in need of funds, and Glenelg Rotary Club has stepped up to the plate there.

The club has also been instrumental in sponsoring youth, either sponsoring a student in Tanzania or, importantly, helping over 30 youths take part in a fantastic initiative by one of the club's legends, David Binks, and that is taking them on the tall ship, the *One and All*, and teaching them great teamwork skills.

This year has also seen the Glenelg Rotary Club join forces with the Holdfast Bay Rotary Club to help purchase a beach-friendly wheelchair that is part of the upcoming construction of a

universal access ramp on the beach in Glenelg right near the jetty. A disability ramp was certainly something that has been lacking from our premier metropolitan beach. I have been working with disability advocates towards the solution since 2015 after seeing the life-changing success of the access ramp down at Seacliff beach that the Leader of the Opposition, the member for Black, was instrumental in delivering.

Most notable of the advocates for such a solution I have been working with was Rick Neagle, who pushed for universal access at Glenelg beach because it is the key tourist destination here in Adelaide. Why should a significant element of our society, some say up to 20 per cent, be denied that fantastic experience?

In February 2022, I was really pleased to secure a \$50,000 grant from the former Liberal state government to go towards the City of Holdfast Bay for this crucial infrastructure that has precipitated the council now providing wheelchair access. Providing this access to the beach and outdoor spaces will be a key aspect of an inclusive community, and I am very pleased to be able to play a role in delivering what will become an important community asset. Works are now underway for a disability access ramp at Glenelg beach right near the jetty, and I look forward to it being completed in time for summer.

As I said, club president Alison Rogers is going to continue on as the president this year really to take into account the fact she was not able to complete all of the role because of her daughter having ill health, and so we certainly wish her daughter a speedy recovery and Alison every success this year.

I also attended the Rotary Club of Holdfast Bay's changeover dinner, which saw Judy Shipp hand back the reins to previous president Anne Day. One of the signature programs that the club runs is the Locals Doing it Tough food drive. Twice a year, the club collects non-perishable food and goods for those in need at the Bayside Village Shopping Centre in Glenelg and also Brighton Central.

It was wonderful to join the club at the most recent food drive, which was at Bayside in June. It was heartwarming to see people who were going shopping buying extra items to drop off at the stall. This winter food drive supports the work of many local outreach programs in the bay to provide emergency food relief to individuals and families in need. Groups such as St Vincent de Paul, St Paul's Lutheran Church, St Peter's Anglican parish in Glenelg and also Mary's Kitchen that runs out of St Andrew's by the Sea.

Adding to this, I was proud to be present on Australia Day this year when the Rotary Club of Holdfast Bay won the Active Citizenship Award, which is a really fitting tribute to the club. It gave them a chance to showcase the terrific work they do. I wish both presidents, Alison and Anne, alongside all the Rotary club members of Glenelg and Holdfast Bay Rotary, every success in the upcoming year as they apply themselves to this year's theme, Create Hope in the World.

## STATE BUDGET

**Ms THOMPSON (Davenport) (15:24):** Over the last couple of weeks it has been a great pleasure to be out and about in my community sharing the good news about this year's budget. I am excited to be part of a united team that continues to put people at the centre of everything we do, and that is why our budget prioritises what is important to our community.

We are prioritising major long-term investments in health and housing, while delivering the biggest package of cost-of-living relief in our state's history. With Flinders Medical Centre in my electorate of Davenport, many of the people I represent are health workers. One thing they often talk to me about, one thing they often have in common, is that they are tired. Our investments in healthcare reform are helping to ease the pressures on our health system and on our dedicated health workers while we hire more doctors, more nurses and more ambos.

The former Liberal government gravely ignored the significant problems in our health system for four years and now they sit opposite, appearing to enjoy pointing out the problems while still constantly failing to ever have a solution. But we are a government that works on solutions. We are rolling out a range of measures to ease pressure on our hospitals, to reduce ramping and to ensure more ambulances turn up on time. To help reduce bed block, we are increasing the level of medical

staffing in metro hospitals on weekends in order to support timely decision-making and increased rates of weekend patient discharge.

We are establishing the State Health Control Centre which will provide 24/7 whole-of-system oversight, improving patient flow and better coordination of critical health resources. We are expanding the Virtual Care Service, which aims to reduce emergency department presentations by providing virtual care support via an expert team of doctors, nurses and paramedics.

Pleasing many parents in my community, and I am sure right across our state, we are permanently extending the Child and Adolescent Virtual Urgent Care Service that connects parents with a team of highly skilled health workers who can assess and provide medical advice for children and young people. This budget will deliver more beds and employ more ambos, more doctors and nurses to boost capacity right across the health network. Solutions.

Again, spending where it is needed most, our united team is addressing the housing crisis with a suite of measures to deliver more social housing and home affordability and give more South Australians the opportunity to own their own home. We are abolishing stamp duty on new homes for first-home buyers, saving buyers tens of thousands of dollars while also encouraging more supply. We are expanding eligibility for the First Home Owner Grant and we are giving eligible first-home buyers who purchase a new property the opportunity to apply for a 2 per cent deposit home loan with HomeStart.

Our housing package supports the delivery of 3,600 new homes and reduces the cost of housing for around a further 14,000 new homes. This package also includes the largest ever land release, provides more rights for renters and makes a generational investment in public housing.

The cost of living is a significant challenge across the country, and we know that families are currently doing it tough. We are continuing the Malinauskas Labor government's record of helping out those most in need by budgeting for more than \$470 million in the largest cost-of-living assistance package ever deployed in our state.

Once again, the materials and services charge will be discounted by \$100 for each child. This will provide critical relief for families at a time of year when budgets are already tight and costs are escalating. Families in need will also be supported by a \$6.5 million boost in the School Breakfast Program in government schools, the largest investment of its kind in our state's history. It will see more than 1.4 million meals provided to kids through breakfast programs at schools right across our state.

We are also investing more than \$100 million across 66 government schools and preschools to upgrade and repair important infrastructure, and I am extremely pleased to learn that investment will be going towards Craighburn Primary School and Aberfoyle Park High School in my electorate of Davenport. We want to give our kids the best opportunities at school, and so our investment in mental health and wellbeing of students is an important one.

We are more than halfway towards fully delivering on the government's election commitment to place 100 mental health practitioners into our schools and, as of term 3, I am pleased that there will be a mental health practitioner in two of the three high schools in my electorate. We are a government that wants to deliver for all South Australians and we are focused on the fundamentals while planning for the future.

### THE PUSH-UP CHALLENGE

**Mrs HURN (Schubert) (15:30):** I would like to rise today first of all to wish the Adelaide Thunderbirds all the very best for the grand final they are playing in over the weekend. They are a fantastic team and have been right throughout the entire season. I would like to particularly recognise Tania Obst, who is a fantastic coach. I had the pleasure of being coached by her at the Institute of Sport, and she was very formidable. I think that everything she is doing with the team has led them to hoped-for success over the weekend. I also have some mates who are playing for the Sydney Swifts. I will absolutely be supporting the Adelaide Thunderbirds, and I will be there in spirit; I am wearing the pink and the black today. I wish them all the best and I am sure that all of us in the house do as well.



From 1 to 23 June, I participated in the Push-up Challenge. In just six short years, this has grown to be one of the largest and arguably one of the most successful mental health challenges that happens right across the nation. Other than being extraordinarily good, albeit challenging, for physical strengthening and conditioning, it also goes a long way in terms of raising awareness for those who are really struggling with mental health challenges, and we know that particularly at the moment those challenges are really significant.

The challenge raises money for three really excellent partners: Lifeline Australia, Movember and also the Push for Better Foundation. I was not the only one in this place who took part in this challenge. The Leader of the Opposition, David Speirs; and my colleagues the member for Hartley, Vincent Tarzia, and the shadow minister for mental health, Penny Pratt, the member for Frome, also joined with me to do push-ups. You have to do 3,144 push-ups over 23 days. That equates to roughly 140 push-ups a day. It was quite a challenging feat, but it is very much for a good cause.

You might ask: why is it 3,144 push-ups? Sadly, this actually reflects the number of lives lost to suicide in 2021. One great thing about the challenge is that it is all about raising awareness, and on every single day you learn something new about mental health. What became really clear to me is that no-one is untouched by the challenges of mental health. In fact, in Australia, right across the nation every 30 seconds someone reaches for Lifeline. I think that is a particularly fantastic service because it means that people can get support any time, anywhere. A service like Lifeline is really fantastic.

I was particularly lucky—or particularly diligent, I should say—because I went into the intricacies of my fundraising form and made sure that all the money I raised went to Lifeline Adelaide specifically. I raised over \$2,000, which by no means was the most, but it was something. I do hope that it will make a big difference because I think all of us in this place have an obligation and also an opportunity not just to make policy decisions that can impact the lives of those who are struggling with mental health but also to do our little bit to help raise awareness.

In six years, this challenge has raised \$26 million for mental health services. Over 300,000 people have done the challenge and, putting all those people together, they have done 600 million push-ups. I think that is quite remarkable because we know that the link between physical strength and mental health is a strong one. To be able to be a leader and advocate for physical strength and physical activity is really critical because it does improve people's mental health.

I would like to particularly acknowledge some of our farmers at the moment. It does not matter whether you are in the city or in the country, it does not matter what age group you are in, every single person is touched by the challenges of mental health in one way, shape or form, and for our farmers at the moment it is particularly tough. When you are on the land, it does not matter how hard you work, if the sun does not shine enough and it does not rain enough, sometimes you do not get the rewards that you are looking for, and that pushes good people to breaking point. My thoughts are with them, and I would like to thank the many organisations in my community that are doing great work to support people with mental health challenges.

#### **LIGHT ELECTORATE**

**The Hon. A. PICCOLO (Light) (15:35):** Today, I would like to talk about some things that obviously are important to my electorate. At the outset, I would like to say that one of the most rewarding parts of being the local MP is the various people you meet in your work. You often meet people in a whole range of different areas, from people involved in sports to people involved in arts, business, community activities, etc. While you meet a lot of people from time to time, sometimes you do not get to know the full person until, sadly, you are invited to their funeral and you hear their life story, and their life story is much bigger than the story you know about them.

