

HOUSE OF ASSEMBLY

Wednesday, 21 February 2024

The **SPEAKER (Hon. D.R. Cregan)** took the chair at 10:30.

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

The **SPEAKER** read prayers.

Parliamentary Procedure

SITTINGS AND BUSINESS

Mr ODENWALDER (Elizabeth) (10:31): I move:

That Private Members Business, Bills, Order of the Day No. 12, take precedence over Private Members Business, Other Motions, until completion.

Motion carried.

Bills

STATE ASSETS (PRIVATISATION RESTRICTIONS) BILL

Second Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (10:32): I move:

That this bill be now read a second time.

I rise to speak on the State Assets (Privatisation Restriction) Bill, which was moved in the other place by the Hon. Robert Simms MLC. The bill seeks to prevent the sale, disposal and lease of certain state-owned assets. The government amended the bill in the other place to make the Economic and Finance Committee the responsible committee and supported the passage of the bill as amended. I foreshadow I will be making some amendments today, specifically to add SA Pathology to the list of entities in the bill, and removing the words 'and an asset' as an ambiguity. We thank the Hon. Robert Simms in the other place for his willingness to work with the government on this.

This is an important bill, particularly in the context of recent state elections. While the bill focuses on particular entities of the state government, including HomeStart Finance, the Lifetime Support Authority of South Australia, the Motor Accident Commission, the Return to Work Corporation of South Australia, South Australian Water Corporation and the Superannuation Funds Management Corporation of South Australia, also known as Funds SA, and an asset prescribed by regulation, members would also be aware that the topic of privatisation has been topical in South Australian politics at election time.

At the most recent state election, the now Labor government went with an agenda strongly against privatisation. We promised to take back control of our trains and trams, and we have already made significant progress in delivering on that election commitment. South Australians would be aware, of course, that the privatisation of the Electricity Trust of South Australia was one of the most egregious and worst examples of privatisation to the detriment of all South Australians, but particularly electricity consumers, that we have seen in the history of our state.

It is particularly topical because at the 2018 state election there was a candidate for Premier, the former member for Dunstan as leader of the then Liberal opposition. He committed, on live television, that the Liberals had no privatisation agenda. After the election, in which the Liberals were successful, of course nothing could have been further from the truth.

In the very first budget, the then Liberal government announced they would be privatising the Adelaide Remand Centre. This was quickly followed up by the privatisation of hospital patient

transfers amongst key health locations. The former Liberal government privatised the state's backup generators, which had been specifically procured to provide South Australians with energy security.

The former Liberal government also privatised the tram network, the train network, and the management of the Department of Planning, Transport and Infrastructure's building maintenance service. Of course, the former Liberal government also privatised regional road maintenance. The former Treasurer, Rob Lucas, also issued a direct threat to SA Pathology, saying that if they were not capable of delivering swingeing savings then they would also be privatised. That sounds like a pretty clear privatisation agenda to me.

As they were by many of the behaviours of the previous Liberal government, South Australians were absolutely horrified that such bold election commitments could be broken so readily and so repeatedly by the Liberals in South Australia.

It was only because of the outbreak of COVID that the former Liberal government finally saw sense and halted not only the savings plans but the privatisation plans of SA Pathology. That is why, in the amendment I will be seeking to move during the next stage of this bill, the Labor government has included SA Pathology in the list of state government entities prescribed in the Hon. Mr Simms' bill.

It is worth bearing in mind that while those opposite, the South Australian Liberals, claim they have had an about-face on privatisation, that they no longer support privatisation—probably because they realise how damaging it is to the interests of those people who use those services—you do not have to scratch too deep to find that privatisation, amongst those opposite, still remains a favoured way of managing services in the community. Liberals in the other place, when speaking on this bill, said:

Privatisation is not always the enemy, like it is often portrayed. I think it is worth mentioning that privatising state-owned assets is not always about money. Privatising has the potential to improve services for South Australians, creating jobs and encouraging competition in the market.

In other forums, members of the opposition continue to defend the former Marshall Liberal government's privatisation of government assets. For example, shadow minister for infrastructure and transport, the member for Hartley, said, 'Despite Labor's smoke and mirrors South Australians have received a better service at a lower cost over the last two years.'

I wonder if the residents of Grange felt that way when, not too long ago, a train operated by a private provider barrelled through the end of the rail line on the Grange extension and straight over Military Road before coming to rest. If this is the benefit of privatisation those opposite seek to highlight for the benefit South Australians, it is clear they need to reconsider their views.

Perhaps, of course, the best and most obvious poor example of privatisation is, as I mentioned before, that of the Electricity Trust of South Australia. We remember that, under the deal reached by the Liberals while in government, after I think promising prior to the election that they would never ever privatise ETSA, straight after the election they set about doing just that. Gee, doesn't history repeat when it comes to those opposite.

Under the terms of that deal, electricity prices were to be held at no more than CPI increases for the first year before full market pricing took over. What happened? I think in that first market pricing round electricity prices went up by more than 20 per cent, and that trend has not halted since. While those opposite might say that privatisation encourages competition, of course their version of privatisation is to hand over these important services, often to sole suppliers within a market, and watch them run rampant over the interests of consumers.

I do not stand here pretending that previous Labor governments have not privatised assets: of course both sides have been engaged in this practice over the last 30 years—I do not shy away from that. But I think it is pretty hard to find an example worse than those opposite in what they have committed in terms of acts of privatisation and what the impact on customers has been.

We welcome this bill because it will now mean that, if and when those opposite ever return to the Treasury benches, should they seek to return to form and start listing government entities and assets for privatisation, they will now face the full scrutiny of parliament and require the full approval of parliament before those plans can be put into effect. That, of course, is absolutely crucial.

Just to explain further the other part of the amendment that the government has sought: it effectively was to reduce a potential conflict within the bill. In the bill, Mr Simms has ascribed a number of public financial corporations, including HomeStart, the Superannuation Funds Management Corporation of South Australia, ReturnToWorkSA and the South Australian Financing Authority.

These organisations of course engage in very significant transactions on a very regular basis, and we were concerned that, while the bill precluded the 'privatisation' of an asset, despite later in the bill saying that the day-to-day ordinary course of business or regular day-to-day operations would not be affected, there was likely to be a tension between those two parts of the bill in allowing, I guess, the regular operations of those entities but also the parliament having certainty as to what could or could not be done by those.

We are not seeking to do anything nefarious or, should I say, 'Liberal like' with the assets of these entities, but just to make sure that when, for example, there are multi-billion dollar transactions, which occur from time to time, particularly in the South Australian Financing Authority or the Superannuation Funds Management Corporation of South Australia, as either debt is raised or assets are placed on the markets for investments or retrieved from the markets following investments, that they are not unfortunately and unintentionally captured by the process of this bill.

I am of course looking forward to the fulsome support of the entire chamber. We hope those opposite have seen the error of their ways of the past. As I have admitted, while previous Labor governments from time to time have also seen operations outsourced—for example, the Lotteries Commission of South Australia or the forward sale of rotations of the forests and so on—I think there is good enough reason for this bill to garner the support of both sides of the chamber.

Mr COWDREY (Colton) (10:44): I rise today as the lead speaker for the opposition in regard to this private member's bill, the State Assets (Privatisation Restrictions) Bill 2022. I indicate that the opposition will be supporting this bill.

Before we get to the substantive aspects of this bill, I think it is important to note that it does appear in some way, shape or form that the government has run out of ideas or their own agenda, not even halfway into their term. The fact that we passed a Liberal bill last week during private members' time and will now be passing a Greens bill this week I think says more about the state of the legislative agenda on that side of the house than anything else.

Really, the crux of this issue is that, if we are going to look at the biggest threat to privatisation of state assets, that threat is not on this side of the house; it is sitting on the Treasurer's own front bench. If we go back over a time line of the major privatisations that have occurred under the Rann-Weatherill government—and I will just address the Rann-Weatherill government specifically—we had ForestrySA privatised in October 2012, SA Lotteries privatised in November 2013, the Motor Accident Commission privatised in 2014 and announced in the state budget of 2014, and the Lands Titles Office privatised in 2017.

I have run through that time line—not the specifics of the months but the years—when in 2012, 2013, 2014 and 2017 those major privatisations occurred, those being ForestrySA, SA Lotteries, the Motor Accident Commission and the Lands Titles Office. If we look back, what is quite interesting is to note on the Treasurer's own website his role at the time while some of those privatisations were occurring. It has listed that the Treasurer:

...served as the Deputy Chief of Staff to the South Australian Premier and Treasurer, Hon Jay Weatherill MP, from 2013 to 2014. During this time Mr Mullighan was responsible for several key policy areas including budget development, taxation policy...

And a range of other things.

Members interjecting:

The SPEAKER: Order!

Mr COWDREY: The question only needs to be asked: was the Treasurer involved with those privatisations at that point in time? We will not be taking the clear hypocrisy, the holier than thou attitude, from those opposite. We will be supporting the bill and there is little more to it than that.

The Hon. D.G. PISONI (Unley) (10:47): I rise to talk a little bit about history in South Australia. If you do a wiki search on privatisation of government assets in Australia, the first thing that pops up is the Hawke-Keating government and Qantas and the Commonwealth Bank: two massive Australian icons privatised by the Keating government, with Keating as Treasurer and Bob Hawke as the government.

There is also a paper here that I want to use this opportunity to correct. It was put out by the Public Service Association of South Australia, dated August 2021. It refers to the sale of the South Australian Gas Company. In its brief overview of privatisation issues in South Australia, it states:

The privatisation of public assets/utilities in South Australia began under the Brown and Olsen...governments...These include SA Gas Company...

This is the rewriting of history. On 16 July, Andrew White wrote in the *Financial Review* that:

The South Australian Government has tried to hose down concerns within the Labor Party that its plan to sell a controlling interest in Sagasco Holdings Ltd is part of a new privatisation agenda.

So this is the extent that the Labor Party and the friends of the Labor Party go to to rewrite history. The facts are that John Bannon was still Premier at that time.

Mr Brown interjecting:

The Hon. D.G. PISONI: He was still Premier at that time, yes, and I was running a business during a recession we had to have—that Paul Keating said we had to have. Believe me, it was very hard—

Mr Brown interjecting:

The SPEAKER: Member for Florey!

The Hon. D.G. PISONI: —selling furniture, selling discretionary items with 17 per cent interest rates and a recession that we had to have that was brought on by Paul Keating. That was, I think, a \$3 billion disaster, the State Bank here in South Australia, and the first resolution that John Bannon had was to sell the government's controlling interest in the South Australian Gas Company.

It is interesting how things change over time, because that was obviously a privatisation policy of the then Labor government. I can remember Lynn Arnold was the Premier when the cheque was handed over. I can vividly recall that image of him on the television news holding the cheque up and showing the people of South Australia he had the money from SAGASCO to start paying off the debt of the State Bank. It was pitiful, actually, absolutely pitiful.

I was really only a member of the Liberal Party with not as much knowledge, of course, of politics as you acquire as you become professional in the field, but even then as a layperson I could see that that was not a solution for the billions of dollars that was lost in the State Bank. What has also changed over that period—there is a quote here:

The left-wing Federated Gas Employees Industrial Union has a motion calling for the sale to be overturned, in a move which could embarrass the Government or result in strict conditions being placed on the sale, which could affect its sale price.

The assistant secretary of the...[union], Mr Russell Wortley—

that is the left-wing union Russell Wortley was in; of course, Russell is not in the left anymore, but he is in parliament with that switch to the right and in parliament for 24 years now with that switch. He:

...conceded that Sagasco was a public company, but said its monopoly over the gas market in SA represented a public service which should not be controlled by the private sector.

So as you can see, you learn from history. We learn that even the Public Service Association gets things wrong in material it puts out to push its agenda. I was pleased to take the opportunity to correct the record for the people of South Australia and the Public Service Association on who was responsible for the sale of SAGASCO.

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (10:53): I was about to say I always enjoy the contributions of the member for Unley, but I cannot say that, because he always ends up unreasonably whacking a trade union, those people who are engaged—

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: —to represent the interests of workers. I know how distasteful that is to some of those opposite. As I said in my—

The Hon. D.G. PISONI: Point of order.

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

The Hon. D.G. PISONI: I believe that the minister is invoking improper motives. I simply referred to Russell Wortley, who at that time was not an honourable but a member of a left-wing union. I did not say anything derogatory about Mr Wortley or his union, and the minister is simply using it as an opportunity to impute improper motives.

The SPEAKER: Very well. I have the point of order. I understand that the member for Unley is inviting the Treasurer to withdraw and apologise.

The Hon. S.C. MULLIGHAN: Of course, I withdraw and apologise, Mr Speaker. Despite his reflections in this place, I know that he can have a constitution as delicate as the rest of us when it comes to these matters. What I was actually referring to was nothing to do with the Hon. Mr Wortley but the member for Unley's reflection on the Public Service Association of South Australia in his comments.

I find it regrettable that a former minister and a senior member of this parliament and member of the opposition would seek to reflect on the Public Service Association that way, but it is the state parliament and we are free, within the confines of the standing orders, to say what we will to best represent those interests that we believe we each reflect. Once again, the member for Unley has made his interests in this area clear.

I did, of course, say that over the last 30 years—and we can go back even longer than that because there have been privatisations in South Australia over a longer period. The member for Unley talks about the South Australian Gas Company (SAGASCO), and we could also reflect on when the TAB was sold for less money than it earned in a year. What a privatisation; what an extraordinary deal that was.

Unfortunately, for the people of South Australia, it is no laughing matter that these state-owned assets, often profitable trading enterprises, are privatised. Rather than the foreshadowed improvement in trading outcomes, it is usually consumers who get it in the neck. Notwithstanding those comments, I welcome the support of those opposite for this bill because would it not be the most extraordinary demonstration of a political party having a tin ear to the interests of the electorate should they oppose this bill?

Just to finish, I do not resile one iota from my CV. I was proud to be the deputy chief of staff to the former Premier Jay Weatherill, the former member for Cheltenham. He worked extraordinarily hard for the interests of South Australia, and I was particularly pleased to work with him in the lead-up to the 2014 campaign because those opposite, indeed many in the community, had written off Jay Weatherill at that election, that he was not able to win.

He worked so incredibly hard, not only putting forward policies that would benefit our state and the people of South Australia but showing the contrast between him and his political opponents. Of course, that election came right down to the wire, all the way until we were sitting there watching the nightly news. We were watching the final press conference of the then Leader of the Opposition, the former member for Dunstan, and he said, 'Well, if you want jobs in this state, if you want economic growth, then there is only one choice at the ballot box tomorrow, and that's: vote Labor.' I was pleased to be part of the team that even convinced the former member for Dunstan what the right choice was in 2014.

Bill read a second time.

Committee Stage

In committee.

Clause 1 passed.

Clause 2.

The Hon. S.C. MULLIGHAN: I move:

Amendment No 1 [Treasurer—1]—

Page 2, lines 13 and 14 [clause 2, definition of *state-owned asset*]—Delete 'and an asset'

Amendment No 2 [Treasurer—1]—

Page 2, after line 23 [clause 2, definition of *state-owned asset*]—After paragraph (d) insert:

(da) SA Pathology;

Amendments carried; clause as amended passed.

Remaining clauses (3 and 4) and title passed.

Bill reported with amendment.

Third Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (11:00): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LOCAL GOVERNMENT (WASTE COLLECTION) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 November 2023.)

Mr BATTY (Bragg) (11:01): I rise to speak in support of the Local Government (Waste Collection) Amendment Bill 2023. I commend the Leader of the Opposition for introducing this bill to the house. It is something I hope and expect will be the latest in what is fast turning into a string of legislation introduced into this house by the Liberal opposition that is supported by the government and this parliament and is turned into very good law.

Fresh off the success of the South Australian Liberals' last sitting week in legislating to ban corflutes come election time—despite those opposite declining to support it up to 10 times during my short time in the parliament—and fresh off the South Australian Liberals' success last sitting week in stopping Labor's so-called picnic tax that could have seen new fees and charges introduced at the Botanic Gardens, including new paid parking on weekends, we are back. We are back, governing from opposition, standing up for South Australians and trying to put a stop to the latest cash grab that has been proposed by those opposite.

If last sitting week we stopped the picnic tax, let us stop the nappy tax this week. It really does make you think two things: firstly, what is next? Is there anything this Labor government will not try to tax? We have the nappy tax this week and we had the picnic tax last week. Secondly, and more importantly, it makes you think, 'Thank God for the South Australian Liberal Party.' Thank God for the South Australian Liberal opposition standing up for South Australian families in the midst of a cost-of-living crisis, standing against these ridiculous cash grabs proposed by those opposite and, frankly, providing some sort of legislative agenda for us in this place. We spent most of last week legislating Liberal legislation and we have spent all of this morning legislating Greens legislation. What is next for this government that is bereft of any vision, bereft of any legislative agenda?

I hope, though, that this will be the latest success story for the South Australian Liberal Party in this parliament this year. It is a very good and important bill because it is trying to put a stop to pay-as-you-throw kerbside management, which would only serve to add further hip pocket pain to households that are already struggling in the midst of a cost-of-living crisis. It is a very discrete bill. It seeks to insert new section 155A into the Local Government Act 1999 to explicitly prohibit weight-based rates and charges for waste collection.

That scheme of pay-as-you-throw is a very bad idea because it would see households charged based on the amount of rubbish they dispose of which would, of course, place a new and extra financial burden on South Australian families and particularly those South Australian families with young children will be disproportionately impacted by this so-called nappy tax during the midst of a cost-of-living crisis.

Before I get accused by those opposite of making up this latest tax—we saw the picnic tax last week and their initial reaction is 'Well, we never suggested that'—the nappy tax this week is not some sort of fantasy. During a recent Budget and Finance Committee hearing, officials from Green Industries were questioned directly about this issue. The Hon. Heidi Girolamo, the Chairperson of that committee in the other place, said:

So pay-as-you-throw is an option that is on the table, where people get charged more based on the weight of their rubbish; is that right?

The Chief Executive of Green Industries SA replied, and I quote: 'It is an option on the table.' A short time thereafter the minister in this very house confirmed that it was an option on the table. I say we need to take it off the table. The South Australian Liberal Party say we need to take it off the table.

What did we see from the Labor government only a few hours ago? They have listened again. They want to take it off the table as well it seems, three months after we introduce a bill in this place seeking to scrap this bad nappy tax. Three hours ago we see a media release go out from the Deputy Premier, the Minister for Environment, and the headline of that media release is 'South Australia's kerbside collection rules to be updated'. The first sentence reads:

The Malinauskas government will prohibit councils imposing kerbside rubbish collection fees based on weight.

That is exactly what this bill seeks to do. In fact, that is all that this bill seeks to do.

Another sitting week, another huge backflip from those opposite, a very happy capitulation to the demands of the South Australian Liberal opposition who have been standing up for South Australian families in a cost-of-living crisis, standing up against these new and ridiculous cash grabs that disproportionately impact families with young children.

If the Minister for Environment and Labor are serious about their promises made in this glitzy media release only a few hours ago, that they want to prohibit councils imposing kerbside rubbish collection fees based on weight, they can make good on that brand-new promise today—something we have been fighting for for months, by the way—by supporting this legislation that seeks to do just that. In fact, that is all this legislation seeks to do.

It is not enough for the minister to try to put out a media release and go into damage control as a result of the South Australian Liberal Party's pressure. They need to support this bill today that will take this nappy tax off the table once and for all. I hope they do. I expect they will, given this media release. I commend this bill to the house.

Debate adjourned on motion of Mr Odenwalder.

Motions

POWER PRICES

Mr PATTERSON (Morphett) (11:14): I move:

That this house—

- (a) notes that South Australian working families and small businesses are enduring some of the highest power prices in the country under the Malinauskas Labor government;
- (b) condemns the Malinauskas Labor government for their inaction resulting in driving sky-high power prices for South Australian working families and small businesses in the midst of a cost-of-living crisis; and
- (c) condemns the Malinauskas Labor government for their costly, experimental hydrogen power plant, that will not reduce power prices for South Australian working families and small businesses, as their only energy policy.

It is always a good opportunity to speak in parliament about this very important matter, but I should note that in the week that we are in we have had a massive announcement relating to the defence posture of the country and what that means for South Australian defence industries.

No doubt you, Mr Speaker, will be aware that later on, in the third motion on the *Notice Paper*, I also have a motion standing in my name talking about defence. Being so important to the state's economy, I did offer the opportunity for those opposite to swap this motion around with that one, but that was unfortunately declined. So, hopefully, I will keep my comments to somewhat of a brief nature so that we can progress through the proceedings and potentially get to that as well.

In terms of where we are at now in South Australia, in 2023 South Australia has recorded the highest power bill price increases in the nation under the watch of the Minister for Energy and Mining. What that means is that South Australian working families and South Australian small and big businesses are having to endure some of the highest power prices in the country under the Malinauskas Labor government. If you think that you are experiencing a nightmare case of *deja vu*, you are correct. When he was last the Minister for Energy in the Weatherill Labor government, not only did the minister preside over the statewide blackout in 2016 but he also gave South Australian households the highest electricity prices in the nation.

Under the former Weatherill Labor government, if you cast your mind back, South Australia suffered from high wholesale electricity prices with frequent spikes, supply squeezes, stability and frequency control problems, with household electricity bills rising by over \$550 in the last two years. This coincided with over seven million customer hours lost for blackouts due to load shedding. When the former Liberal government came in, they inherited what was an energy system that would be best described as in a shambles.

Setting about its work, the former Liberal government introduced successful power policies that included the largest rollout of home batteries per capita in the world, and this along with other measures helped reverse Labor's legacy of sky-high power prices. In fact, between June 2018 and December 2021, ESCOSA reported that the average household power bill had fallen by \$421. That was a decrease of nearly 20 per cent on household electricity bills for people living in the suburbs of Kensington and Firlie, as well as many other South Australian suburbs.

Not having learnt their lesson, the current government had no plan at the 2022 election to ensure electricity supply was affordable and reliable. They just thought, 'Well, this just happens and it will just go on.' What has happened, though, is that the Premier put the same person in charge of South Australia's energy system who was in charge previously. That is a system that has a direct impact on the power bills that households and small businesses pay here in South Australia. The Premier did that knowingly, thinking it would all work out. But when they talk about the definition of stupidity, is that not defined as doing the same thing and expecting a different result? I think that applies here, because here we are two years later and the government still does not have a plan. The Minister for Energy is back in charge, and now South Australian families and businesses are paying for it.

These skyrocketing power bills were brought into sharp focus back in July last year when a default market offer for 2023 came into effect. The default market offer for an average household power bill in South Australia in places such as Norwood, Payneham and Marden increased by nearly 24 per cent, which translates to an increase of between \$439 up to an additional \$512 on South Australian household electricity bills. Of course, the number of South Australian households on the default market offer is around 60,000, and the remainder are on contracts with their electricity provider. However, immediately after this announcement of the default market offer we started seeing customers on contracts being contacted by their electricity retailer, and they found that their new contracts also went up substantially, in most cases in line with the 24 per cent increase found in the default market offer.

These are massive rises in household power bills. They are crippling blows for families that are already suffering under massive cost-of-living surges in other areas as well. As I said previously, the analysis done by the opposition shows that an average South Australian family, with two children and an average mortgage, is nearly \$20,000 worse off under the Malinauskas Labor government.

Of course, South Australian households are not the only ones feeling the pain, as small businesses have had even larger increases of nearly 29 per cent or \$1,310. This was the biggest rise in the nation. These businesses deserve better because the cost of doing business in South Australia is also going up and these skyrocketing power bills will have a big impact. When you listen to small businesses there is only so much they can cut back on, and certainly turning the power off is not an option for them. We do not want to see businesses having to choose between paying their electricity bill or employing staff, especially when we look at the latest employment statistics that show that almost 20,000 full-time jobs were lost in South Australia between November 2023 and January 2024, so we do not want to see that happening.

Also, last year in August AEMO released a report raising the alarm about the reliability of electricity supply here in South Australia. They indicated that Victoria and South Australia were most at risk of blackouts in the year ahead. So, despite South Australians paying some of the highest power prices in the nation, we also have the lowest grid reliability and are being warned to brace for blackouts.

At the same time, in August, the independent regulator ESCOSA also reported that the average market offer for electricity for a household in South Australia had jumped by \$169, rising from \$2,041 in June 2022 to \$2,210 in June 2023. These power price rises for households, in suburbs such as Joslin and Royston Park, do not even take into account the massive price rises that then kicked off from 1 July when the default market offer came in that saw households having rises of up to \$512. These are really big rises here. We all remember federal Labor saying they were going to bring down prices by \$275 but, in fact, this is way more but going in the other direction.

Of course, those opposite have tried to deflect blame and not take responsibility, trying to say that it was an east coast problem, but when you look at the July 2023 price increases that occurred under the default market offer, which incorporated South Australia, New South Wales and Queensland electricity users, it was South Australia that had the highest of the price rises of those states. Also, Victoria runs its own standard offer, and the increase in dollar terms in SA compared to Victoria was also higher. It really is not true to say that it is an east coast problem.

As I said previously, this government had no plan at the election to ensure that electricity supply here in SA was both affordable and reliable. We do know that in their first budget they cut successful programs that the former Liberal government had undertaken to bring down prices: the Grid Scale Storage Fund, the home battery subsidy, and Switch for Solar. All these went a great deal towards bringing down prices for South Australians.

By saying that it is an east coast problem here, why then would South Australia have the highest bill prices? It really says that the truth is that it is a South Australian problem here, and the Premier needs to acknowledge this. He needs to get his priorities in order and set about having a plan here in South Australia.

Of course, I have gone to the point where the government does not have a plan. They try to respond by making it seem like they have a plan. Back in November 2022, to try to cover up their lack of a plan they said, 'We're commissioning ESCOSA to inquire into retail energy prices.' Well, we are still waiting for that.

They also established the National Energy Crisis Taskforce. Again, no result. There have been a lot of announcements, but no outcomes. We are still waiting for a plan to ensure that South Australians have an affordable and reliable plan. At the same time, the government is spending over \$600 million on an experimental hydrogen power station. Labor has admitted that it is targeted at industrial customers. It is not aimed at delivering cheaper electricity bills for struggling South Australian households in suburbs such as Kent Town, Maylands, Evandale or Stepney.

Just last parliamentary week, I asked the minister himself if this experimental hydrogen power station would reduce South Australian household electricity bills and if so by how much. His response would certainly leave working families in those suburbs I mentioned, who are struggling under skyrocketing power bills, very alarmed. He said:

First and foremost, we have always said this is about trying to get an improvement for industrial users. It's commercial and industrial customers we are targeting.

Going on to this, in May last year, appearing at the Budget and Finance Committee, the Office of Hydrogen Power SA chief executive, Mr Crafter, was asked on 23 separate occasions whether Labor's \$600 million hydrogen power plant would lower household electricity bills. On each occasion, all he could respond with was, 'The targeted objective of this power plant is to lower prices for industrial customers.'

As I have outlined previously in parliament, the Premier has completely changed the nature and scope of what was promised to South Australians prior to the election. They have also dropped their promise of the 3,600 tonnes of liquefied hydrogen storage, basically to avoid a massive cost blowout. We know that modelling shows it was going to cost hundreds of millions of dollars, not the \$31 million that was first claimed. Again, in the Budget and Finance Committee Mr Crafter confirmed this was the case.

This was one of the four main pillars of their hydrogen plan and they have had to drop it. You have to think what else in this plan should be called into question. How does it affect the modelling and the costings they have now? We know that they have also given up on their promise to provide a combined cycle base load power station. Instead, they are going for a peaking station. Again, that fundamentally changes the project. It changes what implications it will have for industry in South Australia, which those opposite were trying to talk about before.

Now we have a peaking station. Industry does not work just on a peak; it is meant to be 24/7. They are trying to change their scope on a project, those opposite, because they know there is no way the original project could be delivered for their \$590 million, especially when we have had massive jumps in construction cost inflation of about 30 per cent in two years. That puts the cost of this \$593 million up to about \$770 million, and that does not include costs that would be required for transmission lines, that would be required for the water pipelines.

Stunningly, just last year in October the minister confessed on a podcast that 'if the cost changes, it changes. Nothing to see here; that's okay. Just try us, okay. It's only taxpayer money.' While South Australians are living through a cost-of-living crisis, they would be shocked that the Premier is blowing more than \$600 million of taxpayer money—or more—on an experimental hydrogen power plant that Labor has admitted will not lower electricity bills for households or small businesses. Those same households and businesses are suffering skyrocketing energy prices under the Malinauskas Labor government, which is yet again a clear sign that we have returned to the very bad old days of Labor when we experienced the highest power prices in the nation.

Ms HOOD (Adelaide) (11:28): I rise to oppose the motion. I find the motion quite cute, given it was the former Liberal Olsen government that privatised our electricity market. It was the former Marshall Liberal government that privatised our backup generators and failed to deliver its promised cuts to average electricity bills; and it was the former Liberal Prime Minister, 'Scotty from Marketing', who labelled our big battery 'the big banana' and carried a lump of coal into federal parliament and told us not to be scared. Well, what we should be scared of is the complete policy vacuum when it comes to the Liberals and energy.

Let me run through some of the inaccuracies in this motion. I will start with paragraph (a). The premise underlying this claim is incorrect. The Australian Energy Regulator's most recent Annual Retail Markets Report found that South Australian electricity prices are among the lowest in the National Electricity Market. The AER report for 2022-23 recorded that SA households with average consumption and contracted to the median of market offers would pay \$2,044 a year. This was below Tasmania at \$2,623, below New South Wales at \$2,169 and below the ACT at \$2,058. In the AER's analysis, only Queensland householders paid less. The AER did not record equivalent data for Victoria, WA or the NT.

Mr Patterson interjecting:

The SPEAKER: Order!

Ms HOOD: The AER found that the increase—

Mr Patterson interjecting:

The SPEAKER: Order! The member for Morphett is called to order.

Ms HOOD: —in prices in SA of 12 per cent from the year before was less than the increase in New South Wales, which was up by 21 per cent to 28 per cent. Queensland was up 23 per cent, Tasmania was up 18 per cent, and the ACT was up 14 per cent.

