

## HOUSE OF ASSEMBLY

Thursday, 11 April 2024

**The SPEAKER (Hon. D.R. Cregan)** took the chair at 11:01.

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

**The SPEAKER** read prayers.

### *Parliamentary Committees*

#### **PUBLIC WORKS COMMITTEE: NORTH-SOUTH CORRIDOR TORRENS TO DARLINGTON PROJECT**

**Mr BROWN (Florey) (11:02):** I move:

That the 57<sup>th</sup> report of the committee, entitled North-South Corridor Torrens to Darlington Project, be noted.

The Department for Infrastructure and Transport (DIT) proposes to upgrade the final section of the north-south corridor from the River Torrens to Darlington, more commonly referred to as the T2D project. The north-south corridor serves as one of the state's most important transport routes and has been progressively upgraded for over a decade.

This project is the final vital link in the 78-kilometre nonstop motorway between Gawler and Old Noarlunga. Upon completion, drivers will be able to bypass 21 sets of traffic lights as they travel through two separate tunnels connected by an open motorway. The transport network on South Road is under stress and there is a growing demand for north-south movement in this part of the road network. This has resulted in variable and increased travel times for drivers, as well as an increased crash risk.

The T2D project will reduce congestion and improve travel times on South Road and nearby arterial roads. It will improve road safety, provide urban renewal opportunities and improve access to economic gateways and national highways. This will contribute to the strategic priority of the state to unlock the full potential of the 78-kilometre north-south corridor.

The T2D will move traffic into tunnels to reduce the number of home and business acquisitions, although, due to the scale and complexity of the project, there will be unavoidable impacts on land. DIT confirms that 524 publicly and privately owned properties will be acquired for the main works. The tunnels will also enable better community connections at the surface, reduce the impacts on trees and vegetation, and preserve important cultural and heritage sites such as the Thebarton Theatre and Queen of Angels Church.

This remaining 10.5-kilometre section of the corridor is the most complex section to upgrade, as it runs through Adelaide's dense inner suburbs, with numerous shopping hubs, commercial precincts, residential areas and cultural heritage sites. The section is one of Adelaide's busiest roads and currently carries over 60,000 vehicles per day, with over 13 per cent of this traffic being commercial vehicles.

As a result of the high demand and limited capacity, South Road has become congested and travel times are slow, with drivers at times experiencing travel times between the River Torrens and Darlington of up to 40 to 50 minutes. Significant timesaving benefits will result from the completion of this upgrade. With the motorway operating at 80 km/h, it will mean a nine-minute journey from the River Torrens to Darlington for those who stay on the motorway, with an average saving for the entire corridor of more than one hour.

The capital cost of the project is \$15.4 billion, with the project funded on a fifty-fifty basis by the South Australian and federal governments. DIT confirms that enabling and early works have commenced, and construction of the main works is said to commence in 2025, with the project being

open to traffic in 2031. The main works of the T2D project will comprise a southern tunnel section near Anzac Highway, which will provide connectivity to Anzac Highway and includes approximately four kilometres of twin three-lane tunnels, with the remainder of the section an open motorway.

There will be an open motorway section to link the southern and northern tunnels that will connect key routes, such as Richmond Road and James Congdon Drive, providing critical east-west connectivity, linking destinations such as the CBD and Adelaide Airport. Noise walls, urban design features and significant landscaping will be installed along this section.

There will be a northern tunnel section between James Congdon Drive and the completed Torrens Road to River Torrens motorway project, with just over two kilometres of twin three-lane tunnels and open motorway at each end of the tunnels, and initiatives providing improved liveability and connectivity outcomes, including shared-use path connections, bridging the corridor and maintaining important east-west connectivity.

DIT has adopted sustainable development strategies into the project to minimise greenhouse gas emissions and resources over the lifespan of the project and to ensure that climate change risks, such as increased temperatures and rainfall patterns, have been considered. Delivery of the project will require contractors to work under the environmental, heritage and sustainability requirements of the department. DIT will ensure that key environmental and heritage aspects, including vegetation, fauna, Aboriginal and non-Aboriginal heritage, water quality, noise and vibration, air quality and contamination issues, are addressed.

The department confirms the project management will follow structured plans to ensure consistency and that the works will follow their standard program and project management framework. Risk management will form an integral part of the project management process and include appropriate management or mitigation measures for project delivery. An extensive stakeholder and community engagement strategy guide has been developed for the lifespan of the T2D project. Additionally, extensive consultation and engagement with stakeholders and the wider community is ongoing.

DIT confirms that between December 2022 and February 2023 there were multiple engagement opportunities, including face-to-face public interactions, public information sessions and surveys to obtain feedback. Of the feedback received, DIT confirms that 71 per cent of respondents were positive or very positive about the proposed project design.

After consultation with the Attorney-General's Department Aboriginal Affairs and Reconciliation unit, it was determined that there are no registered or reported Aboriginal sites, objects and ancestral remains within the project area. An assessment has identified some state and local heritage places, roadside significant sites and historic and character overlay areas impacted by the project. For other state and local heritage places and buildings that will be indirectly impacted by the works, DIT states that vibration assessments will be prepared where these impacts are anticipated.

The committee examined written and oral evidence in relation to the north-south corridor Torrens to Darlington project. Witnesses who appeared before the committee were Wayne Buckerfield, Executive Director, North-South Corridor, Department for Infrastructure and Transport; Andrew Ockenden, Executive Director, Public Affairs, Department for Infrastructure and Transport; and Scott Cooper, Director, Project Planning and Interfaces, North-South Corridor, Department for Infrastructure and Transport. I thank witnesses for their time.

I would also like to take this opportunity to thank the member for Badcoe, who provided a statement to the committee supporting this project in her electorate. Based upon the evidence considered, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public work.

**The Hon. V.A. TARZIA (Hartley) (11:09):** I rise today to speak to the 57<sup>th</sup> report of the Public Works Committee entitled North-South Corridor Torrens to Darlington Project, and that it be noted. We know that this is a—if not the most—significant infrastructure project in South Australia's history, which is why governments of the day need to get it right.

Again this morning we have learnt that 21 sets of traffic lights will be bypassed once this project is completed. Of course, we need to do whatever we can to reduce congestion on our roads

in Adelaide because, at the moment, Adelaide is the third most congested city in Australia, as has been reported recently. This project, notably, has expanded to a sum, as was provided, of \$15.4 billion, that was originally \$9.9 billion. We will continue to scrutinise that expenditure and hold the government to account because, if history is any indication, most of the time government projects of this nature usually take longer to do and the price inevitably increases and does not decrease. We will continue to hold the government to account on those key metrics.

I note that under the revised plan there are also an extra 118 acquisitions, and the processing of some of these acquisitions remains a concern, not only for the land acquisitions but also the businesses that are effectively being removed and having to be replaced. We were out there only last week, on 2 April, when certain business owners said to us that they felt somewhat hamstrung by the Labor government in what they said were failed and unfair negotiations over property value.

We met with multiple business owners recently and some of them took to sharing their stories on TV and radio to literally anyone who would listen. There remain some business owners who are set to be effectively kicked out of their workplace with just months to go, with literally nowhere to go in some instances, they say.

Some of these people are telling us that low-ball offers have been made, and some of these businesses are, of course, well-established family operations, so it goes without saying that this acquisition process can certainly be improved, and we will continue to provide examples of where people are unhappy with this acquisition process. We know that there is need for community support roles when major projects involve property acquisition. We think it is also an opportunity for the government to look at establishing an acquisitions task force for future acquisition projects in the state—as we pointed out recently.

Regarding the time line that was provided to me only recently, I believe that the first of the tunnel-boring machines are set to start tunnelling in 2026—which is not that far away at all. It is said, via a government site, that in mid-2026 tunnel boring machines will commence for the southern tunnel, and then in late 2028 to early 2029 tunnel-boring machines will commence work on the northern tunnel. By mid-2030, at the moment with the time line provided to me, the southern tunnel will be open for traffic, and in late 2031, the northern tunnel will be open to traffic.

In terms of total acquisitions, it is notable that the total land acquisition has increased. It has increased to a total of 524 acquisitions, and that is a shift of 118. We note the colossal magnitude of this project. We will continue to monitor it from a time line perspective, and we will continue to hold the government to account from an expenditure perspective, as well. I move that the report be noted.

**Mr BROWN (Florey) (11:14):** I want to take this opportunity to thank the member for Hartley for his contribution and again acknowledge his contribution as a member of the Public Works Committee.

Motion carried.

#### **CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE: OPERATION OF THE POLICE COMPLAINTS AND DISCIPLINE ACT**

**Mr ODENWALDER (Elizabeth) (11:14):** I move:

That the report of the committee, on its inquiry into the operation of the Police Complaints and Discipline Act, be noted.

In October 2021, following a recommendation made by the Crime and Public Integrity Policy Committee in respect of its previous inquiry into matters of public integrity by way of amendment of the Parliamentary Committees Act, this parliament conferred responsibility upon the committee to inquire into and consider the operation of the Police Complaints and Discipline (PCD) Act. Accordingly, in June 2022 the committee resolved to commence this inquiry.

I would like to say from the outset of course that, very importantly, the committee and I acknowledge the difficult tasks often assigned to police officers. The committee acknowledged that they were expected to maintain a high level of discipline in difficult circumstances, and it was widely accepted that it is a stressful and often thankless job requiring decision-making that can be later

subject to scrutiny undertaken in the absence of full knowledge of such circumstances. Nothing in the committee's report, therefore, should be interpreted as being in any way critical of police.

Each of us on the committee express our gratitude to police officers for their service to our community and the committee in particular wishes to note, in terms of the operation of the inquiry, the recent tragic shooting incident involving police officers in the South-East of our state. This resulted in the death of Brevet Sergeant Jason Doig, the officer in charge of the Lucindale Police Station; injuries to a second officer, Sergeant Michael Hutchinson; and, of course, Senior Constable Rebekah Cass who was also present and, although physically uninjured, will without doubt be affected for a long time by the horror of what occurred. Every shift, our frontline police officers undertake their duties with these risks in mind, and we are as a committee grateful to all police officers who put themselves at risk to keep the community safe.

The Police Complaints and Discipline Act provides for the resolution of complaints made in respect of designated officers—defined as South Australia Police members, police cadets, special constables and police security officers—and makes provision in respect of disciplinary proceedings. A separate Internal Investigation Section (IIS) within SAPOL is conferred with the responsibility for assessing and, where appropriate, investigating either complaints regarding the conduct of designated officers made by members of the public or reports regarding the conduct of designated officers made pursuant to mandatory reporting obligations.

Where a matter has the potential to constitute 'corruption in public administration', as defined in the ICAC Act, it may be the subject of investigation by the ICAC. The Office for Public Integrity (OPI) oversees all assessments and investigations undertaken by the IIS and is provided with live access to SAPOL's complaint management system. The OPI receives the majority of complaints in the first instance. It may reassess and substitute its own assessment in the place of an assessment made by the IIS, and such substituted decision will be considered to be the assessment of the IIS. The OPI may also issue directions with respect to the conduct of any investigation into disciplinary allegations.

A management resolution regime provides for the internal resolution of matters determined to be minor in nature. The matters suitable for management resolution are set out in a determination made by the Commissioner of Police and tabled in each house. The Police Disciplinary Tribunal can hear and determine any allegation of breach of discipline that is more serious than may be dealt with by management resolution and where the allegation is not admitted. Breaches of discipline comprise either a breach of the Code of Conduct applicable to designated officers or a breach of the act.

A broad range of submissions and evidence was received by the committee. The report seeks to address matters raised in submissions, both to this inquiry and to the committee's previous Inquiry into Matters of Public Integrity in South Australia, in respect of which a final report was tabled in December 2020. The committee's 23 recommendations seek to find a balance between the interests of all parties who are impacted by policing: not only the stakeholders directly affected by the operation of the act but the entire community of South Australia. I will briefly take members through some of the key recommendations.

The committee acknowledged that there remains in the community some ongoing concern in respect of police investigating allegations made in respect of police conduct, both disciplinary and criminal. In particular, with amendments to the definition of 'corruption in public administration' made in 2021 to a more focused definition, the ICAC was no longer able to investigate any allegation of criminal conduct by police. In the view of the committee, this left a need for further oversight.

Recommendation 1 seeks to substantially expand the functions of the OPI to provide for it to oversee police assessments of and investigations into allegations of criminal conduct by designated officers. This would be a new function for the OPI, intending to provide the community with some reassurance that such matters are given independent consideration. The recommendation also seeks to provide for further oversight of the OPI by the Office of the Inspector.

Recommendation 4 proposes to effect consistency with the primary function of the ICAC, which has since 2021 been to investigate potential matters of corruption in public administration. The commission no longer has the power to investigate potential matters of misconduct or maladministration in public administration in respect of public officers, other than designated officers

under the PCD Act. It was considered an anomaly that it continues to have such authority in respect of designated officers. The recommendation seeks to confer responsibility for investigating potential matters of maladministration in public administration by designated officers upon the Ombudsman, again consistent with the 2021 changes, otherwise made in respect of public officers. Matters of breach of discipline would remain the responsibility of the IIS, subject to OPI oversight.

Recommendation 7 seeks to provide for greater transparency, whilst maintaining some protections for designated officers the subject of investigations and the parties otherwise involved in police disciplinary proceedings. It seeks to clarify that media queries or questions raised in parliament are not to be treated as complaints and, further to that, where mandatory reports are generated by police in respect of such information, that the information contained in the query or question does not become subject to confidentiality or publication restrictions, except to the extent that any person is identified, unless that party consents.

What the recommendation further does is to provide some relief from the perpetual operation of the confidentiality and publication restrictions that currently apply. It proposes that, where information that relates to a person is subject to the provisions, where there is no reasonable expectation that the information might prejudice further action in respect of the matter to which it relates, the person can apply to the commissioner to seek authorisation of disclosure. In such circumstances, the commissioner would be required to authorise disclosure, with some remaining considerations in respect of protecting the identities of those involved.

Recommendation 8 proposes changes to the operation of the police complaints tribunal. It was apparent to the committee that the requirement for the tribunal to operate pursuant to the rules of evidence was inconsistent with disciplinary tribunals in all other forms. The strict confidentiality of its proceedings were considered a barrier to precedent and to a broader understanding of the implications of breaches of discipline.

The recommendation proposes the publication of tribunal decisions and, where matters are settled prior to a decision being made by the tribunal, for the circumstances of such matters to be published, along with sanctions (if any) imposed, and to require SAPOL to provide details of sanctions imposed by the commissioner to the tribunal for annexure to relevant published decisions.

Again, the recommendation seeks to protect the identity of the parties involved. The current secrecy of the operation of the tribunal requires further consideration, and the committee is of the view that this recommendation proposes a reasonable change. This recommendation further proposes that consideration be given to the engagement of legal practitioners to represent the commissioner in tribunal proceedings, rather than police prosecutors (that is, police officers) who currently undertake this task. In the committee's view, the possibility of a perceived or potential conflict of interest arising from representation by police officers in respect of proceedings regarding the conduct of other police officers was sufficient to warrant reconsideration of their current role.

Recommendation 9 proposes to clarify that the mandatory reporting provisions applicable to designated officers would appropriately be triggered by breaches of discipline, which is the basis upon which proceedings can be commenced in the tribunal. It was considered appropriate for breaches of discipline to be included as matters for assessment by the IIS and to provide for consideration of whether the concept of misconduct would, if the first aspect of the recommendation were accepted, appropriately be considered redundant, particularly given the jurisdiction of the tribunal. Other matters addressed within the recommendations include:

- a proposal to provide for the OPI to engage in informal discussions with aggrieved persons with a view to potentially resolving their concerns without the need for the making of a complaint, and to require that complaints be made in writing, although with a broad discretion to receive them by other means. These recommendations seek to address the number of complaints received, which it was noted have a high rate of assessment as requiring no further action to be taken;
- a proposal to address inconsistency between the operation of the PCD Act and the current enterprise agreement applicable to designated officers, and a proposal to provide for the making of fixed offers of sanction to settle disciplinary allegations;

- to provide for the establishment of a relatively informal review process in respect of administrative orders made following the making of a complaint or report;
- to clarify the circumstances in which the appointment of designated officers can be suspended—that is, circumstances where, if allegations were substantiated, termination of appointment would be a reasonable and appropriate sanction;
- that further consideration be given to SAPOL's resourcing of its administration of the PCD Act; and
- to provide for greater transparency to complainants by way of conferring a capacity to seek access to and to respond to matters set out in statements of officers the subject of a complaint, and to provide for complainants to request reasons for a decision following an assessment by IIS that no further action is required in respect of the complaint.

Finally, the committee has recommended amendment of the Parliamentary Committees Act to ensure clarity in respect of its responsibility to inquire into and to consider the operation of the PCD Act; particularly, that the act be amended to avoid any doubt about its functions, including receiving evidence in relation to an investigation of particular conduct when considering the operation of the PCD Act. This recommendation would effect consistency with amendments made in 2021 to clarify the committee's capacity to oversee the operation of the ICAC Act.

I encourage members to look at the committee's work. Police disciplinary matters remain of interest and at times concern to the community. Ongoing commentary is to be expected in respect of the confidentiality and publication provisions that the committee has proposed be further considered. Given the very different views expressed by the media, and also by SAPOL and the Police Association, it is to be expected that there will be some degree of ongoing dissatisfaction with the operation of such provisions regardless of the committee's recommendations or any implementation (or otherwise) of the same. The committee has sought to find a balance.

In conclusion, each of the issues raised in the submissions and evidence received by the inquiry are discussed at section 2 of the report. Section 3 summarises police disciplinary regimes operating interstate, and the committee's recommendations and findings conclude the report. The committee would like to thank executive research officer, Ben Cranwell, who works very hard to provide professional support to the committee, particularly over the significant period of time during which this inquiry was conducted.

I would also personally like to thank all the other members of the committee for their contributions to the inquiry: first, the Presiding Member, the Hon. Justin Hanson; other members of this house, the member for Heysen and the member for Davenport; finally, from the other place, I also note the contribution of the Hon. Frank Pangallo, who has included a minority report in respect of access to the Complaints Management System by complainants; and also the Hon. Laura Henderson, who also contributed significantly in the course of deliberating on this report. With those words, I commend the report to the house.

**Mr TEAGUE (Heysen) (11:26):** I rise first of all to acknowledge the work of the member for Elizabeth as a member of the committee and also endorse his description of the report by his remarks just now. I wholeheartedly commend the report to the house. I just want to take up one or two particular aspects in relation to recommendation 8. There is some treatment of that at page 78 of the report. Footnote 284 refers to a decision in the District Court that was published in circumstances where the committee had the occasion to consider it in the context of the committee's consideration of the benefits of publication of reasons for judgement at least, if not, a complete analogy to an open court.

I think we need to understand that for some lengthy period of time the proceedings while they remain tribunal proceedings in relation to a complaint are not the subject of really anything that is made public. There is some indication that is provided to members of the force in terms of internal publication as I recall, but the practice has been that, in the interests of necessary aspects of confidentiality, the tribunal proceedings are not open in the same way as court proceedings are. The opportunity that the DC and the Commissioner of Police afforded was in a way an analogy to open court proceedings which will occur when a matter makes its way, if only on appeal, to the attention

of the District Court. So there we end up with published reasons that, in the course of setting out a chronology of events and so on, spell out the circumstances of the complaint and prior proceedings and so forth.

So not only in the context particularly of DC and Commissioner of Police but then going back to first principles and taking evidence from the participants, hearing from those who are affected, this was one area of current practice—in what, it ought to be recognised, is an unusual setting in terms of the determination of disputes—in which, like the benefits that flow from the publication of legal reasoning in courts, there are benefits of a public interest nature as well as benefits for those who are more particularly affected, in terms of serving officers and complainants from the publication of outcomes, so that it can be seen what is the way that a matter of complaint is dealt with.

I think there was broadranging agreement. I note in particular the willingness of the Police Association to embrace this approach, with appropriate caveats as to any necessary redactions of names of individuals and so on, and the benefits that can flow in all respects.