Recently, I was invited to go to a memorial service for Alfred Keith Skuse, or Alf Skuse, as he is better known. Alf was born in 1941 and passed away this year, just last month. He has left behind a wife, Kay, and children, Debra and Anthony. I met Alf through his involvement with the Gawler Bowling Club. Not only was he a bowler but he also served on the committee and helped out the Gawler Bowling Club in its day-to-day activities. That is, essentially, what I really knew of Alf until I attended his funeral service.

What I did not know was that Alf had an extensive sporting and athletics history and was quite sporting and athletic from a young age. He came from a family of modest means, so he worked very hard for what he achieved. He went to work literally as a young boy. He was 14 when he became an apprentice jockey. That was not to happen, though, because unfortunately he grew too big and was not able to become a jockey, but he did play football. He went to play football for the South Adelaide Football Club, where he played in a number of premierships and also won a number of awards.

He also played football in the local competition. He played football and had an association with all the clubs in Gawler, namely the Willaston Football Club, the Gawler Centrals and also South Gawler Football Club. Not only did he have an association with those clubs but he spent a lot of his time actually coaching young players. It was interesting that there were a number of young people—not so young today, but people he coached who were young once—who came to his service and acknowledged the contribution he made not only to their sporting ability but to their younger lives.

Often, we have people in our community who make a huge contribution to our communities we are not aware of. Alf was not one to seek the attention of media or publicity, so I think it is only fitting that I get this opportunity to pay tribute to Alf Skuse and pass on my condolences to his family for a life well lived.

The other thing I would like to bring to the house's attention today is an event that will be launched this week on Sunday: Arts on the Plains. The event is part of the SALA Festival in the Gawler and surrounding districts and designed to bring together a whole range of different artists and art groups and also local schools, where they can promote the event and also cross-promote their activities, with the aim of bringing visitors to the town and surrounding districts.

There are a whole range of different activities, about 20 in total, and I will mention some of those in passing: the Joe Dennis solo art exhibition; *The Art of the Moving Image*, a retrospective of the work of Terry Flaxton; the Gawler Community Gallery members' art exhibition at the civic centre; the Gawler Art Society art exhibition; *Pushing up Daisies* exhibition by the Eco Coffin Project, which I am officially launching; there is a mural; *Worlds Apart* by Gawler in Photographs; *Intersections 2023*, Trinity College SALA exhibition; the Arts on the Plains official launch; and the Women's Studio exhibition.

Also, *It Starts with a Stitch*; the Gawler Arts Society Exhibition; Gawler yarn bombing; a mural painting by Trinity College; *An Arts Journey* by Xavier College; a live mural painting by Xavier College; Gawler Makers Market; Imagine Art Group; Lovebirds' Print and Sip with Adele at the Hewett Centre; *Australian Rodeo*, a photographic exhibition; the *Home* exhibition at Playford College; and *For Arts Sake* by Compass Catholic Community. As you can see, there is a whole range of diverse groups contributing to our art world.

#### *Parliamentary Procedure*

### **SITTINGS AND BUSINESS**

**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) (15:40):** I move:

That the house at its rising adjourn until Tuesday 29 August 2023 at 11:00am.

Motion carried.

#### *Bills*

### **PASTORAL LAND MANAGEMENT AND CONSERVATION (USE OF PASTORAL LAND) AMENDMENT BILL**

#### *Introduction and First Reading*

**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) (15:41):** Obtained leave and introduced a bill for an act to amend the Pastoral Land Management and Conservation Act 1989. Read a first time.

*Second Reading*

**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) (15:41):** I move:

That this bill be now read a second time.

I am pleased to introduce to this place the Pastoral Land Management and Conservation (Use of Pastoral Land) Amendment Bill 2023. This bill will deliver the government's election commitment to confirm that pastoral leases can be used for carbon farming and for conservation. The government acknowledges the enormous contribution pastoral lessees make to the sustainable management of land in South Australia.

The Pastoral Land Management and Conservation Act 1989 (the pastoral act) covers 323 leases, comprising 219 stations over an area of 40 million hectares. This is about 40 per cent of South Australia's land area. Of existing pastoral leases, 21 are already wholly used for conservation with the approval of the Pastoral Board, and five leases are being used for carbon farming. However, legal uncertainty about the board's ability to approve non-pastoral use has arisen in recent years.

This bill confirms the board's ability to approve a range of uses of pastoral leases, which is simply a confirmation of the situation that has been in place on the ground for over 30 years. It will enable with certainty the ongoing efforts by lessees, Aboriginal people and regional communities to manage pastoral lands in a variety of ways.

Specifically, this bill amends the objects of the pastoral act to confirm that pastoral leases can be used for conservation and carbon farming as defined in the act; preserves the role of the Pastoral Board in relation to the approval of non-pastoral uses of pastoral land for some or all of the pastoral lease; formally recognises previous Pastoral Board decisions approving the use of some, or all, of a pastoral lease for non-pastoral uses; clarifies that land assessments will take into account, for all leases, the purposes for which the land is being used; and clarifies the required qualifications of potential Pastoral Board members nominated by the Conservation Council of South Australia.

The Pastoral Board's powers in relation to the management of pastoral lands will not change. Current leases will not change. All leaseholders will still need to actively manage their leases and remain subject to Pastoral Act obligations, such as requirements to maintain fencing and watering points unless conditions are varied by the Pastoral Board.

This bill has been informed through consultation with a range of organisations who have a close interest in pastoral land management, including the Pastoral Board, Livestock SA, Primary Producers SA, the Conservation Council of SA, the SA Nature Alliance, SA Native Title Service and First Nations SA. Further discussions have also been held with pastoralists coordinated by Livestock SA and several conservation organisations coordinated by the Nature Conservation Society of South Australia. I want to take this opportunity to acknowledge and appreciate these contributions.

It is intended that the bill will give the Pastoral Board full certainty to continue exercising its power to approve non-pastoral activities on pastoral leases. Importantly, where the Pastoral Board has previously approved a non-pastoral use, these approvals will remain in effect. Any new request to change the use of a pastoral lease will be considered by the Pastoral Board on a case-by-case basis, in accordance with the act and the Pastoral Board's revised guidelines. When the Pastoral Board approves a change in the use of lease, that change will remain in force unless the lessee seeks a further change.

If the bill is passed, the new legislation would allow for the minister responsible for the act to adjust the definition of carbon farming activities from time to time. This is because carbon farming markets and methods continue to evolve. The government will consult on any proposed changes to the definition, which will happen through regulation.

This bill will support the Pastoral Board's continued management of pastoral land for a variety of purposes. It also ensures leaseholders will continue to have flexibility in relation to how they use

their land and can diversify their activities, subject to the approval of the Pastoral Board. These changes confirm that significant environmental benefit offsets and heritage agreements under the Native Vegetation Act 1991 can be implemented on pastoral leases. These tools provide leaseholders with opportunities to receive funding for conservation activities on their lease.

These changes will not affect the economic viability of pastoral leases; in fact, they create more opportunities for more diverse uses. Pastoralists and conservationists have worked together side-by-side across the rangelands for more than 30 years, and they will continue to do so. The economic viability of the pastoral industry is, and will remain, an object of the Pastoral Act.

Supporting leaseholders to manage their land flexibly, including for conservation and carbon farming, provides pastoralists with options for generating alternative revenue sources. Leases used for conservation or carbon farming will continue to be regulated under the Pastoral Act, including requirements for land assessments which will take into account the use of the land. These changes will not affect the native title rights or agreements.

The government recognises the importance of Aboriginal peoples' spiritual, social, cultural and economic connections to country. The Pastoral Board will continue to work with leaseholders and Aboriginal people to ensure that the use of pastoral leases is consistent with native title rights. The Pastoral Board requires native title obligations to be resolved prior to any decision for approval of changes in use or conditions of pastoral leases.

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

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

These clauses are formal.

##### Part 2—Amendment of *Pastoral Land Management and Conservation Act 1989*

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

This clause inserts new definitions of *carbon farming* and *conservation purposes* and makes an amendment to the definition of *pastoral lease* to recognise the fact that a pastoral lease may encompass purposes other than pastoral purposes (with the approval of the Board under the Act).

###### 4—Amendment of section 4—Objects

This clause amends the objects to recognise the potential use of pastoral land—

- for conservation purposes (as well as, or instead of, pastoral purposes); or
- for other purposes approved by the Board (provided that the land is also being used for pastoral or conservation purposes).

###### 5—Amendment of section 7—General duty of pastoral lessees

This clause makes a minor change to recognise the fact that there may be more than 1 enterprise taking place under a pastoral lease.

###### 6—Amendment of section 8—Pastoral land not to be freeholded

This clause adds a clarifying note to section 8.

###### 7—Amendment of section 12—Establishment of Pastoral Board

This clause updates some references and adds a requirement that the board members nominated by the Conservation Council be persons who, in the opinion of the Conservation Council, have knowledge of, and experience in, the conservation of the rangelands environment.

###### 8—Amendment of section 19—Grant of leases

###### 9—Amendment of section 20—Assessment of land prior to grant of lease

These clauses change some wording for consistency with the concept that land under a pastoral lease might be used for purposes other than pastoral purposes.

10—Amendment of section 22—Conditions of pastoral leases

This clause makes it clear that the other purposes that may be approved by the Board include (without limitation) conservation purposes or, if the land is being used for pastoral or conservation purposes, carbon farming.

11—Amendment of section 23—Rent

This clause makes a minor change to recognise the fact that there may be more than 1 enterprise taking place under a pastoral lease.

12—Amendment of section 25—Assessment of land

This clause recognises that an assessment of the capacity of the land to carry stock may not be necessary, or may need to be modified, where the land is being used for purposes other than pastoral purposes.

13—Amendment of section 42—Verification of stock levels

This clause provides that where pastoral land is being used for a purpose other than pastoral purposes, the Board may exempt the lessee from the requirement to provide a statutory declaration as to stock levels under this section.