In paragraph (b), claims of inaction on the part of a Labor administration show just how little attention to reality is being paid by the Speirs Liberal opposition. The opposition would do well to consider the track record of both the former Marshall Liberal government here in SA and that of their colleagues in the Liberal-National Coalition in Canberra. At the federal level, the Coalition had some 22 different attempts at an energy policy but failed to agree amongst themselves on even one coherent policy, which would have given investors the certainty required for the long-term capital expenditure typical of the sector.

Here in SA, the Liberal Party went to the 2018 election promising they would deliver a \$302 per year reduction in electricity bills for the average South Australian household. The Liberals set the comparison point for their promise as the 2016-17 prices recorded by ESCOSA in the annual retail price comparison report. That price was \$1,976. At the conclusion of the Liberals' four years in government, ESCOSA's 2021-22 report recorded the average price at \$2,041. That is, rather than a \$302 cut to household bills, the Liberals presided over a \$65 increase in bills. Of course, the Liberals continued to attempt to fudge their failure by choosing another starting point than the one that they had themselves selected—

Mr Patterson interjecting:

The SPEAKER: Member for Morphett!

Ms HOOD: —and then taking an out-of-sequence special report they commissioned from ESCOSA, arbitrarily dated 6 December, rather than the end of financial year, as conventionally earmarked by ESCOSA—just shifting the goalposts.

During their period in office, the Liberals staked enormous faith in the interconnector to New South Wales, Project EnergyConnect, to deliver lower prices. They went as far as providing \$43 million in funding for early works in New South Wales—

Mr Patterson interjecting:

The SPEAKER: Order!

Ms HOOD: —as part of some \$65 million allocated to advance the project. Back in 2020, modelling for Project EnergyConnect estimated that, without the interconnector, wholesale electricity prices in New South Wales would be consistently about \$20 per megawatt hour cheaper than in South Australia, through to 2035. However, New South Wales' reliance on increasingly less reliable, ageing coal-fired generation, in comparison to the dominance of renewable energy generation in South Australia, has reversed the price difference.

The AER reported that volume-weighted average wholesale prices were lower in SA than in New South Wales for the calendar years 2020, 2021, 2022 and 2023. On the Australian Securities Exchange, the base futures contracts showed much the same result.

For the next four years, through to the end of 2027, the average quarterly contract price is just under \$82 per megawatt hour in SA and just over \$100 per megawatt hour in New South Wales. That means, under the Liberals' grand plan to lower costs, SA will be connecting to a jurisdiction where prices are running about \$20 higher than here, rather than \$20 lower than they were expecting. This comes as Project EnergyConnect's budget blew out from first estimates and its delivery target fell further and further behind, especially on the New South Wales side.

Then, of course, during the Marshall years, not a single generation project in SA achieved final investment decision through to being in operation—not one. Instead of strengthening reliability—

Mr Patterson interjecting:

The SPEAKER: Order!

Ms HOOD: —they weakened it by selling off the state-owned generators, the 277 megawatts of power that should have been kept in reserve.

Mr Patterson interjecting:

The SPEAKER: The member for Morphett is warned.

Ms HOOD: Under the previous Labor administration, South Australia's electricity grid was strengthened. We underpinned investment in the Hornsdale Power Reserve, what was then the biggest grid-scale battery in the world, and which has become a global template for managing the transition, but make sure you listen to 'Scotty from marketing', who thinks it is simply a big banana.

AGL made the final investment decision to build the Barker Inlet power station, notable as the last time the private sector made a merchant investment in generation in the nation. Under the Malinauskas government, we are facilitating and expediting investment. We have created the Hydrogen and Renewable Energy Act to ensure an orderly rollout of projects, and we are investing in the Hydrogen Jobs Plan.

I will now move to part (c). One of the greatest arguments we have always had with our opponents is that renewable energy is cheaper, it is cleaner, and it is the way of the future. What we are attempting to do, like we did with the big battery, is store our overabundance of renewable energy during low demand periods like the middle of the day. Batteries are suitable for short durations, but to get to 100 per cent net renewables by 2030 we need a renewable form of long-duration energy storage.

When the Liberals inherited a grid with an oversupply of renewable energy, what did they do? Well, they put in place a system to actually turn off mum and dad's rooftop solar remotely, literally washing renewable energy down the drain. Rather than just earthing that energy and turning it off—

Members interjecting:

The SPEAKER: Order!

Ms HOOD: —or not producing that energy, our plan is to manufacture hydrogen and store it. At times of peak demand, you are able to use that stored energy in a gas-fired turbine designed to lower wholesale power prices in the spot market. Those flow through to everyone.

In 2017, Labor commissioned a study into South Australian green hydrogen, and established A Hydrogen Roadmap for South Australia. Either the Marshall government was already on autopilot by this stage or they saw merit in our work and contributed to it by publishing the Hydrogen Action Plan in 2019. But fast-forward to today, we see a complete backflip from those opposite, who are now calling it 'experimental'.

Climate change is real. The release of carbon into the atmosphere by human endeavour is causing the heating of the planet. We need to decarbonise our electricity generation and we are doing that by embarking on new technologies. We are investing in infrastructure and we are investing in policy work, like through our recent green paper and upcoming white paper on the energy transition. Members opposite can watch or get on board. I oppose the motion.

Mr PEDERICK (Hammond) (11:37): I have heard a lot about energy in this place, and that was interesting.

Members interjecting:

Mr PEDERICK: I am only just starting, so do not worry, you can have your go. I move to support this motion by the shadow minister, the member for Morphett:

That this house—

- (a) notes that South Australian working families and small businesses are enduring some of the highest power prices in the country under the Malinauskas Labor government;
- (b) condemns the Malinauskas Labor government for their inaction resulting in driving sky-high power prices for South Australian working families and small businesses in the midst of a cost-of-living crisis; and
- (c) condemns the Malinauskas Labor government for their costly, experimental hydrogen power plant, that will not reduce power prices for South Australian working families and small businesses, as their only energy policy.

I did note that the previous contribution from the member for Adelaide was interesting, and it sounds like it was written by the minister, the member for West Torrens, or someone from his office.

Mrs Hurn interjecting:

Mr PEDERICK: No dispute. There are a lot of facts around energy that were missed out.

Members interjecting:

The SPEAKER: Order!

Mr PEDERICK: There were a lot of facts that were missed out in that contribution, like the day we were here in September 2016 and the lights went out. Not just here—

Mrs Hurn: Who was in government then?

Mr PEDERICK: Yes, who was in government then? The Labor Party. The Labor Party presided over the only statewide blackout that has ever happened. They forget to talk about that. They forget to talk about that, and—

Members interjecting:

The SPEAKER: Order!

Members interjecting:

Mr PEDERICK: You can have a go.

Members interjecting:

The SPEAKER: Order! The member for Elizabeth! The member for Wright!

Members interjecting:

Mr PEDERICK: They are so excited about it they want to contribute now. The whole state—you almost have to be a magician to pull off a stunt like that. It was stupid of the policy to do the early closure of the Port Augusta coal-fired power plants, and we are seeing that policy failure relate across the rest of Australia, especially on the eastern section of power that we are connected to, because of policy issues around shutting down coal too early.

People are also demonising gas, which is outrageous, because we will need gas as a transition fuel for the next 30 years minimum. We saw that with the removal of those major power plants at Port Augusta. My understanding is that when they were operating they operated under a system where there were essentially five circuit breakers for the state, so you would not lose the whole state.

What we had in September 2016 was the whole state go out. We saw Adelaide gridlocked, we saw the power out on the Far West Coast, we saw the power out through the Mid North, we saw the power out through the Yorke Peninsula, we saw it out through the Upper South-East, through the Murraylands and the Riverland and all the way down the South-East. It was atrocious to think that the government could preside over a power supply that did that to the state. It is the Labor Party that fully owns that.

As I said, some people in this place try to demonise gas. Well, we are going to need gas for a long time, and we are going to need gas alongside those privately built, built by private investment—and a lot of offshore investment has come in for the wind farms, the solar farms. Let us note that a lot of those do not go up without some opposition; some people are more than happy to get the rebates paid for these energy projects, but there are issues at times. I note that about 200 megawatts has now gone in at Tailem Bend, and that goes straight into the Heyward interconnector that goes into Victoria.

Solar and wind are great things, but they are variable, and that is why we have to have sustainable practices in place to have a level of base load power in the background. We probably need about 30 per cent to 40 per cent of base load power somewhere in the system running all the time, and that is the whole idea with EnergyConnect, which the Minister for Energy and Mining used

to support. He used to support that proposal, but changed his mind completely when we took it as a policy to the 2018 election.

Thankfully it went through the processes, and my understanding is that most of the infrastructure is being built on this side of the border to New South Wales. That is a fantastic project to interconnect our renewable energy, our 60 per cent to 70 per cent of wind and solar generated in this state, to those other forms of power in New South Wales, whether that be those ageing coal-fired power stations or the gas-fired power stations, because we are linked to all that eastern grid—that is just the way it works—right down through that connector to Tasmania.

It just makes sense to get this EnergyConnect interconnector in place so that when we are generating that renewable energy—and we see reports of more and more wind and solar going in all the time—when we have an overabundance of it, we can export it so that we have clean energy use not just in South Australia but throughout the country.

However, it is a simple fact that if the wind is not blowing and the sun is not shining we need to get the power from somewhere else. So we are hooked up to a major state like New South Wales; obviously we have the Heyward interconnector hooked up that comes down through my area in the South-East, and you have Murraylink in the Riverland that connects through there as well, and these are vital parts of the whole connection strategy.

Then we go to this dream of hydrogen, over in Whyalla. It would be great if I could see it would work, but when I go to forums where there are very learned people from universities, professors and the like, and I ask the question, 'Will it work?', they say, 'Well, we don't know how.' That concerns me. That concerns me when you have a government that has already put up \$593 million of South Australian taxpayers' money—because governments do not have their own money; they have taxpayers' money—to pay for this hydrogen power plant.

We have already seen them cut the amount of storage they are going to have, there is no money in there for transmission lines and, if you have the people who know what they are talking about saying that it is experimental and saying that they do not know how it is going to work, that concerns me—it concerns me greatly. Certainly for the proponents, the people who want net zero by 2050, we probably need small modular nuclear reactors to get us to that 40 per cent of generation, to get us through to the future, if people are deadly serious about generating clean energy and getting that net zero status.

I was pleased to be part of a government for the time we were there—would have been great if it were longer—that not only reduced power prices but did not suffer the outrageous event of having a statewide blackout in this state, and we worked hard on progressing policies like EnergyConnect, which the current Minister for Energy and Mining, the member for West Torrens, used to support.

He uses weasel words on the radio now to circle around it, but he knows deep down that that supply line, when it gets built through to New South Wales, will support South Australian private people. The hydrogen plant in Whyalla will support industry—if it works, and it is a big 'if'—but there is no promise of lowering costs for the hardworking South Australians in the general public. I condemn the Malinauskas Labor government for the way it has managed power in the state.

Mrs HURN (Schubert) (11:46): I rise in support of the member for Morphett's motion, which states:

That this house—

- (a) notes that South Australian working families and small businesses are enduring some of the highest power prices in the country under the Malinauskas Labor government;
- (b) condemns the Malinauskas Labor government for their inaction resulting in driving sky-high power prices for South Australian working families and small businesses in the midst of a cost-of-living crisis; and
- (c) condemns the Malinauskas Labor government for their costly, experimental hydrogen power plant, that will not reduce power prices for South Australian working families and small businesses, as their only energy policy.

I would like to focus on part (b) of this motion, which speaks to the significant cost-of-living pressures that people from all over South Australia are enduring. It is not just in relation to the sky-high energy

prices that we are seeing in South Australia. Whether you look at electricity prices, inflation or mortgages, people are desperately crying out for relief, and that is something we are not seeing from the Malinauskas Labor government.

We had hoped that some relief would be provided on the back of last year's state budget. As an opposition, we were calling for there to be some significant cost-of-living relief, but that was not forthcoming for the people of South Australia or for the people who are doing it tough in my local community. In fact, it really did nothing to ease the cost of living for South Australians. The typical household received little to no support, and that is despite the fact that at that time energy prices were the highest in the nation.

In fact, as the member for Morphett has already identified, the average South Australian family is around \$20,000 worse off under this government than they were under the former Liberal government. That is around \$400 a week, and that is so significant to the hardworking families not just in my community of the Barossa Valley and the northern Adelaide Hills but right across South Australia.

When you think about the Barossa Valley and the Adelaide Hills, people often make assumptions that they are an extraordinarily affluent community, and in many ways they are. We produce some of the most amazing wine in the world, but people work extraordinarily hard, and they are going through a really tough time at the moment, particularly if we look at what is happening in the wine industry and, more broadly, in the economy.

There are businesses and families who are coming into my office in tears, worried about opening their energy bills. That is not a word of a lie. I have spoken with countless families who are literally scratching their heads wondering how they can squeeze more blood from the stone, because they are so tight on their family budget and they just do not know where else to turn. That is why we need to see that cost-of-living relief.

I also have businesses in my local community that have opened their energy bills. Someone in my local electorate has a six and a half thousand dollar quarterly bill; they are seriously thinking about closing their doors on Sundays. This is a relatively new business which has expanded. It is a fantastic, strong, local business. They are just wondering what they can do next.

These are the real-life impacts that having super-high energy prices in South Australia have, not just on families but on businesses. When you start to see the sheer pain and anguish on people's faces, you need to have a government that is going to act to deliver some relief. That is what we are not seeing from the Malinauskas government, and that is exactly why on this side of the house we are proudly supporting the member for Morphett's motion.

I think it is safe to say that at the last election we were pretty surprised that the Labor Party had not one single policy that had any focus on actually putting downward pressure on household bills or on the electricity bills of the people of South Australia. All they had was this hot air dream of a hydrogen power plant that cost around half a billion dollars—which, now that we look at the figures and the detail, we know is a very modest assumption.

Despite question after question after question from the opposition about what this hydrogen power plant dream will do to lower prices for families and businesses, they cannot say that it will—because it will not. In fact, the only energy policy that the Labor Party has is this hydrogen power plant that will not lower anyone's prices in South Australia. That is just the biggest load of hot air that we have ever seen in this chamber.

I think it is clear that we are seeing a return of the same old Labor Party who not only governed over the only statewide blackout that we have seen in the history of our state but also delivered and governed over the highest energy prices in South Australia. We are just seeing the return of the same old Labor.

It does contrast quite starkly, I think, with the approach of the former Liberal government, who in its short four years took a practical and proactive approach to put that downward pressure on energy prices. It did so knowing the real impact that has on families and on small businesses. Whether that was the interconnector or the Home Battery Scheme that the Labor Party crazily got rid of, this was so successful in local communities. It encouraged people to put their storage on the

side of their house. What does the Labor Party say? 'No, we're just going to put all our eggs in the hydrogen energy pipedream basket,' knowing that it is not going to lower energy prices for households or for businesses.

In closing, and in support of the member for Morphett's motion, I do really hope that the Premier and the government use this next state budget as an opportunity to provide some cost-of-living relief for the people of South Australia. Our energy prices are among some of the highest in the nation and we simply cannot afford to be going down this same trajectory.

Mr PATTERSON (Morphett) (11:53): Thank you to those who contributed. It is an important topic that should be discussed in parliament, because there is no denying that energy prices are having a crippling impact on households and on businesses as well. It is interesting in terms of some of the debate around now. I thank the member for Hammond and the member for Schubert for describing businesses coming to them, which have based their business models around a certain price of electricity. The feedback I have, also, is that electricity prices are now becoming quite substantive compared to the rent they are paying. Usually the rent was the biggest segment; now electricity prices are getting up there. It is really troubling.

The member for Adelaide talked about energy prices and tried to diminish the work that the former Liberal government did in bringing down prices by \$421, saying, 'The promise that was made only referred to the 2016-17 year and it didn't mention that the then minister put prices up by another \$268 for that year, so you have to cover that in your \$302.' Actually, the real results between June 2018 and December 2021 saw prices going down by \$421.

That was outlined again by the member for Adelaide saying that wholesale prices in South Australia compared with New South Wales came down in 2021. I remember the quarter 4 wholesale results in South Australia were the cheapest in the nation. Compare that with the quarter 3 results in 2023, when South Australia's wholesale energy prices were the highest in the nation—the only state where wholesale electricity prices per megawatt were in three digits, at \$114. The energy minister was trying to defend it on radio, saying, 'The interconnector wasn't working for a few days, and that put prices up by \$20 odd, so if that hadn't have happened we would have been okay.' But when you look at the facts, and you take \$20 of the \$114, we still would have been the highest.

That also draws attention to the importance of having a second interconnector, because when the interconnector to Victoria is down South Australia is effectively islanded, and that is when there are big issues. We know there are issues with stability, with frequency. All that costs money to keep the lights on, and that flows through to energy bills. Having a second interconnector which, as has been said, is connecting the South Australian portion of it to the border, has now been done. That is going to be important for us going forward.

New South Wales has different weather patterns which are complementary, so from a system-wide basis it will help prices in South Australia come down. The modelling shows that it is even more: it is predicted to help bring prices down by \$127. So really the only hope on the horizon for households that prices will come down is from Liberal initiatives that are coming through.

If I could just talk through more about the importance of a second interconnector, when the Heywood one went down in November 2022 when there was that big storm that came through here and knocked it out, we were again islanded for a number of weeks, and prices skyrocketed. That came through to bills. If we had had the New South Wales interconnector running, if you have a second one, we are not as susceptible to that. With the Victorian blackout only a couple of weeks ago, where 500,000 households blacked out in Victoria, Heywood tripped, and again we were islanded. We were susceptible. Having a second interconnector for redundancy makes all the difference.

Of course, that was also attracting investment into renewable energy generation here. At Goyder South Neoen invested massively in renewable energy generation—\$3 billion worth, up to 1,200 megawatts of wind generation. They said two-thirds of that investment was because there was the interconnector there. They said it would be impossible to have done that without it.

So they are vital initiatives taken by the former Liberal government to help bring prices down. We had a focus on power bills for households and for businesses that is lacking on the part of those

opposite. They are just out for the announcements. I put the motion and look forward to support from everyone in this house.

Motion negatived.

TAFE SA

Mrs PEARCE (King) (11:58): I move:

That this house—

- (a) recognises the importance of TAFE SA in transforming lives and building a stronger, more inclusive South Australian economy;
- (b) acknowledges that TAFE SA should always be at the centre of the VET system; and
- (c) recognises the importance of TAFE SA delivering a wide range of in-demand courses to give South Australians the skills they need for rewarding careers, including in early childhood education, health and social care, defence, building and construction, primary industries, information technology and community services.

As many of us would know, TAFE SA is the largest provider of vocational education and training in our state and it is a public provider. Training is delivered from more than 30 training locations, importantly, the majority of which are found in regional and remote South Australia. That includes the Pirie campus in my hometown of Port Pirie. My mum worked there for a number of years and often I would spend time after school around the campus in awe of those who were learning to get involved in automotive, building and construction trades, and aged and disability services.

More importantly, it showed me firsthand how a local educator can work in collaboration with industry to ensure the training and educational needs of a local community are met, how it feeds local communities with the skilled workforce to help it to thrive, and how in turn that creates economic benefits to those communities and the state as a whole.

In fact, I was just discussing this very matter a couple of weekends ago when I visited home for an engagement party. One of the guests is a lecturer at TAFE and he was promoting how valuable welding is, how there is a growing demand in and around the area for this skill, and how the local TAFE is doing all it can to assist upskilling in this space. It was great to see this guest's passion for the trade, passion for the system, and passion for supporting job pathways in the local community.

For many locations, TAFE SA is the only provider of essential courses for that local community, including remote areas such as the APY Lands. It targets its services to help increase participation and training and ultimately employment for our state's most disadvantaged, so it is no surprise that TAFE SA trains a greater proportion of the state's disadvantaged and priority cohorts compared with the broader skills sector.

This includes students from regional and remote areas, Aboriginal students, students aged 17 to 24 years, and students who are not in the labour force. It is important that we recognise and acknowledge this because it is vital in helping to ensure that as many people as possible are provided with opportunities and support to be able to thrive in life, to feel fulfilled, and to be equipped with the skills they need to secure pathways.

TAFE SA is also South Australia's largest provider of courses for new migrants and the largest provider of foundation skills to domestic students. These program areas expand the talent pools from which South Australia can draw our future workforce. They develop social cohesion and belonging and directly contribute to the economic prosperity of the state. In total, more than 70 per cent of TAFE SA students come from a priority and disadvantaged cohort based on the commonwealth definition. TAFE SA plays an essential role in transforming the lives of these people, and in recognition of the complex needs of these student cohorts, TAFE SA often provides comprehensive learning and support services to ensure that completion and success rates do not result in further disadvantage.

These include disability support services, wellbeing support and counselling services, financial hardship, creche and early years education facilities, special support and physical spaces for Aboriginal and Torres Strait Islander students, and student representative and advocacy

structures. They understand the barriers that many people face and they implement what they can to help bring those barriers down.

Outside of the formal teaching and learning times, TAFE SA also provides students with access to learner support, space and resources irrespective of the university or provider that they enrolled with. This includes laptops on loan, educational learning resources and places to study. As the public provider of VET in South Australia, TAFE SA is also playing an essential role in addressing the state's acute skills and labour shortages.

By aligning TAFE SA's course delivery to the state's future and strategic economic priorities, TAFE SA can be a critical lever in responding to the state's emerging strategic workforce needs like defence, hydrogen and early childhood education and care.

In terms of graduate outcomes, recent national data shows that TAFE SA graduate employment rates are higher than all other training providers in South Australia combined, with 79.3 per cent of TAFE SA graduates achieving employment after training compared with 78 per cent across the broader SA skills sector.

The Malinauskas Labor government understands that TAFE SA must play a central role in delivering essential training and equipping South Australians with the skills that they need for well-paid, secure work. It is why we have firmly placed TAFE SA at the heart of the skills system, and we are investing to strengthen and rebuild TAFE SA now for well into the future.

It is pleasing to see already—bolstered by initiatives we have introduced, such as fee-free TAFE—that enrolments are continuing to soar, with a rise of 65 per cent compared with two years ago. That means more South Australians are gaining the skills they need for well-paid, secure jobs in in-demand sectors, which is good for our state's prosperity and economy and why I commend this motion to the house.

The Hon. D.G. PISONI (Unley) (12:04): In speaking to this motion, I would like to move an amendment to the motion as follows:

In paragraph (a), amend 'TAFE SA' to 'the training sector, including both TAFE SA and non-government training providers';

In paragraph (b), amend 'should always be at the centre of' to 'must play a central role in' and add 'and therefore the government has a responsibility to ensure that it is always delivering high-quality training in collaboration with business and industry needs';

In paragraph (c), amend 'TAFE SA' to 'the training sector, including both TAFE SA and non-government training providers'.

The motion will then read:

That this house—

- (a) recognises the importance of the training sector, including both TAFE SA and non-government training providers, in transforming lives and building a stronger, more inclusive South Australian economy;
- (b) acknowledges that TAFE SA must play a central role in the VET system, and therefore the government has a responsibility to ensure that it is always delivering high-quality training in collaboration with business and industry needs; and
- (c) recognises the importance of the training sector, including both TAFE SA and non-government training providers, delivering a wide range of in-demand courses to give South Australians the skills they need for rewarding careers, including in early childhood education, health and social care, defence, building and construction, primary industries, information technology and community services.

In doing so, we know that the non-government sector provides about half the off-the-job training required, particularly for apprenticeships and traineeships here in South Australia, but only receive about 20 per cent of the funding in order to do that. In the four years that I was the Minister for Skills, we saw a partnership develop with the non-government sector, not just with the government but also with TAFE SA. That delivered a complete change in access to apprenticeships by both employers and apprentices and trainees themselves.

We were able to stop a decline of 66 per cent of commencements for apprenticeships and traineeships from 2012 to 2018. I think it was in June 2018 when we saw the first increase of commencements in apprenticeships and traineeships in South Australia. I think it was about 114 up from the same time the previous year, and that was the beginning. What was the difference? What did we do differently? The same public servants were running that department but there was a different policy.

The policy was for the government to recognise that there were on-the-job training costs for the employer and also barriers for people who wanted to do apprenticeships and traineeships, whether they needed a driver's licence or needed their car registered, or they did not have tools or they needed some additional support.

About 1,100 employers took on apprentices for the first time because of the extra money that was available to support them to either train their staff or use group training for the first time to provide the support, which is so important for young apprentices in particular, the pastoral care that they provide. The funding of pre-apprenticeship training was conditional on employers lining up to take on those who successfully completed that pre-apprenticeship training in order to become apprentices and trainees. We reintroduced the traineeship system in the public sector. For about a 10-year period under the previous Labor government, there were no trainees in the public sector. We introduced cybersecurity traineeships.

We saw what was happening in the United Kingdom, in particular, and we also learnt what was happening in Germany, which is the home of vocational pathways into professions. There, the apprenticeship pathway and the university pathway have equal status, something that we need to achieve here in South Australia. In order to do that, there needs to be a partnership with the non-government sector, TAFE, government and business. Consequently, what we saw with that partnership being introduced here in South Australia for the first time was a target, which was committed to before the election, to deliver extra apprentices and trainees in South Australia. There is no dispute of that.

We saw basically a doubling of the number of South Australians in training in South Australia. If we look at the NCVET figures, in September 2018, 15,890 people were in training; towards the end of the Marshall government, in the June quarter of 2022, we saw 32,130 South Australians in training—and this was not just in training; this was in paid training, being paid as an apprentice or a trainee. This is a significant difference because when that system finished we saw a dramatic drop in the number of commencements of apprentices and trainees here in South Australia.

There was a 60.4 per cent decline in the June quarter of 2023 compared with the June quarter of 2022—a 60.4 per cent decline. That was 10 per cent higher than the national average. We heard the minister trying to defend that by saying that federal subsidies had stopped. Yes, they did stop, and apprenticeship commencements did fall in all states, but here in South Australia they fell by 10 per cent more than the national average—the highest in the whole nation.

We have the notion of free TAFE and the minister boasting about increases in TAFE enrolments, but free TAFE does not deliver more apprenticeships and traineeships. In most awards, the employer is obligated to pay the RTO fees. In many businesses where that is not the case, the market means that the employer will pay the RTO fees, so there is no benefit to an apprentice or a trainee in free TAFE in South Australia. What was working in South Australia was acknowledging the fact that there is a cost to on-the-job training and that people need to have the skills and confidence to have an apprentice or a trainee working by their side. We need to acknowledge that businesses may very well need extra resources in order to do that.

That is what the previous government did. We took the training system in South Australia from the worst performing in the nation to the best performing in the nation in just three years. What we have seen with this government's shift in policy, a dramatic shift in policy, focusing almost entirely on TAFE and on government funded training without a hook-up to paid training—they are even taking kids out of four-day-a-week school-based apprenticeships to put them into technical colleges where they are not paid to learn.

I can tell you now that one of the biggest complaints that employers had to me was about finding apprentices. People were not prepared to work for apprentice salaries. Employers would pay

more and the federal money that came in in response to COVID actually helped to pay apprentices higher wages and higher salaries to get them started in that industry.

Group training has worked extremely well. We see very high rates of completions in group training. As a matter of fact, the efforts that we put into having more commencements in South Australia actually delivered a 17.9 per cent increase in completions for June 2023. More South Australians were not only starting apprenticeships and traineeships in getting skills, they were completing them also.

Mr BELL (Mount Gambier) (12:15): I rise to support the motion by the member for King and wholeheartedly agree that TAFE plays a critical role in building a stronger and more inclusive South Australian economy. This is particularly evident in our regions. As a cornerstone of vocational education and training, TAFE institutions offer a wide range of courses and qualifications tailored to meet the needs of diverse learners and industries.

In preparing for today, I reflected back on the many speeches I have given in relation to regional TAFE and our TAFE in Mount Gambier and there is a recurring theme: we must get the administration structure and the responsibility to the community right.

I have spent nearly all my working career in education around vocational education. I have seen our local TAFE go from a very responsive and innovative part of the Mount Gambier community—headed by a local board, which again was responsive to the industry and student needs, and more importantly, I think, accountability for high outcomes, for staff rocking up on time and actually delivering what they were meant to deliver—to now a shell of its former self.

At the moment, if you walk through the Mount Gambier TAFE site it is almost 'spot the student'. It has very good facilities, but the reputation of TAFE and its ability to deliver into our community is nowhere near what it used to be when we had local management, and there is a perverse incentive that some lecturers undertake. Instead of having 15 students in their class, the ability to make it difficult and reduce that number down to five or six certainly lowers the workload of that lecturer. I know of lecturers who have not seen their line manager for well over 18 months.

We have to have a serious conversation about TAFE, particularly in regional areas, because I am actually very passionate about seeing it re-achieve its very important place in our community and the state. To give a local example, every year we have a trainee come into our office. I specifically target gap-year students who are going to do 12 months and then come to Adelaide or go over to Victoria to complete their university or tertiary education.

We have very high achieving trainees. Some of our trainees have achieved 99-plus ATARs. During the theoretical component of their traineeship—and again, I am trying to support our local TAFE—I had my trainees coming to me saying, 'This is embarrassing. This is a joke in terms of the level of interaction and how the course is being delivered,' so we made the decision to go with another provider two years ago and the contrast could not be more stark. We have a provider who comes into our electorate office, works with our trainee and pitches the course at a level that is commensurate with very high-achieving young people. That is because they have a standard, and they project the course at that standard.

I am sure I am not alone in talking about our industries in Mount Gambier that actively now send their apprentices to Adelaide. We have big industries down there, like the forest industry, that bypass TAFE. That is because they are not getting what they need as an industry from the state government's training provider.

It is quite interesting that one of TAFE's commitments by 2033, as outlined in their 2023-33 strategic plan, is to:

Ensure the voices and needs of regional businesses are reflected in the delivery of TAFE SA's courses and services. TAFE SA will engage local industry, community, staff and student representatives to inform TAFE SA's training profile and service delivery within the regions they represent.

This statement underscores a critical point: every region, whether it is Mount Gambier or Whyalla, poses distinct needs and priorities shaped by the industries unique to that area. These needs have not been met over the past decade, which has slowly seen course numbers and students decline

from my local TAFE. I strongly believe the answer lies in having a regional board that is responsible to the community and responsive from the community.