If one might draw an analogy in other circumstances, we have considerable benefits in the justice system in our jurisdiction and in like jurisdictions, insofar as we have a bulk of decisions, judicial determinations, that are conducted via a process of public hearing in which not only the reasons for judgement are ultimately made public but also the day-to-day transcript of evidence and, indeed, the practice of open courts is more or less universal, subject to a couple of key exceptions. That might be contrasted with jurisdictions in which decisions of a civil and commercial nature in particular might tend to be resolved by a private arbitration process.

The loss in those circumstances might not be to the quality of outcome for the parties to a private arbitration, let's say in circumstances where there is a prevalence that disputes are to be determined according to a predetermined arbitral process that is kept confidential. The parties might achieve a fair outcome, the result of a thoroughgoing process, but the public is not to know that and the body of precedent that might be otherwise available for the public is not built up.

In those circumstances, you have the attraction, perhaps, of proceedings that might lead to an outcome that has certain efficiencies and so on in that arbitral analogy, but you can sometimes then be over-reliant on experts who might describe things, textbooks that might be written by those who have participated in those private proceedings, and so on.

There is an analogy here that where you have a body of process that is being determined within a particular structure and in circumstances of a closed court and secrecy, then whatever benefits that are gained by the confidential nature of that can be overcome by the lack of the capacity to, by shedding sunlight on the outcomes of processes, maintain the confidence of would-be complainants, maintain the confidence of those who are on the receiving end of these proceedings and, indeed, maintain the confidence of the wider organisation of the police service.

I do make particular reference to recommendation 8 and I otherwise commend the balance of the report of the committee, thoroughgoing and wideranging as it is, to the house. I think we will all continue our efforts towards assisting police to ensure that all aspects of operations are operating as best as possible in the interests of all South Australians, and the Police Complaints and Discipline Act is no exception.

**Mr ODENWALDER (Elizabeth) (11:36):** I want to thank the member for Heysen for his comments and for his particular reference to recommendation 8 because I think, although it is a wideranging but not complex area of law—although there are complexities in all of it—recommendation 8 is probably the one which will attract the most public interest.

It is very difficult to find that balance between the so-called secrecy provisions, or privacy and confidentiality provisions, and the rights of complainants and balancing those with the rights of police officers who do have a particular type of job which is different I think in nature to other public officers. I do want to thank the member for Heysen for his special reference to that. With those words, I commend the report to the house.

Motion carried.

**PUBLIC WORKS COMMITTEE: TONSLEY TECHNICAL COLLEGE**

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

That the 58<sup>th</sup> report of the committee, entitled Tonsley Technical College, be noted.

The Department for Education proposes to construct a new technical college within the Tonsley Innovation Precinct. The college forms part of this government's commitment to establish five technical colleges by 2026 and aims to provide a pipeline of skilled workers for entry-level jobs in key industries with the greatest demand. They are designed to modernise senior secondary school and deliver a practical-based learning program that includes technical, literacy and numeracy skills in line with industry need.

Each college will be tailored to the needs of its local industry, region and community to ensure meaningful pathways from education to work. Catering for students from years 10 to 12 in conjunction with nearby high schools, they will allow students to complete their SACE while obtaining trade qualifications.

The Tonsley Technical College will be co-located with the Flinders University Factory of the Future within the university's Tonsley Innovation Precinct and will offer four industry focus areas, including advanced manufacturing, building and construction with a renewable focus, health and social support, and automotive and energy.

Both entities will use this location, sharing common areas, with each party having an exclusive use area in the building. The project is intended to be a unique development that combines learning, education, research and industry engagement in the one space. Built within an already thriving precinct, the project aims to create a learning village or ecosystem while unlocking new possibilities in industry and tertiary education.

The college will offer learning programs in its four industry-focused areas, in conjunction with the Australian Science and Mathematics School, and will provide a pathway to employment for students to complete a VET qualification and develop workplace skills as well as completing their SACE. Through co-location and demonstration, it allows passive immersion in industry as well as digital and industry literacy for future pathways in both tertiary and industry education.

The key aims of the project are to provide a contemporary environmentally sustainable technical college which incorporates new technology to support vocational training and achieving SACE in a state-of-the-art facility; create an adaptable innovative learning environment that is responsive to future opportunities; provide a connected and multidisciplinary learning environment which engages with all learners and underpins better education outcomes for students; and, lastly, develop creative and flexible learning spaces that are specifically designed for workplace and industry environments.

The proposed development will allude to Tonsley's bygone eras as both a farming region and a centre for car manufacturing in South Australia. Tonsley's past will be honoured through a construction approach that showcases the principles of manufacturing through the assembly of parts to make a greater whole. The architecture's incorporation of existing materials, such as weathered rusted steel structures, corrugated steel sheets and opaque brittle glazed window designs into the contemporary structure both highlights the legacy of materiality at Tonsley and looks forward to the future with the concept of Industry 4.0.

The project aims to be a Green Star, gold and carbon neutral up-front emissions certified building, which will benefit the health and wellbeing of its occupants and the precinct. Construction is proposed to be delivered in a single stage, including earthworks, building and associated works. Site preparations have commenced, with completion expected in January 2025. It is intended that the Tonsley Technical College will be operational from February 2025. Once open, the technical college will cater for 200 full-time enrolments at any one time, and the department anticipates 120 students will enrol in 2025 and 180 students in 2026.

The department confirms that an independent project manager will be assigned with responsibility for delivery of the project on behalf of both the department and Flinders University. They will follow best practice principles for project procurement and management, as advocated by



the state government and construction industry authorities. Project management will be established through a project management plan to ensure that the facility complies with requirements and meets stakeholder objectives and that works are performed in a coordinated and consistent manner.

A risk assessment has been carried out and determined there is a medium range of risk. The department states that the independent managing team is providing full project risk management services throughout its design, cost, procurement and construction stages. Environmentally sustainable design principles have been adopted for this joint endeavour between the Department for Education and Flinders University, viewing the success of the project as a facility aligned with future industry aspirations. The project aspires to be carbon positive, with circular economy a priority that also avoids the use of fossil fuels, incorporates passive design principles and promotes health and wellbeing.

A search of the SA Heritage Places Database through the Department for Environment and Water confirms there are no state or local heritage places or contributory heritage items on site. There are no entries for Aboriginal sites within the area, as determined by the Central Archive, which includes the Register of Aboriginal Sites and Objects. The commonwealth Native Title Act confirms that native title has been extinguished on this site.

As the Tonsley Technical College will operate in conjunction with the Australian Science and Mathematics School, the department affirms that the school's principal as well as school staff and the education director have been kept informed of the development and associated scope of the works. The department confirms that care has been taken to consult and inform on progress to ensure the needs of all stakeholders have been considered.

The committee has examined written and oral evidence in relation to the Tonsley Technical College project. Witnesses who appeared before the committee were Helen Doyle, Director, Capital Projects and Technical Services, Department for Education; Rebecca Lawson-Cooke, Director, Project Management, Turner & Townsend; and Dino Vrynios, Managing Director, Das Studio. I thank the witnesses for their time.

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

Motion carried.

#### **PUBLIC WORKS COMMITTEE: PORT AUGUSTA TECHNICAL COLLEGE**

**Mr BROWN (Florey) (11:45):** I move:

That the 59<sup>th</sup> report of the committee, entitled Port Augusta Technical College, be noted.

The Department for Education proposes to construct a new technical college to be co-located with Port Augusta Secondary School. The project will form part of this government's commitment to establish five technical colleges by 2026 with a main aim to provide a pipeline of skilled workers for entry-level jobs in key industries with the greatest demand. They are designed to modernise senior secondary school and deliver a practical-based learning program that includes technical, literacy and numeracy skills, in line with industry need.

Each college will be tailored to the needs of its local industry, region and community to ensure meaningful pathways from education to work. Catering for students from years 10 to 12 in conjunction with nearby high schools, the colleges will allow students to complete their SACE while obtaining trade qualifications.

Port Augusta Technical College will provide a modern educational environment for students undertaking vocational education. This technical college will also provide overnight short-stay accommodation so students across the Upper Spencer Gulf region can readily access the education and training. This model, supported by accommodation, will mean greater access to industry training for students to transition into employment in the region.

The college will consist of learning environments for key industry specialisations, such as hospitality and tourism, building and construction, civil resources and infrastructure, and health and

social support. The subjects will be run in conjunction with the secondary school and complement the suite of learning programs and pathways already available, providing alternative training and education opportunities.

It will be accessible to students from public, independent and Catholic schools throughout the Upper Spencer Gulf region while completing their SACE at their home school. Students will access the programs on a part-time basis in block weeks. Those living nearby will be able to travel to the college daily, while overnight short-stay accommodation will be available for up to 45 students living further afield.

The key aims of the project are to provide a contemporary, environmentally sustainable technical college which incorporates new technology to support vocational education and training; to create an adaptable, innovative learning environment that is responsive to future opportunities; to deliver technical and employability skills as part of a senior secondary program that includes vocational qualifications in a state-of-the-art facility, ensuring that all students complete their SACE; and, lastly, to develop creative and flexible learning spaces that are specifically designed for workplace and industry environments.

Port Augusta Technical College has been designed with its unique regional context in mind, influenced by the surrounding landscape and its historical past. This is represented by several features, including a sawtooth roof line that pays homage to the town's factory buildings, an aluminium blue facade on the first floor inspired by Port Augusta's historical bridges and a large sand dune facade that emerges from the ground along the Augusta Highway which recalls the landforms of the Flinders Ranges in form and colour. The interior of the building has been designed with the aim of ultimate flexibility that allows for both quiet and practical learning as well as socialising through a diversity of spaces.

At an estimated cost of \$38.5 million, construction is proposed to be delivered in a single stage, including earthworks, building and associated works. With completion expected in May 2025, the intention is that the technical college will be operational from semester 2, 2025. Once open, the college can cater for 100 students on site at any one time, with an anticipated 200 full-time equivalent enrolments per year. Construction will be located away from the main entrance points of the existing secondary school, meaning staff and students will not be impacted during construction.

The Department for Education confirms that the project will follow best practice principles for project procurement and management as advocated by the state government and construction industry authorities. The preparation of a project program that reflects the scope and requirements will allow the department to meet project objectives, with progress regularly monitored and strategies adopted to address variances.

A risk assessment has been carried out and determined there is a medium range of risk. There is known contaminated fill existing on the site, which needs to be considered and appropriately addressed. Additionally, the proposed college site serves as a retention basin for stormwater originating both onsite and offsite. It is proposed that the basin will be relocated as part of the landscape design, and a stormwater management plan has been submitted to the Port Augusta City Council. The department states that the Department for Infrastructure and Transport is providing full risk management services throughout the project at design, cost, procurement and construction stages.

Environmentally sustainable design principles have been adopted to reduce energy consumption and greenhouse gas emissions. These measures include an all-electric building with provision for photovoltaic cells for onsite energy production, a passive design and a high-performing facade to minimise heating and cooling loads, and opportunities for occupant-controlled natural ventilation.

A search of the SA Heritage Places Database through the Department for Environment and Water confirms there are no state or local heritage places or contributory heritage items on site. There are no entries for Aboriginal sites within the area as determined by the Central Archive, which includes the Register of Aboriginal Sites and Objects. The commonwealth Native Title Act confirms that native title has been extinguished on the site.

The department affirms that the school's principal, governing council, school staff and education director have been kept informed of the development and scope of the works, as well as any associated works regarding the Port Augusta Secondary School. The department confirms that care has been taken to consult and inform on progress to ensure the needs of all stakeholders have been considered.

The committee has examined written and oral evidence in relation to the Port Augusta Technical College project. Witnesses who appeared before the committee were: Helen Doyle, the Director, Capital Projects and Technical Services, Department for Education; John Harrison, Director, Building Projects, Department for Infrastructure and Transport; and Philippe Naudin, the Principal and Studio Lead, ARM Architecture. I thank the witnesses for their time. I would also like to thank the member for Stuart for the written statement supporting the project in his electorate.

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

Motion carried.

### **PUBLIC WORKS COMMITTEE: THE HEIGHTS TECHNICAL COLLEGE**

**Mr BROWN (Florey) (11:52):** I move:

That the 60<sup>th</sup> report of the committee, entitled The Heights Technical College, be noted.

The Department for Education proposes to build a new technical college within the existing campus of The Heights School, on the corner of Brunel Drive and Ladywood Road in the City of Tea Tree Gully. The project forms part of this government's commitment to establish five technical colleges by 2026 and will provide a pipeline of skilled workers for entry level jobs in key industries with the greatest demand.

They are designed to modernise senior secondary school and deliver a practical-based learning program that includes technical, literacy and numeracy skills, in line with industry need. Each college will be tailored to the needs of its local industry, region and community to ensure meaningful pathways from education to work. Catering for students from years 10 to 12 in conjunction with nearby high schools, they will allow students to complete their SACE while obtaining trade qualifications.

This project will consist of a new two-storey building and new staff car park along Brunel Drive. The college will serve as a new hub within an existing and vibrant learning network that will enhance connections between students, industry and the local community. The building will have a highly flexible interior layout that combines authentic workplace environments and education-focused settings to produce graduates ready for the modern workforce, aided by staff embedded within the workshop environments.

The college will offer up to five industry-focused areas, and the industry training programs for each area will be designed with input from employer partners, industry and registered training organisations. Upon full-time enrolment, students will be provided with a transition plan and will transition to entry-level employment, apprenticeships or traineeships or other pathways to employment via further or higher education once they have completed the program and their SACE. The key aims of the building are to:

- provide a contemporary, environmentally sustainable technical college that incorporates new technology to support vocational training;
- create an adaptable, innovative learning environment that is responsive to future opportunities;
- deliver a senior secondary program that develops technical and employability skills, including vocational qualifications, in a state-of-the-art facility; and
- develop creative and flexible learning spaces that are specifically designed for workplace and industry environments.

The two-storey design of the college will feature a fully glazed lower level that encourages a strong visual connection to the workshop learning spaces, reinforcing the concept of having learning on display. A curated view of the learning areas, direct from the pedestrian footpath along Brunel Drive, will be offered by perforated metal cladding on the upper floor of the college's northern side, while the southern side will display uninterrupted views across the school oval to the Adelaide Hills and Flinders Ranges.

The building itself will have large common areas, as well as highly flexible and adaptable teaching spaces that are able to adapt to the ever-changing future industry requirements. The open plan nature of the modern workspaces encourages collaboration, meeting together and gathering.

Construction is proposed to be delivered in a single stage for the building and associated works and is scheduled to commence in June this year, with completion in August 2025. It is intended that The Heights Technical College will be operational for term 1 of 2026. Once opened, the technical college will cater for 200 full-time enrolments at any one time.

The Department for Education confirms that delivery of the project will follow best-practice principles for project procurement and management, as advocated by the state government and construction industry authorities. A project program will be prepared that reflects the scope and requirements, with progress regularly monitored and strategies developed to address any variances. The project will adhere to the requirements of the Disability Discrimination Act and will be fully certified in accordance with legislative requirements.

A risk assessment has been carried out and determined there is a high range of risk. There is known contaminated fill existing on the site, which needs to be considered and appropriately addressed. Additionally, the project is of high value and budget, and appropriate cost oversight measures will be instituted. The department states that the Department for Infrastructure and Transport is providing full project risk management services throughout the project at its design, cost, procurement and construction stages.

Environmentally sustainable design principles have been adopted for this project, with a consultant engaged to ensure strong sustainable outcomes. These measures include an emphasis on natural ventilation, lighting design to ensure minimal energy consumption, materials for the building's facade that minimise heat loss and gain, the use of low-maintenance building materials, and drought-resistant plants in landscaping.

Furthermore, there is an overarching goal to incorporate the concept of the building as a learning tool, with opportunities for the occupants to learn about the building's design, functionality and energy use. This will be achieved by initiatives such as an interactive building maintenance system interface displaying sustainability metrics, prompted natural ventilation control and exposed surfaces where possible.

A search of the SA Heritage Places Database, through the Department for Environment and Water, confirms there are no state or local heritage places or contributory heritage items onsite. There are no entries for Aboriginal sites within the area as determined by the Central Archive, which includes a register of Aboriginal sites and objects. The commonwealth Native Title Act confirms that native title has been extinguished on this site.

The department affirms that the school's principal, governing council, school staff and education director have been kept informed of the development and associated scope of works. The department confirms that care has been taken to consult and inform on progress to ensure the needs of all stakeholders have been considered.

The committee has examined written and oral evidence in relation to The Heights Technical College project. Witnesses who appeared before the committee were: Helen Doyle, the Director of Capital Projects and Technical Services, Department for Education; John Harrison, the Director of Building Projects, Department for Infrastructure and Transport; and David Homburg, Director of Baukultur. I thank the witnesses for their time. I would also like to express my support for this project on behalf of my constituents in the electorate of Florey.

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

Motion carried.

*Ministerial Statement*

**MEMBER FOR STUART**

**The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs) (11:59):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. G.G. BROCK:** Serving as a minister has been one of the greatest privileges of my life. I have always believed in making the most of every opportunity that has come my way, and I have fought hard for the communities and regions that I have represented and been passionate about over many years.

Each one of the portfolios that I have been entrusted with—Local Government, Regional Roads and Veterans Affairs—matters to South Australians and shapes their everyday lives. Each day I have worked hard to try to make a difference. I have met some incredible people over the years. But nearly a year after my heart attack, I recognise that it is time to step back in the best interests of my health, my family and my constituents.

From Monday, I will no longer continue as minister, a position I have been greatly honoured and very proud to hold in this government for the last two years. From next week, my sole focus will be on my electorate of Stuart and local communities across Upper Spencer Gulf. Port Pirie, Port Augusta and Whyalla have a once-in-a-generation opportunity to bring in a new era of economic prosperity for not only our region but in particular our state. It will be my job to make sure that this opportunity is seized for this generation and the next.

Stepping back has been a difficult decision, one of the hardest decisions I have ever had to make. This is my call, made with the love and support of my partner, Lyn, my two daughters, Hayley and Marisa, and my 12 grandchildren; and even though my great grandchild is not here yet, I am sure that my great grandson will be agreeing with this.

I appreciate the Premier's understanding when I explained my circumstances and my decision to resign as the minister. The Premier asked me to stay on until after the Major Economic Summit, which has been an incredible success for our community and Upper Spencer Gulf. My decision to resign now allows me to put all my energy into my role as the member for Stuart. I want to assure the house that I will be continuing as the local member for Stuart and I intend to contest the next election in 2026.

The support that the Premier and all my ministerial colleagues have given me over the past two years has been phenomenal. Being part of a cohesive and hardworking team has been a great privilege. I would like to acknowledge a few things that I am very proud of and have achieved under this government and under my portfolios.

Having served on Port Pirie Regional Council for over two decades, my passion for local government is well known. It has always been there and will continue to be there. The Local Government Advice Scheme, implemented by the previous government, commenced during this term. Despite heavy and misplaced criticism, the work of ESCOSA has provided assurance to councils and ratepayers and, where appropriate, identified risks to their financial sustainability. Transparency is the key to the scheme and I urge all elected members and ratepayers to interrogate the finances of their councils.

Another initiative close to my heart has been to undertake a review of how local government elections are run and how we can get better representation for local communities. The ideas that have flowed during this public engagement and consultation process have been pleasing and very creative, giving me reassurance that councils are important to the community and that the community wants stronger and more diverse representation at that local level.

One of my biggest challenges on becoming the Minister for Local Government was how to deal with the neglected mess that was left to me by my predecessors: four years of Coober Pedy being under administration and still no plan. Over the last two years I have visited Coober Pedy on about five occasions and have been able to put a plan in place with the task force and look at the opportunity to get that council back under council operation instead of administration. After two years of hard work and providing transparency by putting the facts to the public—especially up at Coober Pedy—I can say that I am confident that we are turning the corner. My successor will, I am sure, have more to say in the near future.