Schedule 1—Transitional provisions

1—Interpretation

This clause contains a definition.

2—Approvals

This clause ensures certain approvals purportedly given by the Board in the past will continue as valid approvals after commencement of the measure.

Debate adjourned on motion of Mr Patterson.

## **STATUTES AMENDMENT (SERIOUS VEHICLE AND VESSEL OFFENCES) BILL**

### *Second Reading*

Adjourned debate on second reading (resumed on motion).

**Mr PATTERSON (Morphett) (15:48):** I rise to take the opportunity in parliament to speak about the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill 2022 and obviously, from the outset, I am pleased to say that the opposition will be wholeheartedly supporting these important laws. Of course, in so doing we are doing it in support of Sophia Naismith, who was tragically killed; for her parents, Luke Naismith and Pia Vogrin, who are here today with us; for her sisters Saskia and Ursula, who are also here; and, of course, for Sophia's friend who was injured at the same time, Jordyn Callea.

It is also for other families who have been shattered by road death that has resulted because of reckless drivers who have no regard probably for themselves, but certainly no regard for the people around them and the people they take and the devastation that it causes for all the affected families. Of course, these are all heartbreaking tragedies, and the one that happened to Sophia was absolutely heartbreaking and affected many people, not just the immediate family but many other people.

The bill before us recognises that we do need to close the gap. At the moment, we have careless driving offences sitting in the Motor Vehicles Act and dangerous driving offences in the Criminal Law Consolidation Act. That gap really does need to be closed, as was displayed by the outcome of the case just recently regarding the tragic circumstances around Sophia.

The chasm between the two—of jail for dangerous driving and the effect that it has on families, down to careless driving where it is very hard and difficult to see someone sent to jail—is really a chasm. It leads to outrage in the community as well because I think most fair-minded people really see that the actions that occurred on that night back in June 2019 deserve more than what was the end result by the court of law.

There is a saying that there is justice and then there is law. We do have to be mindful that the justices have precedents and that there is case law that has built up over time that they are restricted to. They are restricted to how they can decide, based upon what the laws are that are in

place. I think this statutes amendment bill changes the act relating to serious vehicle and vessel offences to really make sure that we do better. The community demands better and this amendment bill puts in place a mid-tier offence.

In terms of that night, which I talked about before in June 2019, it was just like most other nights, and Sophia and Jordyn were walking along Morphett Road at night-time. Morphett Road itself is quite a safe road; it is a double-lane road in both directions and at that time of night there were not too many cars. But that night saw Alexander Campbell, who was 37, behind the wheel of a high-powered Lamborghini Huracán, and driving towards them.

We know that every car can be a dangerous weapon. It just takes a moment's inattention for things to go badly awry with normal cars, let alone with high-powered cars. Whenever drivers get behind the wheel of a car it is beholden on them to drive with safety in mind. On this night you would have to say that was not the case: that car was a loaded gun waiting for the trigger to be pulled.

In the statement of facts that the judge put before the courtroom to describe how he based his decision, he made it quite clear that this car was not driven in a safe manner at all. The Lamborghini itself is a very powerful car and can reach speeds of up to 300 km/h. It has different modes that drivers can choose to drive in and, in metropolitan streets, it should be driven in street mode but, of course, on that night, it was not.

It was found that really the only safe mode—given as evidence by witnesses in the case—is to make sure that the vehicle, when driven in the metropolitan area, is driven in street mode. If it is not, as was the case here, the wheels are much more likely to lose traction and therefore there will be loss of control of the vehicle. Whilst at the time it was not illegal to drive the Lamborghini in sport mode it really required a much greater degree of driver skill because of the fact that it was in that mode, and the evidence found as much.

As well as that, the car also had its traction control system turned off. That is the electronic control system, the stability system that actually helps drivers. It can react even quicker than human reaction time to actually try to stop cars that are out of control and spinning out of control to bring them back straight. As I said, the corner of Bells Road and Morphett Road where this occurred, just near where the restaurant is, is a straight road; it is not like there are corners that you go around and can slip out as well.

In addition to this, it was also found that the condition of the rear tyres—of course, this car is rear-wheel drive—were worn. Only a few days before, Mr Campbell had been advised, as he took his car in to be serviced, that those tyres were worn and should be replaced. So what we had was a loaded gun coming down Morphett Road, as I have said before, towards Sophia and Jordyn.

The evidence also found that at Bells Road, which is very close to the Chinese restaurant, the car was travelling at 53 km/h. From there, it is literally only seconds before a car reaches the Chinese restaurant. The evidence was inconclusive as to what happened, but it seems, from witnesses, that there was an acceleration—the car started to accelerate—and at that stage lost control. From that point on, the driver was not in control of where that car was going, and as a result a tragedy occurred and took Sophia away from us.

This has caused outrage in the wider community, but certainly in our community as well. As I said before, the community expectations were probably different, you would have to say, than what the judge eventually came down with. As I said, he was bound by law and precedent. As was said in trial, really, no sentence will ever be adequate and could replace Sophia's life because of course that is immeasurable.

It is just worth touching on what a great future Sophia had ahead of her. She was only 15 years old. She would now be 19 and would have graduated from school and I am certain would have done very well and been a great contributor to our society—she already was: she was a state volleyball champion at Brighton Secondary School, which is renowned for its volleyball. She was also a star in soccer, a leader at school, did well in her studies and was looked up to by her sisters and her parents. What has happened is tragic. As her mum said in her statement, Mr Campbell and his choices killed Sophia and she has to live every day without one of her children.

In a tight, close community like we have around the Bay, around those western districts, this was felt by so many, and so I think everyone wishes there was a sliding-door moment that this did not happen because nothing can take the pain back. What we hope with this new legislation is that there comes some hope that those tragic circumstances and the injustice felt by Sophia's family will not be repeated because everyone has the right to feel safe on our roads. If I can just finish with what her father, Luke Naismith, said:

The reforms will not bring Sophia back but hopefully they'll make drivers more accountable for their behaviour and reduce the trauma for families.

**S.E. ANDREWS (Gibson) (15:58):** I rise to speak in support of the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill. It is tragic that a bill like this must come before our parliament due to a small number of members of our community who put themselves before the safety of the rest of our community by driving so carelessly. This bill delivers on a commitment made by our Premier to introduce legislation in the wake of the tragic death of Sophia Naismith. I would like to acknowledge in the gallery today the friends and family of Sophia and thank you for seeing your advocacy through to its completion. I would also like to acknowledge how difficult it must be to hear these words so often, but know that you have been listened to.

Fifteen-year-old Sophia Naismith was a state volleyballer and a student at Brighton Secondary School in my electorate of Gibson. She was a good student, had a bright future ahead of her and was loved by many. More than 2,000 people attended a public celebration of her life. However, her future was extinguished in an instant by the driver of a Lamborghini in sports mode when he lost control of the vehicle and struck Sophia and her friend, Jordyn, who was seriously injured.

The driver of the vehicle proceeded to trial, where he was found not guilty of the offences of dangerous driving causing death and dangerous driving causing serious harm. He instead pleaded guilty to the lesser offence of aggravated driving without due care causing death and received a suspended prison sentence, an 18-month good behaviour bond and a community service order—an unacceptable result and something that we as legislators cannot allow to occur again.

Since this trial outcome, Sophia Naismith's family have advocated for law reform so that such a tragedy can be prevented from happening to any other family. I thank them for their advocacy and seeing this change happen. The state government has answered that call and has now introduced this legislation that will introduce a new driving offence in the Criminal Law Consolidation Act 1935 to bridge the gap between maximum penalties for existing offences. The bill creates a new indictable offence of causing death or serious harm by careless use of a vehicle or vessel in the Criminal Law Consolidation Act.

The new offence raises penalties 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. It also raises the minimum licence disqualification period, from six months to one year, for a basic offence and three years for an aggravated offence. These changes increase the available penalties where there is driving conduct causing death or serious harm that does not meet the high threshold of dangerous driving. These changes will hopefully make potential offenders think twice before driving without due care.

This bill additionally bans the disabling of traction control in ultra high-powered vehicles and strengthens laws that ban drivers accused of killing a person from holding a licence until their case is resolved and, additionally, extends on-the-spot licence suspensions/disqualifications to other serious driving offences in the Criminal Law Consolidation Act where death or harm is caused.

The state government will also introduce a new licensing scheme for ultra high-powered vehicles, which is being progressed separately from this bill, as it will involve changes to regulations. This bill amends the Motor Vehicles Act 1959 to support the introduction of the licence class through regulations. The amendment will ensure that a new class of licence for ultra high-powered vehicles, when ready, can be implemented effectively.

I personally do not see the need to drive an ultra high-powered vehicle on any public road, especially when we have facilities in South Australia such as The Bend Motorsport Park. However, if South Australians do intend to drive these vehicles on our streets, then it must be done in a safe

way, fully understanding the power of the vehicle and the additional responsibility associated with such a vehicle.

Sophia's friend Jordyn told the trial that she and Sophia had spent time at her house, a fast-food restaurant, on the tram and at Glenelg that night before deciding to walk to catch the bus to another friend's house. These girls were being responsible and enjoying a day not unfamiliar to thousands of South Australian young people, spending time with their friends and sharing moments together away from school and sport.

As has been announced in our recent budget, we will invest nearly \$100 million on a new road safety package to tackle South Australia's high road toll. This will include targeted road safety initiatives on rural roads, including audio tactile line marking, safety barriers and rural junction activated warning system signage, as we know that, tragically, two in three deaths on country roads are country people.

There will also be new mobile speed cameras, the replacement of fixed speed and red-light cameras with newer technology, additional mobile phone detection cameras to deter dangerous behaviour and funding to deliver the motorcycle Rider Safe reform program, which focuses on awareness, judgement and decision-making. Finally, \$494,000 will be allocated to implement the new licensing scheme for ultra high-powered vehicles.

