HOUSE OF ASSEMBLY

Wednesday, 15 May 2024

The SPEAKER (Hon. L.W.K. Bignell) took the chair at 10:30.

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

The SPEAKER read prayers.

Bills

CRIMINAL LAW CONSOLIDATION (SEXUAL PREDATION OFFENCES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 10 April 2024.)

The Hon. D.G. PISONI (Unley) (10:32): I am very pleased to speak in support of this bill. I thank the member for Heysen, in his role as the shadow attorney-general, for bringing this bill to this place in a very timely manner. It has been here in this place now for over a month. I understand that he has briefed the Attorney-General's office and the Minister for Women's office about the bill. That was, I think, two weeks ago now, but he has not heard about the government's intentions on this bill. I can only assume that the most urgent matter of removing King's Counsel from the statute books distracted the Attorney-General from engaging in this very important issue.

I will explain why it is important. We have a situation where you can carry something that is used as dangerously as somebody carrying a knife, that can be used in a nightclub or an entertainment venue as a mechanism to seriously sexually assault somebody, and that is what they call a date rape drug. You are not allowed to bring a knife into a nightclub; there are severe penalties for bringing a knife into a nightclub, but if you have a date rape drug, or GHB, as it is commonly known—there are many drugs that do this. Some of the most commonly used drugs are GHB, or gamma-hydroxybutyric acid, and benzodiazepines, which are prescription medications primarily used for the treatment of medical conditions.

GHB is a central nervous system depressant that is typically used to treat conditions such as not being able to sleep, which is obviously a serious issue, characterised by excessive daytime sleeping but not being able to sleep at night. It is also used off-label as an anaesthetic and as a treatment for alcohol and opioid dependence. You can see it has very extreme uses, so why would somebody—a fit or able-bodied person who is well enough to go to nightclubs—who does not have a prescription for this drug, have it on their person in a nightclub?

One could safely assume that the only use by that person is for committing a heinous sexual crime of rape: drugging somebody, knocking them out, removing them from the premises under some pretext of, 'She's had too much to drink, I'm getting her home,' and that poor woman then waking up somewhere that she does not know in a terrible state, and working out the worst has happened, and no memory. We saw that just recently. Queensland state MP Brittany Lauga—a young Labor MP in the Queensland parliament—was allegedly drugged and sexually assaulted on a night out in Yeppoon. I quote from an ABC report:

> Queensland Labor MP Brittany Lauga has alleged she was drugged and sexually assaulted in the central Queensland town of Yeppoon last weekend.

This story is dated Saturday 4 May. The report continues:

> In a statement posted on social media, Ms Lauga said she had contacted police in the early hours of Sunday morning.

'Tests at the hospital confirmed the presence of drugs in my body which I did not take.'

This is the situation. The research that I have done on this particular topic is that there is a very low conviction rate of men who use this method of assault, simply because of the circumstances. Getting the evidence is very difficult as to who is actually responsible, yet this is not about a change to legislation and being at the bottom of a cliff in an ambulance; this is putting a fence at the top of the cliff to stop it from actually happening.

The penalties are extremely severe in this bill for having date rape drugs on your person in a prescribed place. For a basic offence, it is up to 10 years' imprisonment. That is a pretty strong deterrent, and the penalties are even higher for an aggravation or an increase in the harm that the offence could cause. It becomes an aggravated offence with imprisonment for 12 years if it is related to other situations that increase the seriousness. If victims are of a certain age, then of course it is increased even further.

So this sends a very strong message that this behaviour is an extremely serious offence. Having this on your body is evidence that you intended to use it for a very serious criminal offence. Let's be honest about this, it is almost exclusively women who are the victims of these crimes. Why on earth do you have a drug that requires a prescription—that we know has the effect of knocking somebody out—on your person when you are going to a nightclub? Why do you have that? Consequently, I call on members of this house to support this bill.

I am disappointed that we do not have any indication from the government at this stage as to whether they believe this is a bill that is worthwhile of support. There has been no feedback whatsoever to the member for Heysen, and I have not seen any media on this from the government. We know that the government is very quick to put out a media statement whenever they have made a decision on a particular issue, so I can only assume that either the work has not started or we are still waiting for the completion of the work. Either way, it is disappointing that the engagement has stopped after the initial briefing.

I do encourage the government to come back to this place with a position on this bill, and be ready to debate it, and hopefully support the bill. I am sure that the shadow attorney-general will be amenable to amendments if, for some reason, his work, in some instances, may have unintended consequences. We want this to work, and so of course the Liberal Party would be very happy to work with the government to get this bill right.

I do congratulate the member for Heysen for bringing this bill to this place and giving the parliament the opportunity to raise the issue. Actually, I think it would surprise a lot of people listening to this debate that there are virtually no consequences for someone who has this on their person in a nightclub. There is, if you have a knife. It is an offence if you have a knife, and take a knife into a nightclub, but not a weapon that could be used to assist you to commit a heinous crime.

Mr ODENWALDER (Elizabeth) (10:42): I move:

That the debate be adjourned.

The house divided on the motion:

Ayes 22
Noes.....14
Majority 8

AYES

Andrews, S.E.	Bettison, Z.L.	Boyer, B.I.
Brown, M.E.	Champion, N.D.	Clancy, N.P.
Close, S.E.	Cook, N.F.	Fulbrook, J.P.
Hildyard, K.A.	Hood, L.P.	Hughes, E.J.
Hutchesson, C.L.	Michaels, A.	Odenwalder, L.K. (teller)
O'Hanlon, C.C.	Pearce, R.K.	Piccolo, A.
Savvas, O.M.	Szakacs, J.K.	Thompson, E.L.
Wortley, D.J.		

NOES

Basham, D.K.B.	Batty, J.A.	Bell, T.S.
Brock, G.G.	Cregan, D.R.	Ellis, F.J.
Gardner, J.A.W.	Patterson, S.J.R.	Pederick, A.S.
Pisoni, D.G.	Pratt, P.K.	Teague, J.B. (teller)
Telfer, S.J.	Whetstone, T.J.	

PAIRS

Stinson, J.M.	Hurn, A.M.	Koutsantonis, A.
Speirs, D.J.	Malinauskas, P.B.	Tarzia, V.A.
Picton, C.J.	Cowdrey, M.J.	

Motion thus carried; debate adjourned.

HERITAGE PLACES (ADELAIDE PARK LANDS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 May 2023.)

Mr ODENWALDER (Elizabeth) (10:49): I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes 22
Noes.....15
Majority 7

AYES

Andrews, S.E.	Bettison, Z.L.	Boyer, B.I.
Brown, M.E.	Champion, N.D.	Clancy, N.P.
Close, S.E.	Cook, N.F.	Fulbrook, J.P.
Hildyard, K.A.	Hood, L.P.	Hughes, E.J.
Hutchesson, C.L.	Michaels, A.	Odenwalder, L.K. (teller)
O'Hanlon, C.C.	Pearce, R.K.	Piccolo, A.
Savvas, O.M.	Szakacs, J.K.	Thompson, E.L.
Wortley, D.J.		

NOES

Basham, D.K.B.	Batty, J.A. (teller)	Bell, T.S.
Brock, G.G.	Cregan, D.R.	Ellis, F.J.
Gardner, J.A.W.	McBride, P.N.	Patterson, S.J.R.
Pederick, A.S.	Pisoni, D.G.	Pratt, P.K.
Teague, J.B.	Telfer, S.J.	Whetstone, T.J.

PAIRS

Stinson, J.M.	Hurn, A.M.	Koutsantonis, A.
Speirs, D.J.	Malinauskas, P.B.	Tarzia, V.A.
Picton, C.J.	Cowdrey, M.J.	

Motion thus carried; order of the day postponed.

PARLIAMENTARY COMMITTEES (REFERRAL OF PETITIONS) AMENDMENT BILL

Second Reading

Mr ODENWALDER (Elizabeth) (10:59): I move:

That this bill be now read a second time.

I understand this came from the Hon. Connie Bonaros in another place. I think it is an excellent series of amendments to a bill that was initially brought in by Frances Bedford, the former member for Florey. I think in its initial form it was a good idea. The idea of course was that when there is a substantial number of signatures on a petition it should be referred to a committee, that there should be more action taken than the petition simply being noted by the house.

This bill by the Hon. Connie Bonaros, which was supported by members in the other place, simply takes the onus away from the Legislative Review Committee—which is a fair onus, as there is quite a backlog of petitions to consider on the Legislative Review Committee—and puts the onus back onto relevant standing committees. When a petition of sufficient numbers is tabled in the house, instead of getting referred to the Legislative Review Committee, it gets referred by the member tabling the petition to the relevant standing committee of the parliament. I do have an amendment on file, but with those few words I commend the bill to the house.

Mr TEAGUE (Heysen) (11:01): I rise to indicate the opposition's support for the bill. As the member for Elizabeth has said, this is actually a meritorious, substantive improvement on what was at the outset a meritorious arrangement in terms of establishing a threshold for petitions that would then require committee inquiry. The trouble is that, I think, well intentioned as it was, the referral of such petitions that have garnered a high level of subscription to the Legislative Review Committee was just not the appropriate destination, not the ideal destination.

Of course, the Legislative Review Committee, as the name indicates, is a committee that is charged with oversight for primarily questions of ultra vires and other compliance with power in terms of the enactment of by-laws, regulations and subordinate legislation. It is not a committee of review on the merits of any particular matter but, rather, a committee of oversight as to where the power existed, either in the minister in the case of regulations or in the relevant council in the case of by-laws and so forth.

As the member for Elizabeth has indicated, the workload of the Legislative Review Committee routinely is voluminous, albeit on those terms. There is a lot of material for the Legislative Review Committee to have to wade through the entire time, and it does so diligently and competently and all the rest of it, but in this relatively short period of time that we have had these petitions referred to it, it has sat there really as kind of a new and unusual addition to the ordinary work of the Legislative Review Committee.

The change that will happen as a result of this bill is that we have changes to the functions of all the relevant standing committees in line now so that their functions will include receipt and consideration on the merits of those petitions that qualify and, in terms of subject matter, that those committees on the merits are well equipped to be dealing with.

So it is an improvement of process. It ought to be an improvement then in terms of how productive this parliament can be in the interests of South Australians who are troubling to sign petitions in those numbers. It will mean that if you have 10,000 people who are sufficiently motivated to subscribe to a petition on a question, they will be able to get that in front of the relevant standing committee. It will then deploy all the powers of a standing committee, including the compelling of evidence, the benefits of privilege and all the rest of it, and do what committees are so well able to do.

The other advantage, of course, of now providing for this process to be referred to the appropriate standing committee is that instead of burdening the Legislative Review Committee with all of these in one go, they will be able to be spread around those committees with subject matter expertise and the consideration of those petition questions will be able to be dealt with all the more efficiently.

This is a win for the deploying of parliamentary capacities in the interests of the community. It ought to be a win for each of those individual committees that are going to be charged with the responsibility for inquiring into each of these petitions as they come along and it is otherwise a wholly meritorious improvement on, as the member for Elizabeth has credited already, that initiative that Frances Bedford, as she then was as member for Florey, took an initiative on. I join in acknowledging the initiative in turn of the Hon. Connie Bonaros MLC in another place in terms of setting this out and advancing the debate.

It would be remiss of me not to take the opportunity in these circumstances to just highlight the important work that the standing committees in particular—let alone committees established for particular purposes along the way in the course of any particular parliament—can do for the promotion of improvement in the interests of all South Australians. I have said so in a whole variety of contexts.

There is a bill in my name before the parliament presently in the circumstances of the recently passed state Labor legislation with the establishment of the State Voice which unfortunately carried as a corollary the dissolution of one of those successful and productive standing committees. I would reinstate the Aboriginal affairs standing committee. Much as it is capable and should be there constituted to do that work with that particular focus, so, too, are there the range of other subject matter focused standing committees that will be well placed to be in receipt of these referrals from those significant petitions.

So I look forward to the passage of the bill and the advent of this new system of referring petitions. If by demonstrating that, when South Australians do trouble to sign up to a petition, not only will it be capable of being tabled in this place, but it will be capable of being referred for an inquiry process, now by an appropriately constituted subject matter committee, I hope that it will promote, therefore, the confidence of South Australians on important questions that are the subject of petitions received by the parliament from time to time.

With those words, and in anticipation of an amendment, with which I am familiar, I just indicate the opposition's support and look forward to the passage of the bill.

The Hon. D.G. PISONI (Unley) (11:10): I rise to also speak in favour of the bill and, I guess, also use the opportunity to reflect how successful this 10,000-signature legislation has been in engaging the South Australian public. I think there was a stage there where many South Australians were petitioned out. They would sign a petition, it would be presented in parliament. They would not know what day that happened or what the outcome of that was. Often it did not change anything and you did witness petition fatigue out there when the community had been campaigning for a change or for an issue to be raised in the parliament. People say, 'I'm not going to bother signing. Nothing ever happens. Nothing ever happens when I sign a petition.'

The first tranche, if you like, of this legislation, that happened under the previous government, actually meant that it would force an action. As legislation does and as parliaments do, things evolve and I think the proof of the success of the legislation, and the interest there is in public participation in matters that may very well be raised by this petitioning process, is we are seeing more engagement. I think there is a pile-up of about half a dozen or so of these petitions at the Legislative Review Committee and it only makes sense now to take it to the next phase and streamline that process and get it to a parliamentary committee as early as possible.

Of course, we know that parliamentary committees are available for members of the public to be in the audience or the gallery, if you like, in person, or listening to it online or even having the opportunity to put in a submission. What I have found, particularly with the Museum petition that we have running at the moment, is once people realise that there is actually a guaranteed action once 10,000 signatures are collected, they are much more enthusiastic about spending that 30 seconds filling out the petition because, all of a sudden, there is light at the end of the tunnel. 'Yes, I am seeing the process in action.'

I think it sends a very strong signal or a very encouraging sign to members of the public that they are now, because of this petitioning process, actually in a position to make a difference outside of the election cycle, in between elections. They can actually be part of a group of people who have come together to force an action of the parliament, to inquire into a particular issue.

The petition that I have been out collecting signatures for at the moment is the impact that the Malinauskas government cuts are having on the Museum. People are concerned about it. I am amazed at how many of those signatures I have been collecting out the front of the Museum from my old stamping ground in the northern suburbs, where people are coming in with their children and grandchildren for an educative day out, completely free of charge. They are very concerned about the threat to galleries, and there are others who are very concerned about the cessation of the research that is going to be the result of these cuts. After 170 years of world-renowned research at the Museum, it will no longer be there.

I support this bill and look forward to seeing more South Australians participate in our democratic process and participate in the parliamentary process by signing petitions that can actually lead to an action of this parliament on matters that are important to them.

Mr ODENWALDER (Elizabeth) (11:16): Since there are no further speakers, I want to thank the member for Heysen particularly for signalling the opposition's support for this bill. I do think it is important and, as the member rightly points out, the Legislative Review Committee, like all standing committees, has a substantial amount of legislated work to do. The other standing committees, of course, have work to do, so the idea of essentially farming out relevant petitions to those committees makes absolute sense.

I want to thank the Hon. Connie Bonaros in another place. I know that she is a current serving member of the Legislative Review Committee. I have recently joined the Legislative Review Committee and so I have seen the backlog of petitions that they are required to deal with. She has been a strong proponent of this because she can see firsthand the problems with the Legislative Review Committee dealing with petition after petition. I also want to thank the member for Unley, of course, who in his usual style made a considered contribution to the debate. I know that he genuinely does support this bill. I believe he has served on the Legislative Review Committee before and he would have an idea of the workload.

The Hon. D.G. Pisoni: No, I haven't.

Mr ODENWALDER: I beg your pardon. It is a busy committee, believe me. I also want to thank the member for Narungga, who has long been an advocate for this bill as he is for his own local community. I think that his impetus—and he can correct me if I am wrong—behind supporting this bill is to make sure that the concerns that he raises on behalf of his community through the petition process get dealt with quickly and adequately by the relevant committee.

There is an amendment on file. I should just quickly address that amendment. I do not know if there will be any questions. I hope the member for Heysen has no questions. The impetus behind the amendment, as I understand it, is—

The SPEAKER: We might come to the amendment in committee.

Mr ODENWALDER: I cannot talk about the amendment? I beg your pardon.

The SPEAKER: It is like *Fight Club*, mate, you cannot talk about it—first rule.

Mr ODENWALDER: With those words then, I commend the bill to the house.

Bill read a second time.

Parliamentary Procedure

SITTINGS AND BUSINESS

Mr ODENWALDER (Elizabeth) (11:19): I move:

That Private Members Business, Bills, Order of the Day No. 16 take precedence over Private Members Business, Other Motions until completion.

Motion carried.

Bills

PARLIAMENTARY COMMITTEES (REFERRAL OF PETITIONS) AMENDMENT BILL

Committee Stage

In committee.

Clauses 1 to 10 passed.

Clause 11.

Mr ELLIS: I thank the government and the Hon. Connie Bonaros for bringing this bill. As the member for Elizabeth briefly mentioned prior, I have been very eager to see this bill pass or at least a change to the current scheme implemented.

In November last year I tabled a petition of near on 11,000 signatures calling for action and suggesting some change to the regional health system. Since that time, unfortunately thanks to the logjam that exists at the Legislative Review Committee, it has not managed to see the light of day yet. So a scheme like this would allow us to delegate that petition or to change course for that petition to be considered at a different committee, to give it an opportunity to be ventilated and heard, and, importantly, to give the members of my constituency who did sign that petition the opportunity to make a submission and contribute to the debate.

I think it is a wonderful move and very much in line with the inspiration behind the change to allow a petition of such a significant volume to be referred to a committee in the first place. It was never meant to be that, once it was referred, that was job done. It was meant to be a properly debated and discussed thing in order to give the people who signed that petition a voice. I welcome the change. I am very excited to see it implemented.

I do have three questions; I believe that is my maximum for any given clause. They centre around this clause 11, which is the mechanism by which a petition will now be referred to an 'appropriate committee'. I am of the view that, having read this draft bill and having considered it carefully, there might not have been enough consideration given to how this will work in practical terms: how petitions, not only new petitions coming in but ones that have already been presented to the parliament, will then be referred to an appropriate committee. I wonder if the member for Elizabeth can give this house some guidance as to what that process will be and whether there will be changes to the standing orders required or how the government and the Hon. Connie Bonaros view that occurring.

Mr ODENWALDER: As I understand it, the current method of tabling a petition is that a member brings it in—whether they agree with the content of the petition or not is irrelevant—and it is tabled in their name. My understanding is the intention of the bill, when the Hon. Connie Bonaros had it drafted, is that the member tabling the petition would also nominate at that time, and presumably move that way, the relevant committee that it would be referred to and then that would be voted on by the house.

In fact, no. It would not be voted on by the house. I beg your pardon. It would simply be a matter of tabling the petition and tabling the relevant committee that it should be referred to. Whether that would constitute a change in standing orders, I would have to take some advice from the Clerk about that, but they would be very minor and administrative.

Mr ELLIS: The member has actually anticipated my next question. I will ask it anyway just for the sake of confirmation, but it sounds as though the proponent of that petition, the one that has secured that significant number of signatures, will then be charged with determining which committee is appropriate and merely informing the house, at least as is currently planned, which committee is the 'appropriate committee'. So that is the intent that the proponent of the petition will be charged with informing the house and there will be no vote required on what committee it gets referred to.