We require local management capable of effectively engaging with our business community, interacting with community members and ensuring accountability for the campus and its operations. We are entering a crucial time for vocational education and training in Mount Gambier, with a \$55 million investment to create an education and training precinct, including a \$5 million injection for the upgrade of facilities and equipment at our TAFE campus.

We must use this opportunity to push for local governance and accountability. We now have the ability to create not just a TAFE board but an education precinct board that can coordinate TAFE, as well as the new technical college, Forestry Centre of Excellence, private providers and UniSA all in one location. A board comprising of local people who possess a deep understanding of the needs and priorities of both students and our community is essential. This structure enables funding to be distributed in accordance with local needs and allows relevant courses that are important to our industries to continue and expand.

This approach also helps prevent unnecessary duplication of courses in regional areas. Regions do not have the population base to have the same or similar courses offered multiple times by different providers, which can lead to relevant courses being discontinued due to insufficient enrolments. Let's use this opportunity to collaborate closely with local businesses, industries, schools and the community to achieve the best outcomes for our students. By doing so, we can ensure the continued success and growth of TAFE in our regions and South Australia.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (12:23): I move to amend the member for Unley's amendment as follows:

Delete all words after 'providers' in paragraph (a), relating to changes in paragraphs (b) and (c).

I am very pleased to have the opportunity today to rise to speak to the member for King's motion, a very important one. I enjoyed greatly the contribution made by the member for Mount Gambier and thank him for the very collaborative way he has worked with me, as the minister for TAFE and training and skills, and the agencies for which I am responsible.

I think the member for Mount Gambier explained well the very big opportunities around the investment that we are making in Mount Gambier's education precinct—which I think we are safe to call it—where we have a fantastic opportunity with the government's commitment to build one of five brand-new technical colleges and also the Forestry Centre of Excellence, a very big and much-needed upgrade to the TAFE campus there. As the member for Mount Gambier correctly pointed out, that opportunity is to give some local control as well to the community in the South-East.

I grew up only an hour across the border, the member for Adelaide grew up nearby as well and the member for King grew up in a regional area, and we all understand very well how important training providers are in regional areas, particularly in those regional areas where you might have to travel quite a distance to access training were it not for the TAFE campus in that area. It does not work the same as it does in metropolitan areas—you often do not have choice in many parts of the state.

The member for King spoke in her opening remarks about TAFE's footprint in the APY lands. I have, indeed, been to the TAFE campus in Pipalyatjara, which is basically in the north-western extremity of our state. It is the most remote TAFE campus in our state and, I think, the most remote TAFE campus in all of Australia. The importance of TAFE was brought into sharp focus for me: the importance of it having a presence and operating in parts of our state where there are what we refer to as 'thin markets' or small population, where the market is not going to incentivise private providers to come in and operate.

I do not say that as a criticism of private providers because you would not expect them to go to places like Pipalyatjara and set up a training operation. The truth of it is that, unless we have a strong public training provider like TAFE that is at the centre of our training system, we have to accept that in a state particularly like ours, where the second-biggest city outside the capital has a population of about 25,000 people, we have to operate in a lot of thin markets.

Having grown up in a small area like the member for King and the member for Adelaide, we all understand that, if those training providers go and local employers cannot get the skilled workforce they need to continue or grow, they close their doors, and the next minute the town starts to shrink and shrink. That is certainly something I saw in my home town of Portland, which has not had the same long-term prosperity, I think you could say, that towns like Mount Gambier in our state or Warrnambool—an hour away in Victoria—have had. We saw the Borthwick abattoir close, and every year there is debate and conjecture about whether or not the smelter will close.

Were it not for having training providers in those areas that can continue to produce a local workforce for those employers, you are basically dooming that town to either shrink considerably or disappear altogether. Therein lies the real importance of TAFE everywhere in Australia, but I think there is a case to be made that it is even more important in our state because we are essentially a state of thin markets. Aside from the challenges that poses, there are things that we love about our state around all the small regional areas: most of them beautiful and are fantastic to visit, with strong and vibrant communities, but they are smaller.

We are not set up like Victoria, which has a much smaller geographical area with very large regional hubs like Ballarat, Bendigo or even Warrnambool that can offer training to people from smaller regional towns scattered around that area who can easily travel there to get their training. That is not the case here. In many cases, and Mount Gambier is a good one, if you have to travel to Adelaide to get the training that you cannot get in Mount Gambier you are talking about a six-hour drive—a drive I have done many times, plus the hour on the end to get across to where I grew up. It is a long way. You cannot expect people to do it, particularly older people and younger people who might just have their licence.

So when we say that TAFE needs to be at the centre of our training system, that is what we mean. There is extra responsibility on top of the public training provider for our state that we would not expect of other training providers, whether they are private or whether they are not for profit. That is about leading the way in terms of course development, which we want TAFE to be doing. They should be set up and funded to be able to do that—that is very important—and also be out there operating in the thin markets and the regional areas, where we would not expect for-profit or not-for-profit providers to operate. There is a role for TAFE to do that, and it has to be funded accordingly.

I will perhaps just also touch on some of the other things that we have been doing in terms of rebuilding TAFE across what is almost now the first two years of this government. In the very first press conference or announcement that I was fortunate enough to make as the minister responsible for TAFE, I was joined by the Premier at the CBD TAFE campus in the member for Adelaide's electorate, where we announced that we were delivering on the election commitment we had made to reintroduce courses for early childhood education and care, individual support (ageing) and individual support (disability) to metropolitan TAFE campuses.

The former government had cut those courses. They were three of the most popular courses that TAFE had, and I would put to this place that they were also some of the areas where TAFE had the strongest reputation. We heard consistently from employers, whether it was long day-care centres, nursing homes, retirement villages or disability care providers, that they wanted to have TAFE producing those graduates because they had historically always sought their employees from TAFE because they found them to be of a very high quality. So, that was the first thing we did, bringing those courses back.

I can tell you that the response has been really impressive in terms of those course numbers being very strong but also in terms of the support we have had from some of those employers who called for the reinstatement of those courses, who have then partnered with us at the technical college at Findon and will partner with us at other places, too. I mentioned Helping Hand being one of the employers that was outspoken about having those individual support (ageing) courses back at metropolitan campuses. They have now partnered with us at Findon Technical College where they are guaranteeing employment for graduates, which I think is a very novel and unique model.

The member for Unley, of course, does not agree with me, and has used his contribution today to speak out not only about fee-free TAFE but also about technical colleges. I have to be

honest, nothing pleases me more than to hear the member for Unley put on *Hansard* and on the official record that those opposite do not support fee-free TAFE and do not support the technical colleges.

I can absolutely live with that on a day when we had the Deputy Prime Minister at Findon Technical College this morning, with the Premier, the Deputy Premier, myself and the local member, the member for Cheltenham, highlighting not only what we have done at Findon but the role that it will play in producing the defence workforce we need now that we have certainty about the frigate. When the former Minister for Skills in this state gets up and says that we do not need either of them and that they are a waste of money, that is okay—it will not age well, but we will hang onto those comments.

I am happy, as I indicated in my opening remarks, to accept the member for Unley's amendment to the first paragraph to include all training providers: profit, not-for-profit and TAFE. Although this was designed to be a motion moved by the member for King today which was about TAFE, I am happy to include that because, as I said from the first day in this job, unless we have all parts of the training sector pulling together—the public training provider, for-profit training providers and not-for-profit training providers—then we have no hope of meeting the workforce challenges that are ahead of us.

I want to support all those sectors as they are all important, but today was an opportunity to talk about the importance of our public training provider and the work this government has been doing to put them back at the centre of the system and to rebuild them after what had happened to them over the past four years.

Ms HOOD (Adelaide) (12:33): I, too, rise in support of the motion of the member for King. The TAFE education system is something that I am incredibly passionate about. Being a former education journalist, one of the absolute privileges of the role was getting to actually visit TAFEs, talk to TAFE students and cover the stories that mattered in the TAFE sector, particularly towards the end and start of the year, when I was able to talk to TAFE students who were receiving offers to go to TAFE, and just how incredibly important that was.

When you compare the pair, it is quite extraordinary what the Minister for Education laid out there, that our former skills minister when he was skills minister actually cut TAFE courses in child care, in ageing and in disability. We all know how critical those sectors are, the skill shortages that we see and how important it is to invest in training to have the workers that we need for those critical sectors.

We saw the former skills minister actually cut TAFE, privatisation by stealth. He tried to gut it on some kind of personal crusade against TAFE, and the minute we got in the very first thing that the Minister for Education did was bring back those courses. We went even a step further. We have actually gone on to provide fee-free TAFE for courses like cert III in early childhood and care and the diploma in nursing.

I want to speak on early childhood, because again this is why elections matter. When we were elected, we undertook a royal commission into early childhood and care, undertaken by the former Prime Minister, the Hon. Julia Gillard. Now we are seeing the investment in the sector, not just through fee-free TAFE to see the workers that we need to be able to deliver the universal rollout of three-year-old preschool, just as an example, but also by putting that extra investment into the sector in the form of scholarships, to invest in childcare workers to move them from workers to educators.

Seeing the comparison between cutting the course under the former Marshall Liberal government and actually bringing it back, bringing back fee-free TAFE and investing in childcare workers, I think the contrast between our two governments could not be more stark. On fee-free TAFE, we have actually seen enrolments in TAFE soar because of this policy initiative. There has been a 65 per cent rise in enrolments compared with two years ago.

I want to speak on where we have seen some of those rises in students in those cohorts, those priority student groups. We have had a 9 per cent increase in students who live with a disability, a 30 per cent increase in women in non-traditional fields, a 5 per cent increase in First Nations

students and a 13 per cent increase in veterans, veterans being able to access that fee-free TAFE to then go on to transition into different employment.

On another point, it is not lost on me as a School Card kid, the first of my family to go to uni, that having education that provides that additional support is important. It is a completely new world when you are the first in your family to move away from your country town to access education. Having that support is critical, and that is why having a public provider to provide these courses is so important, because outside of that formal teaching TAFE SA is providing learner support. They provide the spaces to learn and they have laptops that they provide on loan. That is a critical role of a public education provider.

TAFE and VET are playing a huge role in addressing our skill shortages. We have just seen the announcements over the last 24 to 48 hours and we have the defence minister in town touring right now one of our new technical colleges. We are placing investment in TAFE and VET to deliver the skills in those key critical strategic areas for our state, in particular around defence. TAFE is central to that. It is the heartbeat of delivering the skilled workers that we need to move the state forward. Whether it is defence, hydrogen, early childhood education, care—as I said, the aged care and disability care sectors—it is so critical.

I want to thank some constituents of mine who raised their concerns with me over the last few years, when the Marshall Liberal government was completely and utterly gutting TAFE. I thank them for their courage in speaking up and raising their concerns so that we were able to get to work to deliver a policy that was going to restore TAFE, invest in TAFE and bring it back to how critically important it is to our state's future prosperity. With those comments, I commend the member for King's motion.

Mrs PEARCE (King) (12:39): I will not take too much time at all. I just want to thank all the members on this side of the house for their valuable contributions and the member for Mount Gambier as well. I am more than a little disappointed to hear about some of the comments made by the member for Unley, particularly when it comes to fee-free TAFE and our technical colleges.

We are seeing an incredible amount of investment being made into our state, which is going to really develop the skills that we need for a workforce for generations to come. To be able to do that, we need courses like fee-free TAFE to be able to support that. We are already seeing that enrolments have been bolstered by 65 per cent, compared to what we were seeing just two years ago.

The technical colleges have been specifically developed in such a way that students are able to complete their SACE. We know that is important. They are able to acquire a trade, because that is important, and then they are going to be able to get a direct pathway into secure employment, which is absolutely critical in terms of meeting demand but also giving these students the absolute best chance to thrive and live fulfilling lives. With that, I end my remarks.

Amendment to amendment carried; amendment as amended carried; motion as amended carried.

OSBORNE NAVAL SHIPYARD

Mr PATTERSON (Morphett) (12:41): By leave, I move my motion in an amended form:

That this house—

- (a) notes that the former federal Liberal government chose BAE Systems as the lead contractor for the construction of nine Hunter class frigates for the Royal Australian Navy to be constructed at the Osborne shipyard;
- (b) notes that the former Liberal Government secured the full cycle docking program for the Collins class submarines at the Osborne shipyard;
- (c) notes that the former Liberal Government secured the life-of-type extension program for the Collins class submarines at the Osborne shipyard;
- (d) notes that the federal Labor government has cut the number of Hunter class frigates to be built at the Osborne shipyard from nine ships to six; and

- (e) condemns the Malinauskas Labor government for their failure to stand up for South Australian defence industry jobs by ensuring that the federal Labor government continued to build the full complement of nine Hunter class frigates at Osborne shipyard.

To confirm, the amended motion entails a small change to paragraph (a), replaces paragraph (d) and adds in a new paragraph (e), and I talk to that motion. The uncertainty for the South Australian defence industry continues, with confirmation yesterday that the Hunter class frigate program will be cut from nine ships to only six ships, which is another broken promise by federal Labor. In place of those three ships that have been cut, there is a commitment to build a replacement of the Hobart class air warfare destroyer, but of course no decision on that will be made until 2035—there is no description of what that ship might even be. So the South Australian shipbuilding industry has again been left in limbo.

Previously, they were in limbo in waiting 18 months for a series of reviews that were being conducted by the federal government. First, it was waiting for the Defence Strategic Review that was released in April last year. When that review was released it built on some of the former federal Liberal government's reviews. The 2020 review reinforced a number of things, and the DSR did so as well. It reinforced that South Australia was central to the government's largest capability project to acquire nuclear powered and conventionally run submarines to be built at Osborne under the \$368 billion AUKUS agreement.

The review also talked about minimum viable capability and offshore purchases by the military and the importance of continuous shipbuilding for the nation's sovereign capability. That is something that had been put out in previous government papers; it is not new. The importance of continuous naval shipbuilding was outlined in the Defence White Paper of 2016 and also the Naval Shipbuilding Plan of 2017.

Responding to this in December 2018, the former federal Liberal government signed the head contract with BAE Systems Maritime Australia to build nine Hunter class frigates for the Royal Australian Navy and for them to be constructed at the Osborne shipyard, which would then create continuous shipbuilding. This was put in place to overcome the valley of death that was created by the Rudd-Gillard-Rudd governments, which did not commission a single ship during its term in government.

These Hunter class frigates were to be optimised for anti-submarine warfare, to help protect our coasts and our shipping lanes, and were also designed to replace the ANZAC class frigates. The Hunter class frigates were to be based upon the UK's Type 26 Global Combat Ship, but modified to meet Australian requirements to protect our shores. This program was going to be a \$45 billion program and at its peak employ upwards of 5,000 workers.

To get things going, the former federal Liberal government approved an initial \$6 billion for the design activity to incorporate Australian requirements and to also conduct prototyping of the ships' blocks in a new shipyard that was also constructed at the Osborne shipyards in South Australia, and also to meet the long lead times that this project was going to have, to purchase long lead time items for the first three ships. There was budget already allocated toward the first three frigates being put in place as part of that.

Prototyping of the Hunter class began on 18 December 2020 at Osborne, and then that was followed by steel being cut by the first of class in December 2022. The ship is going to be constructed out of blocks—I think 29 or 30 blocks—that then are combined to create the entire ship. I have been fortunate to have had a tour of those shipyards, both as the Minister for Trade and Investment and now the shadow minister for defence industries, and to see how big that shipbuilding exercise is going to be and also how modern the shipyards are. The sheds there are massive. They allow for the construction of the blocks in an environment that is not subject to the elements, which makes a really big difference in terms of quality.

Looking at the shipyard, talking with the BAE staff, this is one of the most modern shipyards in the world. It is certainly much more modern than the equivalent shipyards in Glasgow. They do not have the legacy infrastructure that is hundreds of years old like a number of other shipbuilders throughout the world have. This is an important facet of the program.

As I said, on my tour I got to see the first block that had been constructed, and it gives you an idea of the size and also the construction techniques. This is to such a high standard that BAE are actually looking to have this as part of their first Hunter frigate. Seeing this scale, it is important to make the point that the Liberal Party provide bipartisan support for these shipbuilding undertakings here, because when it comes to South Australia's defence industries we support decisions that have been made in the national interest—the decisions on AUKUS, but also the Hunter frigates program. They are massive opportunities as well as sovereign capability.

As I said, the workers building these blocks were doing that during the lead-up to the Defence Strategic Review, which was released in April of last year. Out of that review, instead of confirming that, yes, the nine frigates will go ahead, instead there was more uncertainty, more delays, as a surface ship review was instead ordered, again creating massive uncertainty and delays. If you look at some of the comments from the defence industry over that period, there are comments from AIDN CEO, Brent Clark, saying companies cannot make any decisions, and defence cannot do any work until that is done. So it is causing massive uncertainty.

The federal Labor defence minister received this review back in September last year and has been sitting on it ever since. You have a defence industry wracked by uncertainty and chaos, and I just wonder what the future holds here. That has been going on for 18 months.

Knowing there was this uncertainty, and seeing the impact on the workers in South Australia, the opposition called on a public version of this surface fleet review to be released as soon as possible. That was before Christmas last year. At the same time, we also called on the Premier and the Minister for Defence Industries to go over to Canberra and persuade their federal Labor colleagues to back the nine ships being built here at Osborne. Unfortunately we saw no urgency, not from the Premier, and none from the Minister for Defence Industries. That was very concerning.

We saw no public declarations from the government urging their federal counterparts to make sure the Hunter class program was delivered as promised, delivering those nine ships. Instead, what we heard on radio was the Premier appearing to foreshadow a reduction in the scope of the Hunter class program, saying that if the federal government was serious about continuous shipbuilding the announcement of at least six frigates was required.

All of a sudden, two weeks later we had the Premier doing a mercy dash over to Canberra—just two weeks ago, before the announcement yesterday. You really have to wonder how influential a trip like that could have been in terms of the decision-making process that had been sitting on the minister's desk since December. It really was a case of too little too late, and could well have been much more of a PR exercise for the SA public than anything else.

Then we have the Premier's language after that all of a sudden changing, preparing South Australians for the bad news that there would be a cut to the number of frigates, really caving in to his federal colleagues and trying to defend them out in public.

Finally, yesterday we had the federal government release its response to that surface fleet review. What it showed was that WA had a significant win with the announcement that there would be eight frigates built at Henderson. For South Australia, it was confirmed there would be a cut to the number of frigates built at Osborne, down from nine ships to six ships. To offset this reduction there was a verbal commitment to build the replacement for the Hobart class air warfare destroyer, but with no decision happening until 2035. The type of ship is unknown; that will be decided by the Navy in the future.

The reality is that the announcement yesterday definitely amounted to a cut to the frigates program and a verbal commitment to build a replacement to the AWD, with the decision happening by 2035. That is 11 years away, and there is no budget attached to this promise.

The Premier has been out there trying to make a positive spin, saying that the six frigates have been locked in. However, as I said, the opposition has bipartisan support for the construction of these Hunter frigates and there is the money already spent there, the effort put in there, the time put in to the design of the Hunter class frigate, the massive sheds built there, the most modern shipyard in the nation.

As well, the federal government has a rolling integrated investment budget for defence that stretches for 10 years into the future—longer than the usual four-year budget cycle—and there was money in that that was to be drawn down for Hunter. So the Hunter class was going ahead. Yes, it is good to have confirmation of the construction of the first Hunter class frigates, but the real confusion and delay was a direct result of the lengthy review process.

Then we had the Premier on radio trying to say that the nine frigates were only a promise. On FIVEaa radio the Premier made the point that unless dollars are in the budget a commitment is not real. The idea that there was no money in the budget for the frigates is ridiculous; as I said, there was money in the budget for the Hunters both in the four-year federal budget cycle and also over the longer 10-year horizon that the defence budget operates over. However, by the Premier's own admission, any announcement regarding the Hobart class AWD replacement ship is not real money until it is in the budget.

In this case we have no nomination of the ship type yet by the Navy—it might not even be an AWD. By the time the decision is made it could be another optionally manned vessel. We certainly do not have a design or anything to put to tender, and there is no budget any more than 10 years away. We know in the lead-up to this the Australian Industry Defence Network CEO Brent Clark on radio has been talking about this. In previous comments he also said, 'When we talk about 20 years into the future, when we talk about 2043 for the end of the Hunter class build, there's no financial commitment, there simply isn't.'

By the Premier's own definition of what is real and what is not real, the promise to build the replacement for the Hobart class is not real until money is coming in. Out of this there is uncertainty, there are questions: what class of ship will it be; when will the construction of the first ship commence; how many workers will be required; what will be the percentage of Australian industry content; has that been locked in; and, will there be more or fewer workers required than for the Hunter frigate program? When nine frigates were being built, we knew how many workers there would be for the seventh, the eighth, the ninth ship build.

Again, referring back to some comments by AIDN CEO Brent Clark, he said publicly that six Hunter class frigates on their own would not meet the federal government's promise of a continuous naval shipbuilding program here in Adelaide. The Premier is relying on a verbal promise from federal Labor of continuous shipbuilding, when the reality is that the only announcement confirmed yesterday is a cut to shipbuilding in SA.

So, unfortunately for South Australians, fewer ships means fewer jobs and fewer skills. The opposition has long said that anything less than the nine promised frigates would be a failure from the Premier, and yesterday's announcement shows that he and his Labor colleagues have let down South Australians.

Mrs PEARCE (King) (12:56): I move to amend the motion as follows:

- (a) remove (a) and insert new (a) 'notes that the federal government has chosen BAE systems as the lead contractor for the construction of the Hunter class frigates and a replacement vessel for the Navy's Hobart class destroyers for the Royal Australian Navy to be constructed at the Osborne shipyard;'
- (b) remove (b) and insert new (b) 'notes that the former Liberal federal government considered moving the full cycle docking program for the Collins class submarines from the Osborne shipyard to Western Australia;'
- (c) remove (c) and insert new (c) 'notes the Labor federal government announcement that continuous shipbuilding will be funded at Osborne; and'
- (d) remove (d) and insert new (d) 'supports the Malinauskas Labor government in standing up for South Australian defence industry jobs and continuous shipbuilding at the Osborne shipyard.'

It is interesting to note some of the comments just made, in particular with some of the amendments pertaining to BAE, particularly considering that previously we heard from a teammate completely dissing on initiatives that are in partnership with BAE, initiatives that are there to bolster the workforce for these very important projects we are speaking about now.

I am so pleased that the long-term continuous naval shipbuilding in Adelaide has been secured for decades to come, with the federal government confirming it will proceed with the construction of Hunter class frigates and a replacement vessel for the Navy's Hobart class destroyers at Osborne. Hunter class frigates will be built continuously in Adelaide through to the early 2040s, and will be followed by the replacement for the Hobart class air warfare destroyers, which will also be built right here in Adelaide.

Deputy Prime Minister and Minister for Defence, the Hon. Richard Marles, MP, announced an \$11.1 billion increase in the nation's investment in sovereign naval capability over the next decade. This brings both acquisition and sustainable investment in the fleet of 26 major surface combatants to a total of \$54.2 billion over the next decade, raising our nation's defence spending to 2.4 per cent of the GDP by the early 2030s.

This is a transformative investment for the South Australian defence industry, importantly because it underpins the creation of 2,500 direct, well-paid and, if they should so choose, lifelong careers for South Australians. It is great news for jobs in our state and it is great for our state's economy.

As many of us are aware, the Osborne Naval Shipyard, which is currently undergoing a significant expansion of its submarine construction yard, representing an estimated \$2 billion infrastructure investment, will remain at the epicentre of the nation's shipbuilding endeavours. This gives the South Australian defence industry, including defence primes, workers and supply chain companies, the security that they have been demanding.

South Australia is well placed to provide the right setting and interventions to support the design and construction of major defence projects critical to our nation's security needs. These include helping industry to raise, train and sustain a suitably qualified and experienced workforce, and developing and sustaining the necessary industrial capability. The industrial base and skilled workforce firing up now to construct the Hunter class frigates is a key stepping stone to our state's future ability to deliver the SSN-AUKUS fleet of conventionally armed nuclear powered submarines, the most complex machines that have ever been built. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Environment Protection Authority—State of the Environment Report 2023

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

Voluntary Assisted Dying Act 2021—Palliative Care Spending in South Australia—
Annual Report 2022-23

Ministerial Statement

PROTON THERAPY IN SOUTH AUSTRALIA

The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:03): I seek leave to make a ministerial statement.

Leave granted.

The Hon. S.C. MULLIGHAN: In May 2017, the then Turnbull coalition government announced a \$68 million grant from the commonwealth to the South Australian Health and Medical Research Institute (SAHMRI) to procure Australia's first proton therapy unit and establish South Australia as the home of proton therapy treatment for the nation.

The grant funding was provided for the purchase and delivery of proton therapy equipment. SAHMRI sought to establish a new facility, known now as the Australian Bragg Centre, or previously referred to as SAHMRI 2, in the North Terrace health and biomedical precinct adjacent to the existing SAHMRI building, to house the new proton therapy system.

Further to the commonwealth contribution, the state government contributed \$10.6 million in a grant together with state land to the side of the former train control centre for the Australian Bragg Centre to be constructed. SAHMRI partnered with commercial property developer Commercial & General to deliver the project. Due to its nature, this proton therapy equipment is bespoke, large in scale and has specific building design specifications and requirements.

Commercial & General's role included being the developer of the Australian Bragg Centre building, including the building design tailored to house the proton therapy unit, and for eight levels of space for the commercial tenancies to underwrite the cost of building the facility. Commercial & General also advised SAHMRI on a procurement strategy and was included in SAHMRI's selection of ProTom International to deliver its Radiance 330 proton therapy system to be located within the building.

The project's success was contingent on both the successful installation and commissioning of the proton therapy unit, as well as the successful completion of the building and it being leased on a commercial basis. Following the March 2018 state election, SAHMRI entered into a formal sale and purchase agreement with ProTom International. The proton therapy system, supported by ProTom International, operates at one other site globally, within the Massachusetts General Hospital, Boston, in the United States.

In late 2018, Commercial & General approached the former Liberal state government advising it was facing challenges in leasing the building tenancies on a commercial basis. In April 2019, it proposed to the then government a lease for the commercial space to government tenants. After the outbreak of COVID-19, Commercial & General's request of the former Liberal government expanded significantly. In addition to the government taking commercial tenancies, Commercial & General also requested various commitments to support the project securing finance. This proposed the exposure of the state to building costs, time lines and interest rate movements.

I am informed that in April 2020, the former Treasurer, Rob Lucas, agreed to provide several forms of security to Commercial & General to support its private interests in the Australian Bragg Centre. The support agreed by the former Liberal government provided Commercial & General construction and financing cost risk sharing, commitments to office accommodation leases for five floors, and step-in obligations to complete the proton therapy unit should the Australian Bragg Centre for Proton Therapy and Research (ABCPTR) be unable to complete the project. I am informed by Treasury this decision in 2020 by the former Liberal government exposed the state to a liability of many, many millions of dollars for these obligations.

Over the last three years, ProTom International has advised SAHMRI that its progress has been delayed due to COVID-19 and also the war in Ukraine. In the past 14 months, SAHMRI has agreed to amend project milestones and advance payments to support ProTom International deliver the proton therapy unit. This has been approved by me on two occasions during my time as Treasurer and only for agreed milestones and payments with the existing contracted amount.

While the construction of the Australian Bragg Centre building achieved practical completion in September 2023, SAHMRI has been increasingly concerned with the progress of ProTom International to deliver the proton therapy system. ProTom International has now requested additional time and a significant increase in funding to deliver upon its contracted agreements with SAHMRI.

To that extent, in late January this year, representatives from SAHMRI, ABCPTR, the Department for Health and Wellbeing and the Department of Treasury and Finance travelled to Boston to meet with ProTom International and some of its suppliers. This was to meet with them in person and understand firsthand the progress being made.

Following the visit by officials and the request by ProTom International, there is now significant concern over the capacity of ProTom International to deliver Australia's first proton therapy

unit. The Minister for Health and I have met with the commonwealth Minister for Health and Aged Care to discuss these concerns. We have now jointly written to SAHMRI that no further funding from the state or commonwealth government will be provided for this project while the concerns with ProTom International remain unresolved.

While the contracted arrangements between SAHMRI, ProTom International and its subcontractors are commercially sensitive, I can advise the house that SAHMRI has provided less than two-thirds of the contracted amount to ProTom International and its subcontractors at this stage. While all project partners, including the state and commonwealth governments, continue to work towards the successful delivery of this project, I must be clear that the project is now at significant risk. I will keep the house informed of developments on the project.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr FULBROOK (Playford) (14:09): I bring up the 38th report of the Legislative Review Committee, entitled Subordinate Legislation and move that it be received.

Report received.

Question Time

HUNTER CLASS FRIGATE PROGRAM

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:10): My question is to the Premier. Does the Premier stand by his comment on radio this morning that the continuous shipbuilding program at Osborne is, and I quote, 'fully funded'? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: On Mix 102.3 radio this morning, the Premier said, 'It's ships to be built forever more here at Osborne—for the first time in our nation's history, actually having a program that is fully funded.'

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:10): I thank the Leader of the Opposition for his question. I think the whole state, particularly the workforce and industry alike, breathes a sigh of relief that we now have a federal budget that has the funds to build the Hunter class program here at Osborne. Yesterday, we saw an announcement from the federal government of an in excess of \$50 billion funding program for shipbuilding in our nation, including \$11 billion of new money being allocated to the budget as well.

What is important here for the opposition to appreciate is that you don't necessarily have to listen to my words. The people in industry, the people who are set to be the major beneficiaries of this work: what are they saying? Are they disappointed with the news, or are they positive? What did Jim Whalley say about yesterday's announcement? I quote:

I think it's great news for Nova Systems, it's great news for Australia and great news for the Australian Defence Force.

What did Andy Keough, CEO of Saab Australia, say?

Really exciting day for us. You're really starting to look into the future, particularly the announcement. It's giving certainty, I think, for a long time.

Raytheon Australia managing director, Michael Ward, said:

This offers significant opportunities for Australian industry in both construction and support.

What did Libby Day, CEO of the Defence Teaming Centre here in South Australia, say? She said:

The release of the Surface Combatant Fleet Review provides a critical foundation for South Australia's defence industry to build upon.