The fatal five are speeding, drink or drug driving, failure to wear a seatbelt, driver fatigue, and distraction. These are all fully within our control. We decide whether or not to speed. We can decide to leave the car at home and not drive under the influence. We can decide whether or not to wear a seatbelt or drive when we are tired. We can decide whether to watch the road or get distracted. While you might make these decisions for yourself, you have no right to decide whether another person lives or dies as a result of your actions. Road safety is everybody's responsibility. I commend this bill to the house.

**Mr ELLIS (Narungga) (16:05):** I rise in endorsement of this bill and, in so doing, would like to note how I have been eagerly anticipating its arrival in this chamber for some weeks. It is especially pleasing to see it reach the top of the *Notice Paper*, and it is wonderful that we should hopefully be able to deal with it this afternoon and allow its progression through the parliament as time goes forward.

It is an issue that I have actually had a great deal of interest in over the past few years. I would like to acknowledge the work of Lynette Lyall, who tragically lost two kids in 2011 on the Bute Road and who I met with in 2021 to discuss this very issue. As I said, she tragically lost two kids, her son and daughter, Troy and Shanae, who were 20 and 16 at the time. They were in a Holden Commodore when it rolled on the Bute Road, and tragically they both lost their life

In that situation, the driver was initially charged with two counts of causing death by dangerous driving but ultimately pleaded guilty to driving without due care and received a seven-month suspended sentence and a \$500 fine—a very, very small price to pay for the loss of two lives. I know that the family felt especially aggrieved that the value of their children's lives was not recognised throughout that process.

We did a significant amount of work trying to come up with a solution that would provide for better justice for victims of that sort of accident. Ultimately, the solution we settled on is extremely similar to the one we debate today, but the situation became so stressful for the Lyalls that it was a difficult thing for them to progress and, ultimately, with the election approaching, it was something that did not find its way into this chamber.

That being the case, I am especially pleased that the government has taken it on and that we debate it today. I think it is a wonderful initiative and certainly worthy of this chamber's support. The one fear I have and the one thing I would like to bring to this chamber's attention, without casting any aspersions on the DPP, is that I hope it does not become something that the DPP charges in lieu of seeking out the higher penalty. By that I mean to say that I am sure there will be situations where the driver deserves to be charged with causing death by dangerous driving.

There are situations—and I suspect the Naismith case we were talking about today may well be one of them—where the acts that have been committed by the person who caused the crash are



such that they should be charged with the higher penalty and should be subject to a higher penalty than this interim provision provides. I hope the DPP does not use this as an easy way out and let people off the hook somewhat by virtue of the fact that there is now a middling offence they can lean on and resort to.

I am sure there will be situations where the acts are so egregious that they should be charged at a higher offence. I hope the DPP has the courage and wherewithal to seek out those higher penalties for those people who commit those acts and that we see some serious justice served for those people who commit crimes that deserve it. On the other end of the spectrum, there are some situations, without trying to degrade the loss of life, that are really horrific situations where there is no winner.

I remember vividly in my time as a journalist at the *Yorke Peninsula Country Times* covering a crash at the old Federation Corner intersection, which is now a roundabout. A motorist pulled up at the intersection, gave way as he was meant to, looked left into the sunset, failed to see a car coming, pulled out and then caused a crash that cost a life. That motorist was ultimately responsible for the loss of life and certainly should have seen justice applied, but it was a momentary lapse and a missed car, and there was certainly no intent or recklessness or anything like that. I am sure that this new offence, should it pass both houses of parliament, would have been a more appropriate offence for that person. Nevertheless, I am sure there are some who deserve the higher offence and should be charged accordingly.

I want to offer a quick endorsement of the government and this bill. It is a wonderful thing worth pursuing and it is important that justice is seen to be imposed, and I think in a lot of cases with these accidents that cost life it is severely lacking, and the perception in the community is that those people are getting away with taking a life. I look forward to its passage through the parliament. I just wanted to offer a quick endorsement. Congratulations to the government.

**Mr FULBROOK (Playford) (16:10):** I rise in support of the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill 2022. While it is preferable to be proactive when creating laws, sadly the circumstances of something so dreadful have brought us together in the hope we can avoid events like this from happening again.

Before I begin, I can only imagine how painful this debate is for the friends and family of Sophia Naismith. My thoughts in particular are with her parents, Pia and Luke, along with sisters Saskia and Ursula, and friend Jordyn Callea, who was injured in this shocking incident.

The tremors we endure from road trauma are always extensive and I am under no illusion there are other people out there hurting from these tragic events. This sense of pain extends way beyond the incidents alone, with the emotional rawness touching on other acts of stupidity that we unfortunately are subject to seeing on the roads. I am extremely sorry for anyone hurting from such losses and hope the passage of this bill continues to respectfully honour the memories of those we have lost.

The communities I represent have had a gutful of hoon driving. I would be very surprised if a week did not pass when I would be contacted by constituents, like David Orr, who share their frustration at experiencing quiet streets being turned into racetracks or drag strips. These people are decent folk who should not have to be terrorised by morons putting themselves and others at risk. While in my area, this is still an accident waiting to happen, sadly we are now dealing with the aftermath of where tragedy has struck. Locally, both the police and City of Salisbury have an enormous task in trying to curb this problem. I am continually raising these issues with them and looking forward to a meeting with Minister Szakacs on the matter in the next few weeks.

In a past life, I had the privilege to serve as the road safety adviser to Minister Rankine for about 18 months. It was an eye-opening time which in many ways reaffirmed the obvious, that to get the road toll down we cannot afford to put all our eggs into the same basket. For as long as I can remember, as a community we have been implementing reforms in the hope that the number of deaths and injuries fall. It is cold comfort to those who have lost loved ones along the way, but in many ways there have been some successes.

Records for this year could be a lot better, but overall the trend is pointing downwards. You only need to look at the SAPOL website to see that over the last 20 years deaths on our roads peaked at 147 in 2005, with this number falling to 71 last year. I am not here to give us politicians a pat on the back but to remind us that we have a role to play in helping to bring these numbers down even further. Stating the obvious, we can invest money on roads to make them safer and come up with policies that have a positive flow-on effect.

While there is always work to be done in these chambers, it also cannot be ignored that the safety of vehicles has improved significantly as time goes on. I have found something showing that vehicles built before 2001 made up about 20 per cent of the car fleet but featured in 36 per cent of fatal crashes. Keeping in mind this information may be a little dated, it compares favourably against data showing that newer vehicles built between 2012 and 2017 make up over 30 per cent of the fleet but were involved in only 13 per cent of fatal crashes.

We only have to think about the arrival of features such as autonomous emergency braking or airbags to know that vehicle safety is improving. While we are all relieved that cars are getting safer, it is not lost on me that the carnage that has necessitated this bill was triggered by a comparatively new vehicle. While we cannot legislate against stupidity, we can make some differences as lawmakers in the hope that circumstances do not repeat themselves.

This bill makes a number of changes that I am pleased to support and shall explore in further detail. The first I highlight is the new provision banning the use of sports mode on our roads. At its most basic definition, I understand sports mode is intended to sharpen how a vehicle responds to a driver's inputs. I have read that it is likely to make the throttle response sharper, the steering heavier and the suspension not quite as comfortable. While I am sure there is much more to it, I think it spells out clearly that you would need some familiarity in motorsport to know how to operate it safely.

It has been a while since I lived and breathed car racing, but I know enough to note that Alexander Campbell is not someone you associate with motorsport success. I know it will hurt, but the only thing he can be associated with now is reckless stupidity. He like so many other hooners needs to get it into their head that they will never go on to taste the glories of winning a race, or whatever childish accolades they aspire to achieve, by driving dangerously on our roads. I say that because if they did know this they would have already worked out that this kind of behaviour belongs on a race track or a dragstrip.

We are privileged in South Australia to have several facilities where aspiring race winners can safely hone their skills without risking innocent lives. It should be noted that on the weekend I prepared this speech The Bend hosted a round of the Lamborghini Super Trofeo Asia. This is a one-make series reserved for the Lamborghini Huracán. As I understand it, it is the same make of car involved in the terrible accident that killed Sophia Naismith. While it is a coincidence, it highlights that cars driven to their limits should only be done on racetracks. I commend those who participated at that event, as they clearly show to any aspiring racer how to use their expensive equipment appropriately.

It also makes me fail to understand how someone who can afford a Lamborghini Huracán cannot afford track time at The Bend. It has been open since 2018, and maybe I am mistaken, but had Mr Campbell accessed this world-class facility he would have realised that sports mode is a setting best saved for the track where there is plenty of run-off area, and marshals available if things go wrong. Restricting its use makes sense, but I do not think on its own it is enough to stop history repeating. This is why I am pleased that we will see a new class of licence for ultra high-powered vehicles. While the finer detail will be shaped through regulation, I understand this bill sets provision to facilitate this new and welcome licence class through regulation.

Ownership of a vehicle with a capability of travelling from zero to 100 in 3.1 seconds should require a higher licensing standard before these rockets take to our roads. I am encouraged that the intent behind this new licensing law will make applicants complete theoretical training no matter how much of an inconvenience this may be. There is now money in the budget for this, so hopefully we will see this soon.

As a member of parliament's Legislative Review Committee that has oversight of regulation, I also look forward to scrutinising these licence provisions very carefully. It is my hope that the theory

is compelling enough to convince owners that the Road Rules apply to all users, and that ownership of an expensive and powerful vehicle does not give anyone the right to think otherwise.

Arguably, the biggest reform we are hoping to approve today is the new mid-tier driving offence. This will raise penalties for driving without due care, where a person dies or is seriously harmed, from 12 months to five years' imprisonment for a basic offence, and seven years for an aggravated offence. I do not think this will help heal the pain caused by the reckless driving we are discussing, but it will hopefully show that Sophia did not die in vain. As I said earlier, we cannot legislate against stupidity, but we can send a very clear message that reckless behaviour on the roads will not be tolerated.

I would love it if these rules were just by themselves enough to be a strong deterrent, but I am fearful we will have to see more reckless behaviour on our roads before these increased penalties are handed out and make those who should be listening wake up and pay attention. Hopefully, I am mistaken and the message gets out far and wide. I have no doubt that SAPOL and excellent programs, such as the Road Awareness Program run by the Metropolitan Fire Service, will do their best to spread the word.