The Outback Communities Authority (OCA) is a unique mechanism that works to represent the interests of those tiny communities in outback South Australia where councils simply do not and cannot exist. I am proud of the work that I have done to reinvigorate the focus of the strategic directions of the board of the OCA. I thank all the board members and, in particular, the Chair Ms Jan Ferguson, for taking on the challenge and the leadership that they continue to show not only to the OCA but also to the minister in particular.

I have also commenced a process to encourage the local government sector to be more bold so it can build its already significant contribution to South Australia's economic growth. An important component of this was the development of a partnership accord between the state government and local government that would work to elevate significant council initiatives that have potential to build on the state's already significant economic growth.

The accord, when finished, will complement the role of the Premier's Coordinator-General so the machinery of government can prioritise agreed and significant projects proposed by councils. In a local government context, I have enjoyed the support of Mayor Dean Johnson, President of the Local Government Association, and I cannot thank Dean enough for his collaboration, honesty and transparency with me, and his honesty in our discussions. I also want to acknowledge the hard work of the Office of Local Government, led by Director Alex Hart.

As Minister for Regional Roads, I have been determined to drive as many of the 18,000 kilometres of state-maintained sealed roads as well as venturing, when possible, onto some of the 9,400 kilometres of our unsealed road network across our beautiful outback, and our beautiful state. I have spoken with all kinds of travellers far and wide, and they have always been keen to tell me about the roads they have travelled on—very much so—as we all talk about the roads we travel on.

When it comes to outback roads, I have come to understand the importance of local knowledge. I am very pleased to establish the Outback Roads Consultative Forum with this inaugural meeting next month convened by the Department for Infrastructure and Transport and the Outback Communities Authority.

As I have mentioned before in this place, the Intelligent Pavement Assessment Vehicle (iPAVe 3) has undertaken groundbreaking survey work now over 80 per cent of our sealed regional roads, gathering never-before-seen data to better inform the department and state's regional roads maintenance program.

I am very proud of my achievements in the Veterans Affairs portfolio, and supporting the brave men and women who wear our nation's uniform continues to be a priority for this government and all South Australians. During this term of government, we have seen some great outcomes for veterans and their families, including:

- \$2.075 million in new funding to enable the creation of the Veteran Community Security Framework, consisting of a comprehensive outreach program and veterans and family growth support program;
- the inclusion of an identifier tick box on education admission forms to ensure that children of veterans and ADF members receive adequate support at school—I thank the Minister for Education very sincerely for that; it was a challenge, we got it through and it is there for those children coming in and being transferred;
- the installation of a Thailand paver on the ANZAC Centenary Memorial Walk—it has been a great opportunity and very emotional, with Chook Fowler (the last POW of

Thailand) being the instigator of that. I had great opportunities to have a lot to do with Chook. Unfortunately, the Premier and I were at his funeral—a man who will be remembered for a long time;

- the successful delivery of the Adelaide pilot Cowork Coplay program, to support partners of ADF veterans pursue meaningful employment activities and build community connections;
- the relocation of the Legacy Club of South Australia and Broken Hill to the Torrens Parade Ground; and
- the announcement of 19 October as War Widows Day in South Australia.

There is, of course, more work to be done—there is no denying that—and the final report in September of the Royal Commission into Defence and Veterans Suicide will be instrumental in guiding future policy in the Veterans Affairs space.

Thank you to Chantelle Bohan from Veterans SA; Rob Manton and members of the Veterans' Advisory Council; Dave Peterson and Cheryl Cates—Dave Peterson is the new president of the RSL and Cheryl was the previous president when I became the minister; and Graham Ingerson and Rob Eley from Legacy, just to name a few of the many hundreds of veterans who have supported me over the last two years.

I am confident that all members of this house are determined to support the women and the men who have worn our nation's uniform, whose service and sacrifices have preserved our way of life that we enjoy today. I will continue to support our veteran community and will cherish the friendships I have made with our veterans and their families over the past two years. That has been very emotional at times. As with most people, I get very involved with their challenges and their issues, and sometimes one just has to listen to those people to understand what their trauma is and, once they have been able to talk about these issues, they feel they have been listened to. I have spent many hours on many occasions with some of these people.

I say farewell as minister. However, in my work as a local member of parliament representing the people of Stuart—work that I love and will continue—I will always put my best foot forward in their interests. I have always endeavoured to work collaboratively in the public interest with all who are willing to work with me, and I look forward to continuing to do so with everyone in this house. I have made quite clear every time that I am quite happy to work with everybody in this house to get the final result we want for our communities, which is the best for our communities and their future generations.

I thank my dedicated staff for the past two years. This is the hardest part of leaving a position: the welfare and continuation of my staff. That has always been uppermost in my mind. I would like to say thank you very much to my family. They have been very supportive of me, not only from 2014 to 2018 when I was a minister but as a backbencher from 2018 to 2022 and over the last two years.

It is a great privilege to be a minister in any government, but to be a minister in my role as an Independent is absolutely fantastic. I have to honestly say that my family are the ones who have suffered. When I say suffered, I do not mean physically, but they do not see me as much. My family is very important to me. I love my family. I want to do as much time as I can, but I want to provide in this house, for many years to come, some sort of service for their welfare and their generational comeback.

In closing, I thank everybody for their support. I know we have had arguments, but we are here for one reason and that is our communities. Again, I cannot thank the Premier enough for giving me the opportunity. As I said, my health is of the utmost importance for me and to my family. I congratulate everybody. I will not go anywhere, but I will not be sitting in this position.

*Parliamentary Committees***STANDING ORDERS COMMITTEE: FIRST NATIONS VOICE**

**The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Defence and Space Industries, Minister for Climate, Environment and Water) (12:15):** I move, pursuant to a contingent notice:

That the second report of the committee be adopted, and that the new and amended standing orders adopted by this house be laid before the Governor by the Speaker for approval pursuant to section 55 of the Constitution Act 1934.

It gives me great pleasure to address this house briefly in relation to the report on the Standing Orders Committee. The report makes a number of recommendations for changes to the joint standing orders, and to the standing orders of the House of Assembly, to give effect to the provisions of the First Nations Voice Act 2023.

The proposed changes enable a designated presiding member of the State Voice to give an annual address to a joint sitting of both houses of parliament, to be held in the Legislative Council, and to address parliament in relation to a bill and, accordingly, to be promptly notified of the introduction of all bills; and to enable members of parliament to request that the State Voice provide them with a report in relation to a bill.

These changes give practical effect to what has been legislated in this place. They are simple changes, but critically important. I look forward to seeing these changes in motion and hearing from those who have been elected to the Voice for First Nations people in their state. Their contributions will be valuable to the way in which we make legislation and policy, and I am glad that these changes will allow us in this place to hear directly from them. I commend the report to the chamber.

**Mr PEDERICK (Hammond) (12:17):** I rise to make a contribution in regard to the consideration of the second report of the Standing Orders Committee. This has come about due to the legislation that was passed last year to establish a State Voice, which we on this side were against. Personally, I think legislation by segregation is a terrible thing, but here we are discussing the standing orders that have been worked through in regard to people of Aboriginal descent speaking to the chamber and having access to ministers and the full cabinet, if need be.

In regard to the elections that were held recently, we realise that less than 10 per cent of the people who were eligible to vote in the Voice elections voted. That equates to 0.1 of 1 per cent of the state's population who are going to come to this place and try to influence—

**Mr ODENWALDER:** Point of order.

**The DEPUTY SPEAKER:** The member for Elizabeth on a point of order.

**Mr ODENWALDER:** Sir, I would like you to rule whether this is relevant, since we are discussing changes to the standing orders.

**Mr PEDERICK:** It is completely relevant.

**The DEPUTY SPEAKER:** The member for Hammond will take his seat. The member for Hammond should know that that is my decision, not his decision.

**Mr ODENWALDER:** We are here to discuss changes to the standing orders which have come about as a result of changes to legislation, not the legislation itself, which has already been debated.

**The DEPUTY SPEAKER:** In fact, your comments could be construed as reflecting on a decision made by this chamber as well.

**Mr Odenwalder:** That is a better point of order.

**The DEPUTY SPEAKER:** Yes. I rule in favour of the point of order, and I would ask the member for Hammond to make comments specific to the actual report itself.

**Mr PEDERICK:** Isn't it interesting? My contribution to the Voice, and I am already muzzled as an elected representative of this state, voted in by my electorate—



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

**Mr PEDERICK:** —and people do not like what I am saying, and they try to muzzle me.

**Mr Odenwalder:** Did you speak on the bill?

**Mr PEDERICK:** Yes, I am speaking on the Voice. I was speaking about the election process.

**Mr Odenwalder:** No, did you speak on the bill?

**Mr PEDERICK:** I am speaking—

**The DEPUTY SPEAKER:** Order! Member for Hammond, you will take your seat. I suggest that you calm down or you leave the chamber. It is your choice. You have the floor to discuss the matter before us.

**Mr PEDERICK:** Thank you, Mr Deputy Speaker. What we have is the First Nations Voice Act, and it provides for a lot of interactions between the State First Nations Voice and the parliament, as I indicated. Part of that process is for the Voice to present a report and address a joint sitting. The Voice is to present an annual report on its operations and a report on the operations of each local First Nations Voice to a joint sitting of parliament each year, and one Voice presiding member is to address the joint sitting in relation to the report.

What intrigues me with regard to people of Aboriginal descent—and they can just identify as being of Aboriginal descent—is that they can come here and make recommendations and they do not have to be listened to at all. This could be a completely toothless tiger. Another point I wish to make is that part of that process is the not inconsequential fact of the outcomes, that Aboriginal peoples of this state can impact not just on the state's economy but on the nation's economy.

I note that as part of this process, with the standing orders, with setting up the Voice, it is a \$10 million budget over four years, and that will get bigger, obviously, with the bureaucracies in the background. I will just say this, if I can, in relation to representation and the impact on the greater economy not just of this state but this nation. I look at the Santos Barossa project, which I understand is about 70 per cent complete. It is an offshore gas operation north of Darwin. The total capital expenditure is expected to be \$4.5 billion to \$4.6 billion. There was an attempt to block this by, I think, four Tiwi Islander elders—completely disproportionate. Thankfully, Santos won that case.

Then I get to Woodside Petroleum, which has increased the cost estimate for its Scarborough gas project in Western Australia by 5 per cent to \$US12 billion, or \$A16.2 billion. There was an attempt to block that at the time. I am frightened that decisions made with these standing order changes will bring recommendations into this place that kill off investment and kill off the golden goose that pays the royalties so that we can contribute to the \$40 billion per annum that is now spent on Aboriginal affairs across this country. The thing is that you can bite the hand that feeds you, but the money has to come from somewhere.

I look at what happened in regard to the Voice—and I am sure there will be other representations similar to this under the standing orders—to the proposed Kimba nuclear waste facility, which was impacted by, as reported in *The Advertiser*, the 'Barngarla billionaires'. This would have put 45 new jobs into the local Kimba community in fields like security, administration, environmental monitoring, scientific services, health and safety. Kimba would have received a community development package of up to \$A31 million, and the local community would have benefited from improved infrastructure, including water, power, communications, transport and waste. I fear that with these changes under the standing orders, where people are segregated by race, they can make their representations to this house and pull up investment like this.

The only money that governments have of any consideration is taxpayers' money, and that includes royalties. It includes the great wealth from our primary production, and that could be impacted by some of these representations by the Voice to this parliament. We saw how spectacularly the Federal Voice collapsed, with a 64 per cent no vote in South Australia, the second highest no vote in the nation, when people got ahead of themselves thinking that they could push an ideology.

**The DEPUTY SPEAKER:** Member for Hammond, sorry to interrupt, but are you the lead speaker responding on behalf of—

**Mr PEDERICK:** No, I am not the lead; am I?

**Mr Teague:** I do not know that we need one.

**The DEPUTY SPEAKER:** I have been instructed differently by the Clerk, member for Heysen.

**Mr PEDERICK:** No, I am not the lead, so you will have to crank the clock up.

**The DEPUTY SPEAKER:** If you were lead speaker, you would not have a time.

**Mr PEDERICK:** That is alright, thank you. I am just pointing out the concerns that I have as a proud elected member to this place. We all fight for the election process, we all work hard, no matter who you are. Whether you are a Labor prospective politician, a Liberal prospective politician or an ongoing politician, an Independent or a Green politician—whatever you are—we have to work hard to get that majority of votes. But what we saw in this election—I do not know whether some people did not even know they had been nominated or had nominated themselves; they did not even vote for themselves. One person got up on six votes, some on 10, some on 12, some on 17. I just do not call that democracy.

The Voice will have many examples where they are able to present, in their minds thinking they can impact events and bills and the legislation that comes out of this place. But, as I have indicated, I am very concerned because if you think a government—certainly of the Labor kind—is going to say, 'We've listened to your advice under the standing orders, presenting to the parliament, presenting to the cabinet'—and in what other forums they present, they will not say, 'No, we just won't listen to that.' The government will need to justify their \$10 million spend, and they will make recommendations with that advice from a group that has had less than 10 per cent, or 0.1 of 1 per cent of the state's population, vote them in.

I do not bear any ill will against any of the individuals who have been voted in, but I think it is madness when we have seen what has happened under the federal jurisdiction and what we are going to see here now and into the future.

I do worry. As a sitting elected member, I worry when I look at proposals like the Kimba proposal, which would have been massive for that town, and yet an Aboriginal group 100 kilometres away impacted freehold land that was offered up by a farming family for that facility. This is especially as this state is about to enter the nuclear age. Only yesterday in this place we dealt with extraordinary legislation—and I was happy to contribute—in regard to AUKUS and the compulsory acquisition powers being put in place.

One thing that might happen here in the future is that, just to get projects operating—because there will be the Voice, there will be Aboriginal groups, people campaigning against projects—the only way to get them up is perhaps using similar powers as under the AUKUS bill, which I am sure will come into legislation. It will go through the process in a couple of weeks in the other place and then be dealt with by the Governor.

But I do have great fears that people represented on a very small vote can completely overrun the 47 elected members of this place who have run campaigns and worked hard to get here. I guarantee you that we all got more than zero votes to be in this place.

*The Hon. S.E. Close interjecting:*

**Mr PEDERICK:** You will get your chance—you have had your chance.

**The DEPUTY SPEAKER:** The member for Hammond has the floor.

**Mr PEDERICK:** Thank you, sir, for your protection.

*The Hon. S.E. Close interjecting:*

**The DEPUTY SPEAKER:** Deputy Premier, you know better.

**Mr PEDERICK:** Throw her out. It goes both ways, sir.

**The DEPUTY SPEAKER:** I was protecting you; you realise that.

**Mr PEDERICK:** Thank you; I appreciate that. There is something about democracy: you can have a different point of view. Some people do not think that. Some people think they can bulldoze these ridiculous things through the parliament and it will affect the operation of the 47 elected members of this place and the 22 elected members of the other place. Certainly, I do not agree with the views of every elected member of either house, but I do respect the way that they have been legitimately elected. I have my concerns, and let's see how this pans out.

**The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (12:32):** Apologies that I was unable to be here a little earlier, so thank you to the member for Hammond for speaking ahead of me, although I am speaking on behalf of the opposition, obviously. The Standing Orders Committee has performed a task that was required as a result of the legislation. The legislation was opposed by the Liberal Party, as is a matter of public record. I believe it is absolutely reasonable for that to be reflected on in the course of this debate. We are now obviously having to put in place standing orders that will give effect to the legislation that has passed.

The Standing Orders Committee has, as I understand it—and obviously not being a member of the committee myself but being aware of the discussed changes as they were discussed between the parties ahead of the formal resolution that we see in the report—had a number of things to consider that would give enactment to the operation of the Voice in how it interacts with this house and, indeed, how the houses have proposed to interact differently together through joint sittings and joint standing orders compared to what the operation has been in the past.

My understanding is that in relation to practical effect there were matters on which the members agreed and there were matters on which the members did not agree. The Speaker, the member for Giles, the member for Schubert, the member for Elizabeth and the member for Unley I believe worked hard and collaboratively where possible but, nevertheless, there were points of disagreement and the Liberal Party remains disappointed at the disagreements that were unable to be resolved. Nevertheless, I understand them to be in the minority in effect of how it is to operate.

The Liberal Party, as I say, opposed the legislation at a state level as, indeed, we opposed the referendum at a federal level, but I do want to make clear to the elected members of the Voice that the Liberal Party has always supported an opportunity to engage with Aboriginal South Australians.

Through the term of the last government, we believe that there was a superior model in place, but we looked for opportunities to make it better. This government chose a different pathway, a different model, but that does not undermine the respect that we will offer and show any individual member. As indeed the member for Hammond made clear, individual members who are going to be representing in this way for the term of their elections, whatever the model, whatever our disagreements on the model, will be offered respect.

I suspect that the parliament will not always agree with them. I suspect that individual members at different times will have a different point of view and we have all been elected to serve all of the people in our community so that is right and proper. I am sure all members of the house will agree. We will observe how it works. With that, I conclude my remarks.

**Mr TEAGUE (Heysen) (12:35):** I note the contributions of members on this occasion, an opportunity for the house in debate on a substantive motion to consider this second report of the Standing Orders Committee. I think it is fair to say that it is a particularly consequential report. It is a short report and members of the house might note an appreciation of the committee members' endeavours to grapple with what might be regarded as necessary changes to the standing orders to accommodate the requirements of the First Nations Voice Act 2023, and those consequences so far as the parliament is concerned are, I think, all captured in the bottom third of the first page of the report.

I think it is an opportunity to note that there is not one single pathway that is presented to the parliament as a consequence of those particular aspects of the act, the subject of sections 38, 39, 40, 41 and 42 respectively. As I say, they are summarised in the bottom third of the first page of the report. They are respectively that the Voice is to present a report and address a joint sitting of the

parliament; that is section 38. Also, that there is provision already in the act for the Clerk to advise the Voice of each bill that is introduced, so that is an obligation on the clerks of both houses that is already the subject of the act.

Thirdly, the Voice may address the house on bills relevantly and that is the subject of section 40. That has been the subject of debate, including on the bill, that the Voice may present a report and, in that case, may present it to both houses on any matter of interest to First Nations people. That is section 41. To complete that list, parliament may request, report or address, via the Speaker or the President making that request to provide a report or address. That is section 42.

It might be apparent, therefore, as I think it was apparent to all members following the passage of the act around a year ago, that in order to facilitate that direct interaction with the chamber it would be necessary to make changes to the standing orders. The work of the committee has been required because it is clear enough that there might be a variety of ways in which the standing orders might be changed in order to accommodate those requirements of the act.

I certainly express appreciation for the work that has been done by the committee in those circumstances. Hopefully they have seen the best way through, or the most desirable way, to see the mechanics of those requirements in the act actually occur in terms of the practicalities of it all. The committee is closer to it than I am, and the committee has deliberated over a considerable period of time.

I note that there has been some consideration prior to the report now being brought up to the house for debate this afternoon and so, like any novelty, whether or not the particular course that has been adopted by the Standing Orders Committee—and that is spelt out at appendix A to the report—turns out to be the best and most productive way to see those particular requirements of the act fulfilled, remains to be seen.

For the time being, I just want to make clear that I have no particular difficulty with where the committee has come in to land on the proposed way forward in terms of the form of those standing orders. I think that there has been an endeavour, which appears in terms of the changes that have been proposed, to adopt an approach that is as close to the present operations of debate and of analogous procedure when it comes to making these stipulations in the act come into operation.

We see, for example, that there is an analogy that is drawn by the committee in terms of the proposed joint standing order for joint sittings that draws upon the process that applies for the election of senators. Other standing orders that are proposed, the subject of this report, are new. As I say, by that illustration there is an endeavour to see analogy in the existing standing orders where that has been possible. We are yet to see how the application of those five particular aspects of interaction with the house are going to come into practice.

Earlier this week, I was fortunate to have an opportunity to greet, I suppose, to welcome to the house, to cross paths again, and to meet for the first time in several cases, newly elected members of the Voice. It was an opportunity to acquaint myself in particular with several of those members who have been elected from the Far North. It was an opportunity to get together not so very long ago, in recent weeks, on the occasion of recognising 40 years since the passage of the legislation that brought the APY lands into existence a little over 40 years ago, and here they were then, newly elected and here in the parliament.