Ben Hudson, chief executive officer of BAE Systems, responsible for the Hunter class program—presumably they more than anyone would be disappointed, if they took the same view as our state's Leader of the Opposition—said:

Today's announcement provides decades worth of work at Osborne in South Australia...
It goes on and on and on—news of positivity, news of excitement—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —news of certainty—not coming from politicians, but coming from people actually responsible—

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

The SPEAKER: Member for Morialta!

The Hon. P.B. MALINAUSKAS: —for delivering the industry to employing the workforce on the back of yesterday's announcement. So, yes, it is true that the announcement yesterday of a lot more money to actually fund this program going into our budget has been widely appreciated—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —widely accepted and widely supported, except from one relatively exclusive group of people.

The Hon. J.A.W. Gardner: So is continuous shipbuilding fully funded?

The SPEAKER: Order, member for Morialta!

The Hon. P.B. MALINAUSKAS: Who are the naysayers? The naysayers, of course, rest on the other side of the chamber.

Members interjecting:

The SPEAKER: Order! There is a point of order from the member for Morialta under 134.

The Hon. J.A.W. GARDNER: When the Premier starts pointing at people, he is clearly debating: standing order 98.

The SPEAKER: I am not certain necessarily that that follows. Gestures in the course of debate, provided they fall within the standing orders, are in fact permissible. I will listen carefully.

The Hon. P.B. MALINAUSKAS: There is plenty of room on this side of the house for people to get on board and we are not too fussed if they are people getting on board from the other side of the political divide. In fact, there is one recent newcomer I will also quote, a gentleman by the name of Christopher Pyne. What did he say about yesterday's announcement? He said, 'It sends a really important message—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —to us in South Australia. It lifts the morale of the defence industry in the state and also continues to confirm us as the centre of tier 1 shipbuilding.' Everyone is on board, Christopher Pyne is on board, it is now time for the Leader of the Opposition to get on board.

Members interjecting:

The SPEAKER: Order!

DEFENCE NAVAL SHIPBUILDING

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:15): My question is to the Premier. Has the Premier received any assurances from the federal government that they have allocated funding towards the construction of the replacement for the Hobart class air warfare destroyers? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: During a FIVEaa interview with David Penberthy and Will Goodings yesterday, Mr Goodings said:

So by your definition of what's real and what's not real then, this promise to build the replacement for the Hobart class isn't real; there's no money coming in?

The Premier responded:

What I'm saying it's no different to the commitments we have seen in the past until we start seeing the dollars on the table.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:16): That's right. The Leader of the Opposition is right to the extent that I think he is pointing out that dollars in the budget matters materially. What we saw yesterday is an announcement from the federal government to put the dollars into the budget to build the warships. I was at pains to make this point yesterday.

The opposition seem to be all over the place. They seem to suggest that dollars in the budget don't matter. Now they are demanding that it does.

Members interjecting:

The SPEAKER: Order! Member for Florey! Member for Morphet!

The Hon. P.B. MALINAUSKAS: They keep referring back to the press releases.

Members interjecting:

The SPEAKER: Member for Morialta!

The Hon. P.B. MALINAUSKAS: They keep referring it back to press releases without dollars. Now, yesterday—

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

The Hon. P.B. MALINAUSKAS: Nor can you. Yesterday, in the federal government's commitment what we actually saw was a dramatic increase to the extent that it isn't just billions of dollars extra in the commonwealth budget regarding surface shipbuilding but it is also actually so material, the size of the investment, that we start to see the percentage spend, in terms of the size of the defence budget relative to GDP, going up quite substantially, approaching 2.3 per cent to 2.4 per cent, which is a very different trajectory from the one that was left for us from the former federal government, which was stuck at 2.1 per cent.

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

The SPEAKER: Member for Morialta!

The Hon. P.B. MALINAUSKAS: It is 2.1 per cent going up to 2.4 per cent. The leader of opposition business interjects referring to former governments. I think that there has been failure on both sides of politics at a federal level when it comes to continuous shipbuilding. I think there has been a former federal Labor government that didn't act as aggressively as they should have. No different—

Members interjecting:

The Hon. P.B. MALINAUSKAS: —and they were in for six years, that's right, and no different to the 10 years that followed.

Members interjecting:

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

The Hon. P.B. MALINAUSKAS: We know that for instance—

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

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

The Hon. P.B. MALINAUSKAS: —as has been reported recently that we currently have a situation where the Navy has one of the oldest fleets that we have ever seen in their history.

Mr Patterson interjecting:

The SPEAKER: Member for Morphett!

The Hon. P.B. MALINAUSKAS: If you look at where the decline started for our Navy's infrastructure, it goes right back. The last time we had a serious commitment, a serious funding commitment for surface shipbuilding in Australia, was back in the Howard government, following the Rann government's advocacy to get the AWDs built down at Techport.

So we had a Techport investment from the Rann government, the pursuit of the AWDs, that being awarded by the Howard government and ever since then we have seen failure upon failure of federal governments to actually commit the funds to build the surface ships that the Navy requires, which is why the Navy has been going backwards in terms of the size and also the age of its fleet. That now comes to an end—that now comes to an end. Now the dollars, over \$50 billion, is being allocated to the surface ship program—\$11 billion of new money—and we start to see the drumbeat of work at Osborne.

Again, I welcome the opposition's opposition. I welcome the shadow minister over there, grinning about whatever his latest thing is—

Members interjecting:

The SPEAKER: Order!

The Hon. P.B. MALINAUSKAS: —because the proof of the pudding is in the eating, isn't it, Mr Speaker? Down at Osborne, hundreds, thousands of workers are happy the workforce is doubling on the back of this announcement and this advancement, with ships to be built right here in Osborne, which is why industry is backing in the announcement, and we look forward to what progresses down at Osborne over the years ahead.

The SPEAKER: Before I call the member for Morphett, I observe that the member for Morialta is on three warnings, the member for Florey on one and the member for Morphett on one.

DEFENCE NAVAL SHIPBUILDING

Mr PATTERSON (Morphett) (14:20): My question is to the Premier. Has the Premier sought assurance from the federal Minister for Defence that there will be a minimum percentage of Australian industry content in relation to the construction of the Hunter class frigates and, if so, what is the percentage of the Australian industry content?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:20): In terms of industry content, nothing is more important than building the tier 1 surface ships here at Osborne. What we see now is an extraordinary amount of work not just from BAE but industry writ large to be able to supply into that Hunter class program as it builds up, which is presumably why there is unbridled joy coming from the likes of Andy Keough, Jim Whalley, Christopher Pyne, Michael Ward—

Members interjecting:

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

The Hon. P.B. MALINAUSKAS: —Libby Day from DTC and Ben Hudson from BAE. We are very grateful to the commonwealth for the work that they have undertaken to deliver us to this point—

Members interjecting:

The SPEAKER: Member for Morphett!

The Hon. P.B. MALINAUSKAS: —and that's why there is so much work coming our state's way.

Members interjecting:

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

DEFENCE NAVAL SHIPBUILDING

Ms HOOD (Adelaide) (14:21): My question is to the Premier. Is the Premier aware of any response from industry in relation to yesterday's announcement regarding the future of shipbuilding in South Australia?

Members interjecting:

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

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:22): When we think about industry's position in respect of yesterday's announcement, I mentioned the quotes coming from some of the biggest players themselves, but there was also a sense of relief, because there were some getting rather excited, indeed asking lots of questions in this place, about the prospect of the tier 1 surface ships being built in Glasgow. I invite members present today to cast their minds back—

Members interjecting:

The SPEAKER: Order! Member for Morphett!

The Hon. P.B. MALINAUSKAS: —to only last year, more specifically on 2 November last year, when we had members opposite very excited about the prospect of the tier 1 surface ships and the frigates being built in the Govan shipyard in Glasgow. In fact, the Leader of the Opposition was very keen to ask me questions about the prospects of the work being done in Glasgow. I am very, very pleased to report that no tier 1 surface ships of the Royal Australian Navy are being built in Glasgow. They are being built right here in Osborne. Now the response of industry shifts from—

Members interjecting:

The SPEAKER: Member for Florey!

The Hon. P.B. MALINAUSKAS: —being distracted by those who are seeking to propel and fuel those rumours. They move away from that to actually how we deliver the workforce here in South Australia. As has been repeatedly commented on, the question isn't about where is the work coming from. The question is how we are going to get all the work done, because of the size and the scale and the complexity of the work that needs to be performed.

This morning, the Deputy Premier, the member for Cheltenham in his capacity as the local MP and also the minister for education and skills and I were down at Findon Technical College with BAE Systems, with the Minister for Defence, with the Minister for Defence Industry and with the member for Hindmarsh, seeing firsthand the training and the upskilling that is underway, literally as we speak, from young men and women who are undertaking the acquisition of the skills that are required while also doing their SACE certificate to be able to walk into a guaranteed job with BAE at the end.

We were able to see firsthand the welding bays that have been designed by BAE themselves that actually replicate the precise welding bays on site at Osborne in the shipyard. It means that they will be able to walk out of Findon Technical College with their SACE certificate, with a VET credential and straight into a job at BAE.

That is a story we will continue to tell, that is a story that the opposition is welcome to tell, because we need as many parents and young people across the state hearing about it. The only way that these industry heads get the workforce they need is if this is a government that invests in that education: a publicly, fully-funded TAFE, a TAFE that is turned around, delivering the excellence that we require, the excellence these employers require, working hand-in-hand with our high school system here in South Australia, as well as our university sector which already has over 1,100 additional university places on the back of the naval shipbuilding program—a serious workforce development strategy for a serious workforce to come.

MARK RAY HAYDON

Mr TEAGUE (Heysen) (14:26): My question is to the Premier. Is the Premier satisfied that the government has taken all appropriate and timely action to protect the community? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TEAGUE: It is reported today that Mark Ray Haydon was paroled, and prior to the expiry in May of his 25-year sentence. On 29 January, the Premier told ABC radio that '[the government needed] to think through our legal options very carefully and we are exploring each and every one of them and as that evolves we'll respond accordingly.' On 20 February, the Premier said that the Attorney-General has issued instructions to pursue an extended supervision order against Mark Haydon. On 30 January, however, Parole Board Chair, Frances Nelson KC, told ABC radio that the Parole Board had been monitoring Mark Haydon's progress behind bars for many years.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:26): Yes, well that all sounds right. Thank you to the shadow attorney-general for what I think is a rather accurate and succinct repetition of my remarks and the government's actions. And, yes, I think the shadow attorney-general is right to point out the fact that the Parole Board has been assessing Mr Haydon for some time. I also note, though, that the Parole Board has had to contemplate multiple requests or applications for parole from Haydon.

There was an initial application back in March 2017, which was denied by the Parole Board on 31 August. Mark Haydon subsequently reapplied for parole in May 2021 and then, of course, more recently we have had the Parole Board make a deliberation around which I understand news has just been announced.

The Parole Board's deliberations, of course, are for the Parole Board to make. That's why we have an independent Parole Board in South Australia. The deliberations that the government makes is whether or not the legislative regime that applies to the high-risk offender regime, the community supervision order regime—does the legislation that underpins that best represent the interests of community safety? We see there being room for improvement, hence the legislation that the parliament is contemplating. We appreciate and acknowledge the bipartisan way in which that legislation was contemplated.

I understand in terms of the Parole Board's deliberations that the government now has, and when I say the government, the Crown or the state has the opportunity to potentially appeal that decision. That will be considered and naturally the government and appropriate agencies will take advice in that regard, but that doesn't diminish our desire to pass the legislation that we have committed to that could have the potential of contemplating not just the matter which has been raised by the shadow attorney-general but other similar cases into the future.

MARK RAY HAYDON

Mr TEAGUE (Heysen) (14:29): Supplementary: in light of the answer, has the government already given any consideration to the action available to it in response to the Parole Board's decision today?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:29): I thank the shadow attorney-general for his question. The government is in receipt of advice that there is a 60-day window for us to contemplate the potential appeal. We will take our time to get the appropriate advice, naturally. The Parole Board has only announced its decision in the last couple of hours, so we will take that advice in a timely way and assess it on its merits.

I do note, however, that the Parole Board has also put a number of conditions in terms of the parole. Those conditions will have some effect in their own right should they come into effect in the event that parole is realised, but the government, as I said, always contemplates these matters in accordance with legal advice and we will be doing everything that we have available to us as a state government to make sure that community safety is the paramount consideration, and that is something that we would expect of the legislature more broadly.

PSYCHOSOCIAL SERVICES

Ms PRATT (Frome) (14:30): My question is to the Minister for Health and Wellbeing. What action is the government taking to deliver new resources for psychosocial services? With your leave, sir, and that of the house, I will explain.

Leave granted.

Ms PRATT: In the NDIS review handed down by federal Minister Shorten in December 2023, the panel published that:

The NDIS does not operate effectively with the broader mental health system and there are major gaps in psychosocial supports outside the NDIS.

Action 1.11 states:

National Cabinet should agree to jointly invest in psychosocial supports outside the NDIS to assist people with severe and persistent mental illness currently unable to access supports.

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:31): I thank the member for Frome for her question. We absolutely agree that providing appropriate mental health support, including psychosocial support, across the community is absolutely important. That's why we have already taken action as a government to increase the funding for psychosocial services in South Australia. That comes after that funding and those programs were cut by the previous Marshall Liberal government. Over their time in office, we saw the funding going into those programs cut by 19 per cent. The funding was cut by 19 per cent for psychosocial services between 2018-19 and 2020-23.

Members interjecting:

The SPEAKER: Order! The exchange across the chamber will cease. Minister.

The Hon. C.J. PICTON: Thank you, sir. We saw that 19 per cent cut. The member for Morialta asks what has happened since the election.

Mrs Hurn interjecting:

The SPEAKER: The member for Schubert is warned.

The Hon. C.J. PICTON: The good news is that in just our first year we saw that increase by over 11 per cent, going into those programs. In fact, the Treasurer has put in the Mid-Year Budget Review additional funding as well. In addition to that, we are also going through a process of recontracting those services, the combination of which will see more people being able to be supported in the community.

In addition to that the Premier, through national cabinet, also working of course with the Minister for Human Services through the disability ministers council, is working through a process of additional foundational supports for people outside the NDIS, of which psychosocial services is one element.

This is a government that recognises the need in terms of mental health, has already taken action in terms of improving the funding that was cut by the previous Liberal government, and is also working on the national level in terms of unmet needs for disabilities, including psychosocial services, across the nation.

PSYCHIATRISTS

Ms PRATT (Frome) (14:33): My question is to the Minister for Health and Wellbeing. What steps will the minister take to retain psychiatrists in SA? With your leave, sir, and that of the house, I will explain.

Leave granted.

Ms PRATT: It has been reported by the Royal Australian and New Zealand College of Psychiatrists that 40 per cent of psychiatrists in SA are preparing to leave the profession within the next five years.

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:34): I also appreciate this question, which is another area where we are taking action. We recognised the need. There was no action being taken, and one of our election commitments was to partner with the Royal Australian and New Zealand College of Psychiatrists to undertake a planning study in how we can better plan the workforce pipeline for psychiatrists into the future. We know that we do, on a per capita basis, have a good number of psychiatrists in South Australia compared with other states, but unfortunately, though, that means that there are still many people who find difficulty in getting access

to a psychiatrist in both the public and the private sector. Particularly, in the private sector it can be very difficult for people to gain access to a psychiatrist.

There is more action that needs to happen. We are doing that planning work with the royal college at the moment. We are improving the training pathways for people to get into psychiatry. One of the areas that has been identified in our work with the college is we have a bottleneck in terms of the training for psychiatry, because people who go into that course and do that training pathway through the college have to undertake work and training within child psychiatry, and we haven't had enough child psychiatrists to train more psychiatrists coming through that pathway. That is another reason why we are investing in additional child psychiatrists through CAMHS services, through the Women's and Children's Health Network—

Ms Pratt interjecting:

The SPEAKER: Order, member for Frome!

The Hon. C.J. PICTON: That was an election commitment we made: those two elements in conjunction to help improve the pipeline of additional psychiatrists coming through to the system to make sure that we can provide the additional support that people need.

PERIODS AND SPORT

S.E. ANDREWS (Gibson) (14:35): My question is to the Minister for Recreation, Sport and Racing. How is the government reducing the stigma of periods across sporting domains?

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) (14:36): Thank you to the member for her question. I acknowledge her passion to advance inclusion throughout sporting clubs in her community. We know that removing stigma surrounding periods and menstruation in sport—and, indeed, everywhere—is crucial for fostering inclusivity and encouraging more women to participate in sport at all levels.

Research shows that 78 per cent of girls and women said they have avoided sport when they have their period. Whilst it is important to note that this sometimes happens because of the experience of physical discomfort, for many the disengagement stems from feelings of shame, embarrassment and fear around their period. That is why our government is proud to invest almost \$450,000 through the Active State Collaboration Program over two years for the establishment and delivery of the 'Game-changing. Period.' campaign run by Active Inclusion with support from state sporting organisations Volleyball SA, Netball SA, Football SA and the Pelvic Pain Foundation.

This project includes the development of training modules, club resources and policy templates to support a statewide menstruation in sport education campaign. These resources will assist in the delivery of training to a minimum of 3,000 sports participants, and is strengthened through a social media campaign aimed at changing attitudes about menstruation and raising awareness of, and access to, program resources.

When menstruation is treated as a taboo topic, this often leads to embarrassment, discomfort and even discrimination for female athletes, which can hinder their involvement and performance in sport. By changing the narrative around periods, normalising discussion about them, and removing stigma through encouraging open, supportive and informed conversation, this program will make a difference in the lives of women, in the culture of clubs across our state, and in the physical wellbeing of our community as a whole, as more people are empowered, encouraged and welcomed to participate, no matter where they are at in their menstrual cycle.

Through this program we have an opportunity to make things better, to ensure everybody knows that menstruation doesn't have to be a barrier to participation. The campaign powerfully includes testimonials from some of South Australia's elite athletes, opening up about their personal stories of managing their periods to stay at the top of their game, including Thunderbird Tayla Williams and AFL umpire Eleni Tee. Lending their voices to this campaign, these athletes are growing community awareness and starting conversations across codes.

Through the delivery of training to support and educate clubs, athletes and coaches in addressing the barriers that currently exist, we have the potential to make sport more accessible, inclusive and, indeed, champions of women.

This project has the potential to have a profound impact on participation levels and on the health and wellbeing of women who are menstruating and for people who will never menstruate but who can absolutely play a positive, constructive role in shifting attitudes with and for South Australian sport. It is so important that the whole community is involved in period conversations, not just those who experience them. This campaign calls on everybody to lead by example through using language that enables open discussion.

I encourage all members in this place to speak with their local sporting clubs to get involved in this campaign and enable our sporting communities to be game changing. Period.

ADELAIDE BEACH MANAGEMENT REVIEW

Mr COWDREY (Colton) (14:40): My question is to the Premier. When will the outcome of the Adelaide Beach Management Review be made public? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr COWDREY: The Adelaide Beach Management Review, commissioned after this government cancelled the construction contract for a sand recycling pipeline, has run for nearly two years. The review time line states that review was to be completed in November last year, meanwhile clay seabed and rocks have again been exposed at West Beach this week.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:40): I will seek a report from the Hon. Kyam Maher in another place, who has carriage of this for the government, and get back to the member as quickly as possible and offer him a briefing as well if he would like.

TRURO BYPASS

Mr BROWN (Florey) (14:41): My question is the Minister for Infrastructure and Transport. Can the minister update the house on the proposed Truro bypass and any recent commentary?

Members interjecting:

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:41): Yes, it is a freight route. The government was disappointed when the federal government withdrew its funding for the Truro bypass, which I and others have spoken about, but truth be told the Truro bypass was one example of a project promised by the previous government which was under scope and underfunded. There was no denying that. Even those opposite agree.

The former government funded a single-lane carriageway with some overtaking lanes, then practically the day after the federal election and state election, federal and state Liberal MPs called on it to be a dual-lane carriageway—that having not occurred to them while they were actually in office.

I called on one of the most senior Liberals in Canberra, Mr Tony Pasin—one of the most senior Liberals in cabinet. Just ask him. He will tell you how senior he is. I said to him that the 80/20 funding model was in place by the previous Morrison government and was honoured by the Malinauskas government and I called on him to make it a commitment of a Dutton opposition to make it a policy position at the next election, and he refused to reinstate that funding. He refused.

I don't see much action from those opposite and I don't see any commitments. I see a lot of TikToks and videos. My young friend took to social media with some flair. He looked like a man in a hurry to me. He said, 'What we saw was the Truro freight route cut from South Australia. That means that the Greater Adelaide Freight Bypass will also not occur. That means more trucks on Portrush Road.' Oh dear! I wonder if the writs filter act applies for the purposes of a by-election because it could be quite embarrassing for my young friend, who I am a big supporter of.

Unfortunately, he didn't tell the public that the cutting of the Truro bypass does not mean more trucks on Portrush Road, and he says that cutting the Truro bypass means the cutting of the Greater Adelaide Freight Bypass. Oh dear! That is not true. The Morrison-Marshall governments, part of the Greater Adelaide Freight Bypass, of course, included the Eyre, Augusta, Port Wakefield, Sturt and Dukes highways. It also included, of course, the Greater Adelaide freight corridor bypass to form links between Port Wakefield Highway and the Dukes Highway via Sturt Highway and Murray Bridge, and of course part of that also was the Truro freight bypass.

But to say that the Truro freight bypass is the entirety of the Greater Adelaide Freight Bypass program is not true. The business case works towards the realisation of the higher productivity vehicle network including the Greater Adelaide Freight Bypass and was unaffected by the federal government's cuts, something I think my young friend didn't realise when he was saying it in his urge to promote his candidate. What we need are less TikTok videos—

An honourable member: Fewer.

The Hon. A. KOUTSANTONIS: Fewer TikTok videos—less makeup, less prep, a bit more homework and a bit more policy work and he is almost there; he is almost a real boy.

The SPEAKER: How did we forget GlobeLink? The member for MacKillop.

REGIONAL NURSING STUDENTS

Mr McBRIDE (MacKillop) (14:45): My question is to the Minister for Health. Will country-based nursing and allied health students who are required to travel to the city to complete compulsory placements receive any nursing reimbursement funding? With your leave, Mr Speaker, and the leave of the house, I will explain.

Leave granted.

Mr McBRIDE: As part of their training, allied health and nursing students are required to complete both rural and city placements of between four and eight weeks. They are not paid for these placements and their accommodation costs are also not covered.

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:45): I thank the member for MacKillop for his question and also his strong advocacy on behalf of members of his electorate, particularly in the health area. This is an important issue and I also acknowledge it is one that has been raised not only by the member but also by the member for Mount Gambier, and also by the member for Giles on this side of the house in terms of how we can make sure that we have a pathway for regional students in nursing to be able to not face significant hurdles in undertaking their placements.

There are significant placements that are set by the national Nursing and Midwifery Board in relation to placement: some 1,000 hours or about 25 weeks that nurses and midwives have to undertake in relation to their placements, and that is a significant amount of placement. We do offer a number of different scholarships that can help nurses through that process. There is a Rural Health Undergraduate Scholarship of up to \$5,000 a year, the Regional Local Health Network Scholarship, which is up to the value of \$4,500, and the Professor Margaret Tobin Mental Health Scholarship, which is up to the value of \$4,500. Those obviously help a number of people but we recognise that there is much more work that needs to happen here. It is something that we have discussed in the house before.

The good news is that we are making some progress, particularly in how we can help people from regional areas undertake placements closer to where they live. I think it is going to make a big difference for a lot of those people, particularly where we have people undertaking study in the South-East already. If we could help more of those people get their placements in the South-East, that would make a significant difference.

We are about to start and I can announce a new pilot program. This is something that has been worked on between SA Health and the office of nursing and midwifery, and also between UniSA, the Northern Adelaide Local Health Network, the Yorke and Northern Local Health Network and the Barossa Hills Fleurieu Local Health Network. I acknowledge it is not particularly in your area,

but I am hoping that this will be a program that we can then expand to other regional areas across the state.

This program is going to provide up to 300 nurses the opportunity to get those placements within their locality. I am sure this will be particularly helpful for the member for Stuart, the member for Frome, the member for Schubert and other members and, of course, for many members in the northern suburbs as well, if we can make sure that we can get those placements closer to where people live in their local health network region rather than saying, 'You've got to go down to Flinders Medical Centre to do your placement.'

That is going to be significantly less of a burden for them. I think it will help to increase the number of people who complete their training, and ultimately we want to see more of those nurses complete that training to work in our regional hospitals, aged-care facilities, primary care and other places where we need nurses in regional South Australia. I understand we are about to brief the member and other members on this work and I am hopeful that that will pay some significant dividends.

As well as that, we are also working with the federal government who obviously have a significant role to play here when it comes to tertiary education. Between me and my colleague, the Minister for Education, we are raising this issue at the national level as well because we are hopeful that the federal government will see a role to play here in helping regional students undertake those important placements and providing them with support when they do come to the city as well.

SOUTHERN FLEURIEU HEALTH SERVICE

Mr BASHAM (Finniss) (14:49): My question is to the Minister for Health and Wellbeing. What action is the minister taking to ensure the Southern Fleurieu Health Service will be able to meet the demand for health services in my community? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BASHAM: The Southern Fleurieu Health Service currently has 32 hospital beds, including five maternity beds. With the closure of the Victor Harbor Private Hospital on 19 April this year, the community will lose 18 additional private beds.

The Hon. C.J. PICTON (Kaurana—Minister for Health and Wellbeing) (14:50): I thank the member for his question. I think, as the member does know, though, those private beds are located within the public south coast hospital, so this isn't like a private hospital located on its own site at its own facility. That private hospital organisation has made the decision to close but that does obviously present an opportunity then for the public system to retake that space within the south coast hospital to utilise for providing services for both public and also private patients who seek to do so.

There has already been an announcement by the Barossa Hills Fleurieu Local Health Network that we will be taking over that area that was the private ward within the south coast hospital, and that gives us some great opportunities in terms of providing more services for people on the south coast.

The other good news is that the much talked about but didn't actually happen expansion of the emergency department on the south coast is about to happen and that's going to provide significant additional emergency capacity for that growing region as well.

In addition, of course, we are building a new ambulance station at Victor Harbor, with additional paramedics going into Victor Harbor and Goolwa as well. I know that that's not a new ambulance station that's supported by the member for Finniss, but we believe that that is a fantastic new ambulance station and will deliver great benefit for people in the Victor Harbor region.

PHARMACY HEALTHCARE SERVICES

Ms STINSON (Badcoe) (14:51): My question is to the Minister for Health and Wellbeing. Can the minister update the house on what action the government is taking to expand healthcare services delivered by pharmacies?

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:51): This is a really exciting development with an expansion of the availability of services that people will be able to get through their local community pharmacy. I want to particularly pay tribute to the member for Badcoe. We wanted to get this question in while she was still with us.

Members interjecting:

The Hon. C.J. PICTON: No, she is going to take a little break. She might well be in need of some baby Panadol, etc., in the future. The good news is that she is going to be able to get access to more services through her local community pharmacy in the future. The member for Badcoe really led the issue in terms of being able to access additional women's health services through pharmacies.

We clearly had the issue where many women in South Australia who had UTIs were not able to get access to timely GP services across the state and had no option but to go to emergency departments or suffer significant pain in doing so. We heard from many pharmacies that said the number of people who rang them up asking for antibiotics in those situations was significant.

Thanks to the member for Badcoe in leading her committee, as well as the member for Gibson, the member for Waite and also the member for Frome and the member for Unley, they have recommended to this house that we undertake reforms to allow pharmacies to prescribe for UTIs. Within the next two weeks, that reform will be starting here in South Australia.

That is going to be an excellent reform for women in South Australia to be able to get access to those antibiotics in a timely way, in a safe way, through their community pharmacy. In addition to that, within the two months after that, we will be allowing access for people to get represcribed their oral contraceptive pill as well through their community pharmacy.

I want to thank the member for Badcoe for her advocacy on this issue as well. It's not without controversy, of course, but we think that it's the right move, it's a safe move and it is going to provide much better access to health care for women right across this state.

In addition to that, we are providing additional services for people through their pharmacies in lots of other ways including, in the past few weeks, the opening of the state's first 24/7 community pharmacy. National Pharmacies at Norwood is now operating 24/7 right through the year and we have seen significant demand at that pharmacy in just the first few weeks since it opened. In fact, in its first two weeks of operation, we have seen over 750 people go to that pharmacy in the hours that it otherwise would have been closed through the night. That's over 50 people per day getting access to help, prescriptions and assistance through that pharmacy, who otherwise would have to wait with difficulty or would have had to go to an emergency department.

The good news is that we are about to see two additional pharmacies open as well. I know it is particularly exciting to the member for Elder that the Clovelly Park Chemist Warehouse will soon be opening, and also to the member for King that the Saints Chemist Warehouse at Salisbury will also be open 24/7. This will be of great benefit to people from the north to the south across Adelaide to get access to that care, whether it's prescriptions, health advice or baby Panadol—all of which will be available 24 hours a day, providing much-needed care for people in the community.

SOUTH AUSTRALIAN MUSEUM

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:55): My question is to the Minister for Arts. Is the minister able to provide certainty to the community about the future of any of the existing galleries or collections at the South Australian Museum? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. J.A.W. GARDNER: Information provided to staff last week, and referenced this morning with Sonya and Jules on ABC Radio Adelaide in an interview with the Museum director, David Gaimster, suggests that a number of the Museum's existing exhibits could be removed or dramatically changed under the new restructure.

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (14:56): I thank the member for Morialta for the question. I think what is important is actually what an exciting time this is for the Museum. For members who aren't aware, the Museum appointed a new director in the middle of last year, Dr David Gaimster. He has come in and is looking at the Museum with fresh eyes, and I think it is a really exciting time for the staff and also for the community.

What the board, Dr Gaimster and the leadership team at the Museum are doing is looking at what the new strategic vision is for the Museum: what do we want our Museum to look like in 10 or 20 years' time? On the radio this morning, I think what was touched on is that there are certain parts of the Museum that have remained very static for a very long time. I know some of those areas are favourites of many of us. The member for Morialta, I am sure, is passionate about the Egyptian room; unfortunately, that hasn't changed since the 1940s.