Mr ODENWALDER: As you pointed out in your preamble, the amendment is silent on the method, but that is certainly what I understand to be the intention of the Hon. Connie Bonaros in drafting this. As I said, I will talk to the Clerk about whether that necessitates a change in the standing orders. I would not have anticipated it would be a vote of the house, it would simply be—it probably

would be? I am reliably informed by the Clerk that it perhaps would be a vote of the house and that the tabler of the petition would also have to include a motion to refer that to the relevant committee, and that would be put to the house and, presumably, can be debated.

Mr ELLIS: That is all well and good, and if that is the current situation, so be it. But if the government and the Hon. Connie Bonaros intend for that petition to merely be informed and information provided to the house as to where it is intended to go, then I suspect we should change the standing orders to reflect that will.

I want to reiterate—and I have a vested interest, obviously, with a petition that is currently on the legislative review agenda. I have a vested interest in getting my petition to a desirable place and I am not trying to conceal that. As someone who has gone out there and tried to secure 10,000 signatures, I am of the view that it should be the exclusive jurisdiction of the member who has done that to determine where it goes. I think anything else would threaten to undermine the—legitimacy might be too strong a word—destination of that petition, and it might mean that it ends up somewhere that is not appropriate in the eyes of the person who has done the legwork to secure the signatures.

I would be well in favour of changing the standing orders to reflect the will of—I should not put words in the member's mouth, but to reflect the position that it should go to the destination that the member desires it to go. To that end, I want to draw attention to clause 11 and read the wording:

> The House of Assembly…must, on presentation of an eligible petition by a member of the relevant House, refer the petition to an appropriate Committee.

So it does not actually say to refer the petition to an appropriate standing committee; it says 'refer the petition to an appropriate Committee.'

In my case, I have a petition on the legislative review agenda which is a health-related petition. I have had a thorough survey of the standing committees, and I do not consider that any of them are particularly appropriate. I think that there are some that might well be able to do the job, and I am sure they would use their best endeavours to make sure it was done properly, but there is no standing committee of the parliament that deals exclusively with health-related matters. In my view, that being the case, my petition would be best referred to a select committee, and I do not think that the wording of the clause in this amendment bill would preclude that from happening.

I was a terrible law student, but I did go, and my view is that clauses 2 through 10 merely empower standing committees to accept petitions. They do not necessarily preclude that petition from being referred to a select committee if it is more appropriate, on my reading of this amendment bill. So I wonder whether—and we may not have considered it—between the houses we might investigate that possibility and if it is, as I read it and as I understand it—

Mr Odenwalder interjecting:

Mr ELLIS: Presuming the amendment passes and it does have to go back; if the amendment fails, it will just be law. But if it does have to go back, I would urge the decision-makers in the other place to continue to allow my perception of how this bill would work to remain. I think that in some cases and for some particular petitions, it might be that one of the standing committees is not the appropriate committee and it should be referred to a select committee with particular expertise to consider it.

I wonder, in somewhat selfish terms, whether the proponent of that petition might then be the chair of that select committee. That might well be a bridge too far—who knows? In any case, that is my view of it. I do not know if that is necessarily a question after all, but that is my reading of this bill and I hope that is allowed to continue, if it is the correct reading.

Mr ODENWALDER: I think there are a fair number of questions there. I think your reading of the bill is correct: it does not make any provision for a petition to be referred to a select committee. I think a member could move that way—there is nothing stopping any member from moving a motion to do anything—but there is no provision in the bill. This must go back to the other place, obviously, so I undertake to talk to the Hon. Connie Bonaros about whether such a thing would be acceptable. As a member of the Legislative Review Committee, I am happy for it to go anywhere else, so I will undertake to do that. Did you mention the retrospective bills, or was that your next question?

Mr Ellis: I have done three now; I do not really want to test the patience of the Chair.

Mr ODENWALDER: I am happy to have another question. I will let you ask a question.

Mr ELLIS: With your indulgence, Chair, I just seek some clarity on the process for petitions that are on the Legislative Review Committee agenda, and how they will be referred to—whatever this place considers an appropriate committee.

Mr ODENWALDER: There is no provision in the bill for that; you are right to point that out. If the bill and the amendment are accepted, there will be a whole lot of petitions that have already been given to the Legislative Review Committee which will then need to be committed to other committees, and there is no provision in the act for that. I think the intention is that the person who originally tabled the petition would be nominating the committee to which it goes. That is what I was going to say. That would have to be, at the moment, a decision of the house.

As you point out, the bill is worded, 'The House of Assembly or the Legislative Council must, on presentation of an eligible petition,' etc., which necessitates a vote of the house. It means the house has to make that decision. There cannot just be the member tabling it and that is that. There must be a vote of the house; that is how it currently stands. Presumably, with the retrospective bills there is the same process. There would have to be a series of motions of the house—presumably in committee time on Thursday morning—to sort out where those bills go. I cannot remember how many petitions are sitting there in the Legislative Review Committee backlog.

I have already undertaken to talk to the Hon. Connie Bonaros, but I will also talk to the Standing Orders Committee, which includes myself, about any changes we can make that might facilitate what you want, and then between the houses we can see if that is amenable to all parties.

Sorry, Chair, but with your indulgence can I address the member for Narungga's previous question? I have just been advised by the Clerk that in order to amend the bill in some way to allow a petition to be referred to a select committee rather than a standing committee, it would have to be done during this process here. It cannot be done between the houses and then when the Legislative Council considers it in the final stage. It would have to be done here. The option is to adjourn this debate to another date while we consider an amendment that you might prepare to take it to a select committee or we leave it as going to the standing committees.

Mr ELLIS: I have talked to the Clerk about this, and I know he disagrees, but my view of the way this bill is currently written is that it does not specifically preclude it from going to a select committee currently. It just says 'appropriate committee', so, if the house determines that the most appropriate committee is a select committee—

The CHAIR: The Clerk has advised that the committee is defined in the context of the Parliamentary Committees Act, and the Parliamentary Committees Act defines those committees. The select committees do not belong under the Parliamentary Committees Act, so it is in that context.

Mr ELLIS: In any case, we will not delay it. I am happy for it to pass the way it is. I just thought I would get that on the record.

Mr ODENWALDER: It could form the subject of another private member's bill if we think that that is an appropriate thing to do, and we could probably do that pretty quickly if all parties agreed, I think.

Mr TELFER: Just for clarification on the process and the procedure as has been put by the member—the necessity for the existing petitions that are being considered by the Legislative Review Committee—you speak on the fact that there will need to be a motion brought to the house for a decision. Is each individual member who is the proponent of the petition going to be the one that brings the motion, each individually, for consideration at that committee stage? Reflecting on what the member for Narungga was talking about, the member who puts the petition is the one who decides the appropriate committee? As part of that retrospective process, is each individual one going to be bringing that?

Mr ODENWALDER: The retrospective ones? Again, I will take advice from the Clerk, but the bill is silent on that process, and so I imagine that, similar to some processes in private members' business, a person could be nominated to move it en bloc, I imagine. I cannot imagine there is an

impediment to that in the standing orders, but it probably would be cleaner for each individual member, and I am sure each individual member would want to move that on behalf of their community who lodged the petition, so the bill is silent on it.

Mr Teague: It's not quite silent.

Mr ODENWALDER: Alright.

Mr TEAGUE: Just on the question, as I read the schedule, the bill's providing for it insofar as we have the Legislative Review Committee being relieved of any obligation to inquire into a relevant petition, and then (1)(b) of the transitional provision appears to me to be providing for the house in which that was tabled to refer it in due course to the appropriate committee. So, as I read it, that covers what is presently before the Legislative Review Committee as well as what comes, but I might put that to the member for Elizabeth, who is in the hot seat it seems, although I think we are a bit around the house on this point. Anyway, that is as I read it.

Mr ODENWALDER: I gather what you are saying is there is some guidance in the sense that someone in the relevant house needs to move that petition?

Mr Teague: Yes.

Mr ODENWALDER: So if a petition is tabled in the House of Assembly, only a member of the House of Assembly can move to send that to a select committee?

Mr Teague: It would be just in terms of the backlog, that what is already before the Legislative Review Committee is provided for.

Mr ODENWALDER: Yes, but I think the member for Flinders' question was simply about who moves the motion?

Mr Telfer: Yes.

Mr ODENWALDER: And, as you point out in schedule 1(1)(b), it needs to be a member of the relevant house at least. I think that is the only guidance that I can see in it, and so I cannot see an impediment to it being moved en bloc, but again I think that the person who has tabled the petition probably would want to move that motion in the house to have a second bite of the cherry.

Mr TEAGUE: If I might just welcome what is now on the record, thanks to the member for Narungga having raised those matters, and the member for Elizabeth in response, I think that is helpful for the record. Let's just bear in mind that the ease of the present provision, forcing as it does all referrals to go directly to the Legislative Review Committee, means that until now we have been in territory that is fairly straightforward, so that the eligible petition is presented and, by force of the section 16B(1), heads off to the Legislative Review Committee without anybody doing anything further, whereas because this is now introducing this question of appropriate committee, this is now introduced for the first time, the question of, 'Alright, where does it go?'

It might be helpful just to highlight, again, that there is no doubt about the obligation on the relevant house to refer, and the need for there to be some sessional or standing order for that purpose I think has been made plain as well. I tend to agree that it would be desirable now to have something in our standing orders that provides for that process of referral, because we are moving away from a provision that, by force of the provision itself, exercises the referral, to one in which there is now an obligation on the relevant house to make that referral. Okay, that is all good, on the face of it.

The question the member for Narungga raises—about who ought to decide what the appropriate committee is—I have a lot of respect for that proposition. The only other thing I would add to that is that you have classically, especially with the large petitions, the local member promoting a petition of that sort. I do not know about the history of the large petitions, whether that is comprehensive, but, of course, we also know that it is the duty of a local member to bring to the parliament and table petitions whether or not they necessarily endorse the contents. It is just conceivable that there is going to be a very large petition that the local member does not have a view about one way or the other, or does not endorse, but dutifully tables it to express that view, and that will trigger a requirement for the house to then do a referral.

The local member might want to have nothing to do with it, so I just put that counterpoint that each individual member might be a bit careful what they wish for in terms of taking on that new responsibility. Clearly, it is a different structure, there is a referral action that is required now by the house. I just indicate that I agree that it would be desirable now for the Standing Orders Committee, or any other appropriate process, to now provide a mechanism by which the house is going to deal with not only having the Speaker ask the question, 'Are there petitions?' but also, what are we going to do about them once they are tabled?

Mr ODENWALDER: To your second point, and this is just a matter of opinion really, but I cannot see any substantial difference between the tabling of a report and then moving that it be referred. You are talking about a member wanting to be hands-off, which I understand, but if you are tabling a report, if your name is on it, you are tabling it, and then I cannot see any problem with you then moving that it be referred.

I will talk to the Standing Orders Committee about this, but we can explore a sessional order whereby when a petition is tabled it requires that the member tabling the petition will move, on the next day of sitting, that it be something—that is the sort of thing we are after, is it not? Yes. The two things are separated by a day, because you have to give notice and then, without suspending standing orders, it has to be the next day. I think that is probably the mechanism that the Standing Orders Committee would explore. It just occurs to me that if that is the case then that following day or the following week, or whenever it is, another member on behalf of the member for Heysen can refer such and such petition to a committee. That way the member could maintain some sort of arm's length, if that is what they want.

Clause passed.

Clause 12 passed.

Schedule.

Mr ODENWALDER: I move:

Amendment No 1 [Odenwalder–1]—

Page 4, line 24 [Schedule 1, clause 1(2), definition of *relevant petition*]—Delete '5 May 2023' and substitute '1 May 2023'

This is a very simple amendment. It simply changes the date. We are talking about the 'relevant petition'; the 'relevant petition', in the current bill, is an eligible petition that has, on or after 5 May 2023, been referred to Legislative Review Committee pursuant to the relevant section. I understand this is a tidying-up amendment.

The impetus for the bill in the first place was to capture a whole lot of petitions that have already been tabled and already referred to the Legislative Review Committee. That dates back to what parliamentary counsel, or whoever, thought was 5 May, which is when those petitions were presented to the Legislative Review Committee. However, the relevant date should be the date on which they were tabled in the parliament before they were physically given to the Legislative Review Committee. The relevant date for the purpose of the bill, if we support the bill, is not 5 May but 1 May. I hope that is clear.

Mr TEAGUE: I appreciate the succinct, thorough and clear explanation for the change; that makes everything abundantly clear. All I was going to do was refer over to the member for Narungga, having highlighted this petition that he is especially keen on. I think he referred to it as being November last year. It seems like it is well and truly caught.

We have had some reference to the transitional provision that precedes the definition, which is saying that any relevant petition is then caught. Just for clarity, are we therefore talking about every petition that has been referred to the Legislative Review Committee under the currently applied regime that has not yet been concluded or not yet commenced, or do we have a bit of a mixture? Presumably it is not catching anything that the Legislative Review Committee has managed to complete during that short period of time. Is there anything in terms of categories?

Mr ODENWALDER: Just to clarify what I said before—and this is kind of technical—the Legislative Review Committee sat on 5 May 2023, which was a Friday in the relevant year. Making

that the relevant date does not capture petitions that were tabled on the Tuesday, Wednesday or Thursday prior. Backdating it to Monday 1 May captures that week of petitions, which is the intention of the bill.

Yes, there are a whole lot of petitions at various stages of being inquired into by the Legislative Review Committee, and this captures all of them that were tabled since 1 May, no matter what point in the enquiry they were up to. It does not include completed ones; there are some that have been completed, I think, one or two, I am not sure. However, there are some underway, and I think it is somewhere in the bill that the relevant information the Legislative Review Committee has collected will be provided to the relevant standing committee.

An honourable member interjecting:

Mr ODENWALDER: Yes, that is right. So:

(c) any evidence received by the Legislative Review Committee during an inquiry…

(i) is, by force of this paragraph, referred to the [new] Committee…

I hope that answers your question.

Amendment carried; schedule as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

Mr ODENWALDER (Elizabeth) (11:49): I move:

That this bill be now read a third time.

I thank all members—the member for Flinders, the member for Narungga and particularly the member for Heysen—for their engagement on this. I also want to again thank the Hon. Connie Bonaros in the other place, who brought this bill to the house. It not only substantially reduces the backlog of work for the Legislative Review Committee but also I think makes a very sensible change in referring petitions to relevant standing committees whose members have an interest in the area the petition may be concerning.

I have made some commitments to the member for Narungga. I will keep those commitments, and I will stay in touch with him and hopefully get some answers before the bill is again debated in the other place. I want to thank all members, and I commend the bill to the house.

Bill read a third time and passed.

Motions

CLUBS SA

Mr FULBROOK (Playford) (11:51): I move:

That this house—

(a) notes the ongoing work of Clubs SA, who for over 100 years have provided leadership and guidance to promote, advance and support the club industry in South Australia;

(b) acknowledges the grassroot contributions clubs make to their local communities through employment, donations and development of other social capital;

(c) commends the winners and nominees of the 2023 Clubs SA Clubs and Community Awards;

(d) commends the work of Clubs SA as an industry leader in the responsible serving of alcohol, liquor licensing, compliance, governance, industry advocacy and workplace relations; and

(e) recognises the important role played by Clubs SA as a leading provider of training for employees, job seekers, secondary school students and to the broader community.

In many ways the beautiful tapestry that makes up our great state would be lacking without our clubs. They come in all shapes and sizes and have been a mainstay of life and communities since colonial times. Growing up in beautiful Scott Creek, it was not until I reached adulthood that I came to

appreciate their brilliance. Granted, a few kilometres away in Heathfield we have the Mount Lofty Devils football club and out towards Cherry Gardens there was the Blackwood Golf Club, but for various reasons these clubs were not part of my life as I was growing up.

An innocent work trip to Broken Hill in about 2005 exposed me to some brilliant establishments like the Musicians Club and the Silver City Workingmen's Club, and I was impressed, arguably hooked, but equally baffled by why I had never seen anything like this as I was growing up. I would never have described my childhood as sheltered, and I am pleased to say it did not take too long for me to realise the prevalence of clubs within South Australia. To me, clubs are amazing, and it is great to use this time to say a few words on why I think that as a house we should all be celebrating them.

To begin, they are important for a number of reasons. Firstly, they are a hub of community activity, where volunteers strive to improve their respective communities. Whether you are passionate about sports, arts, culture or community service, there is a club within the Clubs SA network that caters for just about everyone's interests.

Not to take an inch away from the amazing effort and sacrifices made by the respective volunteers, behind the great driving force are some incredible mechanics in the form of their peak body, Clubs SA. For those not in the know, this organisation is proudly not-for-profit and was founded in 1919 to represent the interests of licensed clubs all over our amazing state. While they serve as an advocate for the interests of its member clubs, they also work tirelessly to ensure they have the resources and support that they need to thrive. As this motion suggests, they have been providing the leadership and guidance to promote, advance and support our club industry pretty much since the end of the First World War.

While today we are also celebrating the volunteers and leadership that makes clubs great, we cannot ignore what they mean to us economically. Collectively, the sector is worth $624 million in revenue each year, employing 19,800 locals. The sector also contributes handsomely to the revenue of all three tiers of government, paying in and around $90 million each year in taxes. These are significant numbers, which point to our clubs being an important facet within our economy that we cannot afford to overlook.

In fact, I understand South Australia has 1,272 clubs, the highest per capita in Australia. If you had to put a dollar value on the social contribution they make to our community, you are just shy of $1 billion at $918 million. We can support them in so many ways but all I am asking today is to say a few words and get this house to agree that we are so lucky to have them and their peak body, Clubs SA.

If anyone has read my Declaration of Interests as a member of this house, I am proud to declare that I am a member of the Parafield Gardens Community Club, Salisbury North Football Club and the Salisbury Downs sports club. While the football club is just outside my electorate in the member for Ramsay's patch, I am pleased that all three local clubs are members of Clubs SA and do an excellent job in upholding their commitment to quality.

This is a great segue to shout out in particular to Greg Saunders and his team from the Parafield Gardens Community Club and Paul Vella and his crew from Salisbury Downs. These two clubs sit comfortably within the Playford electorate and the great thing about both is that when I talk about Greg or Paul, they are strong household names within my community. This shows how interwoven they are with the people around me and in many ways they represent the heart and soul of the people I am honoured to represent.

In turn, like so many of the clubs across our state, they are busy injecting social capital into the grassroots that form our communities: be it a contribution to a sporting club, a donation to a local project, RSL services to veterans or giving someone their very first job. It is also worth reflecting on how invaluable Clubs SA are to our multicultural communities.

Since I was elected, I have had the honour of getting to know Len Nowak from Dom Polski, who has nothing but praise for the peak body. He described Clubs SA as a magical resource, especially in relation to labour and compliance, referring to it as the perfect one-stop shop. To quote Len directly he said, 'The investment is modest, but the returns are substantial.' As an association to

belong to, they are nothing short of helpful, always quick to come back with answers to questions, pointing out that their resources are magnificent, particularly in relation to compliance.

I also want to make a shout-out to Adam Gallagher and the team at the Parafield Gardens Soccer Club. While I am not a member yet, I am definitely a supporter and this great team is very topical at the moment. You might have heard of Nestory Irankunda who has recently been signed by Bayern Munich. I understand the genesis of his success rests within our great local soccer club, also Clubs SA members.