I am sure those elected members of the Voice will, as with others, now go about the process of convening as Local Voices for the first time and in due course they will follow the steps required by the act to constitute the State Voice, and at some stage in the future we will, I expect, see these elements, for which the standing orders are to be amended—if that is what occurs in line with the recommendations of the committee—then coming to bear.

These are early days, but what is very clear is the issue that has been taken by me and by my party and others in the course of the debate about the merits of those particular aspects, and without entering into debate about a bill that is before the house, there is a bill that I have introduced in recent weeks that I believe can improve that form of engagement. Leaving aside the debate in relation to the merits of the act and the capacity of the act and the processes that it provides for to

achieve the objects for which the project has been described as endeavouring to achieve, we will see that work out over the time ahead.

For the time being, this is a significant moment insofar as the changes of the standing orders. It is no small thing. As the member for Hammond has adverted, it involves in some ways really quite fundamental changes to the way in which this parliament and the members of the parliament in both houses will now interact. We have time ahead to see how this develops and I am sure the debate will continue in relation to the requirements of the act. I do not, for the time being, suggest that as a house we ought to be too quick to require a complete and perfect outcome in terms of the standing orders. It may be necessary to look at them again in the light of how things pan out in terms of the application of the standing orders.

But here we are and I, for the time being, just note that we now do have the means by which the house will interact pursuant to those five sections in particular of the act that relate directly to the parliament. We will now see how this pans out over the course of the near term.

**The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Defence and Space Industries, Minister for Climate, Environment and Water) (12:49):** I am happy to close the debate by thanking members for their contributions, recognising that this is a consequential set of standing orders on a piece of legislation that has already been passed by this house, but also recognising that there was a diversity of views about that legislation and it is, of course, legitimate for members to express their views, continuing to express concern or even opposition to that piece of legislation.

Nonetheless, it is my hope and expectation, having had the legislation through, having been able to now present these standing orders to the chamber, that when in due course we hear from representatives of the Voice to Parliament they will be heard with respect. In fact, my expectation will be that every member of parliament will take something of value from those representations.

As has been pointed out, there is no requirement for us to alter course as a result of hearing from the representatives of First Nations people, but there is an obligation, I think, on us all to behave in a way that shows respect to anyone who presents to us and particularly to show respect for those who have been chosen by their people to represent their culture and their experience in seeking to make South Australia a stronger place. I therefore commend this standing order report to the chamber.

Motion carried.

**The Hon. S.E. CLOSE:** In accordance with the report of the Standing Orders Committee, which was adopted by the house today, I move:

That the following message be sent to the Legislative Council—

'The House of Assembly has adopted amendments to joint standing order No. 16 and new joint standing orders Nos 16A and 16B to give effect to the provisions of the First Nations Voice Act 2023, and transmits herewith a copy of the joint standing order No. 16 as amended and new joint standing orders Nos 16A and 16B, and requests the concurrence of the Legislative Council thereto.'

Motion carried.

### *Bills*

## **DISABILITY INCLUSION (REVIEW RECOMMENDATIONS) AMENDMENT BILL**

### *Committee Stage*

In committee.

(Continued from 9 April 2024.)

Clause 10.

**Mr TEAGUE:** We just remind ourselves: clause 10 is going to add a new subsection (3) at section 15 that is going to require that a report submitted to the minister for the purposes of subsection (1) must include information about any changes that are recommended to be made to the State Disability Inclusion Plan as a result of the review.

Just to be clear, the act as it presently stands contains review provisions. I do not recall the section number; I think it is section 32 in part 10 of the act that requires the review we have just seen Richard Dennis undertake—the four-year review. So is it the case then that, like a spacecraft heading off into orbit, we will now jettison section 32 and we will not see therefore any further work for section 32 to do, because that review has occurred?

As I read it, the terms of section 32 require the minister to cause the review of the operation of the act to be conducted, and the review and the report must be completed in the time frame that is described following the commencement of the act and then the minister must cause the report to be laid on the table of both houses.

So as I read section 32 that is a one-off. We therefore have the benefit of Richard Dennis's work, and we are now out on our own, and therefore so far as there is a review to be undertaken then the review of the State Disability Inclusion Plan is going to be the most substantive review exercise that is the subject of the act itself as opposed to any external reform by way of amendment to the act in the broad. Is that a fair understanding of both where we are at in terms of section 32 and now what we are expecting to work with in terms of review of the plan?

**The Hon. N.F. COOK:** In a way. Section 32 is the trigger of the once-off review that would happen after implementation, and this is the once-every-four-years review of the state plan.

Progress reported; committee to sit again.

*Sitting suspended from 12:59 to 14:00.*

*Parliamentary Procedure*

#### **ANSWERS TABLED**

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

*Ministerial Statement*

#### **MEMBER FOR STUART**

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:00):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. P.B. MALINAUSKAS:** The member for Stuart is a great South Australian. Throughout his substantial career he has made his local community a better place. He has made South Australia a better place. The member for Stuart has informed me of his resignation from the state cabinet but importantly his intention to continue to serve as the member for Stuart.

The member for Stuart has served with distinction as the Minister for Local Government, Minister for Regional Roads and Minister for Veterans Affairs since the election of this government in March 2022. He served as Minister for Regional Development and Local Government in the Weatherill government from 2014 to 2018. Throughout both his terms in cabinet, he has provided a strong, independent regional voice.

The member for Stuart suffered three heart attacks and underwent quadruple bypass surgery at the end of June last year. Throughout his recovery, from his lifechanging medical episode, the member for Stuart and I have discussed his ongoing role in the ministry. I am grateful that the member for Stuart agreed to stay on in cabinet through the recent significant Major Economic Summit in Upper Spencer Gulf.

In our discussions, Minister Brock has expressed a desire to step back from cabinet so he can focus all his energy on his role as the member for Stuart. I am grateful he intends to continue serving and will seek re-election as the member for Stuart, an electorate he knows well and understands deeply.

I am also thankful we will continue to have the member's guidance, input and advice on key projects which were outlined through the State Prosperity Project, a transformative opportunity to

deliver benefits to our entire state, including the communities he represents. The member for Stuart has been a champion for jobs in his community and was integral in securing the future of the smelter in Port Pirie. I know he will continue to ensure Upper Spencer Gulf realises the full potential of the State Prosperity Project.

I want to thank him for his thoughtful and cooperative contribution to state cabinet. We have been a stronger government for it. I thank the member for his service to date and I also want to thank his partner, Lyn, and daughters Hayley and Marisa for their support they have provided the member for Stuart and will continue to provide him in the years ahead. In due course, I will make further announcements about a subsequent reshuffle.

#### *Parliamentary Procedure*

### **PAPERS**

The following papers were laid on the table:

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

TAFE SA—

Ministerial Charter—Report  
Performance Statement—Report

### **VISITORS**

**The SPEAKER:** I acknowledge the presence in the gallery today of students from St Aloysius College. I understand you are guests of the member for Adelaide. Welcome to parliament. It is an absolute privilege to have you here with us.

#### *Members*

### **SPEAKER, RESIGNATION**

**The SPEAKER (14:03):** Members, I wish to inform the house that at the conclusion of question time I will resign as Speaker. Serving as Speaker since 2021 has been the greatest privilege of my life. I wish to acknowledge and thank the Premier and his ministers and the leader and his shadow ministers for their forbearance and good humour over that period.

As well, I wish to thank and acknowledge the Clerk, the Deputy Clerk, the Serjeant-at-Arms, the whips and all house staff, as well as my personal staff. Their work often goes unremarked in this place. I am deeply grateful for it.

An election for Speaker will immediately follow question time, and I will provide my letter of resignation to the Clerk, directly, at the conclusion of question time. The leader.

#### *Question Time*

### **FIRST NATIONS VOICE TO PARLIAMENT**

**The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:04):** Thank you, Mr Speaker, and thank you for your service. My question is to the Premier. Is the Voice to Parliament representative of Aboriginal people in South Australia? With your leave, sir, and that of the house, I will explain.

Leave granted.

**The Hon. D.J. SPEIRS:** Of approximately 30,000 eligible Aboriginal people, less than 10 per cent voted in the election of the First Nations Voice to Parliament.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:05):** I thank the Leader of the Opposition for his question. The state government is committed to ensuring that the recently legislated Voice to Parliament—recently elected Voice to Parliament—makes a thoughtful contribution to public policy development, particularly in respect to matters that affect Indigenous affairs, or Aboriginal and Torres Strait Islander affairs, in the state of South Australia.

The turnout for the recent Voice election in many respects represents an improvement in what we have seen in other recent elections in South Australia, particularly in comparison to local government. All of the positions within the Local Voice to Parliament were contested. There were far more nominations received than there were positions available. In region 1, there were 41 nominations for 11 positions; 13 nominations in regions 2 and 3; 14 nominations in region 4; 19 nominations in region 5; and 13 nominations in region 6. That stands in stark contrast to what we saw in the most recent local government elections where, of course, there were a number of positions that were elected completely unopposed.

The strong interest from people of Aboriginal and Torres Strait Islander descent in South Australia to participate in all this I think is a demonstration of their confidence that this is an effort worth pursuing for the betterment of Aboriginal and Torres Strait Islander people within our state. That is an aspiration that I would expect everyone in this place to share.

Indeed, I note the litany of remarks that have been made by members, on both sides of the house, including from the current opposition, that they are keen to see the Voice actually work. Indeed, so much of the genesis of the Voice that we have here in South Australia comes from members opposite who took to the election themselves a policy to institute a Voice to Parliament. I note that there has been a subsequent change in position from the opposition, which they are entitled to do, but nonetheless there have been—

*Members interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** I am in no way seeking to diminish or deny the opposition the ability to change their position, but on this side of the house we have got a genuinely held, and indeed a firm view, that we believe a Voice to Parliament is worth pursuing to give Aboriginal people better outcomes. What we have implemented here in South Australia, and what we are implementing, is quite different in nature than what was proposed at the recent federal election. We have not changed the constitution; what we have done is legislated a Voice to Parliament.

Let me say this: earlier this week, I had the privilege and the opportunity to be able to spend time with those who have been elected to represent their communities and to say a few words and have all those representatives in one room at one time. Let me assure you that these are good people who are genuinely interested in trying to get better outcomes for their communities in very complex circumstances. They want to give it a crack, we want to give it a crack, and I hope this whole parliament wants to give it the opportunity to succeed.

#### FIRST NATIONS VOICE TO PARLIAMENT

**The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:09):** My question is again to the Premier. Is the Premier committed to engaging with and acting on the advice of the First Nations Voice to Parliament?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:09):** That depends on that advice. That is the central premise of the proposition. I made clear throughout the deliberations and throughout the parliament in respect of the Voice that, ultimately, it is an advisory body. It will be up to individual parliamentarians when it comes to legislative considerations. It will be up to the executive arm of government to determine what advice we take into account and what advice we choose to not take into account. They will be decisions that different ministers, different MPs, will make in different times.

There were two elements to the Leader of the Opposition's question: engagement and taking advice. In terms of engagement, of course, absolutely—because we believe in choosing to engage. The counterfactual, of course, is to choose not to engage, and we have seen how far that has got us.

**The Hon. V.A. Tarzia:** You can engage without a Voice.

**The SPEAKER:** Order!



**The Hon. P.B. MALINAUSKAS:** Nobody, I think, in good conscience can accept that the status quo represents an outcome that is in the interests of anybody in the state of South Australia, let alone Indigenous or Aboriginal people themselves. We have to do better. We should have an aspiration, in an egalitarian society, to not see such an extraordinary gap between the standard of living for people who are Indigenous versus non-Indigenous. That is why the central premise of the Voice is to choose to engage, to listen, and to allow people to be heard who have otherwise been ignored too often in the past.

So, yes, in answer to the Leader of the Opposition's question, we do choose to engage. In terms of what advice will be accepted and not accepted, that will depend on the advice itself and the circumstances of the policy matter at the time. I have made clear that there will be moments where governments—including, indeed, this government—may choose to not heed the advice of their Voice, but I tell you what, we will be thinking about it first. Even that in and of itself represents a marked change from the efforts we have seen in the past, where no advice has been sought, no advice has been given and no advice has been heard.

*Members interjecting:*

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

**The Hon. P.B. MALINAUSKAS:** We are choosing to engage because we want better outcomes, just as I know Aboriginal people in this state want better outcomes.

#### ULURU STATEMENT FROM THE HEART

**Mr TEAGUE (Heysen) (14:12):** My question is to the Premier. How and when does the government plan to implement any measures to progress Treaty and Truth in South Australia? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr TEAGUE:** The government has previously committed to progressing Treaty and Truth as identified in the Uluru Statement from the Heart. On 17 October, the Premier informed this house that, and I quote:

Voice will be established and up and running throughout the course of next year, all things being well, and from there the government will turn its mind to Treaty and Truth.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:13):** I stand by my remarks.

#### TRAIN DRIVERS DISPUTE

**The Hon. V.A. TARZIA (Hartley) (14:13):** My question is to the Minister for Infrastructure and Transport. What is the minister doing to minimise taxpayer exposure following recent industrial action? With leave of yourself, sir, and the house, I will explain.

Leave granted.

**The Hon. V.A. TARZIA:** There is current industrial action with train drivers on strike today, and we know trains and trams return to government hands in 2025.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:13):** I think the first measure I would like to inform the house of is that we are undoing the privatisation of the rail contracts—

**The Hon. V.A. Tarzia:** How many million did that cost?

**The Hon. A. KOUTSANTONIS:** The irony of being asked a question about the cost of industrial action with a private operator and their staff on public services when, by bringing it back in, those employees will be negotiating with the government! The way we minimise those costs and minimise disruptions to the public is by essential services being managed by the government, not by private operators.

I am very disappointed that it has come to this. It is my firm view that workers are entitled to take industrial action. It is their democratic right to do so, to withdraw their labour, and I support the ability of workers to withdraw their labour, but there are consequences when it comes to essential

services, and if those essential services are public transport. Public transport is an essential service, which is why this government wants it back in public control, where we are deciding the timetable, we are deciding the expenditure, we are running—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —our trains and trams. I heard interjections from the shadow minister for energy, 'What about the buses?' We are also conducting a body of work to see whether we can bring those services back into public hands as well. Privatisation of essential services fails; it fails people. Anyone who opens their power bill will see the failure there. Anyone who saw—

*Members interjecting:*

**The SPEAKER:** Order! Member for Hartley! Member for Morphet! Member for Hammond!

**The Hon. A. KOUTSANTONIS:** If at any time members who are interjecting want to ask me a question, they are welcome to it and I will answer it. Interjecting is almost a disservice to the person asking the question.

**The SPEAKER:** It's also contrary to the standing orders, minister.

**The Hon. A. KOUTSANTONIS:** Yes, sir, it is. My view on this dispute is that it is unfortunate and that it should not have occurred. I would encourage Keolis Downer to honour its contractual obligations to the state and make sure that they are doing all they can to get back to the negotiating table. I would also encourage the RTBU to do its very best to get back to the negotiating table as well.

I would also point out that the government is enacting clauses in the contract to make sure that any substitute buses are paid for by Keolis Downer, not by the taxpayer. We are doing all we can within the bus service to make sure that we can deal with any potential overflow; but it is very, very disappointing.

I have been pleased with the messaging campaign to try to let people know of this inconvenience facing commuters. We are still struggling to get back to pre-COVID numbers of people on commuter rail and buses and trams. We are working very hard to do just that. I am looking forward to our trains and trams coming back into public hands, where we can have a coordinated government-led effort to encourage more public transport to help decarbonise public transport, save people money and offer a better service to our constituents than the one that is offered to them by a privatised offering.

### COMPULSORY LAND ACQUISITION

**The Hon. V.A. TARZIA (Hartley) (14:16):** My question is to the Minister for Infrastructure and Transport. Is the minister aware of comments made by the owner of Fresh Kitchen Solutions regarding compulsory acquisition, and how does he respond to them? With your leave, sir, and that of the house, I will explain.

Leave granted.

**The Hon. V.A. TARZIA:** On Tuesday 2 April, Cathy Franks, owner of Fresh Kitchen Solutions, said on FIVEaa Radio, and I quote:

What I'm unhappy about is we were told that we would be better off if they move us, or they will buy us out...I don't own the premises, I own the business...What we're finding here on this strip of road, if you own the land, you're fine, but anyone else that is a business that's inside those premises, we're just getting shafted left, right and centre.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:17):** I just want to highlight to the house a couple of things. The number of businesses that we are acquiring is the largest number of businesses acquired, properties that contain businesses, by any government anywhere in Australia at any one time.

**The Hon. D.G. Pisoni:** It doesn't mean you get a discount in bulk.

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** I also point out to members opposite that the framework that we are using for compulsory acquisition and moving businesses is one that was legislated by them.

**The Hon. V.A. Tarzia:** You've been here since 1997; you can't use that.

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** That is true. Labor has won a number of elections, that is true, and I have been in office a long time. I have been transport and infrastructure minister for just over three years—aggregate. The changes that were made to the Land Acquisition Act—

**The Hon. V.A. Tarzia:** Improve it. Fix it.

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** I'm giving the member the courtesy of trying to answer his question. He asked a question. We sat in silence to listen to it and now I am trying to answer it. From the moment I stood up he was interjecting, from the time I started.

**The SPEAKER:** Minister, it is unnecessary to respond to any interjections, including your commentary on the usefulness of interjections. Come back to the question.

*Members interjecting:*

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

**The Hon. A. KOUTSANTONIS:** The businesses that we are acquiring and having to move is a very difficult process. I saw that the constituent the shadow minister is talking about contacted the opposition and held a press conference. After that press conference, she contacted me for the first time to have a discussion. I meet with every single business owner who contacts me about their relocation or their acquisition.

**An honourable member:** Everyone?

**The Hon. A. KOUTSANTONIS:** Yes, absolutely. If a small business asks to meet with me about this project, I will meet with them. I will either meet with them at their business or I will meet with them in my office with the officers who have the ability to make any changes we possibly can for that business, because my main focus of the acquisitions here is to make sure we keep as many jobs going as possible, because the legislation that we have makes it very difficult for us, especially for businesses, because the previous government removed alienable rights for a business—that is, family businesses.

South Australia is a famous small business state with family businesses. What the previous government did when they removed the ability to not compensate for alienable rights is that, if parents ran a business and owned the property and then the new generation came in, unless there was a lease agreement in place, we couldn't compensate. The party that took that away was the party of small business. This has caused a great deal of heartache for a number of businesses on the north-south corridor. What we are having to do is look for ex gratia payments for these businesses, because the ability to compensate them was removed by the party of small business.

I am very keen to do all I can to make sure that these businesses are looked after. I will meet with Mrs Franks, but we have had a number of engagements with her and her business, and we are doing all we can to make sure that we are able to do what we can to give her the ability.

I understand the department has provided extensive support to Mrs Franks. Both business operators, including her husband, have been provided with the services of a rental advocate at no cost to them. While it's not a requirement that they take them up, I am advised that they have not taken them up. Whilst the department offers this service, it is not something that we are required to do. I understand that they have sought independent legal advice for their claim of compensation, of which we will fund. I will continue my remarks after the next question.

**The SPEAKER:** The minister's time has expired.

### COMPULSORY LAND ACQUISITION

**The Hon. V.A. TARZIA (Hartley) (14:21):** Supplementary to the minister: has the minister held discussions with other businesses being acquired along South Road in the last week? If so, which ones and what was discussed?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:22):** I am about to meet with Matlin Auto Repairs, and I am going to organise a meeting, after her request, with Mrs Franks. I have met with a number of businesses but not in the last week. But over the last year and a half, I would have to get back to the house about how many businesses I have met. I have also met with a number of landowners and households and tenants. I meet with them when all other avenues have been exhausted.

To get back to Mrs Franks, in relation to her claim for compensation, we will reimburse her reasonable legal costs for disputing that and arguing her claim for compensation. We have also undertaken significant consultation with Mrs Franks, and the department will continue to do so with all impacted business operators.