The proposed new laws will also see an increase in the minimum licence disqualification, from six months to one year for basic and three years for aggravated offences. Hopefully, this gives perpetrators sufficient time to reflect on the need to mend their ways. It is important to note that an offence will be considered aggravated in one of the following circumstances: knowing they were disqualified from holding or obtaining a driver's licence, driving with a prescribed blood alcohol level of .08 grams or more, driving under the influence of alcohol or drugs, driving knowing the vehicle had a material defect that contributed to the commission of the offence, and driving in contravention of section 44C of the Road Traffic Act 1961.

I imagine I will not be alone in also welcoming the immediate suspension of a licence under the new mid-tier offence once police have issued a charge. Rightfully, it is proposed that this suspension will remain in place until the matter is finalised. Not only will this get these hoons off the road sooner but it may also expedite the process of them facing up to the realities of the crime that they have committed.

Before I finish, I want to commend the courage of Sophia's family. I can only imagine the profound hurt that they are going through, but throughout this they have been very strong. For all that it is worth, I thank you for this and note that through your actions others have less chance of going through the pain that you have experienced.

In the case of Sophia Naismith, we saw an innocent girl pay the ultimate price for just minding her own business. In her 15 years she achieved success as a state volleyballer, gymnast and soccer player, as well as being a popular student at Brighton High. It is easy to imagine that she had a very bright future ahead of her. Her innocence sadly contrasts with the well-resourced effort to minimise the sentence afforded to Mr Campbell.

I can understand why Sophia's family feel they have been denied justice on the loss of their daughter and sister. All they have now are memories tinged with sadness and other strong emotions. The best we are able to do is to attach these reforms when we remember Sophia. May they prove to be effective. With the utmost of sadness, I commend this bill to the house.

**Ms SAVVAS (Newland) (16:22):** I, like so many others in this debate, am really proud to be speaking to this bill today, one that hopefully, in some small way, honours the life of Sophia Naismith and acknowledges the tragic circumstances of her death in 2019.

As we would all remember all too well, Sophia Naismith was killed when the driver of a Lamborghini lost control of his vehicle and crashed into Sophia and her friend, who were walking along a footpath at the time. The girls were only 15 and of course this tragedy will affect both their families and friends for the rest of their lives. I thank the family and friends who are in the gallery today for your advocacy on behalf of Sophia. It means the world to so many people, so thank you for the strength that you have shown in the wake of this tragedy.

This bill delivers on a commitment made by the Premier to introduce legislation in the wake of Sophia's tragic death. The driver, as we would all know, was found not guilty of the offences of

dangerous driving causing death and dangerous driving causing serious harm, and instead pleaded guilty to the lesser offence of aggravated driving without due care causing death. Many in the community had concerns about that outcome, and since that day Sophia's family have very bravely advocated for law reform to prevent similar accidents from occurring in the future.

I think it is really important to acknowledge just how far-reaching the concern and the sadness was from people in the community after hearing that result. I thought I would share with you a few words from an email that I received—one of many—after that outcome, from a resident in Tea Tree Gully. The email is quite long and he does share his thoughts with Sophia's family. He writes to me:

I do hope that you can demonstrate to this state that your Government is willing to stand up for average people in situations like this one. We all want to feel safe and we want our children to feel safe too... And I think that there's something that the Government can do to step up in a situation like this. Surely your government has the ability to do something to stop things like this from happening in the future, not just for Sophia's family but for parents everywhere.

That shows the impact that this tragedy has had across the state on people who are not even known to your family, and I think it is really important to outline the community outcry. Of course, that was only one of multiple emails and letters that I received to really similar effect.

I know that there is nothing that we can do to make that right, and there is not necessarily anything that we can do to bring solace or anything like that to a family who has experienced such an awful tragedy, but it is a really important step, hopefully, moving forward, to help prevent incidents like that from occurring in the future.

This legislation introduces a new driving offence to the Criminal Law Consolidation Act to bridge the gap between maximum penalties for existing offences. It bans the disabling of traction control in ultra high-powered vehicles, strengthens laws which ban drivers accused of killing a person from holding a licence until their case is resolved—another one that I think is really important because that time frame can often be quite extensive. It also extends on-the-spot licence suspensions and disqualifications to other serious driving offences in the CLCA where death or harm is caused.

It also introduces a new licensing scheme for motorists who want to drive those ultra high-powered vehicles. This bill brings in key reforms to assist in those efforts to prevent tragedies like this in the future. It is important to note that most likely we would not be at this point if it were not for the advocacy of Sophia's family, so it is really important to acknowledge their role in shaping this bill that we are bringing in today.

Firstly, there is a new indictable mid-tier driving offence created within the bill, creating a new indictable offence of causing death or serious harm by careless use of a vehicle or vessel. This new offence raises penalties for driving without due care, where a person dies or is seriously harmed. It raises that from 12 months' imprisonment to five years' imprisonment for a basic offence, and seven years' imprisonment for an aggravated offence.

It also raises the minimum licence disqualification period from six months to one year for a basic offence, and three years for an aggravated offence. I think it is really important to send a message about how seriously we take those sorts of offences. Increasing the penalties and increasing imprisonment time is a really important way to show the community how we feel about a certain offence and send that message as well.

The changes increase the available penalties where there is driving conduct causing death or serious harm which does not meet that higher threshold of dangerous driving. This very much recognises that driving without due care can have lasting effects, and can impact the lives of people forever, and it also acknowledges that, as a government and as a judicial system, we are encouraging safety on our roads. It is important to be safe on our roads, and we have the utmost serious intentions as to safety on our roads, and safety of residents and people living their everyday lives.

The offence will be considered to be aggravated where the driver committed the mid-tier offence in one of the following circumstances. The first is knowing they were disqualified from holding or obtaining a driver's licence. I listened to a speech from a young woman who had been in a dangerous car accident not long ago, and she was talking about the impact that that car accident had had on her life. She was in the hospital for over a year but she talked about how it was very

much preventable because the driver did not hold a driver's licence at the time of that occurring. I think it is really important to consider that a lot of these individuals are committing offences or driving after having committed previous offences, and this is a really important step to considering the aggravating nature of that offence.

It will also be considered to be aggravated if they are driving with a prescribed blood alcohol level of .08 grams or more if they are driving under the influence of alcohol or drugs. We know, of course, that we have no tolerance for driving with alcohol or drugs in your system. There is also the aggravated offence if you are driving knowing the vehicle had a material defect and also if you are driving in contravention of section 44C of the Road Traffic Act.

Again, this is a really important step towards acknowledging those who are making an active choice to drive dangerously—and there are many who do make an active choice. I for one have the personal opinion that if you make the choice to drive when you have been drinking, that is a choice that you are making. The impacts you are having on those lives are actually a choice you have made and you should be held accountable for such choices.

I also think it is really important to have strong legislation to back up the community outcry and the community response because we know that community members have little tolerance for those behaviours, knowing that so many innocent people do the right thing—do the right thing when they get behind the wheel, do the right thing when they are going about their business—and that people who are walking along the footpath with their friends, or people who are doing the right thing living their lives as they should be able to as teenagers, could be forever impacted by those behaviours.

Another element of this bill is banning the disabling of traction control. The offence captures particularly powerful vehicles, such as Ferraris and Lamborghinis. We know that there should be specific parameters that do capture that level of vehicle, and the associated risks are significant. The inclusion of this offence as an aggravating factor for the new mid-tier offence will capture, among other things and among other conduct, the driver of an ultra high-powered vehicle driving in sports mode who may cause death or serious harm.

Again, including that as an aggravating factor does send a really, really strong community message that we do have an expectation, particularly if you are behind the wheel of a high-powered vehicle, that perhaps you take into consideration the differences in driving that vehicle. Of course, all cars can be dangerous weapons in different ways, but there are specifics to those vehicles that make them more dangerous or more susceptible to unwanted circumstances.

Another element in the bill is the new immediate loss of licence provisions; that is, if police charge a person with a new mid-tier offence, the driver will be issued with an on-the-spot licence suspension or disqualification to prevent them from driving until the matter is finalised—again sending another message to the community that if you do the wrong thing you will not be given the opportunity to do it again.

Dangerous driving or driving without care is something we take incredibly seriously. I think that is another really important element, particularly noting the time frame that lots of those matters may take. We have a court system that is often quite clogged up, and it is important to acknowledge the impacts of those outcomes in the meantime, before that incident has been finalised.

The bill also extends on-the-spot licence suspensions and disqualifications to other serious driving offences in the CLCA where death or harm is caused. Currently, immediately licence suspensions only apply for the offence of extreme speed and dangerous driving causing death. I think this is a real change in the narrative, and what is important here very much is the narrative of what we deem to be acceptable and unacceptable on our roads.

In the wake of the verdict for Sophia's case, we saw that the community very much did not agree that it was an acceptable outcome, and I think we heard that across the state, and we heard it interstate, of course, as there was national coverage of that. I think it is really important to acknowledge that the majority of people who are doing the right thing do not see that to be an acceptable outcome and that changing the narrative is something we owe not just to victims and

victims' families but to the community overall and to those, of course, who make the right decisions when they get into their vehicles each day.

A new licensing scheme for ultra high-powered vehicles is also being considered but, as it is slightly more complicated and deals with regulations, it will be considered separately. The bill amends the Motor Vehicles Act to support the introduction of the licence class through regulations, and that will ensure that a new class of licence for ultra high-powered vehicles, when ready, can be implemented effectively and in a meaningful way.

This is an incredibly important suite of reforms. I think it is really important here to acknowledge the Attorney in the other place; the Minister for Road Safety in this place; the Chief Justice, who provided some really important comments during consultation on this bill; and, of course, Sophia's family who have fought so hard and exist continually as such strong advocates against tragedies like this one.

We know that there is nothing we could ever do to take that tragedy away from you or your family, but I think we should acknowledge what you may be doing for other families and other groups who may be impacted in the future by events like this one. I am incredibly happy to commend the bill today. I thank you again, and we are all thinking of Sophia today, may she rest in peace.