I know this peak body is very modest, but it is worth pointing out how important it is to have the infrastructure in place for clubs to nurture champions like Nestory, and this is where the assistance from Clubs SA proves to be invaluable. Their assistance ensures great clubs like Parafield Gardens are not bogged down in administration but focused on nurturing talent on the field.

In bringing this motion to the house, I also want to pass on my thanks to Cameron Taylor, Chair of Clubs SA. Mr Taylor and his Chief Executive, Peter Apostolopoulos, visited my office a few months back when we spoke about the social benefits clubs deliver to our state. As the general manager of the nearby Para Hills Community Club, and with 30 years of sector experience, I was deeply impressed by the many topics we spoke about.

One in particular that got my attention was the organisation's commitment to training. There are many chefs, managers and other role models within our hospitality sector that got their first chance to shine thanks to our clubs. With strong links to our schools and VET sector, it is great to see that efforts are continually being made to bolster training opportunities for the benefit of existing employees, jobseekers and, of course, secondary school students.

When you walk through the doors of an establishment with a Clubs SA logo on it, you are not just passing a familiar blue and grey logo. Significant time and resources have gone into ensuring you are entering an establishment with a strong commitment, not only to the community it serves but also a commitment to provide services to a high and ethical standard.

We should not beat around the bush: many of our clubs trade in items that lure the vulnerable. Poker machines, Keno and alcohol all spring to mind. To elaborate on their commitment to training, they should be commended for the lengths taken to ensure staff and volunteers are well equipped and prepared for the responsible serving of alcohol, liquor licensing and compliance against the high standards we as a community expect of those on the frontline.

This motion also serves to celebrate the winners and nominees of the 2023 Clubs SA Clubs and Community Awards held in October last year. It was an incredible night of celebration, camaraderie and good old-fashioned fun. As a demonstration of this organisation's commitment to quality, there were 50 finalist clubs and individuals who took part in the nomination and judging process, with the following declared as winners:

- Grass Roots Sport, Goodwood Saints Football Club;
- Outstanding Community Service, the Croatian Club;
- Inclusiveness, North Haven Surf Life Saving Club;
- Environmental Awareness, Glenelg Golf Club;
- Club Cook of the Year, Michael Peel from the Renmark Club;
- Club Chefs of the Year, Peter Katsaitis from the Renmark Club, and Tara Pollard from the Seacliff Surf Life Saving Club;
- Employee of the Year, Kellie Paisley from South Adelaide Football Club;
- Manager of the Year, Karen Gully from Cadell Club;
- Club Volunteer of the Year, Geoff Burden from the Encounter Bay Football Club;
- Best Bar Environment, The Clubhouse (Tanunda Club);
- Best Dining Cafe/Bistro, the Renmark Club;

- Best Function/Event Venue, Club Marion;
- Best Gaming, the Murray Bridge Club;
- Best Club Refurbishment, The Clubhouse (Tanunda Club);
- Sporting Club of the Year, Goodwood Saints Football Club;
- Small Club of the Year, North Haven Surf Life Saving Club;
- Medium Club of the Year, Hectorville Sports and Community Club; and
- Large Club of the Year, The Clubhouse (Tanunda Club).

I know that is a long list but I am sure I am not alone in this chamber in congratulating the men and women who have worked hard to earn these awards. They have every right to feel proud of their achievements.

I also want to take a short moment to acknowledge the role Clubs SA played during the time of the COVID pandemic. These were difficult times and I feel the whole organisation deserves separate praise for these efforts alone. When I say efforts, I refer to their continuous engagement between their membership and staff at the frontline, and government and their respective government departments in ensuring questions were answered, perspectives were considered and the safety of the entire community was not compromised. To perform in such a selfless manner, where community safety remained paramount, clearly displays how Clubs SA are on the side of their communities.

There can be no argument at all that their bottom lines took a hit from the lockdown restrictions, and even once they were lifted, people still had concerns about whether it was safe to return to the places that they once cherished. When clubs feel the pain, the entire community suffers, and while reluctance from patrons has gradually eased, this is a timely reminder to us all to feel no guilt at all by having an extra pint and a parmi every now and then to help them get back on their feet.

Now that the immediate pain of COVID has passed, the team should be congratulated on their forward thinking on what comes next. Speaking with Mr Apostolopoulos, he tells me this year will be led with a great push from the South-East to the West Coast and everywhere in between on their club development program. A travelling roadshow will be at the coalface, educating members on key matters such as governance, compliance, financial planning, training and every other hallmark of quality that you would expect from Clubs SA.

We know not every club is a Clubs SA member, but I do hope that those who have not yet signed up realise the competitive advantages they will receive when they sign on the dotted line. Granted, volunteers are the backbone of clubs, but irrespective it is a competitive and confusing world out there and to succeed you need some professional guidance to show you the way forward. This is where Clubs SA steps in. For over 100 years, they have kicked goals on behalf of their communities. This organisation and the lifeblood that it supports are worthy of praise. With this in mind, I commend this motion to the house.

Mr WHETSTONE (Chaffey) (12:04): I rise to contribute to this motion, and it is a good motion. I thank the member for Playford because there are not a lot of refreshing motions that come to this place because they all seem to be quite political and always seem to have amendments and do not have an ease of passage through the chamber.

To acknowledge Clubs SA through this motion, Clubs SA has been operating for over 100 years since 1919. Obviously, clubs and their volunteers are playing a vital role, not only in sporting clubs and community clubs but as part of a fabric, particularly in a regional community setting. It is quite refreshing to walk into one of the Clubs SA clubs and just understand the benchmarking that has gone into those clubs. It is a competitive world, serving alcohol and providing meals in any setting. But today, as I said, being competitive, you have to strive for excellence, you have to strive for good service, and just as importantly you have to strive to support a club that is supporting a community.

Clubs SA has provided outstanding training for many of the employees who come along and work their way through the clubs, but particularly the young school leavers who start off as a 'glassy' and work their way through the ranks, serving behind the bar, providing meals, working in kitchens and making sure that the level of service and the continuity of those meals is of a standard that is highly accepted. I know that myself because I frequent those clubs.

It is not only about providing training for staff and their volunteers. Responsible service of alcohol and food safety and hygiene are critically important now, more important than ever, because we have to provide a level of certainty to bureaucracy and we have to provide a level of service to the customers who frequent those clubs. It is important that we do not have challenges on a regular basis when people do encounter misdemeanours walking into a club.

As I have said, the employees, the job seekers, the secondary school students are part of a community but they are also part of a learning experience. They come to that club to learn a skill or learn a trade that they might go on to use later in life or for the rest of their life. What we need to understand is that Clubs SA is an organisation that is a voice behind those clubs here in South Australia.

I thank Peter Apostolopoulos, who is in the gallery today, and his team, supported by some of his members from other regional clubs, as I understand it. I think it is also important to understand that, regarding the awards that come away with Clubs SA, all of those finalists are proud to be a part of the institution that they work in. Of course, there are so many winners but in my eyes everyone is there for the betterment of their community, whether it is a sporting group or a community group.

I did say that I was not going to talk too much about the winners but I am going to give it a go. Before I do that, as a country MP, some would understand that I spend a lot of time on the road and I spend a lot of time in my electorate of 30,000 square kilometres. I have a lot of river, I have a lot of small community clubs, and the majority of them are members of Clubs SA. As I said, spending that much time on the road, I frequent clubs and it gives me the opportunity to regularly eat a schnitzel or a serve of crumbed prawns because that is what they are very good at. They are very good at giving people on the move a feed or they are very good at providing a good sustainable meal for local community members.

I do spend a lot of time, but it does give me the chance to call in, to thank the volunteers, to thank those who are visiting, or are frequent patrons of a club and just to say thank you. It gives me an opportunity to extend a conversation and hear what the gossip is, hear what is going on in town. The club is a bit of a drawcard for those who are looking to be a part of a community and continue that conversation in the community. Really, Clubs SA is an institution here in South Australia and it is a great part of the landscape for those members that are part of them.

I will congratulate all of the finalists and winners and we will start off with the Monash Club. Ian Webber is a finalist for the Volunteer of the Year. From the Cadell Club, the Outstanding Community Service Award finalist is Karen Gully, as well as the Manager of the Year winner. The Renmark Club has been a longstanding finalist and it is a great institution in Renmark. It has the best view of the Murray River by far and I say that with all sincerity to all of those other clubs that are close to the river. Nowhere else are people able to drink a beer and dip their toe into the mighty Murray all at the same time.

The Renmark Club is a finalist for the Outstanding Community Service Award, the Best Gaming Award, and the Large Club of the Year, and the Employee of the Year finalist is Sakina Qambari. The Manager of the Year finalist is Lyn Wilksch. The Renmark Club is the winner for the Best Dining Cafe/Bistro Award, the winner of the Cook of the Year is Michael Peel and the winner of Chef of the Year is Peter Katsaitis, so well done to the Renmark Club again.

Some of the other clubs in the electorate of Chaffey are the Barmera Club whose president is Mike Allder; the Barmera Bowling Club, whose president is Kelvin Carter. At the Barmera Golf Club, Brian Finn is the president. I have a lot to do with the Barmera Golf Club. They are always recipients of grant funding to make their club a better club. It is a bit of a destination, particularly on the golf circuit.

There is the Berri Bowling Club, whose president is Adrian Grimsley, and Cobdogla and District Club, whose president is Ian Chamberlain. I have already congratulated Karen Gully as the manager of the Cadell Club. There is the Loxton Club, whose chair is Matt Dowley, and the Loxton Sporting Club, whose president is Tom Fielke. Tom is a great attribute to that club. He is a dryland farmer, but he spends a lot of time there as a great supporter. The Lyrup Community Club has a stalwart, Neville Tschirpig, who has been there for many a year. You can always be assured of a good conversation with Neville, and there is always a cold beer and a very good feed.

The Monash Club's president, Darrel Hayes, is doing an outstanding job. I have had a lot to do with the Moorook Bowling Club with the refurbishment of the greens and it is certainly one of the great drawcards into the Moorook community. Their president is Norma Battams. There is the Nildottie Progress and Soldiers Memorial Association, whose president is James Prosser. I have not been down there for a while so that gives me a nudge to go down and visit them.

I have already spoken about the Renmark Club and congratulations to Sam Albanese, who is a longstanding president of that club. The Renmark Bowling Club's president is Leon Warren. I have been down there with the new greens and had a bit of a bowl. It is a great institution next to the Renmark Rovers Football Club. Obviously they are a member too. The president is Haydn Brown and he is doing a great job down there. I think the Rovers are going pretty well in the RFL at the moment. They had a good week on the weekend, knocking over Berri pretty easily.

At the Waikerie Club, the chair is Joel Sheehan. Joel Sheehan is a great president. He is a former waterski champion and we have had a lot of conversations over time with his sporting career. There is also the Waikerie Bowling Club, whose president is Drew Schapel. They are the clubs that I believe are the only clubs that are members of Clubs SA. If I have missed any, I apologise, because you put your head above the line and try to remember them all and acknowledge all of them. Sometimes you do miss, but I would like to think that I have pretty much got it covered.

Again, this is a great motion to acknowledge an organisation that is making hospitality a better place to visit. It is also an organisation that is a great part of the South Australian hospitality landscape. Whether it is a football club or whether it is a community club, as I have said, we need to visit them, we need to patronise them, we need to give them the support that they deserve, because the majority of these clubs have a significant volunteer base and that volunteer base is the backbone of South Australia.

Time expired.

Parliamentary Procedure

VISITORS

The ACTING SPEAKER (Mr Brown): Before I call on the member for Davenport, I would like to acknowledge the presence in the gallery today of a number of representatives of Clubs SA, who are here as guests of the member for Playford.

Motions

CLUBS SA

Debate resumed.

Ms THOMPSON (Davenport) (12:15): I, too, rise in support of this motion and wish to recognise the efforts of not-for-profit and community clubs right across our state, in particular those in my electorate of Davenport. As my friend the member for Playford rightly moves, Clubs SA has provided the SA clubs industry with more than 100 years of guidance and support, and it is really great that you are here today so that we can tell you how grateful we are and thank you in person.

On a national level, Australia's 6,500 licensed clubs provide more than 140,000 people with solid employment. For many, these opportunities have proven their entry to Australia's workforce, equipping young professionals with skills and experience that they can carry right the way through life. The commitment of Clubs SA and its members is not limited to training and employment opportunities, though. To many, in particular those in our regions, clubs are a lifeblood.

We have heard from the speakers today, and the member for Playford in particular, that these clubs are the lifeblood of our community and the heartbeat of our community, and they certainly are in my electorate of Davenport. They bring people together. It is particularly great to see new residents in communities being able to meet people in these fantastic, warm, cosy environments, where they can come and—as we just heard—enjoy a schnitzel or a beer and get to know their local community. Of course, they also provide critical services and provide our young people with a great place to meet people and to get involved in some healthy activity.

Our surf lifesaving clubs are out there patrolling our beaches, our RSLs provide support networks for veterans and their families, and so many of the clubs are reliant on the support of Clubs SA—one going as far to describe Clubs SA as the big brother that all sporting and community clubs need to have.

On sporting clubs, I was pleased to see eight organisations in my community receive funding through the Office for Rec and Sport's Active Club Program. This year, grants were awarded to Flagstaff Hill Tennis Club, Happy Valley Bowling Club, Hub Netball Club, O'Halloran Hill Tennis Club, Seacombe Tigers Softball Club, Valley Vikings Netball Club, Flinders Ultimate frisbee club and the Happy Valley Football Club. They will use this for new equipment, for the development of coaches, officials and much more.

Of particular importance, though—as I know so many on this side of the house agree—is the use of this funding to advocate for female participation in sport. This can be through the provision of period products, new period-friendly uniforms or menstrual health training for club employees and volunteers—all measures that may seem trivial or insignificant to some, but initiatives that we know will make a real difference when women and girls take to the field.

One other point I would like to touch on is that of liquor licensing and the responsible service of alcohol, where Clubs SA has long proven itself an industry leader. It has freely accessible, comprehensive drug and alcohol policy templates available online, it has installed a commitment to best practice governance and regulation in its values, and provides regular training and advice to its member clubs.

Earlier, I mentioned the Office for Rec and Sport's Active Club Program grants and how they will benefit people and clubs in my community, but I would also like to touch on a few other projects either delivered or underway in Adelaide's south. With the 2024 footy season underway, the Happy Valley Vikings girls' and women's teams have moved into their new change rooms, which were made possible through state government funding and the tireless advocacy of footballers in my community, and particularly female footballers in my community.

The Happy Valley Football Club has also secured funding to replace its ageing goalposts and install backing nets at the Happy Valley Sports Park, which will benefit not just the club but also students at Aberfoyle Park High School and casual users as well. Just around the corner, the Happy Valley Bowling Club has opened its refurbished new toilet block, meaning it is now compliant with disability access standards. While I am aware winter is looming, I am already looking forward to some longer and warmer nights, which brings with it another night owl season.

We invest in these clubs and their facilities because they invest so heavily in our communities. Without the support of Clubs SA, the job of operating a safe and inclusive venue becomes that much harder. Thank you to each of the clubs, the employees and volunteers active in my community, and thank you to Clubs SA for your years of advocacy, guidance and engagement.

Mr FULBROOK (Playford) (12:20): I want to begin by acknowledging our wonderful guests who have made some time to come to hear the members from both sides speak in support of a wonderful organisation. It does send a very loud and almost deafening sentiment when we are in a position to get support from both sides of the chamber for a motion like this. I do hope the people who are behind me—I am sorry I have my back to you—hear it loud and clear how deeply loved and respected our clubs are within our communities from both sides of politics. With that in mind, I am very heartened by some of the contributions by fellow members of the chamber.

Before I do a quick summary, I want to pass on the words of the member for Flinders, who was hoping to speak on this particular bill but had to apologise on the basis that the business prior

in the chamber took a little bit longer than we had first anticipated and he had to leave. A few weeks ago, we both spoke about this upcoming motion, and how he deeply wanted to do a whip around of all the clubs in and around his electorate across Eyre Peninsula. I am sorry he could not make that contribution, but I certainly know he had his heart firmly placed within this motion, and it is just the way it is, unfortunately.

Thank you member for Chaffey. I really do appreciate, firstly, your very kind words in regard to the motion but, more importantly, how you have backed this and how you have reiterated some of the points that I brought up earlier, pointing out that the clubs are part of the fabric of South Australia. I would like to say it is part of the tapestry of our great state and we would not be the fantastic place that we are without the clubs. I think everybody in this chamber values our communities, and we know that the heartbeat of these communities probably starts at one of several clubs around the place, so thank you for that.

He pointed out that it is a competitive world, and we should be under no illusions about that. Clubs do have competition out there in pubs and cafes, and while we respect them as well, we want everyone to thrive, and the best way to ensure that that happens is to ensure that they have a solid backbone in the form of Clubs SA making sure that those people at the coalface—many of them volunteers—are given the expertise or the training that they need to thrive. With that in mind, I am very grateful to the member for Chaffey for reiterating those words.

It was also great to hear him do a whip around the grounds of some of the wonderful clubs in the Riverland. As a kid, I made many a trip to the Riverland, particularly around Monash and also Renmark, and I can also speak very highly of the two clubs in those particular towns that he has referred to. I also touch on the fact that while not every club can win, I think they are all winners in terms of the awards for last year. As I said, they add so much. They add value to the people who help participate at the coalface, but also we, as community members, receive all the benefits that we get from our clubs, and we are very grateful that they are part of the substance.

I did like the line in particular where the member for Chaffey is quoted as saying that 'clubs are a great part of the South Australian hospitality landscape'. I take this opportunity to say that I think that needs to be underlined and reiterated from this side of the chamber as well.

Thank you also to the member for Davenport. She brought some very good points to the chamber, which I think are worth bringing up, and I just note the time. She mentioned that 140,000 people across the country work in our clubs. I cannot remember the exact number I quoted in South Australia, but that is well above the standard 7 per cent that we normally allocate proportionately across the country, and I would say that it emphasises how much more reliant we are on our clubs within our community.

They should also be commended—perhaps we should have amended this motion to highlight how they have led the way in female participation—so, with that in mind, I take this opportunity to say thank you, and to commend this motion to the chamber.

Motion carried.

SOUTH AUSTRALIAN MUSEUM

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (12:25): I move:

That this house—

(a) notes the proposed restructure to research and collections at the South Australian Museum, including the significant reduction in scientific and research staff;

(b) notes the proposed strategic direction and 'reimagining' of the galleries at the South Australian Museum, including the refusal of the Museum's leadership to rule out abolishing popular galleries, including the mammals, the Egyptian room, the polar collection, and more;

(c) urges the government to reverse recent budget cuts imposed on the Museum by the Malinauskas Labor government, and indeed to increase funding to the level that the Museum can fulfil its legislated scientific functions; and

(d) urges the government to cancel the proposed restructure and reimagining at the South Australian Museum.

I intend to set out, as briefly as I can, the background and circumstances addressing this motion, and look forward to the contributions of other members on the matter.

The South Australian Museum is a beloved and cherished institution in South Australia. It plays a tremendously important role in examining our natural history, both from the South Australian point of view and also from a broader global perspective. The scientific researchers at the Museum cover a wide range of disciplines. It is proposed that 27 people will have their roles cut as a result of the restructure proposition that has had a significant amount of public debate in recent months. Those 27 roles have collectively more than 470 years of experience in such roles. This is not a body of experience and expertise that can be replaced easily, nor is it one that can be fixed later should they be let go now.