Just to give some time line to all of this, on 12 April last year acquisition case managers visited Mrs Franks at her South Road business. On that following day, she was issued with a notice of intention to acquire land. On 17 April, business valuer Grant Thornton was engaged to conduct valuations of their business, Fresh Kitchen Solutions. The property was compulsorily acquired on the 27<sup>th</sup> of last year, and a notice of acquisition was subsequently served on Mrs Franks and their entitlement to three months rent free commenced.

On 25 September, a rental advocate was engaged by the department on behalf of Mrs Franks to provide assistance in finding a replacement property. It is noted that since their engagement the rental advocate has not heard back from Mrs Franks, and I would encourage her to take that up. It is a service that we offer for free.

On 25 September, the draft business valuation was received from Grant Thornton, and Mrs Franks was contacted regarding the assessment of their business. On 26 September, a quantity surveyor, Rider Levett Bucknall, was engaged to undertake a cost relocation estimate on a hypothetical basis of moving the business, and that report was received on 30 October last year. On 28 September, Mason Gray Strange was engaged to undertake evaluation of plant, stock and equipment, and this report was received on 18 October.

I understand Mrs Franks has engaged an independent business valuer to undertake a valuation of their business. Due to the dramatic differences in valuations between the two assessments—and the valuation that we make is done on legislation drafted and passed by the previous government and we are tied by legislation to how we conduct those valuations and what we value, and by case law—the department is currently waiting to receive an executed statement to the outcome arising from the joint valuers' conference, and I look forward to the results of that.

I understand that Mrs Franks has not yet taken up legal representation, which is her right. I would absolutely support her taking up that right of legal representation, of which the reasonable costs we will fund as part of the project, which we offer to all interested people. I will meet with Mrs Franks as well to do what I can, and to make sure that she can get a fair deal. I will inform Mrs Franks of the bipartisan nature of the valuations and the legislative reforms made in this house that inform every decision we have taken about this project.

I also remind the house that when previous Minister Knoll brought in those changes for underground acquisition and changes to compulsory acquisitions—I would refer members to his second reading contribution about the importance of these changes and the bipartisan support given by the then Malinauskas opposition to the then government's plan to compulsorily acquire so many businesses and homes.

### SOUTH AUSTRALIAN MUSEUM

**The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:26):** My question is to the Premier. Will the Premier or a representative join members of the South Australian

Museum and scientific community on the steps of Parliament House at 11 o'clock on Saturday for their rally?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:26):** No, I have commitments throughout the course of the weekend. But I have been speaking to the responsible minister regarding the concerns that people have made regarding the changes that are being led by the board responsible for the governance of the Museum. These are decisions that have not been made by the executive of the government themselves but rather the board that is responsible for the operations of the Museum. Having said that, naturally, having seen the open letter published in *The Advertiser*, my office was seeking to get a copy of it following speculation that such a letter was being published.

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

**The Hon. P.B. MALINAUSKAS:** It must have been an exclusive to the *'Tiser*, that's right. This is an issue that I am seeking to familiarise myself with, as I know the minister already has, and naturally I intend to make myself available to meet with a group of representatives of the concerned parties to understand what their concerns are and see if we can't find a pathway forward.

### RESOURCES SECTOR

**Ms SAVVAS (Newland) (14:28):** My question is to the Minister for Energy and Mining. Can the minister update the house on the trade performance of South Australia's resources sector?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:28):** On Tuesday, the Treasurer was speaking to the parliament about South Australia's growing economy and gained some highlights from the statistics recently released by the ABS. The data shows that recently South Australia's overseas exports have been consistently at or near record levels. In the 12 months leading up to February 2024, the state reached \$17.9 billion in exported goods. That is a remarkable number.

Drilling down on that, the past 12 months have been a boon for copper. South Australian refined copper product has once again claimed the top spot for South Australian exports and goods to overseas markets, overtaking wheat. This contest between wheat and copper for the state's top spot is a very healthy rivalry, one that we should encourage. It should not be boiled down to one industry versus another. We want them both to succeed and both to continue breaking records.

It is disappointing that some people yelled out interjections or made remarks in the house like, 'You can't eat copper.' I don't think we should bring this type of debate towards what I think are two great entrepreneurial industries, the farming industry and the mining industry, that do it under very difficult conditions.

As I mentioned earlier, the last 12 months have been very big for copper. In fact, in the 12 months leading up to February, refined copper accounted for over 80 per cent of South Australia's manufactured goods value and South Australia exported to overseas markets over \$2.5 billion in copper products and refined copper and over \$1 billion in copper ore or concentrates.

As everyone has heard the Premier say repeatedly, copper is indispensable to electrification technologies which make it a critical mineral for global decarbonisation. Perhaps it is the most critical mineral of all. Wind turbines, electric vehicles, power cables, energy-efficient generators, motors, transformers, renewable energy systems: they all rely on copper. Forecasts predict a surge in global copper demand that will surpass supply capabilities and indeed will surpass known mine reserves.

What we are seeing is that this is good news for copper and it is exceptional news for South Australia. Why? Because we host nearly 70 per cent of Australia's copper reserves. Our global standing as a leading provider of the world's most critical mineral for decarbonisation is growing. Our proposed commercial-scale desalination plant, under our State Prosperity Project, stands to take South Australia to a whole new level and open up South Australia's potential to become a tier one copper province, which is an ambition that multiple governments have held in this state and one that we aim to realise.

We are seeing the scaling up of copper ore and concentrates being refined at BHP's Olympic Dam smelter and, once they start purchasing our water from Northern Water, I expect that processing will scale up much more sharply. We want to go up the value chain. We want to export value-added

products. We are doing a lot of work to refine copper and green iron. It is the right direction for the South Australian economy, and I hope that agriculture and resources can coexist and continue to grow.

### NATIONAL HOUSING ACCORD

**Mr TELFER (Flinders) (14:32):** My question is to the Minister for Planning. Is the government taking action to ensure that South Australia can meet the National Housing Accord targets, and if so, what? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr TELFER:** The National Housing Accord target for South Australia is to build 83,230 new homes over a five-year period from mid 2024. Data released by Master Builders Australia this week suggests that South Australia will underperform this target by more than 27,000 homes or 33 per cent.

**The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:32):** I thank the member for his question and it's an important one. We all know that the building industry is coming off what was known as the profitless boom where we built 14,000 homes and apartments in the state but the businesses operating in that area, the builders, made very little profit because of the disruption in supply chains and the like. As a result, we are having something of a hangover from that boom period.

We all know that housing supply is the answer and planning plays a reasonably vital role in the longer term to providing that supply. I just point out to the member that the Business Council of Australia says that we have the best planning system in the country. There are many other jurisdictions, like Western Australia, that are going to move towards the type of planning system that we have. We have a single planning code across the state. We have a single system, which people can log into. It is very user friendly.

There is always more reform that we will want to do. I have a government question a bit later on which will go into some of the things that we have been doing. I don't want to foreshadow it—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. N.D. CHAMPION:** Well, this is a government—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. N.D. CHAMPION:** Unlike the other side, this is a government—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. N.D. CHAMPION:** —which is very, very interested in housing—very, very interested in housing and very, very interested in housing supply. That's why we have—

*Members interjecting:*

**The Hon. N.D. CHAMPION:** Just listen to this—90 code amendments with 4,000 hectares of land under rezoning at the moment. If you compare that—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. N.D. CHAMPION:** —to what went on previously—

*Members interjecting:*

**The SPEAKER:** Member for Hammond!

**The Hon. N.D. CHAMPION:** —we have completely blown the previous government out of the water. We have already released more land to the market than the previous government did in the entire four years you have had.

*Members interjecting:*

**The SPEAKER:** Member for Frome!

**The Hon. N.D. CHAMPION:** We are interested in housing supply. We understand it is the critical lever to answering the housing crisis.

#### NATIONAL HOUSING ACCORD

**Mr TELFER (Flinders) (14:35):** My question is to the Minister for Planning. Has the government received or sought advice about the state's eligibility to receive performance-based funding from the commonwealth under the National Housing Accord? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr TELFER:** At national cabinet in August 2023, the commonwealth announced \$3 billion in incentive payments to states and territories that deliver more than their share of a million new homes. Data released by Master Builders Australia on 9 April suggests that South Australia will underperform its target by 33 per cent.

**The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:36):** Of course, we've been in discussion with industry, with the Master Builders themselves, with the HIA and with the UDIA. We are absolutely committed—absolutely committed—to providing not just land supply but development-ready land supply. One of the mistakes that has been made by previous governments, of all complexions, is that they have not looked at the critical element of development-ready land supply.

We are committed to doing that in the long term. That will help us meet these targets that have been set out by national cabinet. Previous governments have not set targets. Previous national governments have not put in resources. They have not had the housing HAFF fund. They have not put money into infrastructure. We have a federal government that is doing those things. We want to work with industry to meet those important targets, because we want young families to be able to buy their own homes. We want working class and young professional people to be able to rent in a rental market that is functioning. We want to provide regional South Australians with housing.

So, we have undertaken an enormous effort, not just to look at every piece of land that we can release. As I said before, we have 90 code amendments, the most that has ever been in the system, and 4,000 hectares currently under consideration for release. We have released, from memory, almost double what the previous government released in four years. We are doing the work to make sure that we can meet the targets the commonwealth sets for us, and we want to do that because we want to house South Australians.

#### HIGHWAY TRAFFIC MANAGEMENT

**Mr McBRIDE (MacKillop) (14:37):** My question is to the Minister for Emergency Services. Can the minister explain why CFS volunteers are doing traffic management on our major highways when the road is closed due to an accident? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr McBRIDE:** On Wednesday 27 March, an accident occurred on the Dukes Highway near the Victorian border. Volunteer CFS crews had to take over traffic management of the road for many hours while the police investigated a serious crash. This is not part of their role as volunteers.

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (14:38):** I thank the member for his question. I am not familiar with the situation or the incident that he refers to, but I will endeavour to speak to council—I presume it is the

Tatiara District Council—and the Department for Infrastructure and Transport, as well as my agencies, and bring an answer back to him as a matter of urgency.

### NATIONAL CONSTRUCTION CODE

**Mr TELFER (Flinders) (14:38):** My question is to the Minister for Planning. Will the minister release modelling and government estimates to quantify the impact of recent changes to the National Construction Code for South Australians who are building a home? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr TELFER:** In *The Advertiser* this week, the minister reportedly said that 'modelling and estimates of government show the new standards including liveability changes can be done for less than \$10,000'.

**The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:39):** The modelling is the province of the Building Ministers' Meeting and the board that is tasked with undertaking all of those changes. I am happy to see what I can release to the house on notice. I am happy to provide a more fulsome answer, but what I would say is that these are sensible reforms that are done at a national level. They are being implemented around the states. We delayed the implementation for a year, to October this year, to give the building industry time to adjust to those changes. Those changes are very important for adaptation in terms of climate change and making houses cooler and more efficient. They are a net benefit to people over the life of those homes.

The second important consideration that has happened in the NCC are the liveability changes, which are all about futureproofing homes, particularly for as we age. For instance, it involves putting a secure wall behind the bathroom so handrails and other safety measures can be attached as people age in place. It would seem to me that they are all sensible matters.

There have been various numbers thrown around in the media. I can assure the member that, as we have sat down with industry groups, they have engaged with us and engaged with PLUS and we have been able to work with them in a constructive way in order to have a pathway to deliver these very important reforms. That has been a collegiate process. As part of that process, there have been some exemptions. They are sensible exemptions so the industry can continue to provide homes for South Australia.

### BUSHFIRE REGULATIONS

**Ms PRATT (Frome) (14:41):** My question is to the Minister for Planning. What does the minister say to home builders in my regional electorate about the financial impact associated with the proposed bushfire regulations? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Ms PRATT:** In an *Advertiser* article this week, the Chief Executive of the Master Builders Association SA said:

...bushfire regulations under consideration could add up to \$21,000 to the cost of a new build in areas slated for construction...

including in my area.

**The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Planning) (14:41):** The bushfire code amendment consultation, which has just recently closed, has been undertaken by the State Planning Commission. They are undertaking this bushfire code amendment for two important reasons. First of all, this is about the safety of people in bushfire prone areas, particularly the safety of buildings in bushfire prone areas. I would have thought a member from regional South Australia—and I have represented many of the areas that they now represent—where the Pinery fire swept through and where the place looked like something that—

*An honourable member interjecting:*



**The Hon. N.D. CHAMPION:** Just listen to this. It is a very, very important code amendment because it will help those communities have new housing stock that is prepared to face those challenges.

The second important element of this is that insurance companies at a national level are increasingly looking at flood and bushfire data and if homeowners and builders cannot provide sufficient data, these homes will be vulnerable to not receiving insurance. So this is a very important planning measure—a very important code amendment. People who just reduce it down to cost are doing a disservice to the people of South Australia.

The State Planning Commission is undertaking this very important work, and they are consulting with industry and that is a very important process. I have met with the UDIA and a number of representatives to talk with them about the effect of this on the various communities, but it is not going to be applied quite as the opposition thinks and I would urge them to seek a briefing so we might explain in some detail to them.

#### *Parliamentary Procedure*

### VISITORS

**The SPEAKER:** Before I call the member for Frome, I acknowledge the presence in the gallery today of John Oswald, former member for Morphett and, if I am not also mistaken, former Speaker.

#### *Question Time*

### WHYALLA BIRTHING SERVICES

**Ms PRATT (Frome) (14:44):** My question is to the Premier. Does the Premier stand by his comments made on ABC radio on 28 February regarding the Whyalla birthing service? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Ms PRATT:** On ABC radio the Premier said, and I quote:

Let's talk about the Whyalla birthing service. It's a disgrace that it's been lost and it's been lost because there hasn't been a sustained effort in workforce development to be able to keep that service operating in a way that is safe. Normally, when we lose a birthing service in a regional community, once it goes it never comes back and we are doing everything we can to make sure that doesn't happen.

**The Hon. C.J. PICTON (Karna—Minister for Health and Wellbeing) (14:44):** I thank the member for Frome for her question. I certainly agree with what the Premier said on the radio that this is extremely concerning and we have been clear about that from the beginning when this was announced by the Flinders and Upper North Local Health Network. The government is absolutely determined to make sure that this service is back up and running as soon as possible.

That's why immediately we commissioned an independent review into this matter. We brought in an experienced midwife, Ms Peta Fisher, from Western Australia to conduct an independent review. She delivered a report to us that set out very clearly and outlined the reduction in the midwifery workforce at Whyalla that had gone down and down over many years and had led to those services being halted.

Now those services are having to be rebuilt. We have accepted all the recommendations of that report on how to reimplement those services. A number of those have already been implemented. We have brought on a new midwifery leader at the hospital who started in December last year, Ms Charlotte Groves, who started as the Director of Midwifery for Flinders and Upper North Local Health Network. She previously worked at the Women's and Children's Hospital and has extensive experience. She is now implementing the recommendations to make sure that we can get up to the FTE we need for those services to be put back in place.

I recently met with the board, the board chair and the CEO of Flinders and Upper North and reiterated again the government's strong commitment to making sure that these are returned as soon as possible. There's update in terms of a number of other steps that have been taken, including the renovation works to make sure that birthing services can move from what has been a very old part

of the Whyalla Hospital to the very new part of the hospital that was opened within the past decade or so. That was one of the recommendations.

In addition to that, we have also brought on an additional senior staff member, a new permanent midwifery unit manager and educator who, I understand, started a few weeks ago. They have been working in terms of international, interstate and local recruitment to that service as well. There are a number of international and interstate midwives they are working with to recruit to that service. We continue to make sure that we are absolutely committed to getting that back up and running as soon as possible.

I think it is fair to say, as the Premier said in his radio comments, that when we see a number of these services right around the country get to the point of being suspended, often they never come back. That's what we have seen certainly in the previous government. It's what happened in the Waikerie service, which was suspended and never came back. What we did see, which was different, was on Kangaroo Island where those services were suspended.

I know this is something the member for Mawson is extremely passionate about. We put a significant amount of effort, similar to what we are doing in relation to Whyalla, to get those services back up and running and we were successful in getting those services back up and running and providing birthing back on Kangaroo Island, which obviously, through its remoteness as an island, faces significant challenges in terms of access to the mainland.

*Ms Pratt interjecting:*

**The SPEAKER:** Member for Frome!

**The Hon. C.J. PICTON:** So the government remains committed to doing in Whyalla what we have done in relation to Kangaroo Island. There is progress being made but there is still more that needs to be done.

*Ms Pratt interjecting:*

**The SPEAKER:** Order!

#### REGIONAL SPORT AND RECREATION

**Mr HUGHES (Giles) (14:48):** My question is to the Minister for Recreation, Sport and Racing. How is the government supporting participation in sport and recreation in regional areas?

**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) (14:49):** I thank the member very much for the question. I acknowledge his support for clubs in his community, and his fierce advocacy for the important role sport and recreation has within it. The Malinauskas government's Connected and Active Communities Program is designed to help activate movement, play and community connectedness in South Australian regions. Following success in two initial regional communities, I am really pleased to advise the house that we are expanding the program to more regional locations.

The Connected and Active Communities Program mobilises the strengths of South Australian communities through a partnership approach, to establish and foster relationships that grow local capacity to develop and to deliver impactful physical activity initiatives, including and especially for those who are not currently engaged in organised sport or in other physical activity.

With knowledge of the physical, mental and emotional health and wellbeing benefits of being involved in sport, the state government has committed funding for the next three years across four regions for the Connected and Active Communities Program to partner with regional communities and co-design the actions that contribute to sustainable solutions that heighten that physical activity participation and better connect communities.

Following the successful programs throughout 2023 in the Limestone Coast and the Port Lincoln areas, we are now proudly expanding this program to the Riverland and to the Whyalla regions. Within the project, locally employed Connected and Active Communities project officers have been selected to lead a range of initiatives, including:

- increasing the number and the capacity of diverse leaders within the sporting community;
- club health checks to better understand the needs of a particular club;
- facility coordination to maximise local people's access to facilities;
- raising mental health awareness in clubs and making clubs a safe space for mental health conversations;
- exploring volunteerism and making it easier for people who want to get involved in sport and recreation to find those ways that they can help;
- celebrating sport being at the heart of communities through working with sport and recreation communities to be inclusive and welcoming;
- enhancing performance pathways through providing development opportunities for athletes, coaches and officials;
- increasing physical activity opportunities through community events; and
- supporting active lives through addressing barriers to participation and lifelong engagement.

It is alarming that according to AusPlay, only 23 per cent of children aged zero to 14 participate three or more times per week in sport or physical activity. We want to turn that around, and that is one of the many aims of the Connected and Active Communities Program. As part of that aim, we want to increase the number of eligible young people in our regions claiming the state government's funded \$100 sports voucher.

People in regional communities understand their own needs better than anyone else. As part of the Connected and Active Communities Program, we have visited the regions, listened to what people have had to say, and have captured their expertise to lead sustained cultural change through the Connected and Active Communities Program. We have seen some incredibly positive outcomes in the Limestone Coast and Eyre Peninsula, and we are really excited for the expansion into the Riverland and Whyalla.

### FORESTRY INDUSTRY

**Mr McBRIDE (MacKillop) (14:53):** My question is to the Treasurer. Could the Treasurer inform the house why the strong South Australian economy is not affecting the forestry sector in the Limestone Coast? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr McBRIDE:** At last week's disaster management meeting in Mount Gambier, the forestry sector informed me there was a downturn in the movement of timber when there is a housing shortage in SA and Australia-wide.

**The Hon. S.C. MULLIGHAN (Lee—Treasurer) (14:53):** I thank the member for MacKillop for his question because I know that he not only takes a strong interest in the forestry sector but has been a champion in this place for them to continue growing and expanding their operations here in South Australia.

Members would be aware, particularly over the last five years, of the pressures that the housing industry has been under here in South Australia. Part of that pressure has been exacerbated by the lack of building materials that were available for the building industry to enable them to deliver on the contracts that had been written by many home builders.