What the Museum leadership with Dr Gaimster is doing is looking at a new, reimagined museum that is really going to engage with the community and teach our community, young and old, about South Australia and South Australian stories. From our First Nations cultures for 65,000 years—we have the largest collection of First Nations cultural items in the world and we need to show that better. We need to tell the stories of South Australia better.

That's really what the leadership of the Museum is doing right now. They are consulting on what the Museum ought to look like for the future and focusing on the curatorial aspect: making sure the Museum physically is displaying the best that it can, potentially getting exhibitions from around the world and also digitally, with our incredible collections, how can we better serve the community in terms of exposing people to those collections digitally using new technologies. All of that work is happening. There is consultation at the moment with staff, which the member referred to. I think there will be public consultation commencing in the next few weeks. It is a very exciting time for the Museum and I am excited to see what it will look like in the next few years.

REGIONAL NURSING STUDENTS

Mr BELL (Mount Gambier) (14:59): My question is to the Minister for Health. Is the minister aware of discriminatory practices within SA Health that seriously disadvantage regional nursing students? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BELL: I have been contacted by a number of nursing students from Mount Gambier who have been informed that nursing accommodation at Mount Barker, which is free, is reserved exclusively for metropolitan nursing students. It appears to me that nursing students from my electorate are being discriminated against because they live in a region and not metropolitan Adelaide.

The Hon. C.J. PICTON (Kaurana—Minister for Health and Wellbeing) (14:59): Thank you to the member for Mount Gambier. As I acknowledged in relation to the member for MacKillop's question, I acknowledge that the member for Mount Gambier has been passionate in terms of advocating for regional nursing students undertaking their placements.

That is certainly new information to me that there is an issue in terms of Mount Barker nursing accommodation and something I am very keen to take up and seek further details from the member for Mount Gambier and seek appropriate responses from the Barossa Hills Fleurieu Local Health Network who administer the Mount Barker District Soldiers' Memorial Hospital and associated entities, including nurses' accommodation, as to why that would be in place and what we can do to make sure that there is equitable access.

SOUTH AUSTRALIAN MUSEUM

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:00): My question is to the Minister for Arts. Is the South Australian Museum going to continue to engage in scientific study and research under its new strategic plan? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. J.A.W. GARDNER: Over a number of years, the South Australian Museum research staff have won a wide range of research grants, many years more than any other museum in Australia and even a number of universities. The opposition has been advised, however, that research staff have been directed not to apply for any grants through the University of Adelaide, to the ARC or to the Australian Biological Resources Study grants, and therefore that is an undermining of the Museum's scientific research functions as outlined in the act.

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (15:01): Thanks again to the member for Morialta for that question. The Museum will continue to undertake research. It's one of the functions in its act. I think what Dr Gaimster and the leadership team are looking at is more focused research, in terms of matching that in with the curatorial, the exhibitions and telling our South Australian story.

I am not aware of any direction that the member just referred to, but in terms of research, I'm very happy that Dr Gaimster is certainly focused on research and supporting research. But I do understand that that will form part of the bigger picture of what is the strategic vision for the Museum and being able to tie that research in with what those stories are that we want to tell within the Museum, physically in the building, and also in the digital presence online.

SOUTH AUSTRALIAN MUSEUM

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:02): My question is to the Minister for Arts. Have any South Australian Museum staff, in particular including research staff, been advised that their roles will be abolished under the Museum's restructure and, if so, how many?

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (15:02): I am not aware that any staff have been advised of that yet. Quite frankly, I think that couldn't possibly happen given we haven't even gone through the public consultation phase of what the strategic vision is for the Museum.

What I do know is that Dr Gaimster is very passionate about the curatorial expertise in the Museum. In fact, it might surprise people to know there isn't a full-time curator at the Museum so I suspect there will be some changes in terms of making sure we have the best exhibition space, telling South Australian stories, and using our incredible collection much better.

Obviously, once that consultation phase is completed as to what the Museum ought to look like in the future, there may be a reorganisation of the Museum but, as far as I am aware, it's way too early for any conclusions to be reached on that.

SOUTH AUSTRALIAN MUSEUM

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:03): My question is to the Minister for Arts. Will the government provide increased funding to the South Australian Museum to enable it to undertake its new strategic plan without cutting its existing work? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. J.A.W. GARDNER: This morning on ABC radio with Sonya and Jules, Museum CEO Dr David Gaimster said:

Our focus has got to be, like many, many organisations, on recovering our costs. Our costs are going up all the time and our funding is flatlining and we need to make sure that we can sustain ourselves as a museum for all South Australians. We are being fair to everyone and we are covering our costs; we are not making a profit on anything, we are recovering our costs so that we can maintain our 365-day-a-year business with free access to all South Australians.

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (15:04): Absolutely; free access to the Museum for all South Australians will continue. That's not even in question. In terms of the budget, the Museum Board allocates its budget as it sees fit. It will now be looking at this strategic review to look at what is the best position for the Museum. Dr Gaimster's last position was at the War Memorial

Museum in Auckland, where he did an incredible reinvigoration of that museum. I think attendance has increased something like 40 per cent at that museum through his work.

What I am really excited about is being able to have a museum that engages a lot more closely with the community, to be able to have our kids go into the Museum and learn about South Australian stories, our First Nations stories, and be able to have that engagement much more broadly in the community and have a museum that our visitors to this state want to engage with much more closely than perhaps is happening at the moment.

So I actually think it's a really exciting time for the Museum, and I am really looking forward to what that strategic change is. But to have a museum that is really engaging with the community, telling our stories in a way that people want to engage with the Museum, I think is fantastic. Dr Gaimster and the board and Kim Cheater, Chair of the Museum, are doing an incredible job reimagining the Museum.

SOUTH AUSTRALIAN MUSEUM

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:05): My question is to the Minister for Arts. What plans does the government have for the future of the DNA and tissue collection currently stored in ultrafreezers as part of the Museum's Evolutionary Biology Unit? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. J.A.W. GARDNER: The unit has operated a state-of-the-art laboratory and tissue collection of DNA samples, providing a critical reference bank for determining the taxonomy of Australian biota. Since its establishment in 1985, the unit has processed 170,000 DNA samples and provided postdoctoral positions through joint university grants for approximately 30 researchers. The Museum's lab, fitted with specialist machinery and devices, has assisted hundreds of doctoral and postdoctoral students gain experience in this field. Staff have been advised that the Museum will no longer support the operation of this unit.

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (15:06): If we are on the same track, I think the member for Morialta is referring to the tissue samples that are in, I think, some fairly large industrial-sized freezers. A lot of those samples are being used by researchers that aren't part of the Museum, predominantly university researchers. In terms of making that available to university researchers and others outside of the Museum, I think there are conversations happening as to how best to do that.

The Museum needs to focus on its core functions. It is doing that. In terms of those samples being made available, a lot of museums around the country and around the world do similar things, but they do it on a fee-for-service basis. That may be a potential consideration for the Museum, but that's an operational issue. I am happy to come back if there is any more detail I can provide, but I understand that, really, it's a core business for the Museum to run the best museum it can. Some of these samples are used by researchers outside of the Museum, and if that access needs to be available, it needs to be available in an efficient manner for the Museum.

POLICE STAFFING

Mr TELFER (Flinders) (15:07): My question is to the Minister for Police. What measures is the minister putting in place to combat the high attrition rate amongst police officers?

The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (15:08): I thank the member for his question. I think at the outset I will say that attrition is a real issue that is being grappled with by South Australia Police. We saw attrition start to increase quite significantly at a really bad juncture, when at the same time during the COVID pandemic there was basically a bottoming out of the applications coming into South Australia Police.

I am very pleased to advise the member that there has been now in recent months a plateauing and, in fact, a slight decline in the attrition rate of South Australia Police. It is also very worth noting and also important to note that this is not only a phenomenon that South Australia Police are grappling with. It is not only a phenomenon that police services around the country, including the

AFP, are dealing with. But it is also a matter of fact for all public sector and private sector employers: holding on to the good staff is critically important. Also, holding on, in the case of police officers, who are extraordinary well-trained, extraordinarily respected and extraordinarily employable, is difficult.

I am very pleased that, notwithstanding attrition being in that 5.23 per cent range, the attrition rate of South Australia Police is amongst the lowest in the nation—and not by a little but by a lot. That is a demonstration that SAPOL is an employer of choice—and why would it not be? SAPOL has the most highly regarded workforce in the state and, if there is any private and public polling, both quantitative and qualitative, we know that our wonderful police are always amongst the highest, most valued, most respected police in the country.

That has been backed up by recent RoGS data, which shows that the public's satisfaction of our police is nation leading. Not only do we know it in this place, not only does the community tell us that, but the RoGS data—which is research undertaken by the federal Productivity Commission—backs it up.

Also, that very same report from the Report on Government Services showed that South Australia has the highest number of operational police per capita anywhere in the country. We are not resting on our laurels, we are not saying that that is enough. That is why we are not only supporting our police, the police commissioner and his senior executive, to put it in place under current arrangements and also through the upcoming enterprise bargaining process—one which the government is committed to undertaking in good faith and with a very firm focus on positive outcomes for both police as well as the government—but we are also backing it in with new funding to employ more sworn police security officers, more funding to recruit more police.

Members interjecting:

The Hon. J.K. SZAKACS: The interjections from those opposite are—

Mr Telfer: Just answer the question.

The SPEAKER: Order!

The Hon. J.K. SZAKACS: —around what are we doing to retain. Well, there is a suite of measures, but the demonstration of the willingness of the member to critique what is an extraordinarily low attrition rate, rather than acknowledging—

Mr Telfer: It's the highest we have ever had.

The SPEAKER: Order!

The Hon. J.K. SZAKACS: —that attrition is real. Attrition is real and attrition is not something that is magically—you know, we close our eyes and hope for the best, because that was the approach of those opposite. During COVID they asked so much of our police and invested nothing whatsoever in new money to attract more police.

Members interjecting:

The SPEAKER: Order!

The Hon. J.K. SZAKACS: They invested nothing—

Mr Telfer interjecting:

The SPEAKER: Member for Flinders!

The Hon. J.K. SZAKACS: —by attracting more police into—

Members interjecting:

The SPEAKER: Order!

The Hon. J.K. SZAKACS: What they saw was the bottoming out of applications, and what did they ask police to do? They asked police to do more with less. Attrition is a very, very firm focus of the police commissioner, it is a very firm focus of this government, but we are proud to say that attrition remains amongst the lowest in the country.

The SPEAKER: The member's time has expired.

Grievance Debate

PROBITY PRINCIPLES

The Hon. V.A. TARZIA (Hartley) (15:12): Probity is significant in terms of our state projects. The principles of a probity plan are to ensure open and fair competition, ethical behaviour, value for money, equity, confidentiality and are also, of course, to ensure that conflicts of interest, if there are any, are managed as well.

Do not just take my word for it, but look at the words recently of the Auditor-General following the release of a recent report into regional bus service contracts. We found out things like this, to quote the Auditor-General:

We found that three meetings were held during the procurement process between the Minister, senior DIT employees and potential proponents/proponents outside of established procurement process arrangements.

They go to say things like there were times when:

- It did not maintain sufficient records of interactions between SA Government representatives and proponents, and of DIT's assessment of probity risks associated with these interactions.

It said things like:

- It did not maintain written records for some of the probity advice it received.
- It did not sufficiently document the rationale for some decisions made during the evaluation.
- It did not document the arrangements in place for managing probity risks in the time between the purchase recommendation being finalised and the contracts being signed.

The Auditor-General provides various recommendations—things like:

- advising the probity advisor of meetings before they occur...
- keeping sufficiently detailed notes of matters discussed at meetings, including decisions and actions, and documenting the impact on the probity of the procurement and any responses.

Keeping notes of meetings, advising probity advisers of meetings: who would have thought that these had to be recommendations? Alas, they have to be in regard to this government and how it is conducting itself. I would have thought that they would have been pretty much common sense, especially when you are dealing with millions of taxpayer dollars in relation to government procurement.

When senior DIT employees were asked if they were worried about recent findings by the Auditor-General, do you know what some of the responses were? Let me quote one:

Sometimes it is unavoidable that meetings need to happen, and so when you have those meetings what you need to do is ensure that you have proper processes in place.

The Auditor-General is quick to note that these processes were not always followed. The Auditor-General goes on:

We found that DIT did not maintain a written record for some probity advice it received during the procurement process, such as advice provided to the project team...DIT told us that advice it received from the probity advisor was not always in writing.

Again, they are the words of the Auditor-General. One of them actually said:

I don't take notes—I have never found it necessary to take those notes.

There is a reason why you take notes. There is a reason why you take notes in relation to government procurement. When it is all rosy and everyone is happy and everyone is getting on, then maybe you do not need notes, but when things hit the fan, when there is a contract dispute, as we have heard today, when there are these contract disputes, guess what: those notes become more relevant than ever.

The quote, 'I don't take notes—I have never found it necessary to take notes' is a quote from a senior member of DIT during a recent Budget and Finance Committee. He must have a fantastic

memory to not need notes. Given the nature of the role and the magnitude of meetings that that individual must have, I find it astonishing that he does not take notes, quite frankly—I find it absolutely astonishing—to at least make sure that he remembers what was discussed. He may not have to remember what was discussed next month, but he might have to remember it next year or in many years to come.

Given probity advisers were not in attendance for all these meetings, does it not make sense to take notes to at least provide a detailed summary for an adviser? Majors Road is a massive project for the southern community, with a probity plan of its own.

Members interjecting:

The Hon. V.A. TARZIA: Just relax and listen to this. You will get very excited, I promise you.

The SPEAKER: The member for Florey!

The Hon. V.A. TARZIA: The Majors Road probity plan clearly states that all interactions with tenderers will be documented and records of meetings will be kept. You would think that it is a quite simple process to follow: have a meeting, keep documented records of those meetings. Recently, we learnt that there are no records. If the department cannot follow its own probity plans, how can South Australian taxpayers be confident that open and fair competition, ethical behaviour, equity, confidentiality and conflicts of interests are being adequately managed? The core principles of their own probity plans are not being followed. The notes of these meetings mentioned are required to be kept. The minister knows it, and it is not good enough.

TET FESTIVAL

Mr FULBROOK (Playford) (15:17): I rise to extend my congratulations to everyone associated with last weekend's Tet Festival. For those unfamiliar, Tet marks the first day of the Lunar New Year and the beginning of spring in Vietnam. The holiday traces its origins back to the early days of Vietnamese settlements in the Red River Delta, when Tet meant a new cycle of wet rice cultivation.

In the interests of transparency, I do point out that one of its main organisers, Mr Tony Pham, is one of three newly elected vice-presidents of the SA Chapter of the Vietnamese Community in Australia and also a very talented member of my staff. Since I was elected, he has been invaluable in communicating to the many Vietnamese constituents across the communities I represent, and it is great to see him taking the pride he has in his heritage a step further.

Despite the hot weather, this year's Tet was nothing short of a success. With around 4,000 people in attendance at the Vietnamese community's Athol Park community centre, it was a great experience to sample the best of Vietnamese culture with my political colleagues, the Premier, the federal member for Adelaide, Steve Georganas, the member for Cheltenham and, from the other place, the Hon. Justin Hanson, the Hon. Tung Ngo and the Hon. Jing Lee. We were captivated by the incredible lion dance to open events. This year we were treated to five lions. I want to give special praise to the Phap Hoa Lion Dance Group who, despite the heat, displayed incredible athleticism and kept us all enthralled, with firecrackers exploding and clown dancing happening all around us.

It was a big honour, along with the Premier and the Hon. Justin Hanson, to hand-feed them a lettuce at the end of the dance. I understand that this tradition stems from language: in Chinese and Cantonese, a word for leafy greens sounds like a word for becoming wealthy. With that task behind me, I promise to be benevolent if any good fortune comes my way this year.

A key point I want to make about this year's Tet is that it very nearly did not happen. A new management committee was elected last month, and since then they have moved heaven and earth to make the special day happen. As an invited guest who felt spoiled by the community on the day, the very least I can do to repay the kindness is to place on record that the event went without a single glitch. When you think about the amazing food, dance, pyrotechnics, music, speeches and other entertainment all coming together in the space of just over four weeks, it is incumbent on me to offer my praise for them all working incredibly hard. Of course, it takes a village, and we all know the Vietnamese community is renowned for helping and supporting one another.

In saying this, I want to congratulate the new 26th management committee of president Khuyen Tran, Tony Pham, Tien Pham, Quan Chuong, Jennifer Nguyen and Holly Le for their recent election. I could see how proud the elders in the community were to note that membership is made up of the second and third generations. It is also testament to the original migrants who worked so hard to keep their culture and traditions alive. It is fantastic that the foundations they laid are paying off to ensure longevity in their culture locally for many years to come.

I want to make a quick digression and thank my friend Johnny Truong and his team for managing the car park in the scorching heat. I used to work with Johnny in the immigration department around 20 years ago, and since I have been elected it has been great to reconnect with him and get to know his lovely wife, Quin.

In arguably no time at all, the community put together a fantastic event against the clock and next year they will be celebrating their 50th anniversary. Noting that great personnel are now in place, it was the icing on the cake to take a sidestep from celebrations to inspect with the Premier his government's \$250,000 investment in their upgraded commercial kitchen.

It is looking like Tet and, indeed, the SA Chapter of the Vietnamese Community in Australia, are in great shape. I congratulate the new management committee on their efforts and encourage the greater South Australian community to get behind them as they prepare for their 50th anniversary celebrations.

MENTAL HEALTH SERVICES

Ms PRATT (Frome) (15:22): I rise today to talk about mental health services and to celebrate the fantastic work of the Mentally Fit EP Wellbeing conference that was held over the weekend. I was delighted to be one of the guest speakers. It was an overwhelmingly positive experience, and it is the only one of its type in country SA. My hat goes off to women Lain Montgomerie and Emma Gale, who as part of that suicide prevention network really throw themselves into suicide prevention and awareness. I want to acknowledge the work of Merindah Ward and her ongoing commitment to supporting all the suicide prevention networks that are in South Australia—there are about 31 of them.

I also want to recognise the state's new Mental Health Commissioner, Taimi Allan, who sang to us in Maori, which was just delightful. She invited us to consider how language is used in the mental health space and how it can help and how it can harm. It is certainly something I have turned my mind to in the past in terms of questions to the minister and the OCP during estimates. We use language like the Crisis Stabilisation Unit, but if you are a consumer of that service is that really the best language? I think there are opportunities in the future to have a centralised coordination approach to navigation tools and wayfinding tools so that fewer people are distressed by how to start, and actually get access to the services that do exist.

It is not all rosy in mental health services. When we look at some of the reports that are coming out from around the nation, it is quite concerning. The statistics are confronting. Two in five Australians will experience a mental health condition in their lifetime. One quarter of Aboriginal and Torres Strait Islanders have a long-term mental health condition. Three in four children who live with a severe mental health disorder cannot get access to treatment—which means only one quarter of them can (to state the obvious), which is shocking. That is, if they live in the city, of course, because according to Health Institute data there are as few as zero psychiatrists working in rural and remote South Australia, and that is causing a big gap in mental health service delivery for communities in the bush.

In South Australia, of great concern, we know that four in 10 psychiatrists are considering leaving the profession. So, to repeat that: in South Australia, four out of 10 psychiatrists are planning in the next five years to walk away from their profession.

I think the most damning of all: a report released late last year shows that, per capita, if you live in Adelaide you have as good access to psychiatrists as if you were living in Norway and France. But without hammering this phrase I think it is important that we hang on to it: if you live in country South Australia, you are worse off than Mongolia when it comes to accessing psychiatrists.

So the plea is really going out to the government to continue looking for opportunities to increase training, to retain the workforce that we have and to improve access in regional South Australia. Of course, the greatest tragedy, and I think the most severe statistic that I can point to, is the fact that 30 per cent of our deaths by suicide are of young people aged 15 to 24.

The minister does not really have a plan or an answer to addressing the workforce challenges that we are seeing in mental health. I think that was evidenced by his answers in the house today. Across the nation Australia needs to train more than 2,200 additional psychiatrists in the next six years, and that is just to meet the minimum target set by the national mental health suicide prevention framework. There has always been a productivity argument to be made about getting a return on investment and convincing the treasurer of the day to invest more funds in mental health because there is a benefit or a hit to productivity.

The Royal Australian and New Zealand College of Psychiatrists report states that mental ill health costs this country over \$220 billion each year—\$220 billion lost in productivity—and that is approximately \$627 million a day. To frame it in another way, if he chooses, Minister Picton can meet the psychosocial needs of 19,000 South Australians living with untreated mental illness right now by finding half the state's share of \$125 million a year; \$500,000 in the mid-year budget is not going to cut it.

ADELAIDE FRINGE FESTIVAL

Ms HOOD (Adelaide) (15:27): I rise to talk about the exciting time that we are having in Adelaide now that the Fringe Festival has officially kicked off. It is known globally as the second largest festival of its kind in the world. It is our pride and joy, and it really does bring our state alive in February and March. That is why we committed an extra \$2 million annually to the Adelaide Fringe to enable it to market itself to interstate and overseas visitors. Last year we saw a huge dividend on our investment where history was made with more than one million tickets sold at the Adelaide Fringe. I hear that ticket sales are going really well and we are on track for another successful Fringe.

I was able to head along last week to the launch of the Garden and Gluttony and it was really exciting to see a bit of a sneak peek at some of the acts that are going to be here at this year's Fringe, including Prinnie Stevens, one of the Fringe ambassadors, who gave a beautiful rendition of an Etta James song; Isaac Humphries, a basketballer who is doing a show; and also one that I am looking forward to seeing called *LIMBO—The Return*.

What I love about the Fringe is that it is not just confined to metro Adelaide. On the weekend down in Naracoorte we had Fringe festivities—Naracoorte being my hometown. My two little ones, Audrey and Ned, were able to go down to the Naracoorte Town Square to see various Fringe acts. I am sure it would have been much more exciting than when I used to do line dancing in the Naracoorte Town Square. I am sure it was of a much higher calibre of performance. The Fringe was also at the Naracoorte Caves, it went down to Coonawarra, and really this is just an example of how the Fringe is expanding across our state so that more audiences, particularly regional audiences, can enjoy the arts and everything that it does create and the wonderful atmosphere it creates for our communities.

At this year's Fringe we are hosting 6,000 artists and it will be the biggest arts festival in Australia over 31 days. But we do want to see the maximum benefit from having so many visitors come to our CBD, and that is why we are extending shop trading hours in the city on Saturdays during the festival from 5pm to 6pm. I was able to join the Rundle Mall Authority last week to help promote the extended shop trading hours.

We saw those extended hours increase sales by 14 per cent up to \$127 million during last year's festival season, and we saw foot traffic double, so we really want to get the most out of our Fringe Festival, out of February, out of Mad March, out of Awesome April, and make sure that our small businesses, our local retailers, can get the maximum benefit out of when we bring our city alive. We will be doing that as well in April when we have the Gather Round coming for its second year. It was such a huge success last year and so this year we will also be extending shop trading hours on that Saturday in the city from 5pm to 7pm.

I want to briefly finish by saying that last night I was very proud to be the host of the launch of the Adelaide Equestrian Festival. We had all the key players of the festival come into parliament,

and we were able to celebrate the launch of this really exciting event. It is a three-day event. It is just one of a kind in Australia and it really showcases the incredible talent and athleticism of these riders. I was able to meet riders Shane and Shenae and I learnt so much about this particular form of sport.

The wonderful thing about the Adelaide Equestrian Festival is that it is going to be the lead-up qualifying event for Paris, which will be held at Versailles as part of the Paris Olympics, and that we have a very similar event to the Versailles event that is going to be held for the Paris Olympics. It is close to the city, in a parkland setting, and we cannot wait to see all of the very best riders from Australia and around the world coming to Adelaide, coming to our beautiful Parklands in Victoria Park for the absolute cream of the crop competition in this field. I want to congratulate the board of the festival and the organisers for what is going to be a really exciting event in our capital city—so looking forward to that from 18 to 21 April.

UNIVERSITY OF SOUTH AUSTRALIA, MAGILL CAMPUS LAND TRANSFER

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:32):

There are many residents in my electorate and the member for Hartley's adjoining electorate, particularly in the suburb of Magill but also the surrounding areas, who are deeply concerned and troubled at the moment by a lack of information that has come from government, and a lack of clarity about what is going to be taking place in relation to the land at Magill, formerly—or currently actually still the site of the University of South Australia Magill Campus, but which is currently being transferred to the ownership of the state government from the university, and about which the government is yet to make clear what its plans are.

Hundreds of local residents in my electorate and the Hartley electorate have already signed a petition to the following extent, and I will read it out:

With the transfer of Magill Campus land from the University of South Australia to the State Government underway, and the news that the University plans to depart the site within the next ten years, the local community is most concerned that any future use of the land takes into account community concerns—especially in relation to community facilities, open space, environmental and biodiversity concerns, heritage buildings and active and passive recreation opportunities. In particular, this petition:

- Notes that the University of South Australia has sold the land attached to the Magill Campus to the State Government as part of the University merger proposal, with the land East of St Bernards Road to be master-planned for sale imminently, and the land West of St Bernards Road to be retained by the University for five years, with an option for five more, with master-planning to take place in the coming years;
- Urges the Government to prioritise the retention of open space, given the unprecedented levels of development and infill in the surrounding area over the last decade—particularly under the planning rules in place from 2012-2019;
- Notes the impact of recent infill development on traffic and infrastructure in the local area, and that existing challenges ought to be met with a new traffic management plan for the area, even before any potential changes to the use of this site;
- In relation to the land on the eastern side of the road, urges the Government to engage with Campbelltown Council with a view to the development of community recreation and sporting facilities, rather than selling to the highest bidder for high density development; and
- In relation to the land on the western side of the road, urges the Government to commit to retaining the Childcare Centre, the Oval, the sporting and recreation facilities, and the public space around the creek-line, and to respecting the heritage status of Murray House.

Sir, you would be familiar with much of this detail as the committee on which we both served and which you chaired had dozens and dozens of submissions from local residents making similar points and, indeed, we heard hours and hours of evidence from different relevant actors in relation to this matter. I particularly note the member for Hartley, who has, along with myself, been engaging heavily with our local community. Indeed, when challenged on this engagement by the Minister for Planning, which I will get to in a moment, the member for Hartley responded very clearly:

The anxiety of local residents comes from the complete lack of consultation [or] communication by this Labor Government about the Magill Campus—not one resident was told that the Campus would be closed under Labor's Merger proposal before the election.

We want to see actual consultation, upgraded state road infrastructure, preservation of open space and an updated road traffic management plan.

There has been some positive news. After repeated questioning by myself and the member for Hartley in the house and, indeed, the recommendation of the committee, the government has given signals that the community childcare centre will be retained. The centre, I note, is looking forward to getting ink on that paper.

We have had reassurances that the heritage status of Murray House will be retained. But in relation to the land sale, it is very clear that the government has not yet determined that community use will take precedence. It seems instead, going by statements from Renewal SA and from Treasury in the committee and in the public sphere, that they will instead be looking for the highest bidder to be sold.

Despite Minister Champion accusing in InDaily the Liberal Party, and in particular myself and the member for Hartley, of, and I quote, 'harvesting...votes through community anxiety' and 'wild campaigns against density', and going on to say, 'I think there are a number of Liberal Party politicians who are out there running campaigns on a site they know is going to remain a university campus for 10 years,' this week, it has become clear, through FOI documents released by the government under the instruction of the Ombudsman to InDaily, that it was indeed the Premier's office that changed the language on the map released to the community from its initial statement of 'Short-term transitional lease to university, earmarked for future development' to instead saying 'Short-term transitional lease...ahead of master planning for future use'.

In relation to the Mawson Lakes campus, they changed the language from 'Development' to 'Not part of campus'. The Premier's office has made it very clear through these FOI documents that they do not want people to know that the government plans to have this developed potentially to the highest bidder for the highest density.

The community, whether it is the Burnside Hockey Club's proposal, whether it is the Campbelltown council's proposal, whether it is any of the proposals that retain biodiversity, open space, community active and passive recreation facilities or any of the other community proposals, want assurance from the government that those proposals will be taken seriously and community concerns will be prioritised when Renewal SA eventually undertakes their work on the master plan.

ISRAEL

The Hon. A. PICCOLO (Light) (15:37): Commenting on foreign affairs issues is always fraught with danger; however, there are times when silence is not the answer. We have seen in the past silence, inaction or indifference leading to horrific outcomes for groups of people. While the trauma is immediate, it is also intergenerational.

A number of groups of particular faiths and cultures have been victims of silence by world leaders. The unfolding tragedy and humanitarian crisis in Palestine today is one of those times when it is no longer acceptable to take a neutral position. By 'neutral position' I mean the terrible loss of life in Palestine cannot be legally or morally viewed as collateral damage.

The killing of innocent civilians can never be justified and, in particular, the killing of children can never be justified. I challenge a person's moral compass if they try to justify the killing of innocent children. Whether it is an act of resistance or an act of defence, it is wrong, full stop. I raise this issue because last week the federal opposition leader stated that Israel's military response to the horrific Hamas attack was proportionate and appropriate.

I challenge that statement. In doing so, I do not seek to diminish the trauma and grief felt by the families of the 1,200 people killed by Hamas, or the 240 people held hostage. The trauma felt by the Israeli nation is both real and understandable. Hamas's actions have been and should be condemned.

In response to the Hamas attack, Israel has killed over 29,000 Palestinians, including around 12,000 children. The killing of children is not justified, so Israel's response is, rightly, condemned. Apart from the loss of life in Gaza, the destruction of homes, hospitals, schools and infrastructure means that Palestinians are now living in inhumane conditions.

Mr Dutton's comments were in response to a joint statement issued by Canada, New Zealand and Australia, countries that share similar histories and values. The statement seeks to advance the interests of peace for both Palestinians and Israelis. The statement was prompted by Israel's announcement that it seeks to attack Rafah, the last refuge for 1.5 million Palestinians. I quote from that statement because I think it is relevant:

A military operation into Rafah would be catastrophic. About 1.5 million Palestinians are taking refuge in the area, including many of our citizens and their families...

The protection of civilians is paramount and a requirement under international humanitarian law. Palestinian civilians cannot be made to pay the price of defeating Hamas.