I acknowledge that, as a result of some of these circumstances—which I will go through in a moment—the government has instigated a review of the matter, being conducted by the Chief Executive of the Department of the Premier and Cabinet, with support from the South Australian Chief Scientist, and the Director of Museums in Queensland.

Noting that the Museum is a statutory authority reporting to the DPC effectively, we consider this to be, in effect, an internal review. I make no criticism of the expertise of particularly the two scientists who are contributing to that. I look forward to that. I think it is a good thing that the Premier has noticed that there is an issue here and has sought advice.

But the opposition does not believe that that review is in itself sufficient, which is why we are moving this motion. It is why we are calling for the government to take further steps and, in the meantime, why opposition members, along with the Greens, I note, on the Statutory Authorities Review Committee, have instigated, of their own motion, a further review, a parliamentary inquiry independent of DPC, with an opportunity for transparency and, I guess, the confidence of those stakeholders who have significant concerns about the Museum's plans.

Let's take a step back. Why are we here? The South Australian Museum, despite enormous work over more than a century, in terms of its scientific research, its public programs, its exhibitions and displays that are available free of charge to the public to participate in, which indeed have been cherished by generations of families, is an institution that is largely funded by the South Australian government. It has philanthropic support, notably from some particular donors who have put in millions over the years, and also from businesses. However, it is fair to say that the operations of the Museum are very much a function of the budget they receive from the South Australian government.

Successive governments have, at times, applied efficiency dividends—or, as some people would put it, cuts to the budget. The most recent of these, in the 2022 state budget of the Malinauskas Labor government upon coming into office, were in the order of hundreds of thousands of dollars. This was a hit to the operating budget of the Museum at a time when the Museum, and the rest of society, confronted significant increases in costs, an escalation in the cost of living and the cost of doing business in South Australia that is being felt around every kitchen table, around every boardroom, around every accountant's office.

Indeed, that has been felt around every single institution in this state over the last two years to a point, as I understand it, that at one stage in 2022-23 it looked as if the Museum board was facing a deficit of more than a billion dollars in its operations. I understand that reduced to less than three-quarters of a million dollars as a result of efficiencies applied or, potentially, expenses deferred, and some support from Treasury that got over the line that year.

That is notwithstanding that there were efficiencies—which I am sure the minister will take us through—in the 2018 and 2019 budgets. I have heard this from the government before: the suggestion was made by the Premier on ABC radio as if those efficiencies were the only efficiencies that had ever confronted the Museum. The truth is that those efficiencies came on top of, and I think were radically exacerbated by, in the figures quoted by the government, previous efficiencies from 2017 and before that were still baked into those figures.

No-one has come to this debate about the Museum with clean hands as it comes to the budget, but we are focused on the future. I also make the point that when it comes to investment in the Museum, both operating and capital should be taken into account. The former Marshall Liberal government, notwithstanding the efficiencies in 2018 and 2019, invested more than $80 million in a capital project that would both reduce the operating expenses of the Museum through storage expenses and also—very significantly and most importantly—be a fit-for-purpose environment in which to store the priceless collections of the Museum.

This includes Aboriginal and First Nations heritage items that are utterly priceless, significant collections that are currently, and that have shamefully been stored for decades, in rented facilities that are not appropriate, not fit for purpose. That cultural collection storage facility, which hopefully would also benefit the State History Collection and the Art Gallery, was due to be completed soon, but it has been delayed and there has been a challenge to the reduction in scope. I believe there has been some funding provided by the government to cope with some cost escalations, but I still have questions about whether that is going to be enough to fulfil the scope. The point is that the investment of more than $80 million tenfold outweighs any efficiencies applied during that former time.

Where are we now? We have 27 research positions that are to be restructured out of existence. I do not believe the Museum's instigation of this was on a whim; I think it was a direct response to their budget situation. That is why this motion, that the opposition has called for, calls first for a reinstatement of the budget cuts from 2022 to give the Museum board the courage and financial confidence it needs to be able to proceed without these widescale cuts to staffing.

As I understand it, the proposed restructure would reduce the staffing allocation by a half a million dollars. The minister can correct me if I am wrong, but the 27 positions to be removed are to be replaced with 23 curatorial positions, and I understand the difference in expenses is in the order of half a million dollars. That is a bit more than was cut from the budget in 2022, but the 2022 budget cuts are a good start.

We believe that the reviews—whether it is the Premier's review or the parliamentary inquiry or both—will be very useful in ensuring that we can have an understanding of the budget investment that is going to be required going forward, which may be above that cut in the 2022 budget. That is useful and important work, and the Liberal Party commits to providing such an investment at least to the level of the cut budget in 2022, and potentially more.

The reason I am so confident of the connection between the budget cuts and the review of research and collections is that I have gone to the trouble of reading the board minutes. I thank those dutiful officers within the South Australian Museum who so expertly and assiduously responded to our FOI inquiries. I am grateful for their professionalism in undertaking this, I am sure, tedious work, but it is important work.

The minutes note that in February 2023 the chair of the board acknowledged that the board had agreed to pause the review of research strategy and restructure at the December board meeting; however, I am advised the board were now considering the best timing to start the process. They agreed the new director should be involved in the decision and agreed to proceed once the preference was known.

In March, the chair noted the process had begun, with Chris Daniels chairing that review. In April, Chris Daniels reported to the board on what work was being undertaken and stressed the importance of a 360º process which invites Museum staff from other departments to contribute. In May, Chris Daniels provided the board with an update, and in July there was a full day of interviews held with researchers.

The minutes note that the review had been insightful and that members now had substantial relevant information. The committee expressed their thanks to all research and collections staff who participated. This is a review that largely took place over the first six months of last year. At around the end of this time, the new director was appointed.

In September, the new director reported to the board the key points of his review—what by this stage had become his review, as was clarified later in Budget and Finance—and his recommendations for the proposed organisational restructure. He said, according to the minutes,

that it was noted that the planned restructure not only delivered clear strategic benefits but also delivered financial savings that address the current budget deficit. It was said in the minutes that it was agreed the paper would form the basis of a briefing document for meetings with the minister, DPC and DTF to gain approval for the proposed restructure.

It said in the minutes this briefing would also outline the support required by the Museum, including a dedicated and experienced change management resource from DPC to run the project, funding to cover the direct costs of the restructure and interim funding to cover the operating deficits of the Museum until such time as the new structure is in operation. These three points we have asked repeatedly about, because it has been suggested by the Premier that all of this work was done by the Museum board in isolation from government, as if the Museum was not a statutory authority reporting to a minister, with the director of the Museum responsible as a public servant to the Deputy Chief Executive of DPC herself.

The Museum, according to the Premier's logic, is almost an absentee institution from government. This is not the case, of course. The Museum, like TAFE SA, SA Water and so many other statutory authorities, is indeed a part of government, with a different management process—and indeed a board that has an important role to play—but which does not do so in isolation of government. The September board minutes make very clear that connection, that requirement and that engagement with DPC and DTF.

Further, we understand that the minister was provided a briefing endorsed before Christmas and that the Department of the Premier and Cabinet were intimately involved. The Director of the Museum confirmed at the Budget and Finance Committee that DPC did provide support for that change management resource. The idea that the Premier's own department was providing functional support to the Museum for its restructure and review and yet the Premier says that it was absent from the government is a nonsense. That is why he now has an obligation to actually put this to an end once and for all.

Throughout October, November and December, the Museum is understood to have continued this work with government, with DTF, with DPC and the minister. On 26 February, the Museum announced its restructure, which provoked a lot of the public response and commentary. Indeed, we also have plans that have been provided to the public and members of the opposition as well showing what the strategic plan would do for the Museum's physical footprint.

It is my understanding that all of this would have been encapsulated in briefings and discussions provided to the minister, DTF and DPC. It is certainly what I had read from the board minutes, but I would make the further point that if those plans were not part of briefings to the minister and DTF and DPC prior to their public release last week then I would be utterly stunned. The Premier has said repeatedly that there have been no plans to restructure the Museum's physical environment, to reimagine the Museum's physical environment in a way that would, as has been suggested, remove anything non-South Australian, which would include, presumably, the international mammals gallery, the Egyptian room, the polar collections, the range of minerals that do not bear particular geographic connection to South Australia—some do, of course, but not all.

The Premier in saying that there are no plans was really caught wanting in the last week when those plans were released. I think the Premier's only response from here is to do three things: firstly, to restore the budget that has been taken from the Museum in 2022. I am very much open to suggestions of an increase on that, as I have outlined earlier. The Museum probably would do well to have more than the money that was just the extra cut in 2022.

Secondly, the restructure that puts those scientific researchers' jobs at risk needs to not just be paused pending a review but absolutely ruled out going forward so that those 27 people can go into winter confident their jobs will still exist. And thirdly, the reimagining needs to be cancelled because the opposition would welcome and would support significant improvements to the galleries and exhibition spaces at the Museum, but the proposals that have been put forward and now publicly released we do not believe are in keeping with the traditions and the best opportunities for the future of the Museum. Let's take them off the shelf altogether.

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts) (12:40): I rise to speak on the member's

motion and indicate that we will not be supporting this motion. I have to say, it is an interesting motion. From my perspective, it is appreciated that the member now admits that those opposite do not come with clean hands to this debate, but what we have seen is certainly a scare campaign that has been promulgated from those opposite catching on to the fear of the Museum's community, which really is not founded on facts. I want to be clear on that.

The house would be well aware of the Malinauskas government's position on the Museum now. The Premier and I, as indicated by the member for Morialta, have paused the restructure. We have been in discussions with a number of people who have expressed concerns over the changes and certainly the Museum leadership as well.

I do want to indicate, however, that neither the Premier nor I are indicating that I was not briefed on this. I was. In fact, the briefing that I received in January on the reimagining I thought was sufficiently important that I requested that the member for Morialta also be briefed, which he was in February. There is some level of feigned outrage at the moment on those briefings, which I just draw to the attention of this place.

What we have done is put that restructure on hold, which is one of the reasons we will not be supporting a motion that talks about the proposed restructure and proposed reimagining until the experts who form part of the Premier's review panel have done their work. As the member for Morialta indicated, that panel comprises the Chief Executive of DPC and also our Chief Scientist, Professor Craig Simmons, and Dr Jim Thompson, who is the Chief Executive of the Queensland Museum.

We are seeking advice on a range of matters through this panel, including around research functions; curatorial capabilities; repatriation and engagement with First Nations communities; collections management; public engagement; contemporary approaches to displays and exhibitions and public access to the collection, including through digitisation; contemporary approaches as to how the Museum can provide opportunities for educating and knowledge sharing aligned with our curriculum and our early learning frameworks in particular; and delivering public value to the people of South Australia, ensuring that the Museum does utilise its resources to deliver the best possible outcomes that it can for its audiences.

It is a significant review covering a significant amount of issues that will then guide us, as a government, as to what future options there are for the Museum. I can confirm once again that there have been no decisions to get rid of anything. The proposed reimagining was simply to go to public consultation. There were no decisions to remove Egyptian rooms or mammals galleries or anything else. As the member for Morialta would have it, the Premier and I should have stopped any consultation.

I think that is really the guts of it. With no decisions being made, the alternative proposition is for me to sit in a meeting with Dr Gaimster and the chair of the board and say, 'No, please don't talk to anyone about anything, ever,' which really is not the point of it. In relation to the member opposite expressing concerns about what some of those strategic visions were around education and the shadow minister for education thinking it would be somehow extraordinary that the Museum would want an education hub and would want to progress and strengthen education ties, I think it is quite remarkable that we should not even have the conversation about whether that is appropriate or not.

The member does, of course, touch on the funding issues. I can fully acknowledge there was $300,000 of efficiency savings in this financial year from our very first budget, a budget for which we were required to undertake significant budget repair off the four years of the Marshall Liberal government. But that pales in comparison to what is in this current financial year, $1.2 million less as a result of the first two budgets of the Marshall Liberal government.

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

The ACTING SPEAKER (Mr Brown): Order!

The Hon. A. MICHAELS: Of the first two Marshall Liberal government budgets, $1.2 million less is now received for the Museum in this current financial year. I also want to indicate that at the last election there was very little offered by those opposite for arts and culture in South Australia. What we do have now is, within two years, an additional $72 million in funding for arts and culture

through election commitments, including $8 million to support our small to medium arts organisations and our artists through fellowships, commissions and other programs. Of course, there is $8 million to the Adelaide Fringe; annualising the Adelaide Film Festival with an extra $2 million; plus an extra $2 million to the Adelaide Film Festival Investment Fund for producing local works.

There is our See it LIVE campaign; $35 million for the Adelaide Festival Centre; $2.3 million out of major events for our Adelaide Festival; and $5.2 million to SAFC to support an ABC partnership, encouraging more television production here in South Australia. That additional $72 million in the last two years indicates how high a priority arts and culture is to the Malinauskas government, and the Museum in no way would ever be put at risk for its world-class collections. The government is incredibly proud of its collections at the Museum and it is a beloved cultural institution in our state.

Our Museum holds the largest and most comprehensive collection of Aboriginal cultural material in the world. We need to share that with South Australians, we need to share that with the world, we need to ensure our diverse natural and cultural history as told through our Museum. No moves will be made to put these collections and those stories at risk. For these reasons, we will not be supporting this motion from the member for Morialta.

Ms HOOD (Adelaide) (12:47): I, too, rise to say that this motion is completely unnecessary. Just last month, I had a fantastic day. I asked my little boy—he was turning five, it was his fifth birthday—what he would like to do. No surprises, he said he wanted to spend the day at the Museum. It is a favourite of my children, as I know it is for so many children in my community and across South Australia. It was a beautiful day and we did what we always do. We go and watch the old lion and wait for its tail to twitch, as I am sure many parents have done numerous times. We then, of course, go and visit the big squid, we go up and stick our fingers on that big block of ice on one of the other floors, and go and look at all the mineral collections. My kids absolutely love the Museum, and so does our government.

I am very pleased to see the arts minister and the Premier undertake the Premier's review. The findings and recommendations of this review will be handed to the Premier and the arts minister by the middle of the year. Once again, we have a sense of deja vu. It seems that no institution on North Terrace is immune to the opposition in an attempt at relevancy—to grab onto any issue, grab an A-frame, grab a petition and stand out the front of some of our beloved institutions.

We saw it, of course, with the Adelaide Botanic Gardens, spreading significant lies and misinformation and causing a lot of distress to staff, particularly staff at the Adelaide Botanic Gardens. Once again, we are seeing the same MO here with our beloved Museum, standing out the front with an A-frame and a clipboard, taking people's information, spreading misinformation and concern in our community.

The fact is that as the arts minister was saying this is an opposition that, when last in government, cut more than a million dollars in their first two Marshall Liberal budgets. They have no concern for the Museum. They are simply playing politics with this issue.

The fact is that our Museum is part of a series of institutions that we love and that we cherish and a significant investment in arts and culture in our state—as the arts minister was saying, $72.5 million in additional investment. We have $8 million for the Adelaide Fringe; $2 million to make the Adelaide Film Festival an annual event; $10 million to support the live music industry through our See It LIVE campaign. I mention that a lot of those grants that were recently handed out by the arts minister were in the CBD recognising the significant cultural value that those live music venues provide for the Adelaide community.

We have $35 million to upgrade the Adelaide Festival Centre; $2.3 million for the Adelaide Festival; $5.2 million in partnership with the ABC to support more television productions in South Australia—and that one is particularly important given the ABC building is in my electorate in the suburb of Collinswood.

The opposition clearly have no issues in spreading misinformation when it continues to suit their false narrative. We are seeing this time and time again. I am not sure which North Terrace institution is next on their hit list but I certainly will not be supporting this motion today.

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (12:51): I thank members for contributing to the debate. I know that many more would like to have spoken, the member for Bragg and the member for Unley in particular, but time is against us today. I note their particular concern along with all members of the opposition. The minister and the member for Adelaide have suggested the opposition has feigned outrage or spread misinformation, which is the accusation used by both of them at different times and the Premier before.

This is from the same party, of course, that said there were no plans to get rid of any of the galleries. The plans clearly, having been released, show that those galleries having been described were not part of the reimagining of the Museum. I thank the minister for offering me a briefing in February. At that briefing I made it very clear that I had no intention of revealing any confidential information provided at a briefing unless the same information was provided to me by other sources, and I have held true to that commitment. Other sources have provided me with information that has been consistent with the information I received at that briefing, and subsequent to that I have been happy to talk about it.

I think it is useful for government and opposition to be able to engage with the level of trust that information provided at government briefings, if it needs to be confidential or if it is sought to be confidential, as certainly was the impression I got from the Museum board saying that they were not proposing to release that detail until April. I wanted to honour that commitment.

The $72 million claimed as new investments for the arts by the minister, I point out is not a net figure; that is the figure that was committed to new projects. You can net off tens of millions of dollars in efficiencies such as from the Museum and most of the cultural institutions on North Terrace and the Festival Centre—I suppose that is on North Terrace, too—and a range of other cuts from that 2022 budget.

The member for Adelaide highlighted the $10 million live music commitment by the government, $5 million of which is never ever going to be spent because it has been locked up in a COVID shutdown fund, effectively an insurance fund for venues, which will only ever be spent if there are further COVID-related lockdowns that prevent events from going forward. So I think it is beyond time that the government can claim credit for a $10 million fund, unless they are suggesting that the $5 million from the lockdown fund is going to be applied to other things.

What I am expressing is that when the government talks about misinformation being provided, they should be very careful in how they do so lest they be accused of the same. They said there were no plans and then plans were released. They have said they spent all this money on arts and live music, and yet much of it has been netted off against efficiencies or cuts and, indeed, half of the live music fund appears never to be likely to be spent.

Finally, the minister talked about the budget repair in defending the cuts to the Museum—the budget repair, she said, after four years of the Marshall Liberal government. It is remarkable that I have to do this, that I have to remind the house that, from 2020 until 2022, the entire world was consumed by an extraordinary once-in-a-century pandemic that required greater than usual expenditure in order to ensure that people were kept alive, that people were able to retain jobs.

I am sometimes confronted by this question of, 'Why didn't the Marshall Liberal government do this?' or 'Why didn't the Marshall Liberal government do that?' I just have to remind people that, between February 2020 and February 2022, there were not that many people in the world who were moving around too much or doing many interesting things. I ask the question: given that you were likely to be in one place in the world for that period of time, where in the world would you rather have been than in South Australia, benefitting from the world's best health outcomes and some of the world's most flexible and free lack of limitation or movement? This is a state where we lost seven days of schooling due to lockdowns, which was completely unmatched by any other jurisdiction in this country, let alone elsewhere in the world.

The support provided to the arts during that time, including the more than $80 million invested in the generationally significant cultural collection storage facility, which this government is yet to deliver on, is quite frankly worthy of more than a description of 'budget repair needed', as the arts minister puts forward. I commend the motion to the house.

The house divided on the motion:

Ayes 11
Noes.....24
Majority 13

AYES

Basham, D.K.B.	Batty, J.A.	Cowdrey, M.J.
Gardner, J.A.W. (teller)	McBride, P.N.	Patterson, S.J.R.
Pisoni, D.G.	Pratt, P.K.	Tarzia, V.A.
Teague, J.B.	Whetstone, T.J.	