In fact, the Minister for Planning was just making reference to the fact that many builders called this 'the profitless boom' in South Australia. As the price of building materials and the scarcity of labour continued to put great strain on the contracts that they had signed, they were delivering homes at much higher prices than what had been contracted. So the question, quite rightly, was asked, 'Well, we've got a huge timber industry here in South Australia who are highly productive and skilled at what they do, growing and harvesting timber, in particular, so why isn't there more domestic manufacturing of timber products that could be made available for the housing industry?'

In recent years, particularly in a time when these pressures were being most acutely felt in the building industry, I recall receiving representations—as did the then Leader of the Opposition, our Premier, as did the now Minister for Infrastructure and Transport and many other now ministers—as to why on earth wasn't the state doing more to support domestic manufacturing. Unfortunately, there were a number of proposals which had been put to the previous government about how domestic manufacturing could be expanded.

That, of course, was enough of an incentive for the Malinauskas Labor government to make good on its commitments to start investing significant resources into the South-East to try to give the forestry industry more of an opportunity to meet some of these demands, particularly in home building but also for other products: a significant investment in the Mount Gambier TAFE, including a very specific commitment to do what we could to try to return the skills and trades training courses for saw doctoring; making resources available for a review of the natural resources down in the South-East, including water, which are important to the timber industry; and directly investing in those opportunities to allow the timber industry to increase its supply into the domestic market.

I don't pretend to say that the job is anywhere near done, taking full advantage of the extraordinary natural resource we have which is being provided to our state and our country by the member for MacKillop's constituents. But we are committed to taking those actions. We have started that important work. We are putting more resources in. We feel, as a government, that we benefit from direct engagement with people who know what they are talking about, like the member for MacKillop, to understand what further options we've got to deliver on this extraordinary opportunity for our state and for that industry.

#### **CHILD PROTECTION, BABY REMOVALS**

**Mr TEAGUE (Heysen) (14:57):** My question is to the Minister for Child Protection. Does the minister know of any and, if so, how many babies have been removed from mothers in public birthing hospitals as a result of unborn child concerns? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr TEAGUE:** ABC media today reports concerns about the method of removal, inhumane practices and trauma caused by baby removals, as revealed by a whistleblower from a government department.

**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) (14:58):** Thank you to the member for his important question. Of course, those matters that were raised through the ABC, as I understand it, via a whistleblower are of concern. As the member would appreciate and as the house would appreciate, it is difficult to respond in specific detail to individual circumstances without knowing what particular incidents are being referred to.

What I would absolutely say is that the removal of children and infants is confronting, it is distressing and it is really complex. I am advised that such removal in relation to infants only occurs after very, very careful risk assessment processes have been undertaken. It is certainly my expectation that the department works to help ensure that the safety and welfare of vulnerable infants is of the utmost importance, that it is their highest priority when they undertake those very complex risk assessments, and when they consider and undertake removals after that fulsome risk assessment process is undertaken. It is also my expectation that the department, in relation to all of its dealings with families in our community, ensures that families are treated with respect as those processes are undertaken.

As the member is aware, our government is utterly focused on continuing our process of reforming the child protection and family support system to help children and their families who are facing really complex and difficult circumstances, often complex and interconnected issues, including sometimes mental ill-health, sometimes domestic violence, substance misuse, poverty, intergenerational trauma—that complexity of issues. We are focused on reforming the system to ensure that we are tackling those issues in supporting those families who are experiencing such issues.

One of the strategies that we are using in that process of reform is increasing our investment into the provision of family group conferences. During the last budget, we allocated an additional \$13.4 million into family group conferencing. Family group conferencing includes family group conferences which relate to issues where what is called an 'unborn care concern' has been notified to the Department for Child Protection.

On receiving an unborn care concern type of notification, should a family group conference be convened, it can be convened in a way that brings together extended family members around that woman who is pregnant—her immediate family and that broader family—to think about what possible solutions could be provided to keep that child safe, supported and as well as possible. As I said, when there are matters of risk raised about an infant, of course it is my expectation that there is a thorough process of assessment undertaken before a removal may occur.

### **CHILD PROTECTION, BABY REMOVALS**

**Mr TEAGUE (Heysen) (15:02):** My question is to the Minister for Child Protection. Why and on what grounds has removal occurred in the circumstances that are the subject of the report?

**The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic and Family Violence, Minister for Recreation, Sport and Racing) (15:02):** I am not sure which report you are referring to, but I can speak generally. In relation to the media report today, again there were a series of concerning issues that were raised, and I paid attention to those issues.

As I said, I cannot respond in relation to a particular circumstance on a particular day about a particular issue because the issues that were aired don't include that detail, but I can say, as I said in my previous answer, that very, very comprehensive risk assessment processes that are focused on the safety, the well-being, of that particular child are undertaken. It is my expectation, as minister, that those assessments are undertaken in a very comprehensive way, so that we have the best possible opportunity to secure the safety and the wellbeing of that child.

That is my expectation, that those processes are undertaken, contemplating all of the particular issues that exist for that particular child and family. As I said in my previous answer, it is also, of course, my expectation that in every dealing that the department has with a particular family, those family members are treated with respect.

In a broader sense, the Department for Child Protection is working with the Department for Health and Wellbeing in an ongoing way about processes. They are reviewing those processes, as they rightly should, to identify any opportunities for improvement in those risk assessment processes, in those steps that are undertaken when that very distressing decision is made to remove a particular child, having assessed that the risk for that child not being removed is too great in terms of our expectation as a community that we do what we can to ensure the safety, wellbeing and support for particularly vulnerable children.

### *Members*

### **SPEAKER, ELECTION**

**The CLERK:** Honourable members, I have received a letter from the Hon. D.R. Cregan informing me of his resignation from the office of Speaker, and therefore there is a vacancy in the office. With the office vacant, it is therefore necessary to proceed immediately to elect a new Speaker.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (15:06):** I remind the house that it will now be necessary to proceed to the election of a Speaker. I move:

That the member for Mawson do take the chair of this house as Speaker.

**The CLERK:** Is the motion seconded?

**The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (15:06):** I would like to second the motion that the member for Mawson become Speaker.

**The Hon. L.W.K. BIGNELL (Mawson) (15:06):** I accept the nomination.

**The CLERK:** Are there any further nominations? There being no further nominations, I declare the member for Mawson the Speaker.

**The SPEAKER (15:06):** In compliance with the standing orders and in accordance with the traditions of parliament, I humbly submit myself to the will of the house.

The Hon. L.W.K. Bignell was escorted to the dais by the mover and the seconder of the motion.

**The SPEAKER:** Standing here on the steps, which is the traditional approach to the chair, I would like to express my thanks to the mover and to the seconder for their call to this high office. I want to thank all members here present for their confidence in me and their support for me. I will uphold the traditions of the Speaker and show fairness in my dealings with members and preserve the protection of members' rights collectively and individually, including the majority decision. I ask for the support of members to maintain the prestige and dignity of the chamber.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:08):** Mr Speaker, I inform the house that Her Excellency the Governor will be pleased to have the Speaker presented today, at 3.30pm. I move:

That the sitting of house be suspended until the ringing of the bells.

Motion carried.

*Sitting suspended from 15:09 to 15:20.*

#### **SPEAKER, PRESENTATION TO GOVERNOR**

**The SPEAKER (15:20):** It is now my intention to proceed to Government House to present myself as Speaker to the Governor, and I invite all members to accompany me.

At 15:20, accompanied by a deputation of members, the Speaker proceeded to Government House.

*On the house reassembling at 15:38:*

**The SPEAKER:** Accompanied by a deputation of members, I proceeded to Government House for the purpose of presenting myself to Her Excellency the Governor and informed Her Excellency that, in pursuance of the powers conferred on the assembly by section 34 of the Constitution Act, the House of Assembly had proceeded to the election of Speaker and had done me the honour of election to that high office. Her Excellency has been pleased to reply:

The honourable The Speaker and the Honourable Members of the House of Assembly.

I congratulate the members of the House of Assembly on their choice of the Speaker.

Her Excellency the Honourable Frances Adamson Governor

*Ministerial Statement*

#### **CROSS-BORDER COMMISSIONER**

**The Hon. S.C. MULLIGHAN (Lee—Treasurer) (15:38):** I table a copy of a ministerial statement relating to the Cross Border Commissioner made earlier today in another place by my colleague the Minister for Primary Industries and Regional Development.

*Members*

#### **BIGNELL, HON. L.W.K.**

**The SPEAKER (15:39):** I lay on the table documents acknowledging my resignation from the Australian Labor Party and confirmation from the Labor Party that that resignation has been accepted.

*Grievance Debate***GLENELG DRUG AND ALCOHOL REHABILITATION CENTRE**

**Mr PATTERSON (Morphett) (15:39):** The Labor planning minister has done the dirty work for his mate, the Minister for Health, and approved the government's sponsored Crown development application for the alcohol and drug rehabilitation facility in Glenelg, which will open in a few weeks. While so many people in my local community are deeply disappointed, they are not surprised because, all along, the Malinauskas Labor government and the arrogant health minister have gone to extraordinary efforts to silence and sideline genuine community concerns about the location of the facility: 200 metres from the entrance to the local primary school.

The community only found out by accident that they would have a drug rehab centre a few weeks before it was due to open. The Holdfast Bay council immediately pointed out that the Malinauskas Labor government had awarded Uniting Communities \$6 million to operate out of a facility that was not approved to run as a drug rehab facility, raising questions about maladministration of taxpayer funds.

The government went into damage control, running belated community consultation—if that is what you could call it—but the community were not prepared to be walked all over. And why? Because Maturin House is on the same street as the local primary school, St Peters Woodlands, which has an entrance 200 metres away and the only outdoor area in the front yard is in close proximity to the footpath that students and residents use. Why also? Because the government's own tender documents stated that, 'These facilities need to deal with clients who may present with complex and diverse needs. These may include people who are at risk to others.' Also, because the government's own tender documents stated that a compulsory requirement for the drug rehab facility was to be located in 22 complying suburbs—nowhere near Glenelg. In fact, all 22 suburbs were in Labor electorates.

The community, though, was reassured that the required development application to change the use to a drug rehab facility would go through council, and the community could be consulted and have their concerns heard. Instead, the Labor health minister enacted the extraordinary powers of state government to get his colleague the planning minister to assess the application by declaring an 1890s house in Glenelg as essential infrastructure for the whole state—an outrageous attempt by this arrogant Labor government to manipulate the planning laws to avoid public engagement and scrutiny, and self-assess their own controversial project.

The local community sent a strong message when 1,015 people signed a petition that I tabled here in Parliament House, that urged the government to reject Maturin Road, Glenelg, as the proposed location. In response, the government tried to avoid answering valid questions of parents and residents, labelling them as 'shameful' and 'blatant nimbyism'. With no other option, local residents—some retirees, some with young families—commenced, during a cost-of-living crisis, costly legal proceedings in the Supreme Court against the health minister to stop his Crown development application that took away their ability to be consulted and have their concerns addressed.

The government threw everything at the case, having an army of lawyers attending court. In March, the judge ruled that the health minister could use his legal loophole within the current planning laws; importantly, not that the project had merit. The health minister was excited by this decision: excited because it meant his Labor planning minister was now free to approve the drug and alcohol rehab centre going ahead, which he did straight away. This sets a dangerous precedent where, if the Malinauskas Labor government wants to put a drug rehab centre anywhere, they will. No school, no early learning centre is safe and communities will be silenced to achieve this.

Thank you to the 1,015 people who signed the petition. I can reassure all of you that I have heard your concerns and will fight to ensure that these concerns are not ignored. I also acknowledge the massive financial and emotional sacrifice made by those who were involved in challenging the legality of the government's process in the Supreme Court, simply to fight for their right to have their concerns heard and addressed. Thank you for standing up to this bully government.

These residents are wonderful people who are considerate and do charity work. They understand the need for rehabilitation facilities in the correct location. They also understand that the government has turned its back on them and their children, and they will not forget the contempt with which this government has treated them.

### DAVENPORT ELECTORATE

**Ms THOMPSON (Davenport) (15:44):** It is our responsibility to ensure the safety of children as they navigate their daily routines, including their journeys to and from school. We have all seen the chaos that is at most school drop-off and pickup locations: cars jostling for carparking spots, impatient drivers rushing to drop kids off or pick them up and students darting across the street. It is a recipe for disaster. It is a constant challenge for schools, councils and state government to solve.

One simple solution to reduce traffic congestion is promoting walking and riding to school. Encouraging our kids to walk or ride to school comes with so many benefits. Of course, there are the benefits of physical activity. In an era where inactive lifestyles are so common and childhood obesity is becoming a real concern, incorporating physical activity into their daily routines is extremely important.

Kids getting themselves to school also fosters independence and responsibility. As children navigate their way to school, they learn valuable life skills such as road awareness, decision-making and time management. Fewer cars on the road during peak hours is not just good for the environment but it is also great for and much safer for pedestrians and cyclists.

Parents in my electorate who live within walking distance of their child's school tell me that they are often forced to unnecessarily send their kids to OSHC because they are not comfortable with them navigating unsafe crossing points between their school and home. Implementing measures to ensure road safety around schools is so important and in this term of government in my electorate we have already delivered a number of school safety upgrades, including designated pedestrian crossings, traffic calming measures and increased enforcement of speed limits. It continues to be one of the most highly raised local issues in my community.

I do not think that my community needs any convincing about the benefits of walking or riding to school, but they do need reassurance that their kids will be safe and that will come with improvements to some of our roads, pathways and crossing points and it will come with changes in driver behaviour. It is our collective responsibility as a government, as parents, as educators and as community members to prioritise the safety of our children and to create safer streets and healthy lifestyles.

I particularly would like to thank people in my community, such as Flagstaff Hill Primary School student Levi, who brought his community's traffic concerns to my attention. I am investigating those concerns and look forward to working with Levi and others in my community to identify some solutions that will give families the confidence they need to reap the benefits of walking and riding to school.

While we are talking about walking, I would like to take the opportunity to tell people about a new walking trail that will be opening in my electorate this weekend. This Sunday we will be opening the Minkarra Link trail, which is a connection from Manning Road at Minkarra Park, all the way through to Black Road in Flagstaff Hill. It is a connection that the community has been lobbying for for decades.

It runs around the edge of the Flagstaff Hill golf course and it opens up a part of our community that we have never tapped into before, so when you are driving down Happy Valley Drive now in my electorate, you will see a whole part of our community that you have not previously been able to see from Happy Valley Drive. There is a beautiful golf course dam there with some nice seating. There have been some new plantings and weeding underway there, so it has really beautified the area and opened it up for our community to enjoy, with a huge benefit being that kids who live on the Flagstaff Hill side of the golf club will now be able to ride their bikes or walk to school at Aberfoyle Park High School which they have never been able to do safely before.

So I would encourage people in my community to come along on Sunday—the Premier will be there to help open this new trail—to come and have a chat with the Premier and me and also



members of the council and the mayor. Come on down, check it out, have a nice walk and enjoy a new part of our community.

### ENERGY PRICES

**The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (15:48):** Can I take this opportunity, Mr Speaker, on behalf of the opposition to publicly congratulate you on your election. I am sure we will work very well together.

South Australian households and South Australian businesses are grappling with the highest energy prices in Australia and amongst the highest energy prices in the world. In the face of such significant challenges that put such pressure on households and businesses, we need to be looking, as a state, at every single option to stabilise our grid, to provide baseload, to reduce energy prices and, of course, to pave a pathway towards a zero emissions future, which is so important to many in our community.

Under the previous Liberal government, we took a significant amount of action to stabilise our grid, to put in place long-term infrastructure solutions, including the interconnector to transfer power to and from New South Wales and South Australia. That was in the face of a very significant and problematic energy environment that we inherited from the 16-year-old Labor government, which ran from 2002 to 2018. During that time, of course, we had the statewide blackout. Again, we had amongst the highest energy prices in the world and we had serious challenges at household and business levels simply to keep the doors open and to keep the lights on.

Today, I am continually confronted with stories from small businesses and households that people are scared to open their energy bills. When the email or the letter comes in, they are scared to open that bill because of the price of their energy that confronts them. They are scared to do that. That should not be the case in a nation that should be energy rich in many ways. We have the resources, we have the geography, and we have the climate that can give us a very significant stable energy future, yet how have we ended up in this situation?

It is the view of the opposition that when it comes to a clean, green, stable, cost-effective energy future, everything should be on the table—absolutely everything. There is a place for renewables. South Australia is so well blessed in many ways in terms of our geography and our climate. We have lots of wind, lots of sun, and quite a lot of open space to use, and there is a significant place for renewables in terms of our energy mix.

Equally, we believe that we should be open to the option of exploring, of discussing, of engaging, with our community about having nuclear energy generation as part of the mix as well. I believe that we are at a crossroads in this state and, quite frankly, in this nation when it comes to energy generation policy.

It has been interesting to see the Premier's rhetoric in recent weeks in relation to nuclear energy. He says that he is agnostic when it comes to what should be part of the mix. In speaking to some audiences, including Sky News, he is happy to say that in some ways he is pro-nuclear, but when speaking to the House of Assembly in question time he says his views in terms of nuclear are global views, not local views. He is not interested in exploring that in South Australia, not interested in exploring that to stabilise South Australia's energy grid, to create a decarbonised energy system in this state. I think he is not interested in that because he is scared of what some of his colleagues in the left of the Labor Party might think. He is scared of what Anthony Albanese might think.

I think there is a real need to have this discussion with South Australians to investigate the opportunities for nuclear energy generation in this state, in this nation, because there are countries all over the world looking at this and many have already pursued it. South Australia and Australia cannot get left behind. One of the things that the Premier says is that this is not cost-effective. It is unproven, small modular reactors in particular are unproven technology, yet he is willing to spend hundreds of millions of dollars on a hydrogen power station in Upper Spencer Gulf. That is truly unproven technology.

It is time that we had a mature conversation, and a non-ideological one, one that is agnostic as to how we get our energy in the future and one that provides South Australia and Australia with

stable, cost-effective energy that does not have our citizens and businesses scared to open their energy bills.

### AUSTRALIAN SIKH GAMES

**Ms WORTLEY (Torrens) (15:54):** May I congratulate you, Mr Speaker, on your rise in this place. I stand today to congratulate the South Australian Sikh community on the success of the games that were held in Adelaide over the Easter long weekend, the first time we have hosted the games since 2017.

Over 4,000 athletes came from around Australia, New Zealand, the United Kingdom, Malaysia, Singapore, Hong Kong and Canada to compete in 14 different sports. In addition, around 80,000 visitors from interstate and overseas came to cheer on the athletes at Ellis Park and other venues across the city.

Australia has a strong and growing Sikh community, numbering more than 200,000 people, who are proud of their heritage and of their Australian home. They contribute a massive \$15 billion-plus to the national economy each year. This year, for the first time ever, the Australian Sikh Games held a women's leadership session. This groundbreaking initiative celebrated the exceptional achievements of Punjabi women with remarkable accomplishments in their respective fields.

A wonderful, intelligent woman, whose wedding I attended just a few years ago, Sharon Johal, was one of these leading speakers. A solicitor and a podcaster, Sharon has successful podcasts that touch on her life and on racism and advocating for minorities. She also spent four years as an actor. Some may know her as Dipi in *Neighbours*.

Another speaker was Dr Parwinder Kaur, an award-winning biotechnologist, Director of DNA Zoo Australia and Associate Professor at the University of Western Australia, who is internationally recognised for her research involving genomic techniques to help conservation efforts for threatened and endangered species.

Manpreet Singh is Program Manager at SBS and producer of the *SBS Punjabi* program. Manpreet is a recipient of many media awards, including being a finalist in the prestigious Walkley Awards. Manpreet has contributed to the media advisory group of Our Watch.

Akeisha Sandhu is a dynamic soccer player who represented New South Wales and Victoria and earned herself a spot in the under-19 Australian national team, affectionately dubbed 'the young Matildas'. Jyoti Goraya, a chemistry teacher and also a Punjabi schoolteacher, has led teams in the cultural coordination of festivals and women's events.