The statement goes on to say:

Ultimately, a negotiated political solution is needed to achieve lasting peace and security. Australia, Canada, and New Zealand remain steadfast in their commitment to a two-state solution, including the creation of a Palestinian state alongside Israel, where Palestinians and Israelis live side by side in peace, security, and dignity.

I think that statement is an appropriate statement. It seeks to create a culture of peace.

The Vatican has described the situation in Gaza as carnage and the Israeli response as disproportionate. I have not always agreed with our federal government's response on this conflict, but I do commend our foreign minister for trying to build a coalition for peace, compared to Mr Dutton's warmongering and dog whistling. For those who watched *Nemesis*, it is not sufficient for Mr Dutton to divide his party; he now wants to divide our nation.

I raise this issue in this place because it matters to the Palestinian, Arab and Muslim people who call South Australia their home. Their grief and trauma should not be treated with less compassion, empathy and respect than that rightly shown to the Jewish community. As always, blessed are the peacemakers.

Private Members' Statements

PRIVATE MEMBERS' STATEMENTS

Mrs HURN (Schubert) (15:43): For too long, South Australia has been the only state in the nation without a dedicated brain tumour support coordinator: someone whose primary role is to help patients and their families navigate the often challenging and complex journey of being diagnosed and, ultimately, living with a brain tumour.

Last May, the opposition backed in calls from impacted families, neurosurgeons and researchers calling on the government to fund this very important role. Pleasingly, the government has heeded the call for the creation of this role, and I note—very pleasingly—that this role has now been advertised through CALHN and the Royal Adelaide Hospital on seek.com.au. This is such an extraordinary win for families.

We know that brain cancer can be an incredibly aggressive disease. Those afflicted, and their families and friends, should not be losing precious time wading through the maze of government bureaucracy, nor should they be left without expert assistance to help them navigate often complex, time-consuming and stressful decision-making processes. We know that this role will go some way to help ease the burden once they have received this tragic diagnosis.

I would like to put on the record my sincere thanks to Chloe Drogemuller-Fiebig, the Brave for Dave Foundation, and Ginta through the NeuroSurgical Research Foundation who have successfully advocated for the implementation of this role, which will make such a difference to so many families.

S.E. ANDREWS (Gibson) (15:44): It is my favourite time of the year: we have the Fringe, we have the Adelaide Festival and we have WOMADelaide. We are already at that part of the year when we are asking each other what shows we recommend and what we might go and see on any weeknight or on the weekends.

The arts should challenge us to think of possibilities we could never imagine for ourselves, to think deeply about what it means to be human and the society we live in. To hear, to see, and to observe another person's story is to have the opportunity to walk in someone else's shoes and to

better understand another person's experience and feel empathy. We could possibly see some of ourselves reflected in the arts, to validate and celebrate our differences and to laugh and lose ourselves for a moment from our everyday lives. The arts can offer all of us the possibility to create beauty or to safely witness and experience anguish.

It is another opportunity for our young people to get involved and to experience a safe place where they can truly understand who they are until their own individual stories. High school does not offer a place where everyone can find their tribe, but you can certainly do that in the arts. The arts community have long been at the forefront of celebrating diversity and we will see shows from our disabled, queer and young people and across our regions. If you are looking for us, I will be under the flags at WOMAD.

Mr COWDREY (Colton) (15:46): I rise today to again call on the state government to finally release the outcome of the Adelaide Beach Management Review. On coming to government, cancelling a contract in place for the sand recycling pipeline, stopping a mass replenishment and launching a review with no viable alternative option in sight is not a plan.

Two years in we have a review that has lasted longer than the naval shipbuilding review, that continues to roll on, was due to be released in November and yet still we have nothing. I asked the Premier a question in question time about when we should expect the outcome of that review. He did not answer that question; instead, it was over to the Minister for Transport to say that he would go and seek an answer.

It is not just my community asking where are the results of this review. It is also people in the Deputy Premier's own seat. We have the likes of Save Our Shores: Semaphore Largs Bay asking the same questions that my community is asking: where are the outcomes of the review?

All we are saying is: put your cards on the table, put the money allocated back on the table, that we need a healthy suburban coastline and healthy suburban beaches. We need a long-term solution and so far all we have from the Malinauskas Labor government is delay, delay and absence.

Mr ODENWALDER (Elizabeth) (15:48): I rise very briefly to speak about an election commitment that is coming to fruition in my electorate. Blakeview and Blakes Crossing are the newest parts of my electorate, in the northern part of the electorate. Blakeview and Blakes Crossing were built, like many new developments, in a sort of medium-density European style. Lots of pedestrian connectivity is the main motivating feature, so there are lots of small lanes and lots of narrow streets. Over the time that Blakes Crossing has developed and become more populated, this has become something of a problem in terms of traffic, accessibility, connectivity and particularly in terms of road safety.

Just before the last election, I was really pleased to secure some funding for a council-backed traffic study across Blakes Crossing and Blakeview. I am glad to see that some of that is coming to fruition now. There was a certain amount of money set aside for the study itself and then a more substantial amount of money for the extra works. These works include a wombat crossing at Main Terrace, the installation of three new pedestrian crossing points on Uley Road where there are in fact three schools, and new kerb ramps on Village Terrace.

The ones that are coming to fruition this week—and may even be completed today—are a pedestrian crossing at the Mansfield Terrace-Village Terrace intersection, between the vet and Aldi, and a pedestrian refuge at the Main Terrace-Village Terrace intersection to make some of that foot traffic easier. This is just part of what the Malinauskas government is doing in terms of road safety and traffic control across the state.

Bills

CHILD SEX OFFENDERS REGISTRATION (CHILD-RELATED WORK) AMENDMENT BILL

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) (15:50): I move:

That this bill be now read a second time.

I am pleased to introduce the Child Sex Offenders Registration (Child-Related Work) Amendment Bill 2023, a very important piece of legislation to protect the children of South Australia. This bill would prevent registered child sex offenders and those accused of registrable child sex offences from working in jobs where they will have contact with underage employees. As a further measure to the suite of reforms that this government has taken to protect South Australian children from child sex offenders, this bill would protect children in our community from being exposed to child sex predators in their place of employment.

Young people are undeniably an important and vibrant part of the South Australian workforce. Many people have part-time jobs or are earning a qualification through a work-based apprenticeship. Like any other employee, these young people are entitled to be safe at work and, due to their age, should be especially protected in their workplace.

There is currently nothing preventing a registered child sex offender from taking a job working alongside or even managing underage employees. Whilst registered child sex offenders are prohibited from applying for or engaging in child-related work, at present working in a business that employs children is not considered child-related work.

This bill would amend the definition of child-related work in the Child Sex Offenders Registration Act 2006 so that it will include work in a business or undertaking that employs children, where the work would involve contact with the child. Contact with a child includes physical contact, as well as oral or written communications. Therefore, the bill would prevent child sex offenders working anywhere that has underage employees, unless it could be shown that the work involved no contact with the children—for example, if they worked at different times of the day.

Because a wide range of businesses employ young people, exemptions allowing work with child employees may be appropriate in some circumstances on a case-by-case basis. For example, this may be required if the registered offender was a tradesperson and wished to work at a site that at that point in time also employed one 17-year-old apprentice.

The Child Sex Offenders Registration Act already allows the Commissioner of Police to grant individual exemptions from various requirements placed on registered offenders. The bill adds to this power, providing that the commissioner may make a declaration allowing a registered child sex offender to work with child employees if:

- the child sex offences committed by the offender were not committed in connection with any child-related work; and
- the commissioner is satisfied that the offender does not pose a risk to the safety and wellbeing of children employed in the business or undertaking that constitutes the child-related work.

This will allow the commissioner to conduct a risk assessment of the proposed work and grant an exemption if it is appropriate to do so.

Child-related work is also regulated in the Bail Act. Under the current law, an accused child sex offender's bail agreement must have a condition that they not engage in child-related work. As child-related work in the Bail Act is defined by reference to the Child Sex Offenders Registration Act, the bill will also effectively amend the Bail Act provisions, preventing alleged child sex offenders from work involving contact with child employees whilst their charges are pending. The bail authority may lift this condition if satisfied that the proposed work does not pose a risk to children.

Even if the bail authority sees fit to allow an alleged offender to work with child employees until their charges are determined, the amendments will mean that the alleged offender must inform their employer of the charges. This will ensure the employer is aware of the situation and allow them to take necessary steps to protect child employees as required.

It is worth making clear that this legislation does not place any new obligations or costs on businesses and employers. The onus is placed on the accused and convicted offenders to ensure their work situation complies with the expanded rules in relation to working alongside child employees. Of course, employers still have general obligations to keep all employees safe at work under existing workplace health and safety law. Should it come to an employer's attention that an

employee might pose a risk to their underage co-workers, existing workplace health and safety laws on risk management will apply.

This bill would address a serious loophole in our current laws that has the potential to place children at risk of harm in their workplaces. I would like to thank the Hon. Connie Bonaros MLC for raising this issue during debate on a previous bill in the other place, and especially the SDA, SA and NT branch, for publicly advocating for this important change. The collaborative work from many parties with the government on this issue has been most welcome and highly productive. I commend the bill to members and seek leave to have the explanation of clauses inserted in *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 Child Sex Offenders Registration Act 2006

3—Amendment of section 64—Interpretation

This clause amends the definition of *child-related work* to include businesses or undertakings in which children are employed.

4—Amendment of section 66B—General power of Commissioner to make declaration

This clause allows the Commissioner to make a declaration exempting an offender from the operation of Part 5 or specified provisions of Part 5 in respect of work that is only child-related work by virtue of the proposed amendment in clause 3 if—

- (a) the relevant offences were not committed in connection with any child-related work; and
- (b) the Commissioner is satisfied that the offender does not pose a risk to the safety and well-being of children employed in the business or undertaking that constitutes the child-related work.

Schedule 1—Transitional provisions

1—Interpretation

This provision defines certain terms for the purposes of the Schedule.

2—Application of section 65 to certain registrable offenders

This provision allows an exemption of up to 6 months for a registrable offender whose employment is affected by the measure in order to give the person time to apply for a declaration under section 66B.

3—Application of section 66 to persons arrested or reported before commencement

The transitional provision deals with situations where a person arrested or reported for a class 1 or class 2 offence before the commencement of the measure becomes subject to the obligations in section 66 of the *Child Sex Offenders Registration Act 2006* by virtue of the proposed amendment in clause 3.

4—Effect of amendment on bail applications

For the purposes of section 11 of the *Bail Act 1985*, the proposed amendment in clause 3 will only apply to a person who applies for bail on or after the commencement of that clause (regardless of whether the relevant offence was committed before or after that commencement).

Debate adjourned on motion of Mr Pederick.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: Before I call the minister, I would like to acknowledge in the gallery members of the South Australian Retirement Villages Residents' Association who have joined us to hear the minister.

*Bills***RETIREMENT VILLAGES (MISCELLANEOUS) AMENDMENT BILL***Introduction and First Reading*

The Hon. C.J. PICTON (Kaurana—Minister for Health and Wellbeing) (15:56): Obtained leave and introduced a bill for an act to amend the Retirement Villages Act 2016. Read a first time.

Second Reading

The Hon. C.J. PICTON (Kaurana—Minister for Health and Wellbeing) (15:57): I move:

That this bill be now read a second time.

This bill responds to recommendations made by an independent review to strengthen the operation of the Retirement Villages Act 2016, increase consumer protection and provide clarity for residents and operators. In addition, following extensive community consultation last year, several amendments aimed at enhancing consumer protections of residents of retirement villages in South Australia have also been included.

These amendments ensure that our retirement villages legislation is robust in its protections for residents while also supporting the growth and sustainability of the sector. This bill will help establish a contemporary, balanced and comprehensive framework for the regulation of retirement villages in South Australia which puts consumer protection at the forefront, while also minimising any unnecessary impacts on retirement village operators.

Retirement villages are a unique form of housing, where consumers purchase a lease, licence or share to occupy a residence. The retirement village sector is diverse and includes private developers, for-profit organisations, non-government organisations, charitable organisations and government agencies. Currently, there are approximately 520 villages in South Australia which are home to over 26,700 residents, including my own grandmother.

As South Australia's older population grows, the retirement villages sector is continuing to innovate and grow. Older South Australians now entering the retirement village market are a diverse and changing demographic, and the sector is constantly evolving to respond to consumer expectations and requirements. It is vital that legislation governing retirement villages is kept up to date and ensures the best possible consumer protection for residents and prospective residents while also supporting the growth, sustainability, innovation and diversity of the sector.

The current Retirement Villages Act was passed by the South Australian parliament in 2016 and commenced in 2018. It replaced the 1987 act and established a contemporary legislative framework to modernise the regulation of retirement villages across South Australia.

Section 68 of the act provides for a review of the act to be undertaken three years after commencement. The independent review was conducted by PEG Consulting and provided to the former minister for health and wellbeing in September 2021. The independent review found that many of the provisions of the act are appropriate, effective and operating as intended. However, it also identified that there is room for improvement and made some recommendations for legislative change.

The government is committed to implementing the recommendations of the independent review to ensure the effective and optimum operations of the Retirement Villages Act. As recommended by the independent review, the bill amends the act to increase consumer protection, improve village administration, strengthen the standards applying to retirement village operators and village staff, and strengthen the powers and functions of the retirement villages registrar. The amendments include:

- greater regulation of residence contracts and disclosure statements, including defining and explaining contractual terms, occupancy information, resident rights and responsibilities, the presence of embedded networks, how fees and charges are calculated and how those fees can vary depending upon the length of time the resident lives in the village by providing worked calculations based on leaving a village at two, five and 10 years;

- a new offence of representing that a resident or prospective resident purchases a title to a residence if they do not;
- earlier provision of the premises condition report;
- additional clarity regarding financial reporting and resident consultation;
- strengthened rights and participation for rental tenants;
- a framework for managing residence contract deposits;
- improved dispute resolution processes;
- an obligation for operators to provide safe premises and maintain adequate insurance;
- enhanced standards for operators and staff, including mandatory training and disqualifying offences;
- additional information-gathering powers for the registrar and expanded capacity to publish relevant information on the register;
- additional enforcement actions, including enforceable voluntary undertakings, increased expiable offences and more appropriate timelines for prosecution; and
- some administrative and technical amendments to clarify the operation of the act.

The bill also introduces some additional measures that were not considered by the review report to increase consumer protections for existing residents. These additional amendments have been subject to extensive community consultation.

One of these additional measures is the introduction of a 12-month statutory buyback period, plus a 30-business day prescribed period to allow for the commencement of reinstatements and/or renovation when a resident vacates a residence. The 12-month buyback period is based on similar provisions in place or being introduced in other Australian jurisdictions and will provide certainty for residents while remaining feasible and achievable for operators.

Another additional measure is that where a residence contract does not provide a fixed amount or formula the bill restricts recurrent charges to CPI, unless otherwise agreed to by residents or approved by SACAT. Costs outside the operator's control, such as rates, taxes and charges levied under legislation, salaries and wages paid under an award, certain maintenance contracts, utilities and insurance, are excluded from the CPI cap.

The bill also limits the liability of a former resident to pay recurrent-like charges, such as council and water rates, for a maximum period of six months after vacating the residence, and introduces a cap on the repayment of capital fund contributions in order to provide certainty for residents.

With all of these amendments, if a resident has more favourable conditions within their existing contract, the more favourable conditions will continue to apply. The amendments operate to ensure that consumer requirements are fair, consistent and transparent. Both the independent review of the act and the amendment bill were subject to comprehensive community consultation. A consultation draft bill, guide to the bill and information sheets were released for a seven-week consultation period.

During the consultation period, the Office for Ageing Well of the Department for Health and Wellbeing held 13 information sessions across metropolitan and regional South Australia, which were attended by over 420 residents, operators and other interested stakeholders. The consultation resulted in 373 unique submissions. Through this extensive engagement, the government has identified some additional amendments to the act to further enhance consumer protection and clarity. These are:

- a regulation-making power to enable standard residence contract terms to be prescribed, which my department will undertake public consultation on to inform the drafting of this regulation;

- a requirement that the residence contract must include details about who is responsible for the reinstatement of the residence, including fair wear and tear upon exit and who is responsible for the cost of any renovation work; and
- a requirement that an operator must not unreasonably refuse a request for an alteration to the premises if the alteration involves the installation of a functional aid, equipment or infrastructure recommended as necessary for the resident by a registered health practitioner.

Alongside this bill, my department is also working towards implementing policy reforms arising from the review recommendation. This includes procuring an online platform to digitise the retirement village's register so it is a user-friendly and accessible source of information for residents, prospective residents and other stakeholders, and updating the better practice guidelines to provide up-to-date and comprehensive information and guidance to retirement village operators.

The government is committed to ensuring that the Retirement Villages Act provides a contemporary, balanced and comprehensive framework for the regulation of the retirement village sector that puts consumer protection at the forefront while also supporting the growth, sustainability and diversity of the sector. I am confident that this bill achieves that balance.

In closing, I wish to take the opportunity to thank all of the residents, including the South Australian Retirement Villages Residents Association (SARVRA), operators, peak bodies and other interested stakeholders, who provided extensive and valuable feedback during the independent review and also our public consultation. Their engagement was essential for informing these important reforms and ensuring all views and perspectives were actively and comprehensively considered.

I would also like to thank the Office for Ageing Well in undertaking this extensive consultation, developing all the materials involved to explain the draft bill, meeting with stakeholders across the state, and providing advice in relation to all the feedback received. I commend the bill to the house, and I seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

These clauses are formal.

2—Commencement

Part 2—Amendment of *Retirement Villages Act 2016*

3—Amendment of section 4—Interpretation

This clause inserts and amends definitions for the purposes of the measure. In particular, the clause provides—

- that an *incoming contribution* is to include any deposit paid; and
- a new definition of *retirement village dispute*, proposed to be a dispute between an operator of a retirement village and a resident of the retirement village about the parties' rights and obligations under the Act or the resident's residence contract (which is to include, for the avoidance of doubt, a dispute arising in connection with the application of a residence rule); and
- that paragraph (b) of the definition of *special resolution* is to be amended so that the resolution must have been passed by at least 75% of residents who vote at the meeting (either in person or by way of an absentee vote exercised in accordance with this Act).

4—Amendment of section 5—Application of Act

This clause amends section 5 of the Act to expressly provide that an exemption under section 5(2) may be varied or revoked by subsequent notice in the Gazette.

This clause also provides that an offence against section 5(4) of the Act will be expiable, with an expiation fee of \$500 to apply.

5—Amendment of section 7—Registrar's functions

This clause amends section 7 of the Act to specify the functions of the Registrar as follows:

- (a) to provide guidance and advice to operators of retirement villages in relation to the operation of, and matters arising under, the Act, in particular the obligations of operators under the Act; and
- (b) to provide guidance and advice to residents and prospective residents of retirement villages in relation to the operation of the Act, in particular the obligations, rights and liabilities of residents and prospective residents under a residence contract and any code of conduct to be observed by residents; and
- (c) to gather and maintain current information about retirement villages and retirement village schemes in South Australia, including but not limited to information about the operations of retirement villages such as information relating to occupation and vacancy rates, ingoing contributions, recurrent charges, exit entitlements, dispute resolution, terminations of residence contracts, enforceable voluntary undertakings and prosecutions for offences against the Act; and
- (d) to advise the Minister on the administration and operation of the Act; and
- (e) to perform any other function assigned to the Registrar under the Act or by the Minister.

6—Amendment of section 8—Registrar's power to require information

This clause substitutes section 8(1) to clarify the operation of the section in relation to the provision of information to the Registrar as the Registrar may reasonably require for the performance of the Registrar's functions under the Act.

7—Substitution of section 9

This clause substitutes section 9 of the Act to remove the current requirement to maintain the confidentiality of information that could affect the competitive position of the operator of a retirement village or some other person, or is commercially sensitive for some other reason. The proposed new provision retains the provision that information classified by the Registrar as confidential is not liable to disclosure under the *Freedom of Information Act 1991*.

8—Amendment of section 11—Annual report

This clause changes the date for the annual report of the Registrar to be forwarded to the Minister from 30 September to 31 October.

9—Amendment of section 12—Register

This clause amends section 12 of the Act to clarify that the register may include the address of each site comprising a retirement village and also that the Registrar may include on the register—

- (a) enforceable voluntary undertakings accepted by the Minister and notified to the Registrar under section 64A of the Act; and
- (b) findings of guilt for offences against the Act.

This clause also provides that the register is to be available for inspection without fee on a website determined by the Minister (in addition to a public office during ordinary office hours).

10—Amendment of section 13—Notification of information required for register

This clause amends section 13 of the Act to clarify that an operator is required to give the Registrar the address of each site comprising the retirement village.

11—Amendment of section 14—Appointment of authorised officers

This clause amends section 14 of the Act to provide that the Registrar is an authorised officer as well as any person appointed by the Minister to be an authorised officer.

12—Amendment of section 15—Identification of authorised officers

This clause amends section 15 of the Act consequential to the amendments made to section 14.

13—Amendment of section 16—General powers of authorised officers

This clause amends section 16 of the Act to provide that an application for a warrant to enter a part of premises used for residential purposes must be made to a magistrate.

14—Substitution of sections 20 and 21

This clause substitutes sections 20 and 21 of the Act with new provisions containing requirements in relation to residence contracts and disclosure statements.

In particular, proposed new section 20 provides that a residence contract will be taken to include any other terms prescribed by the regulations and such terms will prevail over any inconsistent contractual term unless the resident elects to rely on the contractual term (in which case the contractual term will prevail to the extent of any inconsistency).

15—Amendment of section 22—Information to be provided before residence contract entered into

This clause amends section 22 of the Act in relation to matters to be provided to a potential resident before the residence contract is entered into. In particular, the requirement that the potential resident is given the information at least 10 business days before the person enters into the residence contract will not apply if—

- (a) the person has received the required documents; and
- (b) the person's legal representative has confirmed, by notice in writing, the provision of legal advice to the person in relation to the documents and the proposal to enter into the residence contract; and
- (c) the person has given notice in writing that they wish to enter into the contract before the 10 business day period has expired.

16—Substitution of section 23

This clause substitutes section 23 of the Act and in doing so amends the requirements applying under current section 23. It is proposed that a premises condition report is to be provided before a person enters into occupation of a residence in a retirement village and the report is to also include provision as to who has responsibility under the residence contract for the maintenance, repair and replacement of fixtures, fittings and furnishings provided in the residence and, if the operator is responsible for the maintenance, repair and replacement, how the maintenance, repair and replacement will be funded.

A person who enters into occupation of a residence in a retirement village must complete the premises condition report provided to the person by the operator and return the completed report to the operator within 10 business days of entering into occupation of the residence. A person who fails to return the report as required is taken to have agreed to the report as provided to them by the operator.

17—Amendment of section 24—Rights in relation to contract etc

This clause amends section 24 to provide for the refund of an ingoing contribution if a person rescinds a residence contract in accordance with the section.

18—Amendment of section 25—Offences

This clause amends section 25 of the Act to provide that it is an offence to represent to a person that, by entering into a residence contract, the person purchases the residence if the right to occupation of the residence is conferred pursuant to a lease or licence or by ownership of shares. The penalty for the offence is proposed to be \$35,000.

19—Insertion of section 25A

This clause inserts proposed new section 25A relating to residence contract holding deposits. The proposed section provides for—

- (a) a cap on deposits that an operator may seek or accept, to be set at \$5,000 or other amount as may be prescribed by regulation; and
- (b) where a deposit is paid, a prohibition on increasing a fee or charge, or entering into a residence contract with another person, during the deposit holding period; and
- (c) the refund of a deposit paid if the person who paid the deposit does not proceed to enter into the residence contract.

20—Amendment of section 27—Exit entitlements

This clause amends section 27 in relation to the recovery of an exit entitlement by a resident. It is proposed to substitute section 27(2)(b) with a provision specifying a period 12 months after the end of the relevant period (being a period of 30 business days commencing on the first business day after the resident delivered up vacant possession of the residence) as a time when the resident is entitled to recover the amount of the exit entitlement as a debt owing to the resident. This will apply in circumstances where conditions (if any) specified in the residence contract about the payment of the exit entitlement have not been fulfilled and the operator has not agreed to pay the exit entitlement.

Proposed new section 27(15) sets a period within which an operator is required to make payment of an exit entitlement.

21—Amendment of section 28—Payment of capital fund contributions deducted from exit entitlement

This clause amends section 28 to provide a cap on deductions from an exit entitlement as contributions to 1 or more capital funds. The total amount that is deducted must not exceed the lesser of the following amounts:

- (a) an amount that is 1% of the current market value of the residence to which the exit entitlement relates multiplied by the number of years (including any part year) of occupation of the residence under the residence contract;
- (b) an amount that is 12.5% of the current market value of the residence to which the exit entitlement relates.

This clause also provides that it will be an offence if an operator deducts an amount from an exit entitlement in contravention of subsection (3). A maximum penalty of \$35,000 will apply.

In addition, this clause provides that an offence against section 28(1) of the Act will be expiable with an expiation fee of \$315 applying.

22—Amendment of section 29—Arrangements if resident is absent or leaves

This clause amends section 29 of the Act to include a reference to other charges that an operator must assume responsibility for under section 29(2)(b) and which the operator may recover from the resident under section 29(3). Other such charges would include, for example, council rates, water rates and emergency services levy.

In addition, this clause provides that an offence against section 29(8) of the Act will be expiable with an expiation fee of \$315 applying.

23—Amendment of section 30—Arrangements if resident leaves to enter residential aged care facility

This clause amends section 30 of the Act to recognise refundable accommodation contributions under the *Aged Care Act 1997* of the Commonwealth as relevant to the section.

This clause also amends section 30(5) to increase the maximum penalty and expiation fee for that offence to \$10,000 and \$500 respectively.

24—Amendment of section 31—Certain taxes, costs and charges must not be charged to residents

This clause amends section 31 of the Act to insert new subsection (5) which provides that a person must not charge an amount as a fee or charge to a resident in relation to the remarketing of a residence under a residence contract unless—

- (a) the amount is as specified in, or calculated in accordance with, the residence contract; or
- (b) if the residence contract was entered into before the commencement of clause 24 and does not specify the fee or charge or the manner of its calculation—the amount represents the reasonable costs incurred by the operator in relation to the remarketing of the residence (which may include a reasonable portion of the costs of the general marketing strategy of the retirement village).

An offence under the section for a contravention carries a maximum penalty of \$10,000 and is expiable with an expiation fee of \$500 applying.

25—Insertion of section 31A

This clause inserts proposed new section 31A relating to recurrent charges. It provides that the operator of a retirement village must give a resident at least 10 business days' written notice of any proposed variation to a recurrent charge payable by the resident under the resident's residence contract. A resident will not be required to pay any increase in a recurrent charge unless notice of the increase is given as required. Offences under the section for a contravention carry a maximum penalty of \$10,000 and are expiable with an expiation fee of \$500 applying.

In addition, proposed new section 31A imposes restrictions on increases to recurrent charges under a residence contract. It is proposed that an operator must not increase recurrent charges payable under a residence contract by an amount that is greater than—

- (a) if the residence contract provides for the recurrent charges to be varied by specified amounts—the specified amounts; or
 - (b) if the residence contract provides for the recurrent charges to be varied according to a fixed formula—the amount calculated under the fixed formula; or
 - (c) in any other case—an amount that is the CPI percentage increase,
- unless—
- (d) a majority of the residents whose recurrent charges will be affected by the increase agree to the increase by resolution passed at a meeting of those residents; or
 - (e) the increase is allowed under subsection (4), which specifies circumstances in which an increase is permitted; or
 - (f) the South Australian Civil and Administrative Tribunal makes an order that the increase is to take effect.

26—Repeal of section 32

This clause repeals section 32 of the Act.

27—Amendment of section 33—Convening meetings of residents

This clause amends section 33 of the Act to require that a notice for an annual meeting of residents of a retirement village must be accompanied by—

- (a) information that enables a comparison to be made between the previous financial year's income and expenditure and the estimates of income and expenditure for the current financial year including—
 - (i) an audited statement of accounts in respect of the previous financial year showing income and expenditure for that financial year and separately detailing the income and expenditure in respect of any capital fund; and
 - (ii) estimates of income and expenditure for the current financial year, separately detailing—
 - (A) estimates of income and expenditure in respect of any capital fund (including a description of each general category of proposed expenditure from the fund and the estimated amount of expenditure for each such category); and
 - (B) expenditure items covered, or proposed to be covered, by the recurrent charges (including a description of each general category of item and the amount of expenditure for each such category); and
 - (C) estimates of any management expenditure (including an explanation of each expenditure item and, if the expenditure is apportioned between more than 1 retirement village or other businesses, the manner in which such apportionment is calculated); and
- (b) an invitation to residents to submit written questions to the operator at least 5 business days before the date of the meeting and other questions at the meeting; and
- (c) any other information required by the regulations.

28—Amendment of section 34—Proceedings at meetings

This clause amends section 34 to clarify that the obligation to ensure that minutes of a meeting are circulated or made accessible is an obligation of the convener of the meeting.

This clause deletes section 34(7) consequential to the insertion of new section 31A in clause 25.

29—Amendment of section 36—Consultation with new operator

This clause amends section 36 of the Act so that, when a change in operator is proposed, the obligation to convene a meeting of residents is to be an obligation of the current operator.

The clause also amends section 36(3) to make the former operator and the person who is the new operator to each be guilty of an offence if a change in an operator of a retirement village is effected by an agreement without compliance with the term referred to in section 36(1). It is also proposed to make an offence against section 36(3) expiable, with an expiation fee of \$500 to apply.

30—Amendment of section 39—Mandatory consultation with residents' committee in relation to annual budget

This clause amends section 39 of the Act to provide that the business agenda of a meeting must include a summary of the matters set out in proposed new section 33(6)(a) to be discussed at the meeting and be accompanied by the statements and information on which the summary is based (and for that purpose it doesn't matter whether or not those statements and information are in their final audited form).

This clause also proposes to make an offence against section 39(7) expiable, with an expiation fee of \$500 to apply.