NOES

Andrews, S.E.	Bettison, Z.L.	Boyer, B.I.
Brown, M.E.	Champion, N.D.	Clancy, N.P.
Close, S.E.	Cook, N.F.	Fulbrook, J.P.
Hildyard, K.A.	Hood, L.P.	Hughes, E.J.
Hutchesson, C.L.	Michaels, A. (teller)	Mullighan, S.C.
Odenwalder, L.K.	O'Hanlon, C.C.	Pearce, R.K.
Piccolo, A.	Picton, C.J.	Savvas, O.M.
Szakacs, J.K.	Thompson, E.L.	Wortley, D.J.

PAIRS

Hurn, A.M.	Stinson, J.M.	Speirs, D.J.
Malinauskas, P.B.	Telfer, S.J.	Koutsantonis, A.

Motion thus negatived.

Sitting suspended from 13:01 to 14:00.

Parliamentary Procedure

PAPERS

The following paper was laid on the table:

By the Minister for Education, Training and Skills (Hon. B.I. Boyer)—

Regulations made under the following Acts—
Education and Care Services National Law—Further Amendment Regulation 2024

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr ODENWALDER (Elizabeth) (14:05): I bring up the 45th report of the committee, entitled Subordinate Legislation.

Report received.

Parliamentary Procedure

VISITORS

The SPEAKER: Before we go to questions, I would like to acknowledge some visitors we have in the gallery. We have another group of students from Unley High School with us today, the year 9 Law and Personal Finance students who are guests of the member for Unley. We have students from Marden Senior College, guests of the member for Dunstan, and we have Christian Brothers College students, who are guests of the member for Adelaide.

Welcome to each and every one of you, and we hope you enjoy this afternoon's proceedings. I am asking all the members to be quiet and calm, as they have been for the past few weeks, and let's see how they behave. They will know you are keeping an eye on them, which means more than me keeping an eye on them.

Question Time

WHYALLA STEELWORKS

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:06): My question is to the Deputy Premier. What impact will the delay to the GFG Alliance electric arc furnace at Whyalla Steelworks have on the state government's hydrogen plans? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: The media has reported today that the GFG Alliance is finalising the design of the electric arc furnace which, 'is set to be operational in 2027'. This is almost two years later than the original operational date that was announced of 2025.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:07): I thank the leader for his question, and am happy to take it in lieu of the Minister for Energy and Mining being here today. The short answer to the question is that it does not directly impact the delivery of the government's Hydrogen Jobs Plan. The Hydrogen Jobs Plan being delivered by the government is not contingent on an electric arc furnace being delivered at a point in time at the GFG steelmaking facility.

There is certainly an opportunity for offtake agreements to be reached with the government's hydrogen production facility should industrial users want to use that hydrogen as a source of gas for decarbonising their operations. That certainly remains an opportunity, and we regard that as an exciting opportunity, but that particular electric arc furnace project does not directly impact whether we will deliver the Hydrogen Jobs Plan or when we will deliver the Hydrogen Jobs Plan.

INFRASTRUCTURE REVIEW

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:08): My question is again to the Deputy Premier. Did the state government make any representations to the federal government following the release of the 90-day infrastructure review; if so, what was the nature of those representations? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: In November last year the federal government responded to the 90-day review by cutting funding to multiple South Australian infrastructure projects. Last night's federal budget did not restore funding to some projects, including the Truro freight route and the planned Hahndorf bypass.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:08): We absolutely made representations to the federal government, and I am pleased to report to the house that those representations were successful. What we saw in last night's budget was the restoration of $120 million of federal funding for key intersection upgrades in the Adelaide Hills, in particular at Mount Barker and Verdun. That is as a direct result of the very clear and well-articulated campaign that was made locally by the local member for Kavel, now Minister for Police, Emergency Services and Corrections, and the representations that were made directly to the federal government by the Minister for Infrastructure and Transport, the member for West Torrens.

Yes, we made representations, and we are pleased that those representations have been successful. I understand there is disquiet in some parts of the community, particularly those parts of the community that were promised the GlobeLink freight bypass, which was scrapped within eight months of the 2018 election. Of course, as a tepid impression of the GlobeLink promise an agreement was entered into for the Truro bypass.

As the minister has said in this place, of course it is regrettable when funding is removed for a project, but I think we can all agree that the traffic benefits, the safety of motorists and the improvements to the local community around Mount Barker and Verdun were very worthy of the state government making representations to the federal government. I think there are two people in particular who deserve the credit for those representations being made, and being made successfully, and that is the member for West Torrens, the Minister for Infrastructure and Transport, and the member for Kavel. It is really terrific that those representations have been proven successful.

GREATER ADELAIDE FREIGHT BYPASS

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:11): My question is to the Deputy Premier. Will the government release the Greater Adelaide Freight Bypass planning study? If so, when, and is there a plan to fund it?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:11): I thank the leader for his question. I am pleased to see the new-found alacrity of members opposite to be talking about freight bypasses and improvements, after the scrapping of the GlobeLink promise that they made to the community of South Australia.

The Hon. V.A. Tarzia: We did the work.

The Hon. S.C. MULLIGHAN: The member for Hartley says that they did the work. Well, the only work that they did was binning their promise—binning their promise. Of course, as I have been at pains in the past to emphasise, there are already gazetted freight routes for heavy vehicles, including articulated vehicles, to be able to travel around the Adelaide Hills, but we recognise that for a range of reasons some are not taking advantage of that. One of those reasons is that there would ideally be a series of infrastructure upgrades which would better accommodate those heavy vehicle movements. That is why the work that was referred to in the leader's question is being undertaken by the infrastructure department and is being superintended by the Minister for Infrastructure and Transport. I am sure he looks forward to having more to say about that, including to this place, in the near future.

SOUTH EASTERN FREEWAY

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:12): My question is again to the Deputy Premier. Does the government have a plan to divert heavy vehicles off the South Eastern Freeway, Portrush Road and Cross Road?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:12): I thank the leader for his question, because I think for a lot of South Australians that question would have been front of mind this morning when many of us woke up to the news of a truck collision at the bottom of the South Eastern Freeway descent. While it is important to point out that there are, on average, in the order of 600 heavy vehicle movements which successfully navigate the descent of the South Eastern Freeway towards the Portrush Road/Glen Osmond Road/Cross Road intersection, from time to time we are seeing trucks get into situations where they cause not just themselves great risk of collision and significant harm but the broader community, including motorists around them.

It is not just disappointing and frustrating that we see these situations arising from time to time. I think we need to recognise that for motorists who use the South Eastern Freeway and for residents around that local area it creates genuine and deep-seated anxiety. That is why there is a significant body of work underway at the moment to upgrade the South Eastern Freeway. Those efforts have continued a long body of work which has been underway, I was going to say for the last 10 years but we should say for the last 25 years, including the delivery of the Heysen tunnels and the improvements to the freeway that were made back in the late 1990s, funded by the previous Keating federal government.

It is clear when we see these trucks from time to time having these collisions at the bottom of the freeway that the work is not done. Today, I have re-emphasised in my public comments that the government leaves all options on the table to improve safety at the bottom of the South Eastern Freeway.

The leader asked specifically around the study that his previous question made allusion to, and that was the work that's been done around a freight bypass as well as what I have been referring to in the context of this answer about the improvements being made to the South Eastern Freeway. In that regard, in addition to the $120 million that was delivered in last night's federal budget, I was also really pleased to see a further $100 million—which is being provided by the federal government on the basis that it is fifty-fifty funding and that it will require a further $100 million from the state government—for further improvements to the South Eastern Freeway.

Approximately 18 months ago, the minister met with road users, road-user representatives and industry groups to talk about what could be done to improve safety on the South Eastern Freeway. There was a series of initiatives which came up with short, medium and long-term initiatives and interventions. The works that are currently underway as we speak are many of the short-term initiatives. This extra funding in last month's federal budget will enable a much greater suite of those other initiatives to now be funded and delivered in the near future.

REGIONAL LOCUM DOCTORS

Mr McBRIDE (MacKillop) (14:16): My question is to the Minister for Health. Can the minister explain how the government measures the performance and service of locum doctors in regional hospitals? Mr Speaker, with your leave and that of the house, I will explain.

Leave granted.

Mr McBRIDE: We have heard reports that locum doctors can effectively choose their own hours when working in regional hospitals, with some patients waiting up to six hours to see a doctor. This isn't because they are busy but because they are not on site.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:17): Thank you very much for the question from the member for MacKillop. I note his very strong interest in terms of regional health, particularly following his question yesterday in terms of how we can grow our medical workforce based in regional South Australia. Let me say from the outset that that is what we are determined to do because what we have seen over the past five to 10 years is a growing issue in terms of the locum workforce, not just here but right around the country, that's becoming a real problem.

It's a problem on a number of fronts. One is that it is obviously costing a lot more money to be able to deliver that level of workforce. Secondly, though, it's a problem for patients, their care and their continuity of care in terms of not having a regular or stable medical workforce based in that community. That's why we are so determined to take action in terms of growing the medical workforce based in regional South Australia.

The alternative is that that continuation that we have seen over the past five to 10 years just continues and the workforce becomes more and more locumised, if you can use such a term. Of course, locums will always have a place. We want locums to be able to fill gaps for people on holidays, sick leave or whatever the case is, but what has been seen over the past five to 10 years is locums becoming a permanent fixture to fill those gaps.

I have taken some advice about the issue raised in terms of the hours worked and the hours to see a doctor. In our devolved model for healthcare governance now in South Australia, it is ultimately up to the local healthcare networks in terms of the contracting they have in place with various medical service providers to provide that. They all have arrangements in place that set out the contracts and requirements that the locum workforce need to do when they fill that. The dates, working hours and locations required of locums to meet the needs of the hospital and health of community are specified upon the engagement of the locum doctors.

The performance of providers on the panel is measured through contract KPIs, which includes credentialling, safe working hours and training. Of course, if there are situations in which, as the member says, you have people who aren't meeting those requirements that have been put in place, then I would be very happy to follow that up with the member and the local health network, who can then follow it up with the locum service provider to make sure that we are getting what has been contracted and that those requirements have been met.

Ultimately, rather than just putting in place better locum arrangements, I would rather have doctors based in those communities who can provide those services and that's ultimately what the government is set to deliver.

SCOTT CREEK CONSERVATION PARK

Ms THOMPSON (Davenport) (14:20): My question is to the Deputy Premier. Can the Deputy Premier please inform the house about work being undertaken at the Scott Creek Conservation Park?

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Climate, Environment and Water, Minister for Workforce and Population Strategy) (14:20): Thank you to the member for her question. Scott Creek, as many people would know, is a beautiful part of the Adelaide Hills. It is a biodiversity hotspot. In fact, it is one of the largest contiguous areas of native vegetation in the region. It's home to a number of threatened species, including the endangered southern brown bandicoot, and it has some 130 species of birds, many of which are endangered or are on the way to becoming endangered.

Many people will be aware that, over the last 25 years, there has been a serious decline in bird abundance and an increase in the vulnerability of species throughout the Adelaide Hills; the Adelaide Hills themselves being of Australian significance in being a biodiversity hotspot.

I went there just last week to visit both the Friends and Birds SA, who were doing some banding. One of the features of Scott Creek is that it was devastated by the Cherry Gardens bushfire, a fire that was started by an arsonist, a deliberate choice to set fire to a bit of scrub that turned into an absolute catastrophe, not least for Scott Creek which lost about two thirds of its space.

What that has meant is that the Friends have been spending time, effort and also money from government to work on revegetation and managing weeds as plants have come back. We have had some beautiful weather, but what happens when you have beautiful weather is everything starts growing and if you allow the weeds to get out of control they don't permit our native species to really take hold.

They have done an outstanding job. In fact, when we had morning tea some of the Friends came up and they hadn't managed to find a weed in their hunt for weeds. That's an extraordinarily impressive effort. It would not have happened if we didn't have a Friends group. It reminded me of the importance of the election commitment that we made coming in to give $3 million worth of grants to Friends groups across South Australia, because a dollar spent by a volunteer organisation is repaid many times.

As I said, I was also there with Birds SA. Birds SA do banding in order to determine what's been happening to species over time. As I have made mention before, I grew up with a father who is a bit of a mad birdo and so, therefore, I have been involved in banding expeditions before. On this occasion, when I arrived they had just caught a pair of white-browed scrubwrens, male and female, that had been caught together the previous time they had gone looking a few years ago. So a kind of cute, romantic story of a couple of birds that really like hanging out with each other. Of course, having taken all the details we then released them together.

While that is a sweet story, it should not belie the importance of this kind of scientific work. It may not sound earthshaking, it may not sound like this is the highest priority for what people should put their volunteering hours into, yet we know that we are in the midst of an extinction crisis that will affect our children and their children. We know that if we don't do something about restoring and protecting nature we will all pay for that, both in the health of our natural environment and also in our capacity to have primary production, which is dependent on the ecosystem services provided by biodiversity. It's why these conservation parks are so important. It's why the volunteers, both at Birds SA and in the Friends groups, are so important.

In closing, I would like to pay tribute to the people working in the National Parks and Wildlife Service who work alongside those volunteers and do an extraordinary job with, as I would imagine we would all accept, almost not enough resources to do all the stuff that we ask of them to do. They keep expanding what they are capable of and I want to pay tribute to the work that they do.

INTERNATIONAL STUDENTS

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:24): On indulgence, I used to have a saying, 'Environment minister things,' and one of them was bird banding. Very few people have done that in Scott Creek but both the Deputy Premier and I have. My question is to the Deputy Premier. Do measures in the federal budget relating to international student caps place at risk any financial projections for the new Adelaide University? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: The business case for the new university is predicated on the assumption that it will be able to attract a net increase of 5,000 to 7,000 international students to South Australia. Last night, the federal Treasurer said, and I quote:

> We will limit how many international students can be enrolled at each university based on a formula, including [how many houses] they build.

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Climate, Environment and Water, Minister for Workforce and Population Strategy) (14:25): This is a very important question and, if I may say, a well-articulated question of the extent to which this may pose a risk.

Last night, I spent quite a lot of time talking to the Hon. Andrew Giles and his advisers about this and on how we make sure that what sits behind many of the changes that are being proposed, while we make sure that integrity is at the forefront of the way in which we deal with the international student market—as all of the good providers want us to—that we do not inadvertently cause challenges either for the providers nor, of course, recognising the opportunities for making sure that we have enough housing for international students. They are the challenges that we are wrestling with.

The proposition that is being put forward by the federal government at this stage is that there will be a piece of legislation that goes into their parliament in the next couple of weeks but will sit on the table to allow for consultation that will give powers for the federal government to identify the number—it will agree but identify the number of international students that individual providers, an individual university for example, can have based in part on the amount of housing available to them. I think we are recognising that the challenges that we have in South Australia are real, but they are even more acute in the Eastern States. Also, there is some question of the extent to which that will also balance the markets from which they come and which courses they are undertaking. All of that is reasonable on the face of it but does constitute a matter of, at the very least, interest from the state government.

Last year, international students were our biggest export. More than $3 billion came into the state economy thanks to international students. We don't mess lightly with our exports. What we need to do is make sure that, while we increase integrity measures, we are not sending a signal to the world in general that somehow we are not interested in having international students here—nothing could be further from the truth here in South Australia. We regard them as an essential part of the economy as well as an important contributor to the fabric of our society.

I had some detailed discussions last night with Minister Giles, who recognises that South Australia is not the same as New South Wales and Victoria, but also understands that with our particular view to have a merger that is well underway between two of our institutions, it is important that we not put at risk the financial stability of that merger on the basis of introducing a question mark about the numbers of international students. We have agreed to continue those discussions. I will be working with the three universities, soon to be two obviously, on how we can present a team South Australia view to the federal government about the way in which we can approach this.

I would just say that with one of the factors that has been highlighted most in the federal budget papers and in the speech on the question of accommodation, at the moment we have a 10 per cent vacancy rate in student accommodation in South Australia. That is not the case in the Eastern States, so understanding that we might not be facing quite the challenges that they are facing will help us create the argument, but we also need to make sure that we are providing a

sustainable pathway for our institutions to manage their income and to ensure that we've got the flow of skilled workers that we need for the future.

NET INTERSTATE MIGRATION

Mr COWDREY (Colton) (14:28): My question is to the Deputy Premier. Does the government have a strategy to address net interstate migration? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr COWDREY: The federal budget is forecasting nearly 15,000 people to leave the state in the next four years—a significant deterioration from the improvements achieved under the previous Liberal government, even excluding the COVID years.

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Climate, Environment and Water, Minister for Workforce and Population Strategy) (14:29): Another interesting point that emerged from the budget last night—

Members interjecting:

The SPEAKER: The Deputy Premier will be heard in silence.

The Hon. S.E. CLOSE: What the federal budget papers have done is essentially take the pre-COVID trajectory of a decline in net interstate migration loss and extrapolated that. Leading up to the point of COVID, it was nearly 4,000. That had come off—

Members interjecting:

The Hon. S.C. MULLIGHAN: Point of order: the member for Colton made a serious allegation against the Deputy Premier. He either substantiates it or he withdraws.

The SPEAKER: The member for Colton.

Mr COWDREY: I am happy to withdraw, sir.

The SPEAKER: Thank you, and maybe just keep a lid on it, okay? We have been quiet all week.

Members interjecting:

The SPEAKER: Quiet!

Members interjecting:

The SPEAKER: The member for Hartley, you are not in this role anymore, mate; okay? So just keep your counsel to yourself. Back to the Deputy Premier.

The Hon. S.E. CLOSE: Leading into COVID, there was a bit under 4,000 net migration loss. That then of course stopped with the closing of the borders, it's not surprising. What we are now looking at is a restoration of around 3,000 over a period of time. That said, I don't think that taking the federal Treasury's projections, which are, I think, as I understand it, largely based on those trajectories, to be the full story of what we might expect in South Australia. Population tends to follow job opportunities.

Members interjecting:

The Hon. S.E. CLOSE: Do we just have no civility in this parliament anymore?

The Hon. S.C. MULLIGHAN: I rise on a point of order, sir.

The SPEAKER: Yes, the Treasurer.

The Hon. S.C. MULLIGHAN: It is unparliamentary and against the standing orders to interrupt, let alone in such an offensive way.

Members interjecting:

The Hon. S.C. MULLIGHAN: 131, mate. Look it up.

Members interjecting:

The SPEAKER: I remind the opposition that there are still students in the gallery and they are judging your behaviour. The Deputy Premier.

The Hon. S.E. CLOSE: Population tends to, broadly, follow job opportunities. While there are strong economies elsewhere, we are well aware of the strength of our own South Australian economy in comparison to the others and also of the number of big projects that are coming through, which would be unlikely to have been fully accounted for in the projections that have been undertaken following ABS stats. What we expect is that we will see more people coming through but also more people staying because of the high-paid job opportunities that are presented by those very important projects, not least of which being AUKUS but also including the renewable energy opportunities that are coming and the substantial investments in both education and in health.

However, we don't take this for granted. We want to see that we are making sure that we are building that workforce to meet the needs of our future economy, and to do that I have had the portfolio added to my responsibilities of workforce and population strategy precisely for that reason, in order to not take these matters for granted. These are a matter of state significance that we ought to all be taking an interest in and all paying attention to.