**Ms STINSON (Badcoe) (16:35):** I rise today to support this bill but, much more so, I rise today to express my support to you. I am very lucky to know Pia and Luke a little, and I knew as soon as I stood up and tried to put words to this that emotion would overcome me a little. I just cannot imagine what you have all been through, but I can also see the incredible work that you have done to get us to this point, where we have the bill before us. I take great inspiration from that, and I find it quite remarkable that you could have this completely devastating and life-changing experience and then get up and do something amazing for our community.

I have had the privilege in my working life of being a court reporter for many, many years and unfortunately spent many, many hours hearing about devastating loss of life in our community on our roads because of sometimes careless, but sometimes reckless and sometimes quite murderous, behaviour on our roads and more generally in our community. Each of those stories has always stayed with me.

I also have had the great pleasure and privilege of serving on the Victim Support Service board for many years, and chairing that organisation prior to coming into parliament. I have seen the range of victim experiences. Some people are completely crushed to the point of being unable to operate after a tragedy, but others, from some amazing place, find incredible strength in heartbreaking pain. I do not know where that comes from, but it is an incredible way of both dealing with pain and of giving something to a community that probably you do not owe anything to in that moment of grief.

I do not think it can be underestimated what Luke and Pia and their family and Sophia's friends and loved ones have managed to contribute over recent years, to be able to turn that into something so good right now, to be able to translate such horror into something that is fundamentally good and fundamentally makes a difference for people right across our community.

Of course, this will never replace or even ameliorate what happened to Sophia: it will not ever come close. There is nothing that will replace her. But I hope that sitting here today and hearing the words of members of parliament, who have been following this case and putting our hearts and minds to how to use our powers in this place to help you achieve this good, gives you some tiny sense of satisfaction and that you can sit here and be very proud and know that it is through your hard work that this has happened today.

Today, you have honoured Sophia and you have done the right thing by her, but you have also done the right thing by our whole community, by other young people who may find themselves in such situations and by those young people who will never know that by passing this law you have offered a deterrent and you have stopped something bad from happening they will never have to endure.

I am not going to go through chapter and verse because my colleagues have done a very good job of describing what this bill does and how it improves our law. Fundamentally, this is good

law. This is good law that offers deterrents and it also offers remedy in the case of tragedy. But we also know that laws are only as good as those who choose to follow them. My real plea is to all the drivers out there: every time you get behind the wheel—all of us in here, everyone out there—just think for a millisecond about other people, whether that is Sophia, whether that is one of your own loved ones or whether it is just someone you saw on the news. Just spend half a second thinking about it and about the powerful weapon you are about to drive out of your driveway.

As much as I am committed to good law and legislation—and that is what we are here to do, to make a good law for our community—it is only as good as those who choose to obey it and choose to think about it. What we really need to effect real change is a real change of mindset and a real change of behaviour, and that is incredibly difficult. I know that the police minister spends a lot of his time thinking about those campaigns we run to try to get people's attention, to try to change their minds about their driving behaviour.

We are no angels; all of us make mistakes behind the wheel. For these laws to work and for lives to be saved, we absolutely have to have a change of mindset and a change of behaviour from people. I hope that people keep Sophia in their hearts and minds and that they turn it into their own action each day in the way they drive on the roads and the decisions they make because no-one wants to see their loved ones go through the experience you have and no-one wants to experience these things in their own lives either.

Unfortunately, in my career as a reporter, I saw just far too much of the carnage on our roads and far too much of the devastation that comes for the years and lifetimes afterwards. It is incredibly frustrating as lawmakers because of course all of us in here want to stop that from happening. We do not want to see another family go through what your family has. These laws are very powerful, but the more powerful thing is the decisions that we each make every single day. Real change comes when people really change themselves, and I hope that can happen.

I would like to thank the Attorney-General in the other place for the time and effort he and his staff have put into these laws. I would like to thank the police minister, who is ever vigilant and has the great pressure of thinking about how we are going to get people to change their behaviours and also has had quite a role, he and his staff, in these laws, and I would like to thank my colleagues who are out there every day talking with people in our community about your story, about Sophia's story, but also, unfortunately, about so many other people in our community who have lost their lives when they really did not need to.

From the bottom of my heart, I thank you, Luke and Pia. I feel very grateful to know you. I hope you know that I, like many here, will be here for you into the future. We know that this does not end here and we know that this is something that will affect you for your lifetime, but we are doing what we can here today for you. We thank you so much for the incredible generosity you have shown our community in putting this on our agenda, in pushing for these laws and for making them happen. God rest Sophia and God bless you all.

**Ms HUTCHESSON (Waite) (16:44):** I rise in support of this bill and thank the Naismith family for their heartbreaking advocacy following the death of their daughter Sophia. It is never easy to lose someone, but even harder when they are so young and under these circumstances and the circumstances that have now instigated this legislation, so you have my condolences.

It is clear from the court case against the perpetrator of the dangerous behaviour, that the existing legislation was not good enough to make sure that your loss was vindicated. The driver of the vehicle who killed Sophia and injured Jordyn was driving a high-speed sports car in sports mode on a suburban street.

Our streets are not racetracks and those cars are not designed to be on roads and that is why they have these special provisions to keep them safe. The fact that, in this case, the electronic stability control was disabled and the driver had been warned about his rear wheels and had not addressed those, it is unbelievable that he was able to get off with the sentence that he did. It was irresponsible in the end and devastating for Sophia's family and their community.

The driver proceeded to trial, where he was found not guilty of the offences of dangerous driving causing death and dangerous driving causing serious harm. The driver pleaded guilty to the

lesser offence of aggravated driving without due care causing death and received a suspended imprisonment sentence, 18-month good behaviour bond and a community service order.

You have worked hard in memory of your daughter to advocate for law reform. I know that the outcome of the trial did not reflect your loss and that you have done all you can to see the reform so that this kind of absolute tragedy can be prevented from happening again.

The introduction of this new legislation will now see a whole lot of new penalties, including the introduction of a new driving offence to bridge the gap between maximum penalties for existing offences. It will ban the disabling of that traction control in ultra high-powered vehicles and strengthen laws that ban drivers accused of killing a person from holding a licence until their case is resolved and extend on-the-spot licence suspensions/disqualifications to other serious driving offences.

It is also going to introduce a new licensing scheme for motorists who want to drive those cars so that they will have extra provisions put on them and there will be more control over how they drive those cars. The bill creates a new indictable offence of causing death or serious harm by careless use of a vehicle or vessel and these changes increase the available penalties where there is driving conduct causing death or serious harm that does not meet the higher threshold of dangerous driving. The offence will be deemed aggravated where the driver commits the offence in the following circumstances:

- knowing they were disqualified from holding a licence or obtaining one;
- driving with a blood alcohol level of over .08;
- driving under the influence of alcohol or drugs; and
- driving knowing the vehicle had a material defect and that material defect contributed to the offence.

It will also now be an offence to disable the traction control of those vehicles. Owners of Lamborghinis, Ferraris and Bugattis who drive in sports mode will now be captured by this offence. As I said, these cars are designed for racetracks and these extra provisions will help put some controls on them.

This new legislation will allow police to immediately suspend licences and it is something that I want to talk a little bit about because our police, our first responders, our ambulance drivers, are the first ones on the scene. Whilst they do not necessarily know the victim, they are there, they see so much and they take that home with them and in some cases it is really hard to shake.

Just last week, I attended a head-on car accident in my capacity as a CFS volunteer. I have been to many car accidents and none has ever impacted me. When I opened the door of the car, it was somebody I knew and automatically the impact is different. Whilst I know that person is now okay, sometimes they are not okay, and in your case Sophia was not okay. That is really hard, obviously, for you the family and friends to have to deal with, but also hard for those who were there to help her in those moments. So I would like to pay my respect to all of our emergency services volunteers and ambos.

In fact, on the weekend I attended the Adelaide Showground for the Australasian Rescue Challenge, where first responders from all over the country, as well as the UK, Hong Kong and New Zealand, came together to show their skills and compete and learn from each other so that next time they attend an accident they will have even more skills—to move faster, to move quicker, to help, to do everything they can. It was the case that our local MFS crew actually won that award, so probably MFS volunteers may have assisted Sophia, and the SAAS team as well. It is good to know that our crews are the best in Australasia and do everything that they can.

They are there when we need them, but we must remember that what they see can stay with them. Cars are not toys. They do not bounce; they crunch, they make a lot of noise and they kill. We need to do all we can to try to help road users and pedestrians to be as safe as they can. The new laws aim to do that. They are extensive, and they have been consulted with various stakeholders and SAPOL. I am confident that they address what has been lacking to ensure those who seek to put themselves and their own enjoyment and prestige of driving these vehicles in front of the safety of others, in front of the safety of children like Sophia, will be penalised.



Again, my deepest condolences to you, the family, and also to your friends and your whole community who would have known and loved Sophia. Your loss is way more than any parent should have to deal with and any family should have to go through. Thank you also for your tireless advocacy for these laws and these reforms. They do not bring Sophia back, but they will hopefully protect others in the future and, hopefully, that is something that gives you some peace. May she rest in peace.

**The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (16:51):** I rise to speak today to the Statutes Amendment (Serious Vehicle and Vessel Offences) Bill 2022, brought to this place by the minister for road safety, following its successful passage through the other place.

As other members have spoken about today, our entire community was heartbroken to learn the news of the tragic passing of Sophia, a 15-year-old Brighton Secondary School student and very talented volleyball player. As we know, Sophia was struck alongside best friend, Jordyn, then also 15, who was seriously injured. Firstly, I offer my love and my deepest condolences to Sophia's family on the loss of their beautiful daughter. I am sure that their hearts are broken. I am also sure that so many in our community family will be there for you in the unthinkable difficult times ahead.