We also heard via Zoom from Her Excellency Harinder Sidhu, the Australian High Commissioner to New Zealand. Her Excellency has held many roles, including with the Department of Foreign Affairs and Trade and as Australian High Commissioner to India, Moscow and Damascus.

The very successful women's event was led by 15-year-old year 10 student Jazmine Pangly, and Isha Nagra, and it was supported by a grant from the government of South Australia providing for female-only change rooms, toilets and parenting rooms.

The women's leadership session was dedicated to promoting the advancement, development and empowerment of young Sikh women here in Australia in leadership positions. I want to acknowledge now the Sikh games committee for their tireless work, including President Balwant Singh, Vice-President Sukhwinder Pal Singh and committee members Mahanbir Singh Grewal, Parminder Singh, Harpreet Saini, Harjinder Lasara, Ishareet Nagra, Rajawant Singh and Jazmine Pangly.

The hard work of this committee, along with the support of the Malinauskas Labor government and the Adelaide City Council and the many sponsors and volunteers who provided tens of thousands of free vegetarian meals to the participants and all who attended, played a significant role in the success of the Australian Sikh Games held right here in Adelaide.

**The SPEAKER:** Next, to one of my favourite MPs, the member for Schubert, whom I warn that you will be named if you are out there trying to say in this place that Barossa wine is better than McLaren Vale wine. Over to you.

### SCHUBERT ELECTORATE ROADS

**Mrs HURN (Schubert) (15:59):** Truth to power, Mr Speaker, truth to power. Congratulations to you on your election to the Speaker role. Of course, the Barossa Valley and, indeed, the Adelaide Hills are two of the most superior wine regions that we have in South Australia, and yours is in the mix, too.

I rise today to talk about an issue of critical concern to my local community, and that is in relation to the road safety challenges that are presented on a daily basis at an intersection known as Linke's intersection in Nuriootpa: the intersection of Moppa Road South, Samuel Road and Greenock Road. For quite a long time, this intersection has been notorious, not just for locals and truckies but also for tourists who are coming to the region to be able to navigate.

For many years now, we have been pushing for there to be solutions on the table to be able to fix this. It started with some gradual action that was taken by the former government, with larger stop signs and forewarning that there was indeed a big intersection coming up ahead. Frankly, that did not cut the mustard, so I was pleased to see that in 2022-23, \$1.95 million was put on the table by the then Liberal Coalition government to be able to install a roundabout at this intersection. That was wholeheartedly welcomed by the local community as one of the best solutions to be able to provide peace of mind for people navigating this intersection.

Since that money has been put on the table, that \$1.95 million, The Barossa Council along with the Light Regional Council have really been working hand in glove to come up with a design for that roundabout. Seeing progress on this is something that locals have been looking forward to, but it seems to have hit a little bit of a roadblock, if you will, and locals are frustrated at the snail's pace in which a solution is now being rolled out and, ultimately, implemented.

I have been speaking with people who live right across the region about this. As a direct result, last year I actually brought the member for Stuart, the Minister for Regional Roads, to the local community just so that he could see firsthand the significant challenges that people face when it comes to navigating this intersection. He assured me that progress was indeed ongoing, but now it appears as though there is a bit of a funding shortfall, if you like, to getting this project off the ground.

I wrote to the minister and I have encouraged him to really do everything within his power—and I urge the government to do everything within their power—to ensure that no lever is left, that every single lever possible is pulled to ensure that progress can be made on delivering this roundabout, and that if there is a funding shortfall, that the government uses the opportunity of the upcoming state budget to actually get this delivered, because it is so critically important.

People in my region actively avoid travelling through this intersection, and it is so difficult to avoid. I have also been contacted by parents who are concerned that their kids who are just about to get their P-plates are going to be going through this intersection as well. We should not be waiting for there to be a fatality at this intersection before action is taken. I really urge the government to use the upcoming state budget to inject any additional funding that may be required to deliver this roundabout that is so critically needed.

Recently, I was so grateful that after lots of advocating—not just by myself as the local member of parliament but from people right across the region—we finally got a commitment that Melrose Street in Mount Pleasant, which is the main street, will be upgraded. That will be happening next financial year, which is a big tick. Everyone is very excited about that. I would also urge the state government to ensure that they use the upcoming state budget to inject more money into regional roads because, whilst this is fantastic news for Mount Pleasant, there is so much more that needs to be done right across our regions, whether it is fixing potholes or significantly resurfacing and resealing roads, so I do hope to see that in the upcoming state budget.

**The SPEAKER:** Thank you, member for Schubert. On behalf of the house, I would like to wish you all the very best for the next few weeks and months on what is a really special time in your

life. Best wishes and love from everyone here to you and your family on what is going to be a very exciting moment with the birth of your first child. The member for Adelaide.

### ADELAIDE ELECTORATE

**Ms HOOD (Adelaide) (16:04):** Thank you Mr Speaker. I also congratulate you on your appointment, and I hope to see your assistant speaker Dusty on the floor of the parliament sometime soon. I rise to give a big shout-out to helpful organisations and local groups in my community. We all came together last week for a seniors' forum that I put on for senior locals in my community. It was a great opportunity to come together as a community to hear useful information from a range of organisations as well as bring together all our amazing community groups, our service groups and our sporting groups.

I have always said that one of the legacies I want to leave for my community is a more connected one because I do believe that a connected community is a stronger and healthier one. The idea around our seniors' forum was to bring together people in our community, to be able to access important information but also connect with our community, service and sporting groups, whether or not that is by volunteering, participating or just going along to their next meeting. I believe that more connection in our community, people knowing each other, really does create a stronger, happier and healthier community.

I want to thank not only the Minister for Health, who attended our first session in the morning, but also the Council on the Ageing, the Office for Ageing Well, the Energy Advisory Service, Services Australia, Dementia Australia, Pop-Up Health, Hearing Australia, the City of Prospect and Prospect Blair Athol Lions, who also provided the tea and coffee on the day. Many thanks to Gary and the other volunteers. I want to thank Meals on Wheels Prospect, and I want to thank my uncle Roger for speaking about the wonderful service that Meals on Wheels provides our community and also the benefits of volunteering for the service. I myself am a Prospect Meals on Wheels volunteer and get so much out of it.

I also want to thank the Collinswood Probus and Prospect Probus, the Prospect Community Gardens, the Prospect Broadview Bowling Club, the North Adelaide Croquet Club, the Prospect Kiwanis and the Adelaide Uni Judo Club. As well as having all those stallholders, we heard from a range of speakers. I think one of the highlights was from the Energy Advisory Service. It gave us some amazing tips on how we can reduce our energy bills, the temperature that we should have our cooling on in the summer and our heating on in the winter and also just really useful tips like the amazing benefits of a heated blanket. I know my mum is a huge fan of her heated blanket. Living down in the South-East, it is an absolute necessity. That can add huge savings to your energy budget.

I want to thank all those speakers who were able to contribute on the day, as well as two of our amazing local businesses in the Prospect community: Schinella's Your Local Market, for providing the fruit, and also Muratti, which we have in our main street of Prospect. It is almost a blessing and a curse, sometimes, having Muratti in our local area because it is absolutely delicious. There are so many treats; they are very hard to refuse.

I just want to end on an important health message for women in my community. From Monday 6 May, eligible women will be able to access a resupply of the contraceptive pill from a pharmacy—no doctor required. This is building on our efforts in the space, where we have been actually allowing, for the past month, eligible women between 18 and 60 to access a one-off course of antibiotics for a UTI. We are making these efforts to make it easier for women to access the medication they need without going to see a doctor.

Just a reminder that, from Monday 6 May, you will be able to access a resupply of your contraceptive pill from your local pharmacy—no doctor required—and also you are able to access, for an uncomplicated UTI, a one-off antibiotic course from your local pharmacy. We know that more than 600 South Australian women have already accessed this assessment, so we can see that there is a clear need for it. This is an important step in making a difference to the lives of women and, importantly, making it easier for the lives of women in my local community.

*Parliamentary Procedure***SITTINGS AND BUSINESS**

**The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (16:09):** I move:

That the house at its rising adjourn until Tuesday 30 April 2025 at 11am.

Motion carried.

*Bills***DISABILITY INCLUSION (REVIEW RECOMMENDATIONS) AMENDMENT BILL***Committee Stage*

In committee (resumed on motion).

Clause 10.

**Mr TEAGUE:** I might just recap. Section 32 of the act, as it presently stands, is the section of the act that provides for the review. We have established that the review is a one-off. My analogy to the spacecraft heading into orbit, jettisoning the section 32 review in the process and now heading off into its own territory now leaves us with a regime for ongoing review of the State Disability Inclusion Plan from time to time.

Before I come back to the State Disability Inclusion Plan itself and the means by which there is ongoing oversight and review, this overall review of the State Disability Inclusion Plan is to be undertaken at least once in every four-year period. In terms of the obligations, including the functions of the chief executive that now include being aware of systemic or emerging accessibility inclusion issues, what are the ongoing processes for review and opportunities to improve on the State Disability Inclusion Plan outside and beyond the regime that is provided for in section 15?

**The Hon. N.F. COOK:** We talked earlier about the chief executive officer's obligations in terms of reporting. This is more pertaining to the every four-year review of the plan. We just need to do all those checks and balances to make sure everything aligns with the Disability Strategy and all the other missions that we are doing and any reports that have come in. There might be other reviews that have happened. For example, this time we are looking at where the Disability Royal Commission and the NDIS review interfaces with any of the things that we are working on. We then trigger that review and go out for consultation. We are obligated then to include those contributions and report on them.

**Mr TEAGUE:** In terms of the new subsection (3) under section 15, we see a provision that almost might be expected to speak for itself in that the report does not mandate that there must be changes recommended to the plan each time it is reviewed, but what must occur is that any recommended changes must be the subject of a recommendation of the report.

The overall question is: why the necessity for subsection (3)? In terms of the way that it is framed, is the minister able to assure the committee, or will the minister assure the committee, that to the extent that the report is accompanied by, as opposed to including information 'about any changes recommended to be made to the State Disability Inclusion Plan' that that accompanying document is also caught by the requirement in subsection (2)?

That is, that there is no legislative intent here to somehow provide for an either/or where on the one hand there are recommended changes but they are carved out from what needs to be tabled under subsection (2), and on the other, that these are changes that are included in the report submitted for the purposes of subsection (1). Is there an assurance that for all purposes the subject of section 15, the report and those mandatory express recommendations are going to find themselves tabled within six sitting days after receipt of the report from the chief executive?

**The Hon. N.F. COOK:** That report you are referring to is not a legislated report, but those encompassing changes and detail would naturally be occurring within the state plan review that we conduct anyway. There is not an extra legislated report. I think you seem to be referring to an extra one, are you? I am happy for you to clarify.

**Mr TEAGUE:** To be really clear, section 15, as it stood for the first four years, requires that the minister must cause a review of the plan to be undertaken every four years.

**The Hon. N.F. COOK:** And that gets reported on.

**Mr TEAGUE:** Yes, and a report on the review is to be prepared and submitted to the minister. As it presently stands:

The Minister must cause a copy of the report submitted under subsection (1) to be laid before both Houses...within 6 sitting days after receiving the report.

**The Hon. N.F. COOK:** Yes.

**Mr TEAGUE:** Right. So far so good. Along comes subsection (3) that is the subject of this clause, clause 10. What this is now stipulating, and I kind of couched it in terms: how necessary is this really because you would expect that if there were recommendations then they would be in the report, but here we are setting out that they must. But included in the provision now is a requirement that the changes, such as there are, recommended must be—on the face of this provision—either included in the report or be accompanied. So on the face of this subsection (3) there is the report, which we already know subsection (2) requires to be laid before both houses, and then there is this provision now that is coming along saying you can do something that accompanies the report.

**The Hon. N.F. COOK:** I am happy to answer. My expectation is that the accompanying information would be tabled. That would be my expectation. I think we have got there in the end—great.

**Mr TELFER:** Just a quick one on that. In relation to recommendations from the department as part of this process for any changes to be made to the State Disability Inclusion Plan, there cannot be any recommendations separate from this process that are actioned previously. Any recommendations that get made to the State Disability Inclusion Plan must be included either within the report or accompanying as an addendum. There is no scope for additional changes to be happening separate to this process.

The report that happens at a point in time every four years is the opportunity to be able to change it because, potentially, if there were changes that were allowed to be made as you roll along and recommendations from the department to the minister to be able to make changes, then at a certain date and time—you may have, only a month before, made a series of changes to the State Disability Inclusion Plan and then you get to the line in the sand where the review must happen, and then there may not actually be any changes that are included in it.

**The Hon. N.F. COOK:** The defined words are 'at least once' every four years. We could do more, and if we did another one, we would report on it.

**Mr TELFER:** And that report has the same reporting structures to—

**The Hon. N.F. COOK:** Yes.

**Mr TELFER:** That's interesting.

Clause passed.

Clause 11.

**Mr TELFER:** Clause 11 is the amendment of section 16 and that is talking about the individual disability access and inclusion plans for each state authority. There is an obligation within subsection (1) that each state authority is to have a disability access and inclusion plan and in the latest state budget we learned that 99 state government authorities had a published disability access and inclusion plan. In the context of this section 16, how many state government authorities actually do not have a DAIP in place in reflection of the 99 number which we referred to?

**The Hon. N.F. COOK:** We will get you up-to-date, accurate information between the houses.

Clause passed.

Clause 12.

**Mr TEAGUE:** Because it came up at clause 9, is it a similar rationale? We are talking about people, and this is a convenient opportunity to change that reporting timing. Is it the same purpose as clause 9?

**The Hon. N.F. COOK:** Yes.

Clause passed.

Clause 13.

**Mr TELFER:** Clause 13 is looking at the amendment of section 18. Section 18 is talking about the review of disability access and inclusion plans. We have talked a bit already about the obligations on different state departments for their access and inclusion plans. The proposed amendment, subsection (3) states:

- (3) If the State Disability Inclusion Plan is varied, a State authority must, within 6 months of the publication of the plan as varied in the Gazette—

Is the six-month time frame going to actually be achieved without the need for extra resourcing? Has there been an assessment on the ability of those departments where there is the obligation for them to be obligated for this six-month update? Is it going to create a strain on resources or the need for extra resources to be put in with that six-month period?

**The Hon. N.F. COOK:** The authorities are well aware of the state plan and the vision, and they are working all the way through that from start to finish. We do not necessarily think it will be resource intensive. I think this is one of those things where people actually want to get it right and want to participate in it, so I would not expect it to be arduous.

**Mr TEAGUE:** The minister indicated earlier, when we were considering the machinery—the subject of section 15 as it is going to be amended in clause 10—that that might occur more often than once every four years.

**The Hon. N.F. COOK:** Potentially.

**Mr TEAGUE:** Potentially. It might be only every four years but it might be more often. In circumstances where it happens once every four years, it is almost necessarily not going to synchronise itself with the timing of the four-year reviews that are occurring, because the time frame will come along separately for each department according to a whole variety of reasons as to why they initially did it at one point, I presume. Assuming that is the case, is there any reason or thought from the government's point of view about the desirability of having those two sets of time frame reviews line up? They both talk about a review every four years.

What we are now going to be applying is a requirement that, where the plan is varied, that is going to impose a six-month time frame on the relevant authority. While I am at it, if that is imposed, is that then a reset of the four years or are they on their own time frame anyway, even though they have complied with this six-month obligation on the overall plan? I mean, they will have done a change but not a review.

**The Hon. N.F. COOK:** I think we will be looking for some consistent partnership with the state plan being reviewed once every four years. We could reflect on the fact that there was an interim report done in 2022, which did not move the reporting out for another four years—we have done it at two—so I think the alignment would be much better to be a congruous synergistic approach.

**Mr TEAGUE:** That is helpful for the committee and for the record, I suppose. Is there any practical action that the government has in prospect to cause that to occur? Is there somewhere a table of authorities and deadlines for review that is centrally kept and monitored by anybody or is that really freestanding for reference by each relevant state authority to conduct in their own way and their own time and according to their own record keeping and that, when the two interact, they interact but only for that purpose or is there already oversight and if not is there a possibility to apply it?

**The Hon. N.F. COOK:** Overall, the main intention is to ensure that the line-up occurs between the state plan and the DAIPs. People can update their own DAIPs as they see fit, as they need to, and currently, as we know, because it was the first time, they are all going to line up and

expire simultaneously. There is a buffer period, obviously, for providing that report, so I do not think there are any other requirements in terms of the timing just to try to keep that working together.

**Mr TELFER:** Just on that, obviously there is the obligation on the different state government departments to make sure they have these reports and 99 did it the last time, but there are obviously some departments whose DAIPs are going to be a lot more complicated than others. There are obviously some that have more levels of interaction.

Do you envision there being a necessity for your department to play a significant coordination role when it comes to not just communicating the changes which get made once every four years but as far as that overall understanding between departments, because I suspect there will be varied levels of resources that each department will have to put in? The education department is going to have a different sort of level DAIP to transport, etc. Is this a role that you see is going to be crucial to be played as far as coordination of the ongoing refreshment of these DAIPs?

**The Hon. N.F. COOK:** I think it is a great question. It is inciteful. It already is happening. DHS takes great care and responsibility and maintains a sense of accountability in terms of making sure this all lines up. Obviously, the department also provides support to other departments that are not as well resourced or local government agencies that do not have the resourcing. The short answer is yes, and the big answer is that piece of accountability and sense of responsibility shown.

Clause passed.

Schedule 1.

**The Hon. N.F. COOK:** I move:

Amendment No 1 [-1]—

Page 6, line 24 to page 7, line 21—Delete Schedule 1

This amendment relates to the transitional arrangements required to move from financial year reporting to calendar year. Due to the delays in passing the bill, new regulations needed drafting to ensure state authorities met reporting requirements. These regulations mean transitional arrangements are no longer required.

**Mr TELFER:** Minister, just on this, obviously I understand the time frames and we have spoken already about the delays here, but when will the parliament receive an interim report?

**The Hon. N.F. COOK:** It will be in the first part of the next quarter. It is already under construction, so after 30 June.

**The CHAIR:** The question before the Chair is that the amendment be agreed to. If it is passed you understand that all it does is cut out the schedule.

Amendment carried; schedule negatived.

Title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services) (16:36):** I move:

That this bill be now read a third time.

I will simply say it is with great pride that we actually now complete this bill and move into the next phase of the work that we are going to do. I want to thank the work of the member for Flinders and the member for Heysen in terms of this bill and the interrogation of it. It demonstrates the care and commitment that they have for the people living in our community with disability who are significantly affected and lives are better because of the cooperative way that we work in this place.

**Mr TEAGUE:** I appreciate the contribution of the minister and the committee process indeed, an illuminating one, and I hope that some of what has gone back and forth in the committee process might assist those who are considering the reforms. I take the opportunity once again to thank



Richard Dennis for his thoroughgoing work. I am sure that will be valuable, including in other ways that have not quite yet found voice in the legislation.

By way of perhaps including him in my consideration at all stages of the debate, I mention again that seeing is believing, the real inspiration of having seen just how innovative my constituent at Ashbourne, Tom Carr, has been in demonstrating what can be done when faced with adversity of the kind that is now defined in terms of a barrier or barriers that come along when one's life is disrupted and one finds oneself living with disability, in his case as the result of an accident in adulthood.

The examples of innovation that have been used by analogy in the course of the debate, in the first place, his invention of a roll-on roll-off mode of transport and, secondly, the way that he has highlighted how he could make use of virtual fencing as a means to continue farming, both those initiatives can be facilitated at least in part by the sorts of consideration and decision-making of public authorities. We now see, very specifically the subject of these reforms, positive obligations to remove barriers.

That is not the only way in which the facilitation of Tom Carr living a full and thriving life finds voice in these reforms. It was important legislation when it was first enacted back in July 2018 by the Marshall Liberal government. It has now had its section 32 reviewed and we look forward to seeing the work of the now amended legislation improving the lives of those living with disability throughout the state and, to the extent that the legislation is very much referable to international convention, moving to a space in which South Australia is not so much being drawn along by international convention but, hopefully to a substantial extent, the other way around, that we are leading the way in this state in ensuring that those living with disability are doing so in every respect with all the fullness and capacity that is possible. I commend the amendments and commend the bill.