31—Substitution of section 41

This clause substitutes section 41 relating to residence rules. Proposed new section 41 provides that if a residence rule, or a provision of a residence rule, is harsh, oppressive, unconscionable or unjust, the rule or provision is void. The South Australian Civil and Administrative Tribunal may, on application by a resident to whom a residence rule applies, make an order that the rule is void and of no effect, or to apply in a modified form, if the Tribunal is satisfied that the residence rule, or a provision of the residence rule, is harsh, oppressive, unconscionable or unjust.

In addition, new section 41(3) provides that the operator of a retirement village may only make an alteration to the residence rules applying in relation to the village in accordance with the requirements prescribed by the regulations.

32—Amendment of section 42—Documents to be supplied to residents

This clause amends section 42 of the Act to require the documents to be provided under the section within 10 business days of the request for the documents. The section is also amended to include details of all current policies of insurance that are in place in relation to the village (such as a copy of the relevant certificates of insurance).

33—Insertion of sections 43A and 43B

This clause inserts new section 43A and 43B as follows:

43A—Duty of operator to ensure common areas reasonably safe

Proposed new section 43A requires that the operator of a retirement village must ensure that the common areas of the village are reasonably safe. In particular the operator must—

- (a) ensure that an effective emergency plan is prepared and maintained for the retirement village; and
- (b) take reasonable steps to ensure that all residents and staff are familiar with the emergency plan and prescribed safety information; and
- (c) undertake a safety inspection of communal areas (if any) within the retirement village at least once each calendar year, and make a safety inspection report on the findings of each inspection available to residents; and
- (d) ensure that certain safety information (such as a map indicating the location of assembly areas, exits and fire extinguishers) is clearly displayed in communal areas (if any) within the retirement village and is provided to residents in accordance with any requirements specified in the regulations); and
- (e) take such other action as the regulations may require to ensure that the communal areas of the village are reasonably safe.

43B—Prescribed alterations

Proposed new section 43B provides that an operator may only refuse a request to approve an alteration of a prescribed kind to a residence if reasonable grounds exist for the refusal. An alteration to a residence is of a *prescribed kind* if the alteration—

- (a) involves the installation of a functional aid, equipment or infrastructure recommended as necessary for the resident by a registered health practitioner; or
- (b) is of a kind prescribed by the regulations.

34—Amendment of section 44—Termination of residents' rights

This clause amends section 44 of the Act to—

- (a) specify the fees and charges that a resident who terminates a right of occupation during the settling-in period is liable to pay. These amounts may only include refurbishment fees where refurbishment of the residence is reasonably necessary due to damage to, or degradation of, the residence caused by an act or omission of the resident during resident's period of occupation of the residence;
- (b) provide that an application to the South Australian Civil and Administrative Tribunal under section 44(8) to confirm the operator's decision to terminate a resident's right of occupation may only be made by an operator if the operator has given the resident notice of the application in writing at least 5 business days before the making of the application;
- (c) increase the penalty applying under section 44(12) to \$20 000. Section 44(12) specifies requirements of notice that an operator must give to a resident if the operator decides to terminate the resident's right of occupation.

35—Amendment of section 45—Dispute resolution policy

This clause amends section 45 to provide that, in the event of a dispute between the operator of a retirement village and a resident, the operator must take all reasonable steps to resolve the dispute in accordance with the dispute resolution policy of the retirement village unless—

- (a) the resident, at the time of the dispute, agrees to take steps to resolve the dispute otherwise than in accordance with the dispute resolution policy; or
- (b) exceptional circumstances exist in relation to which the South Australian Civil and Administrative Tribunal has granted permission to apply to the Tribunal under section 46.

This clause also proposes to make the offence in section 45(4) expiable with an expiation fee of \$500.

36—Amendment of section 46—Application to Tribunal

This clause amends section 46 of the Act in relation to the powers of the South Australian Civil and Administrative Tribunal to resolve a retirement village dispute on application by a party to the dispute. The Tribunal may make orders if it finds that a party to the dispute has breached, or failed to comply with, a provision of this Act, a residence contract or a residence rule or that an operator has acted in a harsh or unconscionable manner.

In addition, the amendments to section 46 give the Tribunal the power to make a restraining order to restrain a person from engaging in specified conduct that if engaged in, will result in a breach of this Act, a residence contract or a residence rule. A restraining order may only be made if the Tribunal is satisfied that there is a risk that the person will engage in the specified conduct. The maximum penalty for a breach of a restraining order is proposed to be \$50,000 or imprisonment for 2 years

37—Substitution of section 57

This clause substitutes section 57 with new sections 57, 57A, 57B, 57C and 57D.

Sections 57, 57A and 57C relate to the granting of leases over land in retirement villages:

- Proposed new section 57 permits an operator, with some restriction, to grant a lease, or grant a licence to occupy, a residence in the village that is not immediately required for the purposes of the scheme to an eligible person for residential purposes. A person to whom a lease or licence is granted under this section does not become a resident of the retirement village but may be elected as a member of a residents' committee and is entitled to participate in a meeting of the residents of the retirement village and to vote on any issue arising for consideration at the meeting (other than an issue that is directly related to the financial management of the village);
- Proposed new section 57A provides that the operator of a retirement village may lease, or grant a licence to occupy, land within the village to any person for commercial purposes related to the functioning of the village;
- Proposed new section 57B provides that if a lease or licence is granted contrary to section 57 or 57A, the operator is guilty of an offence.

Proposed new section 57C provides obligations applying to the operator of a retirement village in relation to insurance for the retirement village.

Proposed new section 57D provides that the operator of a retirement village must not take any step towards the termination of the retirement village scheme unless the operator has given notice to the Registrar and each resident of the village in accordance with the section. The proposed new section also provides for the operator to pay for the reasonable legal costs incurred in obtaining independent legal advice for residents on the proposed termination of the scheme in certain circumstances.

38—Amendment of section 58—Termination of retirement village scheme on application to Supreme Court

This clause amends section 58 of the Act to make clear that the Supreme Court may make orders under the section in relation to part of a retirement village scheme. In addition, consequential to new section 59A, the operator of a retirement village may not apply to the Supreme Court for the termination of part of a retirement village scheme under section 58 if, within the previous 10 years, the operator has made an application to the Minister under section 59A in the same, or substantially similar, terms and the Minister has declined to make the termination

39—Amendment of section 59—Voluntary termination of retirement village scheme

This clause amends section 59 to provide that part of a retirement village scheme may be terminated in accordance with the section.

40—Insertion of section 59A

This clause inserts section 59A which provides that the Minister may, by Gazette notice, terminate part of a retirement village scheme if satisfied that—

- (a) at least 90% of residents at the retirement village wish to terminate that part of the scheme; and
- (b) the termination will not affect the right to occupation of a residence of any resident who wishes to remain in occupation of their residence at the retirement village; and
- (c) the termination is otherwise appropriate in the circumstances.

Proposed new section 59A also provides requirements for any application under the section in relation to the termination of part of a retirement village scheme.

41—Substitution of section 60

This clause substitutes section 60 to provide that disqualified persons may not undertake or be engaged in the role of operator, village manager, senior manager or a role or function prescribed by the regulations. A disqualified person is a person who has been found guilty of a prescribed offence or in relation to whom prescribed circumstances exist.

A *prescribed offence* is proposed to be—

- (a) an offence against section 11 of the *Criminal Law Consolidation Act 1935* (murder); or
- (b) an offence against a provision of Part 3 Division 11 of the *Criminal Law Consolidation Act 1935* (rape and other sexual offences); or
- (c) an offence brought within the ambit of the definition by the regulations.

Prescribed circumstances exist in relation to a person if—

- (a) the person is an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth; or
- (b) the person has during the preceding 5 years been convicted of an offence against the person or an offence involving fraud or dishonesty; or
- (c) the person has served a sentence of imprisonment for an offence against the person or an offence involving fraud or dishonesty, being a sentence that ended during the preceding 5 years; or
- (d) any other circumstances prescribed by the regulations for the purposes of the definition exist in relation to the person.

42—Amendment of section 63—Codes of conduct

This clause amends section 63 to extend codes of conduct that may be prescribed under the regulations to village managers and senior managers and persons employed or engaged to work in a retirement village, with a maximum penalty of \$2,500 applying to a breach of a code by such a person. The offence will be expiable with an expiation fee of \$210 applying.

Proposed new section 63(5) requires an operator to ensure that the operator, a village manager, a senior manager and any other person employed or engaged to work at the retirement village undertakes training of a kind approved by the Minister in respect of a code of conduct applying to the person with a maximum penalty of \$10,000 applying. The offence will be expiable and an expiation fee of \$500 will apply.

43—Insertion of section 63A

This clause inserts new section 63A which requires an operator of a retirement village to ensure that a village manager, a senior manager and any other person employed or engaged to manage, or work at, the retirement village undertakes training on the operational policies and procedures of the village that are relevant to the person's role and responsibilities within the village. The training must occur before the person commences duties at the retirement village and thereafter, within each 3 year period or sooner if changes to the law or the operational policies and procedures of the village occur.

44—Insertion of section 64A

This clause provides for the insertion of new section 64A dealing with enforceable voluntary undertakings which may be given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the Act. If the Minister accepts an undertaking relating to a contravention, or alleged contravention, of the Act and the person completely discharges the undertaking then no proceedings may be brought under the Act in relation to the contravention or alleged contravention. An undertaking is enforceable in the Magistrates Court on application by the Minister and a maximum penalty of \$35,000 is proposed for a contravention of an undertaking. The Minister must notify the Registrar of any undertaking accepted by the Minister along with details of the contravention or alleged contravention to which the undertaking relates.

45—Amendment of section 65—Offences

This clause amends section 65 of the Act to provide for notice to be given to the Registrar on the commencement and conclusion of a prosecution for an offence against the Act.

46—Insertions of sections 65A and 65B

This clause inserts new sections 65A and 65B as follows:

65A—Limitation period for prosecutions

This proposed new section makes provision for the limitation periods applying in relation to the bringing of proceedings for an offence against the Act, being the latest of the following to occur:

- (a) the period of 2 years after the offence first comes to the notice of the Minister;
- (b) if an undertaking has been accepted in relation to the offence, the period of 6 months after—
 - (i) the undertaking is contravened; or

- (ii) it comes to the notice of the Minister that the undertaking has been contravened;
or
- (iii) the Minister has agreed to the withdrawal of the undertaking.

65B—Publication in public interest

This proposed new section provides that the Minister may, if of the opinion that it is in the public interest to do so, publish information (in such manner as the Minister thinks fit) relating to any action taken by the Minister in connection with the enforcement of the Act.

47—Amendment of section 68—Review of Act

This clause amends section 68 to provide for a review of the operation of the Act 5 years after the commencement of the amending Act.

48—Amendment of section 69—Regulations

This clause amends section 69 to specify that the regulations may—

- (a) make provision in relation to requirements that will apply to the making of alterations to residence rules; and
- (b) make provision in relation to property (including for the disposal of property) left at a residence by a resident who has ceased to reside in the retirement village; and
- (c) make different provision according to the classes of persons, or the matters or circumstances, to which they are expressed to apply; and
- (d) may leave any matter to be determined according to the opinion or discretion of the Registrar.

Schedule 1—Transitional provisions

1—Interpretation

This clause provides definitions for the purposes of the Schedule:

capital fund has the same meaning as in the principal Act;

disclosure statement has the same meaning as in the principal Act;

exit entitlement has the same meaning as in the principal Act;

principal Act means the *Retirement Villages Act 2016*;

residence contract means a residence contract under the principal Act.

2—Residence contracts

- (1) Section 20(3) of the principal Act, as inserted by the measure, will apply in relation to a residence contract irrespective of whether the contract was entered into before or after the commencement of clause 14 of the measure.
- (2) Subject to subclause (1), section 20 of the principal Act, as inserted by the measure, will apply in relation to a residence contract irrespective of whether the contract was entered into before or after the commencement of clause 14 of the measure except where, before that commencement, the information required to be given to a person under section 22 of the principal Act had been given to the person, in which case section 20 of the principal Act as in force before that commencement continues to apply.

3—Disclosure statements

Section 21 of the principal Act, as inserted by the measure, will apply only in relation to a disclosure statement given to a person under section 22 of the principal Act after the commencement of clause 14 of the measure.

4—Residence contract holding deposits

Section 25A of the principal Act, as inserted by the measure, will apply only in relation to a deposit paid after the commencement of clause 19 of the measure.

5—Exit entitlements

The amendments made by the measure to section 27 of the principal Act apply in relation to a residence contract irrespective of whether the contract was entered into before or after the commencement of clause 20 of the measure except where, before that commencement, the resident had—

- (a) ceased to reside in the retirement village; or
- (b) given notice to the operator in accordance with section 27(2)(b)(ii) of the principal Act,

in which case section 27 of the principal Act as in force before that commencement continues to apply.

6—Capital fund contributions

Section 28(3) and (4) of the principal Act, as inserted by the measure, will apply only in relation to a residence contract entered into after the commencement of clause 21(2) of the measure.

7—Recurrent charges

Section 31A of the principal Act, as inserted by the measure, will apply in relation to recurrent charges under a residence contract irrespective of whether the contract was entered into before or after the commencement of clause 25 of the measure.

8—Application to Tribunal for resolution of retirement village dispute

The amendments made by the measure to section 46 of the principal Act will apply in relation to a dispute relating to a residence contract irrespective of whether the contract was entered into before or after the commencement of clause 36 of the measure.

9—Limitation period for prosecutions

Section 65A of the principal Act, as inserted by the measure, will apply only in relation to proceedings for an offence where the conduct constituting the offence was engaged in after the commencement of clause 46 of the measure.

Debate adjourned on motion of Mr Pederick.

SECOND-HAND VEHICLE DEALERS (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 20 February 2024.)

Mr PEDERICK (Hammond) (16:07): I am just continuing my remarks from last night in relation to the Second-hand Vehicle Dealers (Miscellaneous) Amendment Bill. I was giving a long discourse about the kilometres difference on my December 1989 red ute, which I still own.

As I indicated yesterday, the minister may explain to me during the conversation—or when we go into the committee stage—on disclosing the differences if, for instance, I was a second-hand dealer selling that vehicle. As I indicated, on the clock it shows only about 260,000 kilometres because it has been fitted with a different dash as some other components were not working—I think it was the temperature gauge from memory, but it was a long time ago. It is only 190,000 kilometres out.

Under clause 13 in the bill, where it talks about false or misleading statements in relation to this, I am unsure whether making a statement when you were selling it (or something like that) was enough instead of having to work out whether you could adjust the odometer to get it to the correct level, which may have to be done. It will just be interesting to see whether that is what has to happen.

In talking to some of my colleagues, a lot of us come off farms. There are a lot of vehicles on farms. Usually they are old trucks that are used for fire trucks that might have been your main truck 30 or 40 years ago—and no gauges work. Like our old International AB62, a 1960s-era build International. It carted a lot of grain for us; it was about a six-tonne payload legally. That did not have any gauges. I think I blew up the motor when we had a firefighting unit on it fighting a fire and she lost all her water one day. That was the end of that. But there would be many vehicles like that out in the private sector, and certainly if something like that was sold through a second-hand dealer it is something that would have to be remediated.

That is the interesting thing. There would be a lot of vehicles in circulation somewhere in the piece where there would be no idea of what they had actually done. For whatever reason, and it might not be anything nefarious, the odometer might have been disconnected or just no-one cared and they just drove it and it did not matter to them and they got on with it. So there certainly could be a range of vehicles in a range of situations where something like that could have happened where no-one for practical reasons more than anything wanted to repair it.

I know this is branching away from the fullness of the bill to a degree, but what stunned me during COVID was that I realised how many cars get traded across state borders, especially having

a border with Victoria. I would have people contacting the office asking, 'What do we do?' I said, 'Whatever you do, wherever they say Victoria is, do not go there. Let the Victorians push the car across or whatever.' I think it is a credit to everyone at the border crossings, including the police and others, that there must have been hundreds, if not thousands over the time, of cars at various border points that were transferred. I know that is digressing a little bit from second-hand dealers, but it just proved to me how many vehicles get traded. There were several constituents.

I remember one constituent who rang me on a Friday afternoon about 4.50pm and said, 'I am trading a car at Bordertown.' I asked, 'When are you doing that?' They said, 'Tomorrow.' I said, 'Really? Do not go into whatever they deem is Victoria. Let them push it across. Ring me if it hits the fan, so to speak.' Anyway, I did not get a phone call, so it worked. I know that is digressing a bit from the intent of this bill because it deals predominantly with second-hand dealers. But it did intrigue me that even through COVID people were still keen to keep mobile and have opportunities to buy second-hand vehicles.

The intent of the bill is very good, especially in regard to increasing the penalties. Clause 4 is around the penalty for carrying out a business without a licence. I think is important that that penalty has increased by quite a lot. Also, the penalties for interfering with an odometer goes up to \$150,000 from \$10,000 per offence. As I said earlier in my contribution, I think that will assist in deterring people who may be in the industry and may want to turn those odometers back, or they have a bit of a chop shop set up out the back which is next level, I know, and it is not just odometers. Hopefully it deters people from doing that.

As I was indicating around clause 13 and prohibiting people making false or misleading statements, I note that there are some language changes in the bill to cover electric vehicles and also to remove obsolete references to 'facsimile'. I think it just says 'email' now, from memory.

I think this is very important, especially for people who on face value like to trust everyone, and sadly, in the world, you cannot. I have a couple of boys and they are very keen on vehicles, apart from driving my vehicles. Angus is only 19 and he is on his third vehicle. I have tried to slow him down a bit and said, 'You are an apprentice, mate. Just work for a while and let's get a really good car down the track.' But they always want that one that is a bit better.

The Hon. A. Michaels interjecting:

Mr PEDERICK: Well, exactly. Mack is working FIFO so he has a little bit of extra cash and, apart from this beautiful 1998 VS Statesman Series III, which is a beautiful car, he has a 2008 Audi S8 he bought from Canberra, a very nice little all-wheel drive car that really grips the road.

So I think this bill is for the kids and for those who take people at face value, and for the ones who are buying cars from dealers. As I have indicated, there are a lot of cars and vehicles that are traded privately and it is sort of at your own call. I know Mack was looking at some of these cars. I cannot remember the model now but he was looking at a second-hand BMW and he got it inspected. I am glad he did not end up with one because it might have ended up being a long time in the garage, but anything can.

This bill gives a little bit of solace to those people who are just trying to buy a genuine vehicle with genuine kilometres in the condition they can see it in, and if they get it inspected—even inspectors may not pick up if an odometer has been changed even a significant amount if it is spruced up enough. This bill will go a long way to getting some more honesty in the system for those who want to be nefarious. I note the industry supports this legislation so I support the bill.

Mr ODENWALDER (Elizabeth) (16:16): I rise today to also speak on the Second-hand Vehicle Dealers (Miscellaneous) Amendment Bill 2023. For many people, purchasing a car can be the biggest financial purchase they might make after the family home. We know there are many different reasons and motivations for buying a car. For young people, it can be a source of independence and a way to get to work. For enthusiasts, like the member for Hammond's son, buying a certain car can be a life goal. For tradies, it is a vehicle that will reliably carry their tools and equipment from one job to the next. For a young family it can be the car that will transfer and protect them for many years.

While public transport is largely available and reliable in Elizabeth, sometimes a car offers a more practical and direct way to get to a destination. School drop-offs become a lot easier with a car, getting kids to sport on the weekends can become more practical. This is especially so if they are playing a long distance away. A car can also be the most convenient form of transportation to and from important medical appointments. Close to my electorate office on Elizabeth Way and elsewhere in Elizabeth, there are several second-hand car dealers and many cars are purchased on the second-hand market.

These second-hand dealers offer families and individuals an opportunity to get a car sooner compared with a brand new vehicle, and we know that at the moment very long waiting periods for new vehicles are not unheard of. There are also, of course, many private sales of vehicles. It is not uncommon to drive through Elizabeth and see cars parked with 'for sale' signs on them. Elizabeth, of course, has always had a particular love of cars, being the home of Holden for many years, and my own first car was bought second-hand, a Holden LJ Torana, that at the time was the most ridiculous \$250 I ever spent but now I wish I had hung onto it for much, much longer.

Mr Pederick: What size motor?

Mr ODENWALDER: I don't know. Member for Hammond, it was a factory standard two-door LJ Torana.

Mr Pederick interjecting:

The ACTING SPEAKER (Mr Brown): Order!

Mr ODENWALDER: I will make some comments later about the complexity of modern cars. The complexity of 1976-built cars is beyond me. With the cost of brand new cars, many people look at the licensed second-hand market for a more affordable alternative. In particular, second-hand dealers offer protections to the buyer that are not available from a private seller. Many people work very hard to be able to afford a private vehicle. For young people it can be many years of saving and working extra shifts at their jobs. Families will put their hard-earned money aside. It can be heartbreaking and financially disastrous if this purchase turns out to be not what was promised.

When looking at a second-hand car to buy there are many factors to consider: the age of the vehicle, the number of owners, the service history and the kilometres on the car. These factors help consumers determine whether the price being asked by a second-hand dealer is fair. The kilometres that the car has travelled can be one of the most important things to consider when purchasing a used car, and generally cars with lower kilometres are more valuable. Therefore, second-hand dealers who tamper with a car's odometer can then sell that car for a significantly higher price. The fine for tampering with an odometer can be less sometimes than the money gained by winding it back. Sadly, instances of odometers being tampered with are not uncommon, with CBS finding the deceptive practice on the rise.

Winding back odometers can also result in important maintenance and safety work not being carried out on the car, potentially resulting in serious issues. With heavy traffic, such as that along Main North Road where it is 80 kilometres for long stretches, ensuring people are in safe, reliable cars is paramount. If a critical component within an engine fails as someone is pulling onto a main road, the consequences could be catastrophic.

As I have already observed today, cars are somewhat more complex than my old LJ Torana, and the cost of repairing a modern car that has not been maintained can be enormous. If a critical part fails due to no maintenance being performed, the cost of repairs can be more than what the car is worth. The car may also be unsafe to drive.

Then there is a consequence of not having a car while waiting for repairs. Depending on the make and model, some parts can take a long time to be sourced and this can make it challenging for people to get to work or for kids to be dropped off at school or sports on the weekends. This situation can be not only financially stressful for families and individuals but emotionally stressful too.

In Elizabeth, as in many other areas, it is a common sight to see tradies in utes and vans. For a tradesperson, a vehicle out of action represents a lost income. It can also mean lost customers through no fault of their own. For many smaller businesses, this is something that is not easily

recovered from. This odometer tampering practice not only impacts on the initial buyer of the tampered vehicle but can also impact future owners of that vehicle. These owners can also be unaware that it may have missed out on important maintenance and safety checks.

It is no secret that older, less expensive cars are often bought by young drivers as a first car. Again, in Elizabeth you will quite often see older cars being driven by young provisional drivers. With young provisional licence holders already being at higher risk of serious accidents, odometer tampering can put them at further risk.

This is why we—and I understand the opposition agrees—believe it is time to increase the maximum fine for odometer tampering from just \$10,000 to \$150,000 for a first offence. Subsequent offences can then be penalised, with fines going up to \$250,000 or up to two years' imprisonment. These fines can also be brought against an individual, not just a car dealer.

Previously, compensation could be sought against a second-hand dealer who was found guilty of tampering with an odometer; however, no compensation could be sought against private sellers. I am glad to support these amendments that allow compensation to be sought from private sellers who are convicted of tampering with an odometer.

Odometer tampering and unlicensed dealing are not the only things these amendments will address. Last year in Australia, over 100 new hybrid cars were sold. Many people buy hybrid or electric vehicles to cut down on the money they spend on fuel and to reduce their carbon footprint. As hybrid cars become more popular, the number that will come up for sale on the second-hand market will also increase. With the cost of fuel, hybrid cars can present a way to reduce costs, particularly for those who must travel long distances.

Previously, there was little to no provision to protect consumers who bought a second-hand hybrid or electric vehicle with a defective propulsion battery. The propulsion battery is a critical component in a hybrid vehicle. Replacing the main battery on a hybrid or electric vehicle can cost tens of thousands of dollars. This, of course, for anyone, could be a financial disaster. This bill will expand the duty to repair to cover the main propulsion battery for hybrid and electric vehicles.

This bill also supports second-hand car dealerships by removing the requirement to display the name and address of the previous owner. This also applies to a car that was previously used as a hire car or a taxi. The requirement to display these details can be misleading as dealers do not always receive accurate information about the previous owners of a vehicle. Dealers simply now must provide a statement that these details are available on request.

This helps protect the privacy of someone who has sold a vehicle to a second-hand dealer. These changes will also apply to vehicles sold at auction, another popular way to save money on second-hand vehicles. This bill will also allow second-hand dealers to list defects on a vehicle that will not be covered by the duty to repair. This will help provide transparency to consumers and help them make an informed decision.

Additionally, this bill will also give consumers the ability to waive a cooling-off period when purchasing a new vehicle. Currently, consumers must wait two business days to consider the purchase of a second-hand vehicle. If they wish to waive this right currently, a separate form must be completed, signed, witnessed and then submitted to the dealer. This bill will remove the requirement for someone to witness the document, streamlining the process for both the consumer and second-hand dealers. This will help those who need a vehicle sooner rather than later. With a number of second-hand dealers located in my own electorate in Elizabeth, some located almost right next door to my electorate office, I am happy to support this amendment.

This bill is an important step in deterring dishonest second-hand dealers and supporting consumers and second-hand dealers who do the right thing. It provides for strong deterrents against those who do the wrong thing, as well as real benefits to second-hand dealers and, particularly, to consumers. I commend the bill.

Ms CLANCY (Elder) (16:24): I rise today in support of the Second-hand Vehicle Dealers (Miscellaneous) Amendment Bill 2023. This bill seeks to amend the Second-hand Vehicle Dealers Act 1995 to improve the process for dealers selling second-hand vehicles, whilst strengthening

protections for South Australian consumers. This reform will bring us in line with other jurisdictions and Australian Consumer Law.

Many South Australians choose to purchase a second-hand vehicle from a licensed dealer rather than a private seller to ensure that they have greater consumer protections and applicable warranties in place. The bill before us today aims to strengthen the Second-hand Vehicle Dealers Act 1995 and ensure that it continues to serve its purpose of maintaining the integrity of the second-hand motor vehicle industry and provide strong consumer protections. It is important that we review this legislation now, to ensure it aligns with Australian Consumer Law and accounts for the significant changes to vehicle technology that have occurred in the last few years.

A number of concerning practices within the second-hand vehicle industry have been brought to our government's attention, including licensed dealers avoiding their legal obligations to provide statutory warranties and relevant and necessary disclosures about the state of vehicles by posing as private sellers, the sale of cars with false papers, and the winding back of odometers to misrepresent the kilometres the car has travelled. Such practices often leave families who are already struggling with cost-of-living pressures with more costs to contend with, which is why our government is today putting measures in place that help prevent South Australians from being taken advantage of.

I am currently supporting a family in my community who purchased their family car second-hand from a licensed dealership. Since its purchase, the vehicle has had to be returned to the dealership's mechanic on an ongoing basis for an issue that my constituents were not advised of prior to its purchase. After seeking their own independent mechanical advice, my constituents have been advised that their family vehicle is not roadworthy, due to damages sustained prior to the vehicle being purchased.

As I support this family with their complaint to Consumer and Business Services, and as I stand before you today, I am reminded of the importance of reforms such as the bill before us. While we know that most South Australian businesses will always do the right thing for their workers and consumers, we must not neglect our responsibility to ensure adequate protections are in place against those businesses that do not do the right thing.

This bill seeks to implement a raft of changes to support the interests of dealers and consumers, including ensuring that consumers have a better understanding of vehicle defects prior to purchase. With some exceptions, dealers have a duty to repair a defect that is present in a vehicle or appears in a vehicle after it is sold. The successful passage of this bill will permit dealers to disclose defects in a vehicle that would not be subject to the duty to repair, provided that the vehicle remains safe to drive. Both the dealer and the purchaser will need to sign a prescribed form acknowledging the defects. This amendment will bring South Australia in line with other jurisdictions and consumer guarantees in Australian Consumer Law.

One of the most sought-after reforms included in this bill brought to us by the minister is to substantially increase penalties for odometer tampering. While I am sure many of us thought that the attempt in *Ferris Bueller's Day Off* to tamper with the odometer of Cameron's dad's 1961 Ferrari 250 GT California Spyder—so that his dad would not know that they had taken the car out all day and had a great old time—was very funny, it is not funny at all in real life. Odometer tampering is a serious issue that can have significant consequences affecting the mechanical effectiveness and safety of a vehicle.

This bill seeks to increase the penalty for odometer tampering from \$10,000 to \$150,000 for first and second offences, and \$150,000 and/or two years' imprisonment for third and subsequent offences. These penalties will be the toughest in the nation for this offence. This reform will also provide for a compensation scheme for victims of odometer tampering for vehicle purchases from private sellers. Under the current act, victims of odometer tampering can only seek compensation where a dealer has been previously convicted of a tampering offence. There is no provision for compensation for victims of odometer tampering where the car has been purchased through a private seller.

Additionally, a new offence will be created for dealers providing false and misleading statements about the accuracy of odometer readings. Where a person knowingly makes a false or

misleading statement to a purchaser, a maximum penalty of \$30,000 or two years' imprisonment will apply. Currently, only dealers can be prosecuted for providing false and misleading statements under Australian Consumer Law. This new offence is intended to deter private sellers from engaging in the same activity.

This bill also seeks to introduce new powers for the Commissioner for Consumer and Business Affairs, allowing them to direct a person to rectify an altered odometer or to refrain from selling a vehicle with an altered odometer unless they have been provided with written approval by the commissioner. This will assist in ensuring that vehicles with altered odometers are not on South Australian roads.

Penalties for unlicensed dealing will also be increased under the bill. For first or second offences, the penalty will increase from \$100,000 to \$150,000. For third or subsequent offences, the penalty will increase from \$100,000 or 12 months' imprisonment or both to \$250,000 and/or two years' imprisonment. It is hoped that by increasing these penalties more individuals will be deterred from defying the law.

Dealers currently have a duty to repair a defect that is present in a vehicle or appears in the vehicle after it is sold. There are exceptions to this requirement, including vehicles that are over 15 years old or have more than 200,000 kilometres on their odometer before the sale.