I did not know Sophia, but I have learnt more about what a special person she was, including through speaking with my friend Peter Hilhorst, who, as well as being a mate, a local firefighter and surf lifesaver, is a remarkable artist. I understand that he was asked to paint a picture of Sophia. He did, and it is incredibly beautiful, capturing her in a lovely moment of fun and happiness with friends at Brighton Jetty. Again, I did not have the honour of knowing her, but I have loved hearing about her and loved seeing her spirit and happiness captured in this beautiful painting.

This unthinkable event, as has been spoken about, occurred when a driver of a Lamborghini sports car lost control of his vehicle at high speed. Through the trial, the driver of the vehicle was shockingly found not guilty of the offences of dangerous driving causing death, and dangerous driving causing serious harm. He did, however, plead guilty to the lesser offence of aggravated driving without due care causing death and, as a result, shockingly received a suspended imprisonment sentence, 18-month good behaviour bond and a community service order, a deeply unacceptable outcome.

Following the trial, with such strength and integrity Sophia's family have courageously advocated for reform of legislation to better reflect our community expectations about what are deemed appropriate consequences for these terrible actions and to act in a way that hopefully helps prevent such a tragedy from happening to another family, because no family should ever have to lose a beloved member in this terrible way.

As Sophia's brave family said in the media at the time of this legislation being introduced into the other place, 'The reforms will not bring Sophia back but hopefully they will make drivers more accountable for their behaviour and reduce the trauma for families.' This is absolutely the aim of this bill. This reform comes about through four key legislative aspects:

- inclusion of a new mid-tier driving offence aimed to bridge the gap between maximum penalties for existing offences;
- the banning of disabling of traction control in ultra high-powered vehicles;
- strengthening laws banning drivers accused of killing a person from holding a licence until their case is resolved, and extend on-the-spot licence suspensions and disqualifications to other serious driving offences where death or harm is caused; and
- the introduction of a new licensing scheme for motorists who want to drive these ultra high-powered vehicles.

I thank the Attorney-General, the minister, their departments and all who have advocated for and worked towards these reforms and welcome their successful passage through this house.

Before I speak further on those specific reforms, I also want to reflect a little further on the life and legacy of Sophia Naismith. Amongst her many achievements at such a young age, Sophia

was a keen junior volleyball player. I want to thank Volleyball SA for honouring the legacy of Sophia through the creation of the SA Spirit Award. The inaugural winner of this award, Zephyr Brus, upon winning this award expressed the honour she felt to receive this recognition and the privilege of helping to carry on that legacy and spirit of Sophia.

In bringing about the award, Volleyball SA noted that Sophia was characterised always on and off the court by her positivity and commitment and her compassion for all. I also acknowledge all within the volleyball and broader sporting community who knew and loved Sophia. Amongst those are many who also work tirelessly to continue her beautiful legacy of positivity and compassion.

As I mentioned, this reform has four key elements. As previous speakers have discussed, the inclusion of a new indictable offence of causing death or serious harm by careless use of a vehicle or vessel raises penalties 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.

Regarding minimum licence disqualification periods, this offence raises this from six months to one year for a basic offence and three years for an aggravated offence. These changes, I think, reflect our community's desire for penalties to appropriately reflect the serious nature of this conduct when these actions cause death or serious harm which does not meet currently the higher threshold of dangerous driving.

The new offence of prohibiting the driving of an ultra high-powered vehicle where an automated intervention system has been disabled may include disabling embedded safety systems such as anti-lock braking, electronic stability control, traction control, and automated emergency braking.

This inclusion of a new offence as an aggravating factor for the new mid-tier offence will capture, among other conduct, a driver of an ultra high-powered vehicle driving in sports mode who causes death or serious harm. This reflects rightly the aim of this bill for our legislation to better cover the range of circumstances that can lead to loss of life or serious harm caused by dangerous driving.

Other elements of this bill include the provision of an on-the-spot licence suspension or disqualification if police charge a person with that new mid-tier offence. The aim of this is to get dangerous drivers off the road. Currently, the enforcement of these on-the-spot suspensions only apply for the offence of extreme speed and dangerous driving causing death. We must ensure community safety is prioritised and that those who face this new indictable offence of causing death or serious harm by careless use of a vehicle or vessel do not continue as they are able to do at the moment—to lawfully drive following this charge for the period until the matter is finalised.

The final element outlines a new licensing scheme for ultra high-powered vehicles. Whilst this bill amends the Motor Vehicles Act 1959 to support the introduction of this licence class, this scheme will be progressed separately from the bill through changes to regulation.

In closing, I again acknowledge the tireless work of Sophia's family to bring about these reforms—reforms that will see drivers think carefully before driving on our roads in a way that endangers precious members of our community and endangers anyone on the road. It is a remarkable gift to our community when those who have suffered the greatest loss, the greatest adversity, display such courage, such determination and care for others in their conduct and their desire for change. I thank the Naismith family wholeheartedly for their advocacy and I commend this bill to the house.

Bill read a second time.

*Third Reading*

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (17:01):** I move:

That this bill be now read a third time.

**The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (17:02):** I have not contributed to the second reading in this debate, but in the third reading I want to put on the record the Leader of the Opposition's strong support for this measure. With your indulgence,

Mr Deputy Speaker, we are not supposed to refer to whether people are in the chamber or not, but the Leader of the Opposition is quite unwell, as anybody who heard him on the radio this morning would totally understand. He certainly would have liked to be here in any other circumstance, and his regard for the family in particular is very high. We support this bill wholeheartedly and look forward to its passage.

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (17:03):** In closing, can I firstly thank all members for their contribution to this debate. There are more often than not matters before the parliament that command non-partisan/bipartisan support. It is often the case, due to the adversarial nature of politics, that our differences are widely reported and our differences are widely discussed. More often than not, it is the case that sensible and proper policy reforms such as Sophia's Law are supported right across the political divide. I thank each and every member of the house who has made their contribution to this debate.

I note a number of members have talked about their own connection with the geographic area, the schools and the communities that Sophia, her parents, Luke and Pia, and her extended family know and call home. It has been clear for some time the deep impact that this tragedy has had on not just Sophia's family but the wider community.

This tragedy has been one that has shocked the community. In response, I am pleased that we will soon see the passage of this law, as I said supported by all in this place, that not only responds to that community outrage but also, I hope—in fact, I know—will leave a lasting legacy, in addition to the lasting legacy that Sophia has already left in her far too short number of years in our community.

This bill pulls many levers to improve safety. At its heart, I wish this to have a profound impact on the decisions that people make on our roads. I am not naive enough, though, to say that it is guaranteed to do that, because at the heart of all of this, and at the heart of this tragedy in the first place, was one individual in one moment making a decision that cost someone their life. But I know and I trust and I believe that the steps forward being taken by this parliament will have a profound impact and lessen the chance of another tragedy like this occurring again in the future.

That is the right thing for us to do, and I am so sorry that it has taken a tragedy such as the loss of Sophia Naismith's life for us to be called into action. We have been called to action not just because it is the right thing to do but because of the extraordinary advocacy and bravery of Sophia's family. Just again today, a short number of hours ago, Luke, Pia, Sophia's sisters and wider and extended family and friends again stood bravely before a sea of television cameras to so eloquently and bravely speak of their story.

I cannot imagine the ongoing pain and grief that are encountered every single time that is necessary, or that choice or that bravery is faced again. All of us in this place struggle at times to understand because most of us do not have the lived experience of this type of tragedy, but in the last number of years, in the discussions various members of this place have had with Sophia's family, I think we have come as close as we possibly can to understanding what that grief is.

We have also had the absolute privilege of seeing, and have been humbled to see, what grief can do and what tragic loss can do for a force of good. What I ask you all to leave here with today is, as I know you will every single day, to remember Sophia and to celebrate the good that she has done and the fact that she will be remembered by so many people.

I want to thank, as other members have reflected on, Sophia's family for their presence here today through all of this debate. They remind us why we do what we do, why we have to act on values and why we have to act for our community, but also of the extraordinary capability that good in our world can still bring. To Luke and Pia and your family, thank you. May we remember Sophia for a long time.

Bill read a third time and passed.

*Resolutions***JOINT COMMITTEE ON THE ESTABLISHMENT OF ADELAIDE UNIVERSITY**

The Legislative Council concurs with the resolution of the House of Assembly contained in message No. 88 for the appointment of a joint committee on the establishment of Adelaide University with the following amendment:

Paragraph 2—leave out 'four' and insert 'five'

To which amendment it desires the concurrence of the House of Assembly.

In the event of the committee being appointed, the Legislative Council will be represented on the committee by five members, of whom three shall form the quorum necessary to be present at all sittings of the committee. The members of the joint committee to represent the Legislative Council will be the Hon. C. Bonaros, the Hon. S.L. Game, the Hon. T.A. Franks, the Hon. J.S. Lee and the Hon. R.B. Martin.

The Legislative Council informs the House of Assembly that it has passed the following resolution:

That it be an instruction to the Joint Committee on the Establishment of Adelaide University that the joint committee be authorised to disclose or publish as it thinks fit any evidence or documents presented to the joint committee prior to such evidence or documents being reported to the parliament.

**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) (17:12):** I move:

That the Legislative Council's amendment be agreed to.

**The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (17:12):** The opposition will support this motion. I put on the record some factors in relation to the debate that has taken place today. I reiterate my concerns about process. I am not going to dwell on that, but the concerns I made clear between 12 and one remain. I think there were much better ways the government could have gone about this, in a more collegial way, especially given the outcome they are seeking to achieve.

Secondly, I reiterate that the Liberal Party approaches the question with an open mind. Acknowledging the need for timeliness, the Liberal Party supported the government in the Legislative Council against an adjournment in that time so that this matter could be dealt with today. Notwithstanding that we would not have dealt with it in this way, it provided a mechanism to deal with it today to start a committee inquiry sooner rather than later, and that is a good thing.

I remain concerned about certain aspects in the motion that were not amended by the Legislative Council, particularly in relation to the timing of the return. The Deputy Premier may note that we had a relatively modest amendment that we put forward in the Legislative Council of an extension of even just five weeks, which we felt might have provided some extra time. We are concerned about the brevity of this committee. We will make best endeavours in the time available to inform ourselves of the information necessary.