The investments that we have made to date have been useful, but we need to make sure that they are being well targeted in order to continue to keep people here, train them for the kinds of jobs that are available and also be attractive for elsewhere. I would note that those federal Treasury figures do, nonetheless, see us with a continued increase in population for South Australia. In the immediate term, it is quite a significant increase, which, of course, is part of what is causing the challenges for my good friend and colleague, who is now the Minister for Housing, to make sure that we are providing the housing for the population growth. But we will maintain the pressure on our education system and provide the services required for population growth in order to make this an attractive place to be.

HYDROGEN INDUSTRY

Mr PATTERSON (Morphett) (14:34): My question is to the Deputy Premier. What impact will the federal government's investment in a domestic hydrogen industry in Victoria have on South Australia? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: The federal budget allocated $10 million in 2025-26 to establish a national hydrogen technology skills training centre in partnership with the Victorian government to promote hydrogen workforce development to support the skilled workforce needs of the growing domestic hydrogen industry.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:34): I am happy to take this question from the member for Morphett, and I thank him for it because we should all have front of mind the significant additional commitment in last night's federal budget to Australia's sovereign hydrogen industry development. It was not $10 million to Victoria: it was more than $1.3 billion to expand the Hydrogen Headstart opportunity, as well as a significant—

Mr Patterson: It was in the budget papers, quoted direct, so they will be happy with that. They got a big upgrade thanks to you.

The SPEAKER: Member for Morphett, you have had your question; listen to the answer.

Mr Patterson: I don't want him to mislead the house, sir.

The Hon. S.C. MULLIGHAN: If there is ever a concern the member for Morphett has that I should do so, I look forward to the debate. At any point of proceedings, I look forward to that debate. As I was saying, there was not only a significant expansion of the Hydrogen Headstart—

Members interjecting:

The SPEAKER: Member for Chaffey, I remind you those students are still watching.

The Hon. S.C. MULLIGHAN: There was not only a significant expansion of the Hydrogen Headstart program of well over $1 billion but many more billions of dollars of production credits. This is because the federal government is trying to address exactly the same problem that our Hydrogen Jobs Plan is trying to address, and that is that across the remainder of the nation it has proved very challenging to get private investment in hydrogen production facilities. Other parts of the nation do not have the natural advantages that we have here in South Australia. They do not have the same levels of coincident wind—

Members interjecting:

The Hon. S.C. MULLIGHAN: Goodness me; he wonders why he won't get a question. Our Hydrogen Jobs Plan is taking advantage of those natural endowments that we have here in South Australia that have been fostered particularly over the last 20 years, and they are the coincident wind and solar power generation that our Hydrogen Jobs Plan will take advantage of. Having access to production credits makes the production of hydrogen even more financially viable for national producers, up to, I think—I have not got the figure in front of me—$2 per kilogram.

That is why the federal government is rapidly expanding the amount of money that it is making available to this. We are looking forward to sitting down with the federal government and pursuing all of the opportunities we have in securing as much of this funding for our state as possible to ensure that, rather than maybe getting a $10 million hydrogen skills academy or whatever the member for Morphett made reference to, we are getting on with the job of deploying hundreds of millions of dollars of capital to turn this into a reality.

SINGLE EMPLOYER MODEL

Mr ELLIS (Narungga) (14:38): My question is to the Minister for Health. How will the 60 training places under the Single Employer Model be apportioned across the state, and can we have all of them?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:38): Thank you very much for the question from the member for Narungga. The short answer is no—nice try. We will never doubt your advocacy for your particular local electorate.

A key part of this is going to be working with general practice. We need to make sure that we can get those places to where they are going to be the most use. We have some incredible general practices based in regional South Australia who already do a great job in terms of training future GPs, a number of whom have expressed their strong desire and interest to be part of this program. We have other areas, such as where the member for MacKillop was talking about earlier, where GPs and doctors are thin on the ground already.

So, clearly, to undertake this training, working with general practice, we need to use those experienced GPs who can help to do that training, but ultimately getting doctors through that pathway will inevitably help not just those areas that do have GPs but those areas that don't have GPs as well in enabling a future regional rural generalist workforce for the future.

All of our six local health networks based in regional South Australia are working together on this. Obviously, one of those six already has this in place, and then the other five will be distributing the places amongst themselves, a number of whom already have programs in place for the training of interns—first-year and second-year medical students coming through the system—but this will be an extension of that.

We announced it last week at country cabinet, not because that is going to be the predominant place where all these places go—

An honourable member interjecting:

The Hon. C.J. PICTON: We will get a bidding competition—but because that is one of the places that will benefit from this. In the past two years, the Eyre and Far North Local Health Network have brought in interns and junior doctor programs in place in their hospital, which has been a great thing to see. That will enable them to take this next step to put this Single Employer Model workforce

in place. We have to have the training in our hospitals, we have to have the training of our GPs, and this allows the two of them to connect.

There is a lot of work going on. I have to say I think particularly the Yorke and Northern region, which the electorate of Narungga is one part of, does have some considerable practices within it and I think there is a great opportunity for that region to see a number of these GPs coming through the system as we roll out this program.

I am happy as always to continue to work with the member for Narungga to make sure that we are seeing the ultimate benefit for his local electorate, but we will be maximising every opportunity where we have the criteria in terms of that infrastructure in place in terms of the trainers both in the hospital and the GPs to enable these places to go.

PALLIATIVE CARE SERVICES

Ms CLANCY (Elder) (14:41): My question is to the Minister for Health and Wellbeing. Can the minister please update the house on state government initiatives to increase South Australians' access to palliative care services?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:42): I thank the member for Elder for her interest and her passion in terms of palliative care in South Australia. This is a very important issue. I think we all have to properly understand that death is a part of life and how we die and the manner in which our loved ones die is incredibly important. There are some people who receive excellent palliative care here in South Australia and across the country, and there are some people who do not. We need to make sure that we maximise the ability for everybody to have a good palliative care journey, and we are delivering that.

One of the things that I was very excited about last week was down at Adelaide Oval where we had the first step of our Ambulance Wish program. This is a program that SA Health is partnering and kickstarting with a contribution of $250,000. We are working with Palliative Care SA and St John to enable people who are in palliative care to have a wish. We were at Adelaide Oval because Simon, who is in palliative care in the north-eastern suburbs, unfortunately has cancer but had a wish of going to Adelaide Oval for one last pie and beer with his mates. Thanks to this work and this program, that has been able to be delivered. Simon was able to come down there and it was a really touching moment where you could just sense the incredible joy he felt of seeing his name up on the scoreboard at Adelaide Oval. It was an incredibly touching moment, not just for him but for his family members as well.

Of course, that is one example of what we can do in palliative care and that is now a program that is going to be rolling out across South Australia, enabling more and more people to have their wish fulfilled. We have seen this program working internationally and nationally and now it is here in South Australia, which I am incredibly delighted about.

In addition to that, we are doing a lot more. Just before question time today, we had a function a number of members were at, which the Minister for Human Services and I spoke at, bringing together volunteering organisations in South Australia and Palliative Care SA, because next week is both Volunteering Week and Palliative Care Week, and there is a close connection between the two. We are doing work at the moment with our Palliative Care Connect program, which is helping to support volunteers in palliative care who play a key role in the community, and this was highlighting that.

In addition to that, we are rolling out more palliative care nurses across South Australia and this was part of our election commitment for 300 additional nurses across the state. We have now seen those 10 FTE of palliative care nurses delivered to regional South Australia and that is a 45 per cent increase, in terms of the palliative care nurses that we have had dedicated to regional South Australia, which is enabling a lot more families to get the support that they need. I was able to just meet Andrea, who is one of those nurses now based in Murray Bridge and helping families on that palliative care journey, whereas otherwise they would not have got the support that they needed.

Another element of this, that we have delivered as part of our election commitments, is helping community pharmacies to be able to stock the palliative care drugs that people need in the community, that otherwise might have meant that they couldn't be supported in the community and

might have had to go to hospital for that care. It is a small investment which has enabled a lot of families to get the help that they need.

Of course, we are doing broader work with Palliative Care Connect, which is enabling many thousands of calls, 2,500 calls, for people who are seeking assistance and need to be connected to the right services. So thank you to Palliative Care SA. This is really important for all South Australians.

SPACE INDUSTRY

Mr PATTERSON (Morphett) (14:46): My question is to the Minister for Defence and Space Industries. Did the Minister for Defence and Space Industries advocate to his federal counterparts for additional funding for the South Australian space industry in the federal budget? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: The federal budget confirmed the $20 million cut to the federal government's contribution towards the nation-leading Australian Space Park.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:46): I thank the member for Morphett for his question. I acknowledge his keen interest in the space industry here in South Australia, because it is an industry which promises the potential of really significant increases to economic activity here in South Australia, and principally bringing people not just from interstate but from overseas to participate in economic activity.

It was only last week, when I was in the member for Flinders' electorate, we went and had a look at the proposed southern launch facility at Whalers Way, which I know has mixed reception, I think, locally, but that is one example of how the space industry, should it be successfully underway, would deliver significant economic benefit.

I share the view of my predecessor in this role, the Deputy Premier, that it was regrettable, to say the least, that federal funding has been withdrawn from that. I am pleased to say that the Deputy Premier was very keen, if not insistent, to make sure that the state was maintaining its support for the space industry and I think that that is really important. The significant support, which is being deployed now in support of the whole industry here in South Australia, not just a smaller number of companies, I think sets a good standard. Of course, we will continue to champion the cause to the federal government, that this is an industry worthy of investment here in South Australia.

I would also say, more broadly, in the other part of that portfolio, I was absolutely delighted to see the federal government confirm its commitment to South Australia for the massive industrial expansion that will be underway here—well, it is underway here already in South Australia—not just the $2 billion of civil infrastructure and other works that are being delivered at Osborne, and will continue to be delivered over the next 3½ years, in particular, but the recommitment to the defence funding and the increase in the defence budget, so that we can roll out those extraordinary investments in naval shipbuilding here in South Australia.

While the headline is always going to be taken by the construction of nuclear submarines here in South Australia, we do, of course, have a very busy agenda over the next 25 years, in particular, with finishing the offshore patrol vessels, delivering the future frigates, the life-of-type extension for the Collins class submarines, and, of course, the refit of the Hobart class air warfare destroyers. They themselves were only delivered in the course of the last 15 to 20 years here in South Australia, potentially setting us up for the next generation of air warfare destroyers.

I share his concern about that funding being removed from last year's federal budget, and that it wasn't reinstated in this year's federal budget, but in terms of the broader portfolio I don't think anyone can question the federal government's commitment to South Australia with how much money they are deploying for the benefit of the nation and for the benefit of our economy.

DISASTER RECOVERY FUNDING

Mr PEDERICK (Hammond) (14:50): My question is to the Deputy Premier. How much of the $79.8 million disaster recovery funds, announced in last night's federal budget, will go to rehabilitation of the Lower Murray swamps and levee banks?

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, Minister for Workforce and Population Strategy) (14:50): That is a matter still in discussion with Canberra, about the next stage of the levee restoration. We have already seen a significant—

Mr Whetstone: We did not take holidays.

The SPEAKER: The member for Chaffey!

Members interjecting:

The SPEAKER: Members on my right!

Members interjecting:

The SPEAKER: Member for Chaffey, I remind you that interjections are against the standing orders, and so is responding to them. So, those members on my right, again, keep a lid on it. Listen to the Deputy Premier in silence.

The Hon. S.E. CLOSE: Members will be aware that there was a significant amount of money put aside by both the state and federal governments to work on the next stage of levees. That recently went through the Public Works Committee and is being deployed at present to bring the levees up to the previous standard. There will be a longer-term project that will be required, and that is one which we will again be seeking funding from the federal government to support us to do, and so the fact that they have money allocated for disaster recovery is important, but we are still in those negotiations.

CANBERRA MINISTERIAL BUSINESS

Mr COWDREY (Colton) (14:52): My question is to the Deputy Premier. Did the Deputy Premier travel to Canberra yesterday and, if so, was it at taxpayers' expense?

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, Minister for Workforce and Population Strategy) (14:52): I am glad to be asked this question actually. Yesterday I did, indeed—I was thinking about having this as a government question so it's quite useful to have it from the opposition. I did indeed go to Canberra yesterday on South Australian government business. I was invited to a dinner with the Prime Minister and ministers, and I also spent the afternoon having ministerial meetings relevant to my portfolio.

The importance of a relationship with Canberra should never be underestimated. Of course, we all expect governments to make decisions purely on the evidence before them presented by diligent public servants, but the reality is that advocacy is an important part of this. Making sure that our needs and our special circumstances are understood by Canberra, particularly when we are a state with a relatively small population—around 7 per cent of Australia's population—we need to make sure that we are being heard clearly.

I take every opportunity that is afforded to me to be able to be in the same room with federal ministers, with the Prime Minister, with the Treasurer and, of course, with my other ministerial counterparts. As I have already answered in a question to the Leader previously about the very important issue of international student visas and the potential for some capping of some providers in the number of international students they will be able to teach in the future, it was very important for me to be able to spend time with Andrew Giles last night, explaining to him exactly why South Australia is special and different and needs to have due consideration. It was not the first time he had heard it and it is not the last time he will hear it, but it is extraordinarily important.

There has been some question of that dinner costing some people money. It did not cost me any money. I didn't use either private or government money to spend on the dinner itself. I was invited to it, but, frankly, if the Prime Minister is going to invite me to a dinner where he has business leaders, as it turns out, and also his front bench, I am going to turn up. It was not the only thing I was doing in Canberra.

I love Canberra. It is beautiful place, and my brother has lived there on and off for a few years, but it is not a place I would necessarily go for a holiday—without meaning to in any way denigrate Canberra. However, when we make decisions about whether we go to Canberra—or to any other state—during the work week, we do it on the basis of the best interests of the state, and that is what I did.

CANBERRA MINISTERIAL BUSINESS

Mr COWDREY (Colton) (14:54): A supplementary, sir: did the Deputy Premier attend the $5,000 per head political fundraiser for the Labor Party?

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Industry, Innovation and Science, Minister for Climate, Environment and Water, Minister for Workforce and Population Strategy) (14:55): I could just refer to my previous answer, because I referred to the dinner I attended for which I did not pay any money at all to attend. I was invited to a dinner that was hosted by the Prime Minister, the Treasurer and his front bench, and I took the opportunity—as I hope every minister in this government would—where, if you are able to be in the room with those people to put the case for South Australia, you do it.

I will give another example of the building of the relationship that has been occurring over the previous couple of years, and that is with the federal government over the River Murray. I accept that the leader did not have the easiest federal government to deal with, so I do not blame him at all for being less successful, but the fact that I have been able to forge a very strong relationship with Tanya Plibersek, furthered by a discussion last night, has resulted in her understanding of the very acute needs of South Australia to have a sustainable Murray-Darling Basin.

The Hon. D.G. Pisoni interjecting:

The SPEAKER: Member for Unley, it is against standing orders to interject.

The Hon. S.E. CLOSE: We have seen a significant amount of money come through the budget last night, again directed at water, that will be of great assistance to South Australia. I could give chapter and verse, but I suspect the opposition is not particularly interested.

There was also a small amount, relatively, that was of enormous significance to the entity that received it. The AW Landscape Board, the only natural resources management board in Australia that covers not only Aboriginal land but that also has only Aboriginal people on the board—which is a credit to previous ministers and previous governments as well—had not had as much money as they previously did for their next round of funding for projects.

Their projects are things like restoring the yellow-footed rock wallaby, the warru, and dealing with buffel grass, which I have to say is one of the most serious pests we face in this state. If you saw what happened with the fires in Hawaii you would understand the reasons we are concerned about it. As a result of representation I have been making to try to have that previous decision looked at again, another $600,000 has been given to that board.

The fact that we are able to have those conversations and build on that relationship is absolutely what we should be doing for South Australia.

SA WATER INFRASTRUCTURE

Mr McBRIDE (MacKillop) (14:57): My question is to the Minister for Housing. Can the minister inform the house how SA Water is meeting the needs of South Australians? With your leave, sir, and leave of the house, I will explain.

Leave granted.

Mr McBRIDE: In the regional areas of South Australia, and in MacKillop, we are in need of further SA Water expansion and development to meet the housing shortage.

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:58): I thank the member for MacKillop for his question. He has been very passionate about the challenges his electorate faces, and indeed that all regional South Australia faces.

We face a national housing crisis, so this is an issue that is coming up across the country, the interrelationship between housing and infrastructure work to enable that housing. Of course, water and sewers are critical parts of the infrastructure that is needed, and that is one of the reasons the Premier has created the new portfolio of Housing Infrastructure—

Members interjecting:

The Hon. N.D. CHAMPION: It is hard to respond to those opposite, but I will resist the urge. SA Water is a very important institution for the state. They provide services to 1.7 million South Australians with 220 billion litres of water each year, and have the longest water mains of any state utility—27,000 kilometres and 9,000 kilometres of sewer. It is a significant network and it has done a magnificent job for South Australia. If you look at the long history of it, particularly the expansion of it that happened in Playford's time, that was critical to the growth of housing then.

The honourable member has talked to me about Bordertown, and we know that Bordertown's water supply is under pressure. I have just been over to the Eyre Peninsula. I have to say that I was shocked by some of the briefings I received on the ground there from the Landscape Board. This is a critical issue for many in regional South Australia, and it is also a critical issue for the northern suburbs and the broad growth front that we have there and, sadly, also for the southern suburbs.

We as a government have put in place a land supply dashboard, so that everybody in the development community can see both land supply and development-ready land supply. That includes supply of water and sewerage, but I have to say we are at a critical point now, because in the past the appropriate investment decisions were not made to ensure both the growth of the network and, therefore, the growth of suburbs, towns and regional cities.

I know the honourable member will be interested to know that the UDIA sent a letter on 30 April 2020 to the then Essential Services Commission. In it, they said:

> While the UDIA appreciates the role of the Essential Services Commission of SA (ESCOSA) and the need to consider the impacts on consumers pricing, we would caution that there is adequate balance.
>
> Members of the UDIA have expressed concern that the draft determination is weighted too far in favour of price reductions at the expense of future investment.

If you go back and look at 2020, and you look at some of the judgements that needed to be made then about putting investment—that is, pipes and water mains and sewerage pipes—into the ground, not just for metropolitan South Australia but for regional towns and regional cities, people are entitled to look at some of the judgements made at that time and ask if the right decisions were made for the growth of this state.

VETERANS' FAMILIES DAY

Mrs PEARCE (King) (15:01): My question is to the Minister for Veterans Affairs. Can the minister update the house about the state government's commitment to acknowledging the contributions of Australian Defence Force veterans and their families?

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Local Government, Minister for Veterans Affairs) (15:02): I am very happy to inform the house about and bring the house up to date with a very proud and very momentous occasion today. Today we have become the first state to declare Veterans' Families Day. Just before question time, I was very proud to host an afternoon tea for families of veterans, both current defence personnel and former defence personnel. I note that a number of members of this place and the other place were in attendance. The member for King was there. I note the member for Hammond, as the shadow spokesperson, was also there. I also note the member for Dunstan, herself a very proud and very strong advocate for veterans' families. It is great to have you in this place, advocating with your lived experience as well.

We know that veterans' families play a critical role in supporting their loved ones to serve. It is not just former defence personnel that we recognise through this important day. We also recognise the current defence family, the broad family: the mums and dads, the wives, the partners, the husbands, the children and the extended family, who all provide so much support and often give and sacrifice so much in providing that support.