Bill read a third time and passed.

### **SUPREME COURT (DISTRIBUTION OF BUSINESS) AMENDMENT BILL**

#### *Second Reading*

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Police, Emergency Services and Correctional Services) (16:41):** I move:

That this bill be now read a second time.

I rise to introduce the Supreme Court (Distribution of Business) Amendment Bill 2023. This bill is the product of a request from the Chief Justice, who has raised issues with the government regarding the inflexibility afforded in the Supreme Court Act 1935 in assigning work to members outside the division of the Supreme Court to which they are appointed.

Section 47 of the Supreme Court Act currently allows for the distribution of business through agreement between the Chief Justice of the Supreme Court and the President of the Court of Appeal. Specifically, section 47 allows for the assignment of a judge from one division of the Supreme Court to another for a period of time not exceeding 12 months. Agreement between the Chief Justice and the President is made on the basis that it is convenient for the purposes of the proper administration of the court. The relevant judge must also agree to the assignment.

Clause 3(1b) of the bill extends the circumstances in which a judge may be assigned to another division of the Supreme Court to also include the assignment to a specified proceeding. Accordingly, clause 3(1b) of the bill proposes that a judge may be assigned to another division either for a period of time, as is presently permitted, or for a specified proceeding, which is currently not specifically provided for. The basis and requirements upon which the assignment occurs remain unchanged.

Clause 3(1) of the bill specifically allows the Chief Justice to assign a judge of the Court of Appeal to the general division of the Supreme Court to preside over a particular proceeding. However, the Chief Justice must first be satisfied that the assignment is necessary due to the limited availability of judges in the general division to preside over the proceeding, in addition to the complexity of the specific proceeding.

Clause 3(1) of the bill also requires the Chief Justice to consult with the President of the Court of Appeal prior to assigning a judge from the Court of Appeal to the general division. The bill requires that this consultation occur in accordance with the protocol approved by the judges of the court at a council of judges. Where a judge of the Court of Appeal has capacity to preside over a particular matter in the general division, and the workload of the general division is such that no judge of the general division is available, a mechanism which allows for the Chief Justice to assign a judge from the Court of Appeal to that matter ought to be available.

The flexibility afforded by the bill is expected to lead to efficiencies in improved case flow management, which is a compelling reason to allow for this flexibility. I commend the bill to the chamber, and I seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

These clauses are formal.

##### Part 2—Amendment of *Supreme Court Act 1935*

###### 3—Amendment of section 47—Distribution of business

This clause amends section 47 to allow greater flexibility in managing the distribution of business in the Court and in particular to allow for judges to be assigned from the Court of Appeal to the General Division, or vice versa, for the purposes of particular proceedings (rather than just for a set period) where the Chief Justice, the President of the Court of Appeal and the judge agree. In addition a new power is inserted for the Chief Justice (after consultation with the President of the Court of Appeal) to assign a judge in the Court of Appeal to hear and determine proceedings in the General Division where the proceedings are complex and there is limited availability of judges in the General Division.

**Mr TEAGUE (Heysen) (16:45):** What we have just heard from the minister is, more or less, synchronous with what the Attorney advised in another place on 18 May last year. I think it is particularly relevant to point that out in the present circumstances. It might become apparent as the debate ensues. I do indicate that I am the lead speaker for the opposition and I indicate that the opposition opposes the bill.

Perhaps to highlight now—because we have heard it in stereo—that the Attorney-General, in moving the second reading of this bill in another place on 18 May 2023, commenced his remarks precisely in the same way as the minister has just now, by indicating that the bill 'is the product of a request from the Chief Justice'. Beyond explaining what the machinery of the clauses is, and the balance of that short contribution, we are really left with what is a fairly compelling proposition that the bill comes to the parliament at the request of the Chief Justice.

One might start an approach to legislation of this kind with a disposition to say what the courts ask for in terms of the administration and management of the day-to-day operations of the courts, without more, the government might be inclined to facilitate. But I do highlight that in the almost a year that has passed since the Attorney made those remarks in another place, there is no greater rationale for the proposed changes than exactly that form of words and exactly that description as to the machinery of the bill and the changes that will be made.

I highlight that at the outset because, being a matter of the management of the day-to-day operation, in this case of the courts, and in this case particularly the Supreme Court and the Court of Appeal, it is incumbent upon members and incumbent upon this place and upon the parliament as the place of legislation to consider the circumstances in which the request is made, especially in circumstances where there is the passage of time involved, and take that opportunity to consider for itself and for ourselves just what exactly might be an evidentiary base for granting that request.

By framing it in those terms, I do not imply any particular reluctance on the part of the government in terms of bringing this bill to the house. As I have said, by reference to the two responsible second reading contributions that have been made now in two different places, I do not

detect that there is a huge amount of enthusiastic zeal either. To the extent that there was a lack of enthusiastic zeal back in May 2023, there has not been some fresh source of inspiration that has attended the introduction and the second reading contribution of the minister in this place. And that, in these particular circumstances, tells a story.

What is the situation as it stands now, getting on towards mid-April 2024, nearly a year on? Certainly, it can be said that considerable time has passed since the bill was introduced in another place. I can tell the house that not only has a considerable amount of time passed but there has been a considerable ongoing focus on the circumstances of that request by a whole lot of interested parties who have been put on notice now for the better part of a year that that is something that is on the Chief Justice's mind.

So, what do we know as a result of all of that? First of all, the government has been afforded plenty of time to go back to the court to identify and possibly to particularise any difficulties that are being experienced and to spell them out. I think that would be of assistance to the house. I understand that there are none that have been identified, none that inform the circumstances in which we now are seeing the bill come before this place.

We have just heard it from the minister, as we did from the Attorney nearly a year ago, that we have the request from the Chief Justice that this occur. All right, well, we can unpack that in a moment and see where that takes us. The Chief Justice was in the course of the debate in another place moved to write to the Attorney subsequent to the Attorney's contribution on the second reading in the Legislative Council. We have at least that as an indication, beyond what we have heard just now from the minister and, at the outset, from the Attorney-General.

Without wanting to labour the point, it really ought to be understood loud and clear that, where we have a situation in which legislation comes to the house at the specific request of the Chief Justice but, at that stage at least, without anything more, we have a whole lot of time that passes and the opportunity then for considerable thought and focus on the topic and, as it transpires, a fair amount of fairly detailed correspondence. Notwithstanding all of that, by the time the bill reaches this place, nearly a year later, there is nothing more that the government has to say about why it remains on track, beyond that original point that was made at the outset of the Attorney's contribution. It is a pretty serious set of circumstances. We have, as I say, the Chief Justice's letter that followed the introduction of the bill, and that gives us a bit more to go on, and I will come to it in a moment.

Coming back to where we stand today, we have the government continuing to press on with the bill. I say at this point that there are plenty of courses open to the government, including the obvious. It sits on the *Notice Paper* until the parliament might be prorogued, and that would involve a reset and all the rest of it. But there is no barrier or difficulty for the government to take its time in considering anything it needs to consider for itself in this regard and coming back to the house and then giving the house a bit more to go on than what another place was told just short of a year ago, that this was at the request of the Chief Justice.

I would just add that, as a matter of a few short weeks ago—but long enough—around the time I think I saw that the bill was on the *Notice Paper* and was coming along at some point soon, I made inquiry myself to the Attorney's office. I invited the Attorney's office to provide me with any information that had come to light either in the period of time since the other place considered the bill, or indeed prospectively, that might be providing grounds on which the government is acting on the Chief Justice's request. That is an open question, and I just indicate to the house that I have not had any substantive response. It is not that there has been a lack of interaction with the Attorney's office. I always take the opportunity to express my appreciation for the opportunity to ask such questions and to interact.

But I just make the point that I have made that point of curiosity apparent specifically to the Attorney's office. I have not gone so far as to protest further debate on the matter unless and until evidence is provided, and I certainly would not in the circumstances presume either to seek the Chief Justice's opinion directly or to have some facilitated briefing to the Chief Justice that is an obvious potential source of embarrassment. There is no criticism of either the Attorney or the Chief Justice in terms of the absence of such a direct interaction in relation to the way in which the bill has been couched.

I am here in very much the same setting as everyone else is, hearing now publicly stated for at least the second time in the course of the debate that this is a bill that comes to the house as—and I quote from both the Attorney and the minister now, in both places:

...a product of a request from the Chief Justice, who raised issues regarding the inflexibility afforded in the Supreme Court Act 1935 in assigning work to members outside of the division of the Supreme Court to which they are appointed.

So the question remains why is it imperative to impose this unusual impact on the Court of Appeal? I say to the house that it is an extraordinary step to remove the independence of the Court of Appeal in this way. In saying so, I am very conscious of the kind of wood for the trees argument. I mentioned at the beginning of these remarks that, even in the circumstances that I have described where the government over the course of nearly a year and in both places does not take the case to the house as rising any higher than that request, the fact of a request from the Chief Justice is, on its face, a compelling thing.

I am in the practice of commencing that part of the estimates hearings, for example, where the Chief Justice is present following the budget to answer questions in relation to the courts. Unlike in any other area, my questions in relation to the courts are generally limited to questions that go to whether or not the Chief Justice considers that there are adequate resources being provided for the independent operation of the courts as a whole, and it is a welcome response if the Chief Justice provides some sort of assurance in the affirmative. The point being that the courts of which the Chief Justice is in charge need to be independent in their operation, so the request is on the face of it a compelling one, but so is a step of this nature, and so soon, in terms of the time since the establishment of the Independent Court of Appeal, to take this step to remove its independence in this way.

To put it another way, if one has a keen eye towards the healthy establishment of the independent Court of Appeal that has so many benefits for the administration of justice and in the few short years that it has been in its operation has proved up in so many ways the benefits of having an independent court of appeal, where there is even a scintilla of difficulty that has been expressed about a change to those arrangements—and I can tell you, a lot more than a scintilla was expressed by the time the proposed change came to the notice of interested parties—then that is a cause for reticence in terms of changes that would, in this way, impact upon the independence of the Court of Appeal.

As things stand, it is my view that, while we can talk in this place about recent history and reflect upon that very specific and singular rationale for the bill having been introduced in another place and now brought here, what is imperative at this moment is that we go back and we ask the court: is this necessary and is this really still the court's view? I did not hear anything of that kind in the remarks of the minister just now.

Again, I do not mean to overemphasise any criticism in this regard—it is not for this purpose—but where the minister's second reading speech, the speech of the government in introducing the bill to the House of Assembly, is word for word the speech that the Attorney gave in another place nearly a year ago, then the question is all the more imperative because there is no evidence in what the government brings to the House of Assembly to say that anything of that kind has been done. So I say it is imperative to go back and ask the court: is this really necessary and is it still the court's view?

If there is an opportunity afforded by the short time in the course of this debate to do so, then I urge that that course be taken. Is it still the court's view and, if so, on what grounds? Because we have heard nothing about that from the government.

I might be going back to principles of debate and persuasion. It is the sort of thing I introduce to the primary school students who visit now frequently in this place. I tell them about the blood line on both sides of this chamber and I say to them, 'No need for your guns and knives and swords in this place. You should not be surprised you are required to leave those at the door because when you come in here you are coming into a place where it is the power of persuasion, the presentation of evidence and the force of your argument that wins the day, not how good you are at exacting violence on your opponent.'

In some ways, the reality is that a government that has resolved itself to introduce a bill has put a great big stamp of persuasion on it by virtue of the introduction. The fact that it makes its way to the second reading, and the fact that a minister stands up and provides remarks in support of it gives it a great big stamp of persuasion because it is backed by, for the time being, a majority that has confidence in the government.

That imperative point, about bringing to this place persuasive reasons for making what in this case would be really quite an extraordinary step in the circumstances of what we have heard from a whole variety of voices over the last several months, means that there is really an onus on the government to recite that request at this stage and to do otherwise nothing more than to repeat a summation of the machinery of what the bill does.

So I urge, even now: go back to the court, ask the court: is this necessary and is this the courts view? I would be grateful for the benefit of the response in that regard, and I am sure that will be of assistance to the parliament as a whole let alone the profession and South Australians who are following the debate. What do we know about where things stand in terms of the resources and personnel who are available and sitting in the Court of Appeal? Well, we know there is presently, as I understand, five sitting members. Justice Lovell is on full-time long service leave, and he is on his way to retiring next year. That leaves four members of the Court of Appeal.

My understanding is that the court is now operating at maximum capacity based on current available judicial personnel and that as a result, when I last consulted—and this now dates back; I did some attempt at diligence a couple of months ago now when this was on its way—at that stage we saw that there were listings out to September and October, and no doubt I would be assisted by advice in relation to where that is at now.

I would expect that we are now seeing listings out to the end of the year, and perhaps even into next year, so there is no wriggle room for the court at all as I am presently understanding the circumstances. The notion that is at the core of this bill, of providing for the removal of a judge from the Court of Appeal, as a matter of practical reality in anything like the recent past and the anticipated future, just makes no practical sense.

Again, I couch that in terms of my keen interest in any evidence that might be provided to me or the parliament, in turn to the contrary, and via the government, and that is a request that has been now outstanding for a long period of time.

Where there is no apparent case for the change and where there is actual concern that is expressed about the change and where that comes from credible sources and from multiple sources, then one moves from that disposition to say at the outset that—and I might say it freely in the course of the debate, it is all on the record—if the Attorney-General brings a bill to the parliament that indicates something comes at the request of the Chief Justice and that is for the efficacy of the operation of the court, the disposition is to say that, if that is going to assist in the efficacy of the court, there is a substantial amount of expectation that of course that will be backed by evidence and of course that will be coming with the wholehearted support of the relevant members of those jurisdictions and so on.

Really, unlike in a whole lot of other circumstances, there is no call to enter into further correspondence about the matter and that basic disposition to facilitate what the courts require, both in that budget estimates sense to ensure that the court is appropriately resourced and also in the mechanical sense to ensure that the Chief Justice, if he is expressing requests for mechanical things, that, as a matter of principle, there is a fairly strong disposition towards acceding to them.

I have a fair amount of sympathy for the Attorney in terms of proceeding in that way and it is at least in part the way I would anticipate proceeding myself and indeed the way that I was at first approaching my response to the request as it has been introduced. But in the absence of evidence that might be able to meet expressions of concern, the analysis needs to change and one goes back to fundamentals about what is actually necessarily at the core of the independent Court of Appeal, which, as I say, was established only a few short years ago.

I think before traversing the foundations of the Court of Appeal in this case and looking at the interaction with the court at that time and, in particular, the interaction between the then attorney-

general and the Chief Justice at the time of the establishment of the court, I have referred to there having been interaction and correspondence and views expressed in a variety of ways following the introduction of the bill by the Attorney in another place in May last year. I will refer to these perhaps primarily and just mention them for the moment with a view to coming back to them in due course.

First, the letter from the Law Society to the Attorney-General dated 5 July 2023 is a relatively considered letter by the then President of the Law Society, James Marsh, and it takes the opportunity to enclose with it the letter of the President of the Law Society, as she then was, Amy Nikolovski back on 4 October 2019 at the time of the establishment of the Court of Appeal.

We have a considered response of the Law Society as early as early July, bearing in mind that the bill was introduced and read a second time in another place in May, so within a couple of months. While we are on the Law Society, we then have a further letter from the Law Society dated 25 August 2023, and by now the Law Society referring to both the 5 July letter and the letter to the Attorney from the South Australian Bar Association dated 17 August 2023, which had been provided to Mr Marsh at that point.

Then we have the letter of the South Australian Bar Association by its President, Marie Shaw KC, to the Attorney-General dated 17 August 2023. That, in turn, encloses an earlier letter from the Bar Association to members of the Legislative Council. I understand from Ms Shaw's letter dated 17 August that that letter to members of the Legislative Council was copied also to the Attorney. So the Attorney was on notice from the Bar Association by both the 5 July letter and then the letter addressed to the Attorney dated 17 August.

In any event, the 5 July letter was enclosed with the 17 August letter, as were a number of attachments, which are copies of letters from the Bar Association to the then Attorney-General, the Hon. Vickie Chapman MP, in 2019 in relation to the establishment of the Court of Appeal at that time and those letters dated 27 September 2019, from the then President of the Bar Association, Mark Hoffman QC, as he then was, and 2 October 2019, also to then Attorney-General, the Hon. Vickie Chapman MP, from Mark Hoffman QC, in his capacity as then President of the Bar Association.

I have adverted to the disposition that was adopted at the outset on introduction back in May 2023 and by that quick run-through identifying the relevant documents that have emanated from the Law Society on the one hand and the Bar Association on the other, it just demonstrated that through at least July and August 2023 there is considerable correspondence. I just summarise the effect of that for the moment. I will address the substance of it in a little more detail later.

That was in the course of the debate in the Legislative Council, let alone the time we get here, so I must illustrate that. Following the Attorney-General's second reading speech on 18 May 2023, the *Hansard* in the other place records that the debate was adjourned on that day. Then the debate continued through July and it was still being debated in the other place at the end of August 2023 and by that time fully in the context of communications expressing concern from both the Law Society and the Bar Association.

By then at least, all members, it appears, are on notice of perhaps a number of things, including that those particular bodies were protesting that as at May, when the bill was introduced, they had not been consulted, had not had the opportunity, therefore, to express the views that they would have expressed had the bill been brought to their attention beforehand. That is to provide in a fairly ample way the setting of both notice of concern and opportunity to prove up the case for change in the face of those concerns having been raised.

Before I leave this point, it would be incomplete to leave those communications hanging without referring to the unusual, if not extraordinary, circumstance that then followed, that the Attorney at the end of August, late in the debate in the other place, on 29 August of last year, came back to the other place. I will quote, because it is helpful in this context. The Attorney advised the members of the other place and thanked them for their contributions. We are very late in the debate. The Attorney then indicated:

Yesterday—

that means 28 August 2023—

I received correspondence from the Chief Justice of the Supreme Court that addresses some of the concerns that have been raised by honourable members in their reflections from the Bar Association or the Law Society.

Those members' contributions are on the public record, and it is not for me to editorialise. I respect those contributions and they are there, but so far as there were reflections from the Bar Association and the Law Society those are the matters of correspondence I would come back to as well in my contribution. The Attorney then goes on to say:

It might be worth at this juncture, before we go into committee, reading out that letter—

that is, the letter that the Attorney says he received from the Chief Justice on 28 August—

because I think it will be useful for the purposes of the debate. Yesterday, the Chief Justice wrote in relation to the Supreme Court (Distribution of Business) Amendment Bill...

And it follows. The Attorney, it appears, read the letter in full—and I might take the opportunity to do that at a convenient time—and then sought leave, and I understand that leave was granted to table the letter.

So it is there, well and truly on the public record and deployed in the debate by the Attorney. It is well that this house, therefore, give it some thoroughgoing consideration because, in addition to those short contributions from the Attorney, and now the minister just a few moments ago in this place, there is no case for the change that is made by the government that rises any higher than the request from the Chief Justice. So the Chief Justice's letter to the Attorney dated 28 August 2023, in these circumstances, looms large in the debate. I seek leave to continue my remarks.

Leave granted; debate adjourned.

#### **STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (WHOLESALE MARKET MONITORING) BILL**

##### *Final Stages*

The Legislative Council agreed to the bill without any amendment.

#### **PARLIAMENTARY COMMITTEES (REFERRAL OF PETITIONS) AMENDMENT BILL**

##### *Introduction and First Reading*

Received from the Legislative Council and read a first time.

At 17:32 the house adjourned until Tuesday 30 April 2024 at 11:00.

*Answers to Questions***SERVICE SA**

In reply to **the Hon. V.A. TARZIA (Hartley)** (30 June 2023). (Estimates Committee A)

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining):** The Department for Infrastructure and Transport advises that digital licences, learner's permits and theory tests, and registration processes are available through Service SA and the mySAGOV app.