We remain concerned about the lack of breadth of the terms of reference. We will make best endeavours in good faith to use the terms of reference as they are to explore some of the other issues I referred to earlier, which I will restate briefly to ensure that it is very clear.

We will seek to utilise the terms of reference—and I think there is one on the second page that I alluded to earlier that may be helpful—to explore issues relating to the government's proposal that surround the governance and legislation itself. I am particularly thinking about the land use and particularly thinking about the impacts of the investment funds being targeted for just one institution and not others.

On face value, these terms of reference—again noting that we saw them for the first time about five hours ago—I do not think are adequate to that task, but we will explore that and work with the government in good faith to see if there are ways that we can ensure that those questions are able to be reasonably answered.

I appreciate the fact that there are a range of crossbenchers on the committee proposed from the Legislative Council and I understand that will be added to from the House of Assembly, so the committee will not be entirely controlled by the government. Should the house be good enough to appoint me to the committee, I look forward to working with all of them to explore these complex issues.

We will make best endeavours to get the information we need to find a logical path forward for this from the Liberal Party. We do so in good faith with an open mind, but a level of scepticism—especially, from our point of view, what we see as being a botched process up to now. Indeed, we encourage the government to reflect on the week that has passed. I think that there are ways we can operate as a parliament on behalf of the people of South Australia that are not bringing into question some of these matters that we have seen this week.

With that said, while I am disappointed in many aspects of the terms of reference and the time frame, the motion before us is that the amendment by the Legislative Council be agreed to. The amendment seeks to expand, I think, the Legislative Council representation by one and we certainly have no problem with that.

Motion carried.

**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) (17:16):** By leave, I move:

That the members of the House of Assembly on the joint committee be Mr Brown, S.E. Andrews, Hon. J.A.W. Gardner, Ms Hood, and the Hon. D.R. Cregan.

Motion carried.

**The Hon. S.E. CLOSE:** I move:

That this house concurs with the resolution of the Legislative Council contained in message No. 88 that it be an instruction to the joint committee on the establishment of Adelaide University that the joint committee be authorised to disclose or publish, as it thinks fit, any evidence or documents presented to the joint committee prior to such evidence or documents being reported to the parliament.

Motion carried.

### *Bills*

## **APPROPRIATION BILL 2023**

### *Estimates Committees*

**The Hon. A. PICCOLO (Light) (17:18):** I bring up the report of Estimates Committee A and, on behalf of the member for Giles, the report of Estimates Committee B, and move:

That the reports be received.

Motion carried.

**The Hon. A. PICCOLO:** I bring up the minutes of proceedings of Estimates Committee A and, on behalf of the member for Giles, the minutes of proceedings of Estimate Committee B, and move:

That the minutes of proceedings be incorporated in the Votes and Proceedings.

Motion carried.

**The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (17:19):** I move:

That the proposed expenditures referred to Estimates Committees A and B be agreed to.

Firstly, let me thank all the participants in the estimates committees. From my perspective, my estimates were conducted by government members and opposition members with a great deal of polite inquiry. They were done with a great deal of decency, and I certainly think that we had a very productive occasion in estimates from my perspective, and I think from the inquiring questions from the opposition as well.

We have to thank all the officials who presented over estimates. It is a lot of work for those officials, so we have to begin by thanking the Department of Trade and Treasury and Finance, for all of their hard work during the budget period. From my perspective, I thank my department—the Department for Trade and Investment led by David Reynolds and all the directors and staff of the department—for all their hard work in their preparations for estimates.

It reflects all their hard work during the year. Of course, it is the same for the PLUS team led so ably by Sally Smith, who is a really great public servant, and the team at Renewal, led by Mr Chris Menz. Again, it is a great organisation led by a great chief executive. I certainly appreciate all the advice that I get from Mr Reynolds, Ms Smith and Mr Menz over the course of the year. They do incredibly important work.

From my perspective this is an important budget for my constituents in Taylor. They expect us to work hard and they expect this parliament to work hard on their behalf. They are often people with modest incomes and often they rely on precarious work or work that is not as well remunerated as I think I would like.

For them to see the parliament working, for them to see the government working, for them to see the government's priorities of health, cost of living, housing and so many other important things like child protection and education—for them to see the parliament working in such a collegial way, as I think the parliament has worked today on a great many bills, is reassuring certainly to my constituents and to the broader body politic, broader electorate.

I should say that as Minister for Planning and Minister for Housing and Urban Development, the most pressing issue that is always brought up with me is housing. Maslow's hierarchy of needs tells us something that we all know: that in order to progress in the world you need stable and secure housing and, from that, everything else flows. If you have insecure housing, it is hard to get a job. It is hard to start a family. It is hard to look after your family. It is hard to build any sort of financial surplus. It is hard to have a sense of security. Housing is absolutely critical to that.

If you have stable and secure housing, if you have that predictable sense of security, which housing gives you, then it allows you to do all those other things that are important: getting a job, seeking vocational training, higher education, and looking after family members whether they be children, siblings or parents, or whether they be part of an extended family. All those things rely on housing.

The one worry that keeps me up at night is that this government, as with many governments around the country, has inherited a housing crisis, a housing emergency, and that requires governments to respond. This government knows that in its bones, and one of the things we—and I as Minister for Planning—have set out to do is have the government-led Hackham land release occur, with 2,000 allotments and a suburb name change to Onkaparinga Heights. We want to bring those allotments to market.

We have also seen a number of privately led code amendments. The Thaxted Park Golf Club is privately led with 131 allotments—a small but important initiative. Kidman Park has 400 allotments. Again, these all add up. Albert Park is mixed use. It is council led and the City of Charles Sturt should be congratulated on leading it, with 550 allotments. All those code amendments are often challenging for local communities, but I think communities understand that we do have to provide housing for people because we do not just have issues with people moving to the state through migration, but we have seen a turnaround in the net interstate outflows that we have had.

For 20 or 30 years, we have had people leaving the state. Often, many of our young graduates, our most entrepreneurial people, have left the state and have not been able to return. That has now turned around. We are now a city that people want to stay in and be in and return to, and that is important. We also have a change in the household formation rate. Basically, there are more people living on their own for longer. That is a good thing, as people remain in their family homes as they get older and do not depart to nursing homes any earlier than they should.

We also have the rise of constellation families, as opposed to nuclear families, often with parents who have joint custody. Those households do not get any smaller, but that doubles the demand for housing for each constellation family, as opposed to a nuclear family. I do not make any

judgements about that household formation but it is occurring and it is placing pressure on the housing market. It means we have to build more houses than we did in the past to accommodate the same number of families.

Of course, we just have more people living on their own. That means that there is an increased demand for housing but also an increased demand for really well-designed, strategically infilled sites where there is activity that is both commercial and residential, where people can work and live in the same place, where there is public transport, where there are education facilities, where there are social facilities, where there are retail and hospitality facilities, so that people who might live on their own do not have to be alone. That is all very important.

There are predictions that we will have to accommodate for some 300,000 houses to accommodate for population household formation over the next 30 years and so that pressure is on to put in place the housing allotments that we have done. We have initiated Concordia. That is a department-led code amendment very important to the Chair, with some 10,000 allotments. We have had the Rural City of Murray Bridge, which I must congratulate on doing the right thing—a council-led code amendment, with some 1,000 allotments. That has kicked off interest in the Rural City of Murray Bridge. There is a lot of employment to go into that rural city. It will need allotments.

There is also Fisherman Bay, which is a council-led code amendment for some 230 allotments. The Goolwa North code amendment is privately led on land that has been identified in various 30-year plans over the years, with some 2,500 allotments.

So we are really pushing ahead with housing supply. We have announced two lots of projects at Bowden, two lots of projects at Prospect, one at Playford Alive, an additional greenfields housing project, all of which will go on if the Housing Affordability Fund passes the Senate. It is incredibly important to the finances of these projects.

They are based on having the HAF involved. If the HAF is involved, then those projects can go ahead, and more—not just those, but more. The passing of that finance bill in the Senate is incredibly important to those housing projects. We have had the turnaround in public housing, which is critically important; not only are we building more, some 550 more, but we are not selling any off—a really critical initiative by this government—incredibly important.

We have had the announcement of Noarlunga, an incredibly important transport-orientated development in the south, and we know the south is under pressure for land. We have initiated the Sellicks Beach code amendment, which we are going to be working with the council on. I do want to work with local councils to get this job done. It is really important that every community does some heavy lifting for housing in their areas.

It is really critically important because if we do it everywhere the pressure will not be on one community or one area or one hot zone for development. We will get balanced development across our city. We will all be doing a bit of heavy lifting on that aspect to make sure that we can really give people opportunities. Housing is like a pipeline, it is like a series of escalators and a series of travelators.

We want to get people into secure housing, even if it is just a secure rental, a secure affordable rental that will allow people to save a deposit. A deposit will allow people to get their foot in their first apartment, their first home, wherever that might be. That will be absolutely critical. Then they can accumulate capital and, if they can accumulate capital, they can then move to a second home, which might be a bit better in a bit better place with better facilities and on it goes. But you need every level of that supply pipeline to be moving.

Critically, we need good housing for young professionals in the city and we want to lift the population in the CBD, which is why we have worked with Adelaide City Council on Franklin Street, which is a really critical project. It is the first urban regeneration project that Renewal has done in the city—the first. It is quite incredible. Renewal SA, our urban regeneration organisation, our authority, which has done such a great job at Bowden, such a great job at Playford Alive, such a great job at Tonsley and on and on it goes, yet this is their first city project. That tells you something about some of the challenges we have.

Lifting the population of the city is just so incredibly important to this project. We need to make sure that the city population lifts. If the city population lifts, then again we will get the sort of density, appropriate density, well-planned density, and we get all the amenities in the community, we get all the amenities of the city and, most importantly, we will be able to house everyone. The importance of housing everybody and giving everybody a chance to fulfil what I have said before, that is, maslow's hierarchy of needs, is so critically important. I seek leave to continue my remarks.

Leave granted; debate adjourned.

At 17:34 the house adjourned until Tuesday 29 August 2023 at 11:00.