This recognition of defence families is something that has been longstanding in nations that we ally with—Canada, the United Kingdom, the United States of America—and which have for some time been doing this. In the government considering this declaration of Veterans' Families Day, I do want to mention particularly the member for Stuart, the former minister, who led from the front, engaged with the veterans' community, and when bringing this recommendation to cabinet for consideration of government had extraordinary support. I do want to particularly note the member for Stuart for his leadership in this space.

We know that already 6 per cent of all South Australians are veterans. With the extraordinary prosperity that we are growing in our state, particularly with manufacturing and industrialisation, with AUKUS, both pillar 1 and pillar 2, it is absolutely the case that our veterans' community in South Australia will continue to grow. We aspire as a government to attract former defence personnel to work in these critical industries that will continue to build the prosperity of our state. In doing so, we expect and hope that our veterans' community in South Australia will grow, that we can truly get the best that we can as a state in tapping into this extraordinary resource that is veterans.

As I said, we can't expect, we can't hope, we can't plan, to get the best from our veterans' community if we don't take a step back and stand up very proudly and say thank you to their support base, thank you to their mums and dads, thank you to their husbands and wives, thank you to their kids. Whilst thank you is easy for people in this place to say, and it is easy for the community to say, we can never ever underestimate just how profound it is to take a step back and, with all of our collective voices, say thank you. It's strong, it's necessary. I am very proud that today we have done it for the first time.

ENERGY BILL RELIEF

Mr COWDREY (Colton) (15:06): My question is to the Treasurer. When will embedded network small businesses be able to access energy bill relief that was announced nearly one year ago?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (15:06): I thank the shadow treasurer for his question. It's an important one because as a result of the lobbying by then Business SA, now the South Australian Business Chamber, about making sure that energy bill recipients who are in embedded networks—i.e., don't necessarily have a direct individual relationship with an energy retailer—the energy bill relief may not have flowed to them. Very quickly, I made a commitment to this house that we would authorise the retailers to enter into arrangements with the—it's probably not the best word—operators of the embedded networks to make sure that they can be paid.

My understanding is, I guess, similar to what has informed the member for Colton's question, and that is that, while some progress has been made in getting the energy bill relief to people who are on embedded networks, mostly predominantly businesses in embedded networks, that has not been successfully completely rolled out. If I can provide any assurance to the house and to the member, the value of the benefit and the availability of the benefit will be preserved for those members of embedded networks to make sure that they can get benefit from it.

I am happy to take away the question from the member for Colton as to the timing of when people should expect to get it if they haven't been getting it already but, I think, also for the benefit of the house maybe some particulars about what the barriers have been to successfully rolling that out. The member for Colton is right: the commitment was made some time ago now. We authorised the energy retailers at that time to get cracking, making those arrangements with those—again, not the right word—operators of embedded networks to make sure that the benefit was going out to the members of the embedded networks. The extent to which that has not happened means that there are those people not getting the benefit of cost-of-living support, and that's something that we could seek to rectify as quickly as possible.

Grievance Debate

FEDERAL BUDGET

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (15:09): Last night, the federal Labor government handed down its third budget. It was a budget that I think everyone in this house

wanted to see good things for South Australia embedded in it. But the telling thing about this budget was that there was very little for the state of South Australia. It was a disappointing budget for our state. There were aspects of the budget, of course, that we welcome and we are grateful for, particularly around cost-of-living relief in the energy space to small businesses and individual households. I will have more to say about that in a moment. But it was the overall lack of investment in this state, the overall lack of initiatives that were supported and funded within that budget for South Australia. This is a disappointing budget for our state.

The Premier makes much about his special relationship with the Albanese Labor government and likes to stride across the national stage, drawing attention to our state and himself, but what he has not been able to do is draw funds to our state. As I said, this budget is lacking true, meaningful, tangible projects and investment in South Australia. We are a large state. We have a dispersed population with far-flung regional communities. As a consequence, we need far more in terms of our per capita share of roads and infrastructure funding. We have had a big emphasis on regional roads on this side of the house with our Report Your Road SA website asking South Australians to report problems and maintenance issues with regional roads. It would have been great to see far more federal funding allocated to our regional roads yesterday.

We had a small reinstatement of funds for projects around the South Eastern Freeway, but those funds had been cut as part of the federal government's 90-day review a few months ago. Seeing the reinstatement of the funding did not really mean much in the overall scheme of things. Yes, we are grateful to see it back, but it was simply a reinstatement of something that they had already cut. That is not a win for South Australia and it is not a win for South Australian roads. Talking of South Australian roads, the Truro bypass, the Hahndorf bypass, the ability to get freight around metropolitan Adelaide and not see as many trucks come down the South Eastern Freeway—where we saw a terrible accident at the bottom of the freeway just this morning—that is where we needed funding to be allocated, that is the sort of focus we wanted: state-building roads and infrastructure funded through this budget.

The last budget handed down by the Morrison government had substantially more in the way of funding right through the budget into the forward estimates for roads projects, including the north-south corridor, which this budget is completely silent on. We are continually told that the biggest single infrastructure project in South Australia's history will get funding from the federal government. We are told not to worry about it. Those opposite tell us not to worry about that but we have to worry about it when it is not translated into the black and white of the budget papers. There was no funding for the north-south corridor at all.

I think it is important to focus for a moment on the energy rebates, a critical cost-of-living initiative which we have seen funding provided for. We were advocating for this, we welcome this, and it will make a difference to small businesses and households. However, we do wonder how the state government is going to contribute to that bucket of money. Are they going to match what the federal government has done? I do have some concerns about the way that this will be administered. I do not think that the franchise should be every Australian. I do not think it is appropriate that Gina Rinehart gets a $300 rebate on her energy bill, or Twiggy Forrest, for that matter, or people for their holiday homes. I think it should have been broadened. We welcome the $300, but perhaps there should have been a level of means testing there as well.

Last night's federal budget also highlighted in the budget papers worrying brain drain for South Australia, predicting some 15,000 people will leave this state over the coming four years. That is a great concern for the Liberal Party and a great concern for our state's economic sustainability going into the future. The federal budget leaves a lot to be desired. It could have done a lot more for our state and we can only conclude that the advocacy for our state from the Labor government is not where we need it to be.

SA WATER INFRASTRUCTURE

Mr BELL (Mount Gambier) (15:14): I rise today to talk about a major crisis that we are about to face and very few people know about, and that is to do with SA Water and the supply of water and sewerage. I have been contacted this week by five developers in Mount Gambier and all

have the same story. They have been either approved to start the development or lay infrastructure, and all of a sudden all approvals have been withdrawn.

Upon further analysis, many are telling me that they now need to do a network analysis of our region. This is basically going to mean that there is not enough capacity in the sewerage system or the water ability to grow the South-East at all. That means that, over the next 12 months, there will be zero developments in our region. So for a government that is wanting to get more housing into regional South Australia, our developers and our region are at a real crossroads.

I have some very serious questions around this. How can we get to a point where developers have put millions of dollars of their own money into these developments, and either the state government or previous state governments, or SA Water, have not had the foresight to say that we have no capacity in our system for growth and development? We are going to face a terrible situation where developers are millions of dollars out of pocket.

I spoke with one developer yesterday. He has laid all the pipes for the water and the sewerage, and now he has been told that the development application has been withdrawn. So all the workmen—and it is a big site with many machines and people working there—are going to be laid off, they have to go away and he has to wait for this network analysis team to come and do the work. If they find that there is not enough sewerage capacity, that infrastructure will take many months if not years to develop out to Finger Point or to get water from the Blue Lake into our region.

He will face going bankrupt because by the time he gets workers back on site, there will be further delays. Most of these blocks have already been sold; however, he will not receive any funding for that because he cannot connect the water and sewerage. This is an absolute disaster and I cannot believe that we are in this position. Who was asleep at the wheel when this stuff should have been done to make sure that we had enough capacity for growth in our region?

I will just talk about a couple of developers who have contacted me, and I am talking about five developers in the last two weeks. Obviously, the message has got out, and I can tell you now that if this is happening in Mount Gambier it will be happening everywhere else in regional South Australia.

Just this week, my office was contacted by a developer overseeing two significant land developments in Mount Gambier comprising over 400 residential plots, along with essential community amenities, such as child care, health care and retail facilities. The first stage of this development was recently completed, with a cost to the developer of over $1 million just for the sewer mains and onsite pump station, but of course it has nowhere to go now because it cannot be connected to the infrastructure that is already there.

Groundwork had begun on the next stage, which was going to release another 38 allotments, after initial water and sewerage plans were approved in October last year. However, eight months later, they are still to receive the DAFI agreement. I am about to tell this developer that DAFI agreement is not coming because there are much bigger problems, which have been alluded to.

In terms of another local developer who I sat down with and spoke to last week, he had a very similar story, and complete frustration. Their project comprises 100 residential plots that are ready to begin but are currently stalled, awaiting official approval from SA Water. Again, I will be telling him it is very unlikely that that is going to be coming.

The prolonged wait threatens to divert tradespeople to other projects, causing other major delays. A third development, consisting of 24 residential plots in Mount Gambier, will not be proceeding due to the exorbitant time delay in SA Water and their approvals. It is imperative that the government looks at this as a matter of urgency because there are millions of dollars at stake, and I just cannot believe we are in this situation.

NET INTERSTATE MIGRATION

Mr COWDREY (Colton) (15:19): I rise today to speak about something that I think is imperative to the future of South Australia. In fact, it is actually one of the reasons that I got involved in politics and ran for state parliament, and that is our direction in South Australia for our young people and what has colloquially been known as the 'brain drain' from South Australia.

As a young professional in my 20s in the early 2000s when Jay Weatherill was Premier, we saw 4,500 to 5,000 people effectively flowing out of South Australia each and every year—our best, our brightest, leaving South Australia to go and pursue what they believed to be careers elsewhere. In fact, it even peaked in 2015-16 at nearly 8,000 people leaving the state.

One of the things that we are most proud of on this side of the chamber is our record when it came to turning that around, to have invested in a range of industries where people finally saw an opportunity and a chance. I clearly was not going to go into a profession that involved my hands. I had limited choice compared to others in terms of where I was going to go in terms of a professional career, but I worked with so many people who saw leaving South Australia as the only way to progress their careers.

On this side of the house, we did something about it. We decided to invest in new sectors, to develop new sectors, to see the prospect that the cyber industry, the defence industry and AI could have for South Australia. Lot Fourteen, just down the road here on North Terrace, was one of the fundamental reasons that many young people have described as their change in tack, where we shifted the influence of those STEM subjects in the high school years, shifted where some young people were doing their tertiary studies into vocations that involved engineering and otherwise that were around some of those key sectors and growth sectors for the future, not just here in South Australia but more broadly across the world.

What did we see? In 2018-19, in the first year of the Marshall Liberal government, there was a significant decrease in net interstate migration, jumping from what had been the average over the last 10 or so years, reducing that to just over 3,000 who left the state. In the next year, 2019-20, just over 1,200 people left the state. There has been an assertion from the Deputy Premier today that her federal Labor government colleagues have just simply modelled the trajectory that the state was heading in prior to COVID. That is just simply a nonsense. If you look at the numbers, they speak for themselves. If you look at the facts and the history, they speak for themselves.

We did not have a lockdown in South Australia until November of 2020. People were able to make decisions for themselves and go about their daily lives largely unimpacted or unimpeded up until that point. There was a significant shift in the trajectory of net interstate migration and our young people choosing to stay here under the Marshall Liberal government, and that was the result of those direct investments into those sectors. What have we seen since? Unfortunately, there has been focus on a number of things, but certainly those industries have not seen the same enthusiasm by any stretch of the imagination.

Why is net interstate migration so important? Why is population growth in South Australia so important? It is not just the fact that we need to stand on our own two feet, it is not just that we should, at a bare minimum, demand that we want to reach a point where we take no more than we give in terms of our contribution through GST, but it also matters when it comes to representation in federal parliament.

For too long, South Australia has been going backwards, and it is on days like today, having seen the results of the federal budget handed down, that we see the stark reality of why net interstate migration makes sense. We have seen a federal Labor government that has simply turned away from South Australia because of the political implications not being there for this state. Despite our Premier running around pretending that he has kudos in the national arena, the delivery has been minuscule—minuscule for a range of reasons, but you only need to look at the confidence the federal Labor government have themselves that the plug has been pulled again and the brain drain is back on in South Australia under Premier Peter Malinauskas.

PALESTINE

Ms HOOD (Adelaide) (15:24): The 15th of May every year commemorates Nakba Day. The Nakba, which means 'catastrophe' in Arabic, refers to the mass displacement and dispossession of Palestinians during the 1948 Arab-Israeli war. The Nakba was a violent process in which Zionist militias captured more than 78 per cent of historic Palestine, destroyed an estimated 530 villages and cities and saw an estimated 15,000 Palestinians killed, including dozens of massacres. This Nakba Day, we reflect on the ongoing suffering of Palestinians today.

I am of course referring to Israel's ongoing invasion of Gaza, which has killed more than 35,000 people, with the majority of those identified being women and children. It has injured more than 78,000 people and left approximately 10,000 missing and trapped beneath the rubble. Eighty-five per cent of the Palestinian population, more than 1.9 million civilians, are now internally displaced as a result of the invasion of Gaza. That is more than the entire population of South Australia.

I echo the federal government's calls for unrestricted access of aid into Gaza, the return of all Palestinian and Israeli hostages and an immediate humanitarian ceasefire. As our foreign minister has said, Australia has long advocated for a two-state solution to deliver lasting peace and security for Israelis and Palestinians.

I am humbled to have a story that was sent to my office from a local Palestinian resident in our community called Dean. I am advised that Dean is a healthcare worker and has many friends in Gaza who are also healthcare workers. The following story, I understand, was relayed to protesters in January on the steps of our state parliament. This is an account of what was relayed.

Every day, Dean would contact his friend Wissam, an anaesthetist, to ask how the situation in Gaza was. Wissam would tell Dean: 'To say what is happening in Gaza is ridiculous would be an understatement. It is so much worse than the videos and photos on Instagram. We are delivering babies in refugee camps on the ground with no sterile equipment, increasing the risk of infection for the mum and baby. So far, five mothers have died from infection. Cancer patients have no medications, and children are having limbs amputated with no painkillers.'

Dean asked Wissam's 12-year-old daughter, Farah, if he could pass on a message on her behalf during the next rally. Showing her maturity, she wanted to thank everyone for showing up and speaking out and said she would never forgive anyone who stayed silent and did not speak up for basic human rights. Dean delivered this message to protesters. Once the applause for Farah's message dissipated, Dean informed the crowd that just that morning, on Sunday 21 January 2024, Farah and Wissam had been killed by an air strike.

Wissam and Farah are not just numbers: they were people, with lives, hobbies, hopes and dreams. They had loved ones, like Dean, whose hearts are eternally broken. As a former journalist, I also want to pay tribute to all the incredible reporters on the ground in Gaza, who selflessly risk their lives to document what is happening and to raise awareness. Since October, it has been reported that almost 100 journalists have been killed by air strikes, rockets and gunfire. To those journalists who sacrifice their lives and to those who remain on the ground, thank you for preserving the integrity of journalism, facilitating truth-telling and doing what you can to protect humanity.

On Sunday, we celebrated Mother's Day. I am so incredibly grateful to have two beautiful healthy children who shower me with love every day. I cannot imagine the heartbreak of mothers in Palestine who have lost their children or the devastation of the children who have lost their mothers. The mums of Palestine love their children as much as I love Audrey and Ned. Children in Palestine love their mums as much as Audrey and Ned love me.

On Mother's Day, we got up early, and my children and I walked along the banks of the River Torrens; children in Gaza walk amongst rubble. My children spent the day squealing with laughter on the trampoline, while children in Gaza scream in pain on hospital floors and in refugee camps. When I cuddle my babies to sleep, mothers of Gaza cuddle their babies for the last time. Every human deserves to live, to have access to critical aid and to have babies who are allowed to grow up. Every human regardless of their race, ethnicity, gender or religion deserves to be free.

YORKE PENINSULA ROAD NETWORK

Mr ELLIS (Narungga) (15:29): I rise today to bring to the attention of this house some recent developments originating out of the Yorke Peninsula Council and to explain to the constituents who have taken the time to contact me sharing their concerns the current state of play and how things will progress.

This house should be informed that recently the Yorke Peninsula Council has released a document for consultation at this stage, and I would like to stress that from the outset, for a strategy for managing the risk of B-double plus access to the Yorke Peninsula Council's road network. This

document has come about because councils saw fit to engage a consultant to do a bit of an audit for the risk on their roads, and I do have to stress again that it is an extensive road network that the council have under their stewardship. It has 3,890 kilometres worth of road transport network, comprised of 529 kilometres of sealed road, 2,620 kilometres of gravel sheeted unsealed roads, 523 kilometres of formed and graded unsheeted road, and 218 kilometres of unformed roads and tracks.

Essentially, what this consultant has told the council is that there are significant risks, in their view, that come along with the use of those roads, particularly from vehicles that are approaching that A-double range and that sort of thing. In their view, the council would be well advised to take some precautions to try to reduce that risk from those trucks using their extensive road network.

Some of the pieces of advice that have been offered in this report have not gone down particularly well with local carriers, it is fair to say. Some of those pieces of advice are as follows. There is a suggestion—and, again, it is just a suggestion—that trucks over a certain size be banned from driving after daylight hours have come to an end to try to improve safety in that aspect.

Similarly, there is a suggestion that trucks over a certain size be banned from driving in wet weather. In addition to that, there are recommendations that those big trucks have rotating amber hazard lights, which I have to say considering that there is currently a bill before this place that anyone passing by amber hazard lights slow down to 25 km/h would be a reasonably confusing thing when you are approaching a truck on a road if that was to become law. Similarly, one final example involves a speed reduction to 30 km/h in the town and 50 km/h outside of the town. They are just a few of the suggestions.

I have received calls from a great many people about the perceived shortcomings of those suggestions. It does not take a genius to figure out that if one is coming home from a silo or something similar with a road train and they get to a certain time that might be designated after dark and they will then have to drop a trailer off and leave it in the middle of nowhere and keep going home as a B-double. It does not make a great deal of sense for those people doing that transport.

Similarly, how does one define rain? When does it become wet weather driving that is no longer safe for a road train or an A-double and so on and so forth. It is of particular concern as well, I guess, about the reduction of 30 km/h and, in this day and age of trying to be wary of our emissions and whatnot, it was pointed out to me that driving at 30 km/h drastically increases the revs at which the truck operates thereby increasing its emissions and the work that its motor does.

We have this report. I know there has been some excellent work done by a lot of members of the community. I want to take this opportunity to specially mention a group that has been formed and has put together a tremendous document, led by Melissa Kenny and Chelly Litster, who have done a great job putting together a really well articulated document that counterargues some of the suggestions in the public consultation. That group has done a wonderful job and they have disseminated copies of that document to a large number of businesses across my electorate, particularly within the Yorke Peninsula Council region. People who are affected or who could be affected by changes if they were enacted should peruse and sign a one-pager to that effect that they can use to contribute as feedback to this process.

As I have said and made an attempt to stress, this is very much a consultation at this stage. Those submissions will close at 4pm Friday 24 May and we will wait to see what the council does in response to those submissions. One hopes that if democracy works, and the calls that I have been getting are representative of the wider community concerns, that it will be shelved and those really contested recommendations to reduce risk will be parked to one side.