To further protect consumers, amendments to section 33 of the act will remove the ability of purchasers to waive the right to have a vehicle repaired under the duty to repair. This amendment again will bring South Australia in line with Australian Consumer Law requirements that purchased goods must be of an acceptable quality and fit for purpose.

While the increasing prevalence of electric and hybrid vehicles on our roads is very apparent, this bill creates provision for the duty to repair requirements to be expanded to cover the main propulsion battery for these vehicles within the statutory warranty period. This duty will apply to vehicles purchased before or after commencement of the amendment act.

The Second-hand Vehicle Dealers (Miscellaneous) Amendment Bill 2023 will introduce a number of other amendments intended to appropriately and necessarily update the act, including ensuring privacy protections for previous owners and lessees, updates to administrative requirements to create efficiencies and reflect more modern practices and expanding the Second-hand Vehicles Compensation Fund so that the fund can be used for education, research and reform programs.

In closing, I would like to thank the Minister for Consumer and Business Affairs and her team for their work in bringing this bill to this place. I would also like to acknowledge the work of key industry groups, including the Motor Trade Association and the RAA, thank them for their participation in consultation processes related to this bill and for their strong support for the proposed amendments. I commend this bill to the house.

Mr COWDREY (Colton) (16:32): I rise today as others from both sides of the chamber are doing to support the Second-hand Vehicle Dealers (Miscellaneous) Amendment Bill 2023. At the outset, it is appropriate to acknowledge the input of the Motor Trade Association of South Australia, their policy team and, more broadly, in bringing the issues they have identified in regard to the onselling of second-hand vehicles in South Australia. I also acknowledge their constant work to ensure all parts of the motor trade industry have an appropriate level of respect.

Whether it be around second-hand vehicles or the crash repair industry or more generally, the view of the MTA is they want to ensure that what should be done is done within the industry, that there are acceptable and practical standards that those who participate in the industry should be meeting, and that there are appropriate guidelines in place to ensure that we continue to keep the industry well respected and in a good place.

As has been said by previous speakers, the substantive part of this bill essentially is looking at modernising the legislation to bring what is a piece of legislation that has not been touched for quite some time into the modern day. No greater illustration of that is the changes to limit the use of fax communication—something that not many use these days—in regard to dealing with the cooling-off period. We are dealing with the modernisation of both language and communication in this bill,

as well as obviously making some significant changes to how second-hand vehicles are dealt with through the onselling process.

The substantive part of the bill, as I have said, is largely around ensuring a number of things. Firstly, safety is paramount. Obviously, it goes without saying and has already been said during the course of this debate that the purchase of a motor vehicle is usually one of the most significant purchases that people make in their life, outside of their house. It is usually the second largest asset that many people have in their possession. The desire for there to be some rigour and to have, as best we possibly can, an industry that provides what they say they are going to provide is obviously essential to ensuring that there is confidence when making such a significant purchase.

I think the MTA has rightly drawn our attention to consumer rights around a number of aspects of their industry over the last number of years—a minimum expectation of what a purchaser can expect from somebody who is selling them a second-hand vehicle. There is a real deterrent for those people who are dishonest and operating within the industry. It goes without saying that a number of the penalties that are in line with the provisions through this act will be significant. They will be harsher than other jurisdictions, but in the context of what is before us today, it has been deemed by both sides of this house that that level of penalty is appropriate given the circumstances and the seriousness of the offences that we are discussing today and, lastly, the integrity of the second-hand dealer industry in the state.

I must say at the outset that I am not much of a car person. It is not something that I know all that well. I use a vehicle to go from point A to point B. What it looks like is not something that greatly excites me in any way, to be completely honest, and never has. I think just about everyone in the chamber to this point has disclosed their first car, so I may as well join and let the inevitable bits and pieces that come from that happen.

It was a 1990 Toyota Camry. I still have the difficulty of pointing out what the difference between the Toyota Camry and the Holden Apollo of that time was. I believe they were basically the same car just with different badges on the front. If there is anybody who can enlighten me as to what the difference between the two versions of those cars was, please do. I was very lucky: it was a very good car. Certainly, there were no issues that I encountered with that car right the way through. As I say, I count myself as a lucky one, who was not in a position of ever needing to deal with some of the issues that we are dealing with today within the legislation.

Mr Teague: You should have had a golden Holden.

Mr COWDREY: I think that was one of the key things that was passed on to me: the reliability of that choice of car. In regard to the specifics of the bill, I will get to those in a minute, but I think it is timely to also reflect on the good work that has been done over previous years within this space or more broadly.

One of the very first parliamentary inquiries that I undertook on the Economic and Finance Committee was in regard to the crash repair industry in South Australia. Through the collection of submissions, and having witnesses come in and provide evidence to the committee, the one thing that really stuck with me from that particular inquiry was the frustration that came from the many people within the industry who were doing the right thing towards those who were either participating at the periphery or were blatantly doing the wrong thing. It was clear through the evidence that they gave that there really was this frustration with how the industry was viewed as a whole because of the behaviour of a few bad eggs.

Really, that particular thought process and that particular view is what we are trying to achieve today: to weed out as best we can the bad eggs within the industry of second-hand vehicle dealers to ensure that we are deterring as best as we possibly can those who do not want to do the right thing within the industry from participating.

As has been stepped through, there are a number of substantive changes that are being made. In regard to the declaration of defects that will not be subject to the duty to repair, that particular section and those changes to section 23A, as has already been said, will bring South Australia in line with the consumer guarantees that are set out within the Australian Consumer Law. There are changes around the regime to waive duty to repair rights and the particular documentation that is

required in regard to the cooling off period and those rights, in particular around the document that is used through that process: simple changes and modernisation changes to limit the red tape to some degree by removing the requirement for a witness to sign that document.

One of the key penalty provisions that is being changed is in regard to odometer tampering. While this is, I assume, easier in older cars where there is an odometer that is not digital, the reason nonetheless is still the same: we have a car that potentially has done significantly more kilometres on the road that is in a condition that is different from what would be anticipated for a car that has done what is reflected in terms of the odometer reading for that car. So shifting those fines will result in a significant increase, from \$10,000 to \$150,000 for the first and second offence, and then the potential for imprisonment for any subsequent offences goes to the seriousness of that particular offence and that particular action in terms of tampering with odometers.

There are a range of other changes in this legislation around odometers as well, and odometer readings, including changes being made to false and misleading statements about odometer readings. As has been addressed by other members through their contributions to this point, a compensation fund is being set up under the act to compensate those who have been subject to odometer tampering. Powers will also be provided to the Commissioner for Consumer and Business Services to do as best he can to ensure that those vehicles that have had their odometer tampered with are not on sold or removed from sale, and to either direct somebody to rectify an odometer reading or to ensure, as I just said, that the selling of that vehicle cannot be done until the vehicle's odometer is rectified.

Similarly, in regard to modernisation of the act, given the shift in the vehicle market to include now electric and hybrid vehicles there has obviously been a need to bring that technology within the legislation, to be covered appropriately by the legislation so that the main propulsion battery and the other bits and pieces that are involved with hybrid and electric cars that are covered by the statutory warranty period are also covered as part of this rewrite to the act.

Further changes of less substantive form include changes to the prescribed forms around contracts for sale and exactly what needs to be included in those contracts. That has been a sensible shift, to have across-industry form contracts for the sale of second-hand motor vehicles. Again, I thank the government and the minister for bringing this bill to the house. I thank the MTA again for their work in bringing the particular issues addressed by this piece of legislation both to the government and to the opposition, and for bringing them in a way where they have provided avenues to improve the existing legislation that we have in place.

I think this bill will hopefully do its work as has been envisioned, to ensure that we do weed those bad eggs out of this industry, that we continue to have a respected second-hand dealers market and industry in South Australia, and that we have legislation today that rightfully is focused first and foremost on safety. We know that we lost too many lives on our roads last year. We certainly hope that there is a decrease in that this year.

The very last thing we need is vehicles going out onto our roads that are not roadworthy, that have not had the appropriate repairs made necessary to make them roadworthy before we have people—particularly young people, who are generally in most circumstances buying second-hand cars (I certainly was one of them) when making their first purchase—out on the road in cars that are not at an appropriate level.

It is about consumer rights. It is about minimum expectations. It is about deterring dishonest dealers, and it is about ensuring the integrity of the second-hand dealer industry in South Australia. With those words, I again thank the minister and look forward to the passage of this bill and to improving those particular aspects and the second-hand vehicle dealer market in South Australia through the passage of this legislation.

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) (16:48): I too rise today in support of the Second-hand Vehicle Dealers (Miscellaneous) Amendment Bill 2023, a bill which, as we have heard, is all about ensuring our state has some of the strongest penalties in the nation to help crack down on dodgy used-car sellers.

The purchase of a car is a significant investment and can be really exciting and quite an experience, as can the years and months after making that purchase. I remember very well my first and my beloved second car. My first was an old cream Corolla wagon with a brown roof and brown two-tone stripe. It was \$800 from a local dealer, and when I bought it I felt like I was more independent. I felt like I could safely get around. I felt like the days of finding all sorts of creative ways to travel were done. I felt like I could rely on it to safely get me to and from work and home. I was really glad not to have to rely on other people or a late-night bus.

Things went okay with the two-tone brown and cream Toyota Corolla, briefly. For a short while I felt excellent. I was free and I was freewheeling around the streets, generally with a gang of loud and excellent young women packed into the back seat. But then came a Christmas Day in the 1990s.

My mum was hosting lunch at Boomer Beach. My elder sister and I were living in a share house and we packed up our stuff to head down for Christmas Day and the few days following. We had a mountain of clothes, boogie boards, wetsuits and quite a few refreshments packed into the back. Things were going really well until we got to the base of Willunga Hill. That little cream and brown two-tone wagon tried and tried, but just got slower and slower as it made its way up the hill. The temperature gauge reached the highest it could go, steam came out of the bonnet, and we just stopped at the steepest point of that hill.

Bizarrely, on stopping, the boot simultaneously flew open and all of our stuff—bathers, clothes, refreshments, boards, everything—fell onto the Victor Harbor Road. Christmas lunch-goers heading at 100 km/h to the coast had our clothes whip onto their front windscreens, and we dodged traffic to try to collect cosmetics smashed onto the bitumen. That was car one.

Mr Pederick: Was that its death knell?

The Hon. K.A. HILDYARD: Yes, pretty much; things went even further downhill after that. The second was my absolutely beloved HG Holden, a much better experience—also, however, strangely cream and brown two-tone. I loved that car. There was something about the column shift gears that made me feel like I could do anything. To this day, it was the most solid car I have ever travelled in. I repeatedly (I mean, repeatedly) took out the gate to our driveway in it and had a range of mishaps, but it always came off literally without a scratch on it. It felt and behaved like a tank. To this day I wish that it was still in the driveway, gate or no gate.

When I purchased my car and when I witnessed my kids purchase their first cars, I wanted reassurance that the car was safe and reliable and that I and they had good information about its condition. As someone with literally no mechanical expertise and not a lot of patience, I just wanted my car to get me where I needed to go without drama—and certainly without a scene on Willunga Hill.

For my kids, with whom we went through some really interesting times when they learned to drive, I just wanted them to be as safe as possible and to never be stranded in a difficult situation. I literally heard their first cars come up the street before I saw their first cars. I remember one of our sons, on the day that he proudly went and got his Ls, asking my husband if he could drive some of the way home. He was allowed to, and my husband was in the passenger seat. When our son asked a question about where to go, my husband very, very wrongly said, 'Just go straight through the roundabout.' So he did, literally, just go straight through the roundabout—straight over the roundabout.

Most dealers do the right thing. They give people the information they need, and they provide reassurance about any repairs that are needed and any attention to safety that is required. Unfortunately, Consumer and Business Services have seen emerging and growing trends of concerning behaviour, including tampering with odometers and unlicensed selling. These behaviours directly aim to take advantage of people—those first-car buyers we have all described—and to increase profits.

The reforms in this bill mean that for the first time anyone caught winding back an odometer will face jail time or a fine of up to \$150,000, along with longer sentences and higher fines for

unlicensed dealing. This increase in penalties will rightly act as a deterrent to help safeguard people's rights and to promote transparency.

We want to ensure that every individual, and indeed every person's loved one, who steps into a car yard and goes about making that first purchase can do so with confidence knowing they will receive honest information and fair treatment. As well as increasing penalties, this bill also modernises the Second-hand Vehicle Dealers Act 1995, which has not been reviewed since 2009. Since 2009, there have been significant advancements in technology and changes to methods of how cars are assessed and repaired.

As mentioned earlier, one of the significant amendments to the act is the increased penalties for tampering with odometers, again seeing the increase in the maximum penalty increasing from \$10,000 to \$150,000 for the first and second offence, and for third or subsequent offences seeing a maximum penalty of \$150,000 and/or imprisonment for two years. As has been mentioned by other speakers, this sees us progressing the strongest penalties in the nation on this offence and helping to prevent dealers making profit from doing the wrong thing.

As a result of odometer tampering, currently victims of convicted dealers can obtain compensation. However, there is no provision for this to occur in the circumstance of a private seller. Changes to the act through this bill will see courts now having the ability to order compensation for a person who purchased a vehicle with a tampered odometer from a private seller who has been convicted. This compensation is really important both to remedy the costs incurred, or likely to be incurred, and in order to rectify the odometer on the vehicle.

The other significant increase to penalties is to unlicensed dealing. This penalty increases from \$100,000 to \$150,000 for first and second offences, and to \$250,000 or two years' imprisonment for third and subsequent offences.

Another amendment will allow second-hand vehicle dealers to disclose defects which will not be subject to the duty to repair provided that the vehicle remains roadworthy. The current act details the provisions for the duty dealers have to repair a defect that arises during or after the sale of a vehicle. There are a number of exemptions to this requirement, including vehicles that are over 15 years old or have been driven more than 200,000 kilometres before the sale. This amendment brings South Australia up to date with similar arrangements in other jurisdictions and aligns with consumer guarantees in the Australian Consumer Law.

In another move to align our legislation with those Australian Consumer Law requirements and to add protection, the bill also rightly removes current provisions that allow a purchaser to waive their general right to have a vehicle repaired by the dealer under duty to repair obligations. As said, this approach is consistent with Australian Consumer Law requirements that purchased goods must be of acceptable quality and fit for purpose.

There are other amendments to speak to and which others have, but finally I make mention of the amendments to the Second-hand Vehicles Compensation Fund. Whilst currently the main functions of this fund are to compensate consumers when there is no reasonable way of recovering the money they are owed by a dealer, this bill will expand so that this fund can also be used for education, research or reform programs that benefit dealers, auctioneers, salespeople or the general public. It is really important to ensure that all involved in the process of buying or selling a vehicle are aware of their rights, their responsibilities and the help that is available to them. Community awareness and education are crucial to that effort.

In closing, I wholeheartedly commend the work of the Minister for Consumer and Business Affairs and her staff and officials for all of their really important work on this bill. As the Minister for Consumer and Business Affairs also did, I do remind everybody when buying a vehicle to exercise a great deal of caution. This might include getting the car inspected, checking that the odometer reading is consistent with the wear and tear on the vehicle, and visiting the Personal Property Securities Register to check that the car has not been stolen, flood damaged or written off. If somebody does have any concerns, I really encourage them to contact Consumer and Business Services for advice and support. I commend this bill to the house.

The Hon. D.G. PISONI (Unley) (17:00): I have been enjoying the stories of people's first cars, so I was impatiently working my brain, starting back at 1980, when my first car happened. It was actually my father's Holden Premier. It was gold in colour and he bought it new. He got his driver's licence quite late in life. His first car was a second-hand Zephyr that he bought from an Italian mate of his, and then in 1970, as a GMH worker in the tool room at Holden's, he got the staff discount and bought a brand-new Holden Premier. There were four boys, three of us quite close together then a younger brother who used to sit in the bassinet at the back without even a seatbelt. That was how it happened in those days. The bench seat at the front would have mum, dad and one of the boys and then the bassinet and two boys in the back.

Anyway, 10 or 12 years later, my father decided he was going to get a new red diesel Gemini and he was looking for a buyer for his car and I decided to do that. So that was the first car. Then my boss, when I was doing my apprenticeship, decided he was going to sell a Ford Cortina that was a company car, and he offered it at a price that was hard to resist so I then sold my Holden Premier, which by that time had extractors and chromies put on it. Do not forget I grew up in Salisbury. So I took the chromies off and sold them separately because in those days a set of chromies would cost you about three weeks' wages. It was a lot of money for a set of chromies, so I sold those separately and put the original wheels back on.

But not long after I had the Ford Cortina, I started my own business and I was distracted one day and the Cortina was T-boned. I then decided that I needed to be able to move furniture around so I traded it in for a one-tonne ute that I used to use for work, and also when I was picking up my dates, I used to turn up with the one-tonne ute. I would always open the door, of course, when driving. Then the business was going quite well and I decided to purchase a second-hand BMW. It was about 10 or 12 years old but it was the current shape and that was the pitch from the salesperson. Unfortunately for the dealer but fortunately for me, during the warranty period the gearbox shat itself but they had to fix it.

I then sold that privately to a young mum who was looking for a second car and I used the money as a deposit on my first bit of real estate, but that meant I needed to purchase a vehicle for the business to get the furniture around. At a car yard, we found a 1950s or 1960s ute with a timber tray on the back. We were in the furniture business and so quite attracted to the timber tray. It had an on-the-column manual shift, and the bonnet was even that heart shape with the separate wheel guards over it. It was quite an experience to be driving that around, delivering furniture.

That was then upgraded with a third-hand bread van for delivering of furniture. After that, we bought a Mitsubishi Express, and in between times I had for my own vehicle a Chrysler ute with the handmade three on the floor. Do you remember those? We used to drill a hole in the floor, take off the rods, if you like, that connected the gearstick to the steering wheel, stick a hole in the floor and stick on your custom-made lever, if you like, with a polished knob. Normally, it had a spider in epoxy resin on the top of it—I do not know if you remember those—that you would use for three-speed.

Then, the Mitsubishi Express replaced that, and finally, after being married for about nine years, we bought our first new car, which was the Mitsubishi Magna. So, as you can see, it is part of the evolution of life, buying and selling cars, and I am sure that my experience is not a lot different to so many other South Australians, but it is always a risk, of course, when you are buying from someone who is not a dealer.

I have to say, I have only had pleasant experiences with dealers. I do not know whether that is because I was only using dealers who were members of the MTA but warranties were always honoured, which is very good to know, particularly when you like driving cars but you do not necessarily like looking under the bonnet or talking about the engine or having to get something fixed, having the ability to have that purchase.

These days, with social media, everybody wheels and deals in everything. You have carsales, you have Gumtree, you have Facebook Marketplace, all of these places where people are selling cars. I think there is no doubt that it has led to an increase in what we would call unlicensed dealing where people are selling more than what you are allowed to sell by someone who is considered not to be in the business of selling cars, because if they are they need to be licensed in

order to do that. That is obviously to protect consumers and also to ensure that cars that are being sold are safe and roadworthy.

I think increasing those penalties is a very good piece of legislation to match with the times. The fact is that things have changed enormously. Many people run side hustles on social media, whether it be dealing in vintage clothes, mid-century furniture and objects, antiques or toys—you name it, you can find it on any of those social media sites. It is very obvious that people are selling multiple items, and we know that happens with cars.

People might be selling car components or they might be selling full cars. They have an interest in doing it and they have worked out they can make some money by doing it. By having higher fines for odometer tampering, and also by enabling someone who purchases from a private seller to be able to seek compensation for the inconvenience, for the damage or the overprice they may have paid for that vehicle, because somebody who sold them that car as a private person has mucked around with the odometer, not only will there be a fine but there will also be financial recompense for the purchaser. That is a good inclusion in these changes.

From my very early time as someone who looked at cars for purchasing, I could never work out who the previous owner was. That information was so obvious. We can see how that is possibly quite a big problem in this day and age, when people are so easily found on social media and when there is identity theft. From what I can recall from memory, a plastic sleeve would be hung inside the window on the driver's side and there would be the name, address and even a phone number there for anybody who was even just visiting a car yard after hours to see that information.

Now, by having that information being requested, there is a trail of who has that information, so if that information is used inappropriately there is some chance now of catching the person who is using that information inappropriately—as opposed to the free-for-all that we currently have, where that information is public for all to see, even if you do not have an interest in that car and you have some nefarious use for that information, and you are simply gathering that information for personal gain in some illegal activity or some other activity.

We know that with someone else's identity, if you have someone's address or phone number, that is the start of finding out more about them through social media or Google searches. There is not much that people do in their lives these days that cannot be found on social media, which could help build a profile that would enable somebody to use all that information and put it all together.

I am sure that with new tools that are being developed every day through AI, even the missing gaps now could be put together using AI to turn that information into a person for the purposes of opening up a credit card account, borrowing money from an institution or even stealing a car by taking a car on a test drive with a driver's licence that has been obtained through fraudulent means and not returning it to the car yard or the driver. I think that is long overdue and has caught up with the modern age.

It would be interesting to know whether it may also be an extra precaution for a reason to be given for wanting that detail from the dealer about who previously owned the vehicle just to ensure that all that detail is only given to people who provide their own contact details and have proof that they are the people they say they are who are requesting this information. I am not sure whether the bill covers that. Perhaps I will ask that question during the committee stage because I think it is probably important to do that.

I do not think this is too big an additional burden on dealers or on those selling cars privately. My very first car was a massive investment. You have to put it into perspective. With the price of getting into the real estate market, for many people a car may very well be the largest purchase they make in their life, so we need to ensure those who are selling those vehicles, whether they be dealers or members of the public selling a car privately, which they are perfectly entitled to do, are not misleading people.

It is very hard to mislead somebody on the age of a vehicle but tampering with the odometer is certainly a way of misleading people about the longevity that they are purchasing with that vehicle. Obviously, the lower the kilometres the more longevity you would expect to get out of the car. If you have purchased a car that tells you there are only 60,000 or 70,000 kilometres on the clock but there

are really 270,000 kilometres on the clock and you have paid the premium for those lower kilometres, because someone has tampered with the odometer then obviously there need to be serious consequences for the person who has done that or anyone who has participated in that scheme and then an ability for compensation for the purchaser regardless of where the purchase was made.

It is nice to see the tidy up at the end relating to fax communication. I wonder if anyone knows what that is these days—fax communication. Although I did find out that it is only in the last 12 to 18 months that communication between doctors and pharmacists was allowed to be other than by fax—this is written communication. The dying fax industry was being supported by the pharmaceutical industry in Australia. Now they are allowed to send emails to each other to correct a prescription that may have been mistyped or mis-dosed or alternatively the wrong drug prescribed, rather than it being corrected and then the paper correction being sent through by fax machine followed by the original prescription the next day or later in the day. It can now be done through electronic means. Even pharmacists now will not have the ability to use a fax machine if they sell their car or buy a car. I am sure they will be very keen to see those leave the office.

With those remarks, I will conclude with the support of these changes in the bill and certainly hope that that will increase the confidence people have when they are buying a used car and will also perhaps weed out some of the shonks who are out there. I think it was John H. Ellers who had an ad: 'John H. Ellers is your man. Quality proven cars is his game. He is the leader of the car buyers. John H. Ellers is his name.' He had production line reconditioning on his used cars and he demonstrated what he thought the opposition was doing in reconditioning their cars, where you saw people putting bananas in the diff. With this legislation, perhaps we will see fewer people who grease their diffs with bananas before they put them on the market.

The Hon. A. PICCOLO (Light) (17:19): I rise in support of this bill, the Second-hand Vehicle Dealers (Miscellaneous) Amendment Bill 2023. As I am sure is the case with a lot of other MPs, the two areas of complaints I get in my office in terms of consumer products are shonky workmanship in houses, etc., and cars. Generally speaking, I have young people come and see me about the car they purchased, which turned out to be a bit of a lemon. Some dealers are quite good at making sure the contracts are written in a way that deprives the customer of consumer rights, or they are done in a way that the car is sold just below an amount and certain warranties do not apply.

The cheaper the car, often the younger the person is who needs to purchase one, and they are the ones who often get hurt the most and actually have the least recourse. Anything that actually improves consumer protection for people buying cars should be supported. As I said, the other one is not so much for young people, although it could be, but for adults buying their first home, where the workmanship is less than satisfactory.

Over the last couple of years, it would be fair to say that I have received more complaints about shonky workmanship on houses than I have in the previous 14 or 15 years. There may be some reasons for that. I suppose contract prices have been fixed, and sometimes costs have gone up and so perhaps some builders have decided to cut some corners to actually make ends meet. Some of the stories I have heard, if they are half true, are pretty worrying. One person had a house where their ceiling collapsed before they actually moved in. One would worry about the quality of the workmanship of the rest of the house—downpipes, gutters, etc., which are of pretty poor quality; a whole range of issues.

As I think was mentioned by the member for Elizabeth, the two most expensive items people invest in in their lives are probably their home and their car. They are the two in that order, amongst other things, but those two are quite important. We are dealing with one of those today, which is cars. Unfortunately, as I mentioned, the people who are hurt the most by misrepresentations regarding the state of a vehicle are the people who can least afford it, because often they are buying second-hand cars and often they are buying cars at the cheaper end of the scale. Hopefully, this bill will improve the consumer protection rights for younger people or anybody who is purchasing a car.

My understanding is that this bill has arisen as a result of advocacy by the industry through the Motor Trade Association. Having said that, I am also advised that some of the suggestions that have been made actually also improve the consumer protections for people purchasing cars. So it is good to see that what industry wants and what consumers need actually in this case match up and

help remove some of the red tape from the industry but also improve the quality of consumer protection for the consumers. I understand that some of these amendments have been advocated by the industry going back to 2016 and have been promoted through the business. I am also glad to see this minister has taken up these changes and brought them before us to look at.

I will talk briefly about the overview of the bill, and then I will go into some more details of the bill itself. One of the key areas which has been discussed already is when the odometer has been played around with, and the actual mileage—is it still called mileage, or is it kilometrage—is not recorded. I have sat in a number of cars where the odometer does not actually move. When I have been a passenger, I have always been interested in knowing what is the actual mileage in the car. It could be that the person does not care or they are just seeking to make sure they get a better resale value.

It is an important issue, though, jokes aside, because it can do two things: firstly, it can misrepresent the age of the vehicle and how much the car has done; but, secondly, it can also misrepresent when servicing and safety checks have to be done, which can be quite dangerous to the person who is actually driving the vehicle. I know very little about cars. I do not even know what people do to wind back the mileage, etc., on a vehicle—I have no idea. All I know about cars is the colour, how many doors they have, how many seats they have and where you put the petrol. That is my knowledge of cars, but it is clear that this happens in real life.

What has been recommended is that the penalties for tampering with the actual mileage of a car need to be changed, which I agree with. Also, in this bill the government has introduced a compensation scheme for victims of tampering. Currently, victims can only obtain compensation when a dealer has been convicted of an offence. Where it is a private seller, no compensation is available under the act.

The bill also seeks to make some other changes regarding disclosure requirements for defects not subject to duty to repair. There are certain provisions regarding waiving rights for duty to repair, waiving and cooling-off rights and amendments to disclosure requirements for previous owner details. I will now go into a bit more detail and into some of the rationale behind some of these changes.

Under new section 23A, under part 4 of the Second-hand Vehicle Dealers Act 1995, dealers and auctioneers selling cars on behalf of dealers have a duty to repair a defect that is present in the vehicle or appears in the vehicle after it is sold. There are number of exceptions to this requirement, including vehicles over 15 years old or which have been driven for more than 20,000 kilometres before the sale. Dealers and auctioneers selling cars on behalf of dealers will now be permitted to disclose defects in the vehicle that will not be subject to the duty of repair.

What is happening here is that as long as a disclosure is made, a person then makes a judgement as to whether they are prepared to pay that price for the car or not pay that price and also perhaps seek to have the vehicle repaired before they buy it. Certainly, the disclosure is important but the disclosure is also subject to the vehicle remaining safe to drive on a road. I think a requirement of all vehicles to be sold is that they are in a form that is safe to be on the road.

In one case I had of a young person, in his view he could not drive the car after a few months, but apparently, because of the price he paid, it was just under the threshold where warranties kick in or rights kick in. Even though it was not a huge amount, he lost all his money because he had no recourse. These amendments also bring South Australia up to date with similar arrangements in other jurisdictions and align with consumer guarantees in Australian Consumer Law.

Under section 33(2), waiving duty to repair rights, purchasers are currently able to waive their right to have a defective vehicle repaired under section 23, duty to repair requirements, by signing the prescribed document. Under these amendments, section 33 will be removed. It will remove the ability to waive this right to have a vehicle repaired under the duty to repair. This approach brings South Australia into line with Australian Consumer Law requirements that purchased vehicles must be of acceptable quality and fit for purpose, and I think this is an important change. It is important that people understand that any product you buy, whether it is a car, etc., should be of acceptable quality and fit for the purpose for which it was purchased.

In regard to waiving and cooling off rights, under section 33 of the current act a consumer intending to waive their right to the two-day cooling-off period after a vehicle sale must sign a prescribed form in the presence of a witness other than the dealer. Under the proposed changes, document 2—which is the prescribed form—is retained to ensure that consumers are clearly informed about the implications of waiving their entitlement to the cooling-off period, but the purchaser will no longer require an independent witness to sign the document.

Previous owner details are something that I had not really thought about. This is actually, when you think about it, not necessarily a bad thing. Under sections 16 and 20, dealers and auctioneers will not be required to display the name and address of a previous vehicle owner on notice of for sale forms under changes to those sections. However, a potential purchaser will still be able to access the information on a request to a dealer or auctioneer, and failure to provide the information will attract a maximum penalty of \$5,000.

In circumstances where the information is not reasonably available, Consumer and Business Services will not take any enforcement action against the dealer or auctioneer where, for example, the vehicle has been purchased in another state where the requirement to disclose the previous owner's details does not apply. These amendments seek to streamline sales, preserve the privacy of previous vehicle owners and ensure that consumers have access to information to support their purchasing decisions.

In this case, I am glad to see that there is still a right to that information. If a potential buyer is a bit concerned about how many other people have previously owned this vehicle and how it has been used, I think that is important information which they can still seek. I seek leave to continue my remarks.

Leave granted; debate adjourned.

At 17:31 the house adjourned until Thursday 22 February 2024 at 11:00.