I really, really sympathise with the YP council. As I have said, it is an extensive road network and there is a rather limited ratepayer base for them to collect revenue from to maintain it, but we really need to make sure that we balance the road maintenance risks with the productivity of our primary industries that are the real driver of our local economy, and I think some of these changes threaten to throw that balance out, and I really hope that the democratic process works and that the council abandons some of the more contentious ones.

PALESTINE

The Hon. A. PICCOLO (Light) (15:34): On 14 May 1948, Israel declared independence, leading to war with adjoining Arab nations, and also leading to an escalation of violence perpetuated on the Palestinian people. Nakba Day, as requested by the United Nations General Assembly, is observed on 15 May each year. It commemorates the events of 1948, known as Nakba. These events led to the expulsion of approximately 750,000 Palestinians, those who fled their homes and became refugees. Eleven Arab urban neighbourhoods, and over 500 villages were destroyed or depopulated. Zionist military and militia forces captured 78 per cent of historic Palestine. At this point I would just like to emphasise that not all Jewish people are Zionists, and not all Zionists are Jewish. I think it is an important distinction to make.

Between 1947 and 1949, approximately 15,000 Palestinians were killed in a series of mass atrocities, including dozens of massacres. On 9 April 1948, Zionist forces committed one of the most infamous massacres of the war in the village of Deir Yassin on the outskirts of Jerusalem. More than 110 men, women and children were killed by members of the pre-Israeli state Irgun and Stern Gang Zionist militias. The 5th June 1967 was the first day of a six-day war resulting in another wave of displacement occurring known as the Naksa. An additional 250,000 to 300,000 Palestinians became refugees, some for the second time.

Following the Six-Day War, Israel occupied the West Bank, Gaza and the Sinai Peninsula. The UN Relief and Works Agency for Palestine Refugees in the Near East currently has more than 5.9 million Palestinians registered as refugees. This remains the longest unresolved refugee crisis in modern times. The UN website says the following of the Nakba:

> The Nakba anniversary is a reminder not only of those tragic events of 1948, but of the ongoing injustice suffered by the Palestinians. The Nakba has had a profound impact on the Palestinian people, who lost their homes, their land, and their way of life. It remains a deeply traumatic event in their collective memory and continues to shape their struggle for justice and for their right to return to their homes.

The right to return is a key demand of Palestinians and their leaders. They base their claim on a United Nations General Assembly resolution which was passed in 1948. The resolution states:

> Refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practical date.

That was over 75 years ago. Israel says that it cannot allow five million refugees to return because this would overwhelm the country of 8.5 million and mean the end of the existence of a Jewish state. As terrible as these statistics are, they do not convey the sheer horror, injustice, pain and grief experienced by the Palestinian people for over 75 years.

In the most recent conflict, which continues today, over 35,000 Palestinian people have been killed. While these figures should haunt every political and community leader in the Western world, it is the lack of empathy shown by some, including some in Australia, that is the most disturbing. Such is their moral indifference that their words, for short-term political gain, inflict further pain and hurt on a community already decimated by senseless war. Nakba Day reminds us that the current conflict did not have its origins on 7 October 2023, but rather over 75 years ago. It is when we understand and accept this fact, that the Palestine-Israel conflict can be finally resolved. I pray that we are not witnessing a second Nakba.

Private Members' Statements

PRIVATE MEMBERS' STATEMENTS

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (15:39): The Albanese Labor government's third federal budget last night was a very poor budget for many reasons, but I wish to draw the house's attention to one particular radical change that has flown under the radar: the entrenchment of compulsory student unionism on our university campuses.

Nearly 20 years after the Howard government introduced voluntary student unionism and 13 years after the Gillard government brought in the student services and amenity fee, compulsory student unionism is back. It is an ideological move from an ideological federal Labor government that takes very seriously its primary role as the political wing of the union movement, just as our state Labor government does. Their ideal world would see everyone required to be a union member.

This move will force the average student to pay for student unions across the country whether they engage with them or not, whether they support them or not, whether they object to the way their money is spent or not. If unionism is not compulsory in the workplace, why should it be on campus?

Full-time students are charged $351 a year for the student services and amenities fee with no choice in the matter. The average student has little input into how that money is spent, and amidst a cost-of-living crisis Labor is foisting more debt onto young people by forcing universities to pass on 40 per cent of the revenue raised from that fee to student unions, many of which are quite radical organisations, sometimes with problematic examples of antisemitic sympathies, many of which present radical social agendas, to say the least, and all of which are now celebrating the efforts of their mates in the federal Labor Albanese government.

Mr ELLIS (Narungga) (15:40): I rise because last week we had a flurry of media activity around the potential name change at Snowtown to coincide with the release of a prisoner some 25 years after the crimes occurred. It is not necessarily that I have been misquoted or anything like that—I have been treated fairly by all the journalists I interacted with on that occasion—but I did want to try to slightly redirect the conversation.

It is wonderful to talk about the name change, but that was an exceedingly brief component of the discussion about how we move that wonderful town forward and into the future. The main part of the conversation, the part I would have loved everyone to focus on, was more about the wonderful things that are going on in Snowtown.

Derryn Stringer and the progress association have some tremendous initiatives underway. They have planted a whole heap of new trees around the footy oval to beautify the place; they have brand-new change rooms at Snowtown; there are brand-new clubrooms at Snowtown that have made that precinct a wonderful place to be. They have moved the courts and resurfaced them, obviously, in their new location to make space for a beautiful RV park for people to come off the highway and stay.

There is a tremendous school at Snowtown, led by principal Trish, doing a tremendous job of educating the next generation there, and there are wonderful opportunities for new housing that Derryn is working on with the housing minister, to try to provide affordable housing in that community.

As we move forward, and the flurry of activity about the release of a certain prisoner continues to permeate through the media, I really want the focus to be on the wonderful things that are happening at Snowtown, and how the people there are making an effort to move forward into the future and not focus on the past.

Mr WHETSTONE (Chaffey) (15:42): I rise to make a contribution, particularly with the announcement of the federal budget last night. If I look at trade and investment, it was very disappointing. What we saw was a lot of renouncement, particularly with the South-East Asia trade strategy. It was a $509 million relationship strategy with South-East Asia, but it was announced in March so, again, this was just another renouncement.

I want to touch on one trading issue that has gone missing. We have a state green thumb trade minister—the minister has just been brought in to that portfolio—but we have a very experienced trade minister in the federal arena, and not one word has been said about the lobster industry. We have seen the lobster industry brought to its knees over trade with China, live lobster into China.

There is great representation. Justin Phillips from the southern rock lobster industry and Kyri Toumazos from the northern zone rock lobster industry have gone to extreme lengths to meet with politicians, to have the industry represented, to have that trade reinstated. It is an over $220 million industry, it is premium seafood to the world, yet we have these two Labor political teams that have left these lobster fishermen hanging on a rock. They are going crazy over lack of action with government departments.

Ms CLANCY (Elder) (15:44): Every day, particularly on 15 May, I, along with many others, including the members for Light and Adelaide, mourn for Palestine. We mourn for the lives and lands, hopes and dreams, that were lost during the Nakba, the great catastrophe that followed the partitioning of Palestine on this day in 1948.

On this day 76 years ago, the seizure of Palestinian homes, businesses and agricultural lands had begun. Around 80 per cent of the Palestinians living on occupied areas, some 750,000 people, were driven out or fled in fear. Over the next two years, hundreds of Palestinian towns and villages were forcibly taken over, killing around 15,000 Palestinians, as those who attempted to return to their homes were shot and killed.

In the decades that have followed, Palestinian people have been made second-class citizens in their own country. Human Rights Watch tells us that the Palestinian people are subjected to crimes against humanity of apartheid and persecution. In the past six to seven months, more than 35,000 Palestinian people have been killed. That is the equivalent of two packed-out games at Coopers Stadium plus a thousand or so more, in well less than a year.

Our community is rightfully appalled at the death and destruction which quickly became almost impossible to fully grasp or comprehend, but as we feel powerless watching from afar our strength is in our solidarity. History has shown and continues to show that despite desperate attempts to the contrary the spirit of the Palestinian people has not waned.

Bills

LATE PAYMENT OF GOVERNMENT DEBTS (INTEREST) (REVIEW) AMENDMENT BILL

Introduction and First Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (15:46): Obtained leave and introduced a bill for an act to amend the Late Payment of Government Debts (Interest) Act 2013. Read a first time.

Second Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (15:46): I move:

That this bill be now read a second time.

I introduce the Late Payment of Government Debts (Interest) (Review) Amendment Bill 2024. At the 2022 election, the Malinauskas Labor government committed to making the public dollar work for South Australians, and this bill is the next step in delivering on this commitment. This bill delivers on our promise to support businesses by providing fair and timely payments for those that trade with the South Australian government. Businesses across the state understand the cash flow challenge that occurs when government departments are late paying invoices.

This bill will halve the standard payment time line, requiring government to pay invoices within 15 days, helping to improve cash flow and financial stability for businesses. Additionally, this bill will formally extend the reduced payment terms to not-for-profit entities that do business with the South Australian government, providing not-for-profits with the same level of protection and financial benefits. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

These amendments build on the introduction of automatic interest payments on overdue invoices, by moving the method for calculating interest from the Act to the regulations. This incentivises the prompt payment of invoices and allows for greater flexibility and adaptability across the various government payment systems.

This Bill also amends the timeframe for resolution of interest on late payments from 48 hours to 2 business days. This change will allow for weekends and public holidays, enabling those government departments without automated systems to meet their obligations under this Act.

This Bill continues the Malinauskas Government's commitment to utilising South Australian Government procurement money to support local businesses and jobs, and compliments major changes the Government has already made to give local businesses a competitive edge. The Government has set a target to increase the amount spent with SA businesses by 5 per cent, injecting an extra $425 million into the state's economy.

This government has implemented the following commitments:

- Adopt the following principles for government procurement, Value for money, Creating SA jobs, Increasing the numbers of apprentices and trainees in SA, stimulating innovation and new businesses & achieving environmentally sensitive, low carbon, socially-just outcomes.

- Mandate SA workers deliver a minimum 90 per cent of labour hours on major infrastructure projects; impose penalties on lead contractors for not achieving these targets.
- Require the use of South Australian manufactured products on public housing construction and maintenance programs, where available.
- Require departmental procurement staff to undertake regular training on the industry participation polices of government, and education of local industry participants and providers.
- Require Chief Executives to sign off on procurements where the successful tender is not a South Australian.
- Undertake a broad market assessment to identify SA businesses that can deliver projects, goods or services to government and advise departmental procurement staff of industry capability.
- Establish an independent complaints process for tenderers who feel they have unreasonably missed out on Government work.
- Require that apprentices, trainees, Aboriginal workers, and long-term unemployed deliver 20 per cent of all labour hours on major projects.
- Assist local business to become tender ready, holding regular industry-specific workshops conducted by the Industry Participation Advocate, helping more local businesses win work.
- Only use local project managers, architects, designers, engineers, surveyors, planners, and other professional services providers on government projects.
- Broadly publicise government procurement opportunities three months in advance.
- Publish an annual project pipeline of coming infrastructure projects over $1Orn over the next three years, to enable lead contractors to prepare thoroughly.
- Ensure that public projects above $500m are broken into smaller stages / components to allow multiple South Australian companies the opportunity to participate on projects, unless that nature of the project makes this unfeasible; and
- Tenders for major projects will be released within 30 days of funding being available for the project.

The Government has commenced work to implement additional commitments:

- Ensure the Auditor-General audits spending procurement and annually reports how much is spent on SA and non-SA goods and services.
- Set aside 1% of government funding into a sub-contractor support fund, to enable the state *to* directly pay sub-contractors on government projects where lead contractors are unreasonably delaying payment of invoices or unable to pay invoices.

These are just some of the steps the Malinauskas Labor Government is taking to support local businesses and jobs, helping to build a strong economy for South Australia and build on the strong results that have already been delivered. More than $12.2 billion worth of economic benefit was delivered through State Government contracts to South Australian companies and workers in 2022-23, a 59 per cent increase on the previous year. The changes in this Bill are another important step this Government is taking to support local businesses and workers.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Late Payment of Government Debts (Interest) Act 2013*

3—Amendment of section 3—Preliminary

This clause amends a number of definitions in the Act.

Currently, the definition of *designated contract* excludes contracts that make specific provision for payment terms that are greater than 30 days. It is proposed to amend the definition so that the relevant number of days is prescribed in the regulations rather than specified in the Act. A related amendment is to be made to the definition of *designated payment period*.

This clause also substitutes a new definition of *qualifying body*. Under the new definition the term includes not-for-profit entities. A not-for-profit entity is—

- an entity that is registered, or entitled to be registered, under the *Australian Charities and Not-for-profits Commission Act 2012* (a Commonwealth Act); or
- any other entity (other than a government entity) that is not carried on for the purposes of profit or gain or for the benefit of particular people.

4—Amendment of section 5—Occurrence of default event

Section 5 of the Act sets out the circumstances in which a default event occurs. Currently, those circumstances include payment made by or on behalf of a public authority to a supplier that is made more than 30 days after the day on which the invoice or claim is received by the public authority. As amended by this clause, the relevant number of days for the purposes of the section will be prescribed in the regulations instead of being specified in the Act.

5—Amendment of section 6—Interest payable if default occurs

This clause amends section 6 so that the minimum amount of interest is determined in accordance with the regulations rather than by reference to a formula set out in the Act. It will be a requirement of the Act that the regulations provide for a minimum amount of interest that is not less than the amount payable under the Act prior to the commencement of the amendment.

A supplier is not entitled to interest if the minimum amount of interest calculated under the section is $10 or, if another amount is prescribed, that amount.

Schedule 1—Transitional provision

1—Transitional provisions

The transitional provision makes it clear that the Act as amended applies to invoices or claims rendered after the commencement of the amendments.

Debate adjourned on motion of Mr Cowdrey.

SUPPLY BILL 2024

Second Reading

Adjourned debate on second reading.

(Continued from 14 May 2024.)

Mr BELL (Mount Gambier) (15:48): I rise to make a few comments around the Supply Bill. I really want to talk about the exciting prospect of the next two years, as long as we can get SA Water and the sewerage sorted out, because it is going to put a major dampener on what I was going to talk about. Over the next two years, Mount Gambier and the region is going to see significant development and significant investment, which will be tailored to come to a conclusion, I suppose, at the start of 2026.

The first project is the technical college, which will be based at the TAFE site. I want to commend Peter Gandolfi, who is heading up that project. He has worked tirelessly to ensure that all stakeholders are coming together, having input, to develop and deliver a precinct which I think everybody will be proud of. I do not want to understate it, but I think it is the most significant investment and project for our region, particularly training and development going forward.

In fact, with Peter onboard, there is another exciting opportunity for $20 million federal funding that will dovetail beautifully into the TAFE precinct, where we have the University of South Australia, TAFE and now the education department. This is around allied health and having a doctor's surgery and orthopaedic training on that site.

In terms of development, that $35 million investment is very significant for our community, particularly our youth. On top of that, we have a $5 million upgrade to existing TAFE facilities, and then on top of that we have a $15 million Forestry Centre of Excellence being built on the same site. It is quite a significant project to be developed and delivered in the next 18 months. On top of that, there is the $24 million Mount Gambier hospital upgrade, with a new emergency department, mental health beds and drug and alcohol detox rehab beds. Obviously, they are greatly needed.

In the next three months, I believe our new 12 paramedics will be on site. I have met with ambulance officers in our community, and I really want to thank Rachel for her insights and helping me understand the impact that this will have in a positive way for our community. On top of that, there is nearly $1 million for the expansion and upgrade of the ambulance station to house those people. Public housing is obviously a big issue. We will see the completion of a number of key worker houses, which are under construction at the moment, as well as the maintenance blitz on our public housing stock, which had been left in neglect for at least a decade, if not longer.

The other big project, which is a real combination of three levels of government and industry, is our mobile phone coverage on the Limestone Coast. This $28 million project will see the build of 27 new mobile phone base stations. The state government's contribution is $5.5 million. Telstra is putting in $7 million, industry is putting in $1 million, and the federal government is putting in $15 million. It is a real credit to all levels of government that have put funding towards that very important scheme. The Mount Gambier and District Saleyards project will receive $2.7 million. What I really wanted to focus on is that it is an exciting time in the South-East over the next 18 months. There will be a hive of activity delivering on those budget commitments.

Leading up to the next election, I will be putting out the Future Mount Gambier 2.0 document, where we really want to take our region into the future. There will be a number of things involved in that, so I am really forewarning the government that these things will be on my radar. There will be an increased accommodation allowance for the Patient Assistance Transport Scheme—that has not increased in the last 10 years, yet accommodation costs certainly have—as well as a better process for large institutions that handle a lot of patient assistance transport forms. By that I mean Ronald McDonald House, where they are processing in the order of $150,000 to $200,000 worth of payments and forms from individuals who have to come up here for accommodation.

There has to be a better way that we can support those organisations, particularly when they are almost employing somebody to fill out the forms, or work with the parents to fill those forms out. There are greater efficiencies that could be made there.

Regarding our public schools, I will be taking to the next election a funding wish for our public schools. All of our public schools need maintenance and need attention. You can compare any of our public schools to Tenison Woods College or St Martin's Lutheran College and, whilst I vehemently believe that the education is just as good, if not better in our public education, particularly on the Limestone Coast, which I have intimate knowledge of, the school buildings are looking tired and worn. They need a facelift; they need basic maintenance undertaken on them.

For some of our schools, we need a projection of future enrolments, because Suttontown Primary School will have a 400 housing development surrounding it—hopefully—in the next two years going forward, so that school will need greater capacity, as well as Mulga Street Primary School, which is the next school over. All of our public schools do need some money spent on them.

In relation to regional road maintenance, the contract with Fulton Hogan I think is a disgrace. I do not know if it is because Fulton Hogan came in too skinny on their quote or what, but our local roads are falling apart. The repairs do not seem to be up to standard—that is my personal opinion—and I think we need to do much better when it comes to regional roads. I think one thing the government could look at is value for money.

There is a road project between Mount Gambier and Millicent, which has been going on for six months, and every time I drive past you see one person working on a bit of machinery, and three or four other bits of machinery just sitting there. There are more people holding stop/go signs than there are actually working on the road. I think we need to do better at getting value for money for the state government in these projects.

I will put Ventia in that bucket as well, where our schools are getting charged exorbitant amounts of money to either fix a leaky tap, clean gutters, or do basic maintenance. I think the principal should have the authority, up to $100,000, to do that type of maintenance themselves. I put a motion before this house, which was passed with a slight qualifier, that the government would go away and investigate any potential downsides to that. That will certainly get better value for money for the very scarce public dollars that we need to spend in our public schools.

It is great to see palliative care on the agenda. We will be campaigning very hard for a dedicated palliative care service for the South-East and radiation therapy around cancer services and increasing that. I do genuinely thank the Minister for Health for appointing a truly independent group to look at the viability of radiation therapy in our region. I have met with them; I have been involved in community consultation where this group have conducted it, and I am pleased to report back that they are asking the hard questions and they do seem very independent, which is all we want. We want the facts on the table so that informed and accurate decisions can be made going forward.

There are a couple of things I will be talking about more going forward. Tourism is our most undervalued industry in the South-East. It has huge potential for employment, for not only attracting but retaining tourists in our region. I am not putting this on the state government but as a community we need to do much better at how we encourage entrepreneurs and private money into the tourism sector so that those who do want to spend their dollars and contribute to our economy by employing people in the tourism field by either events or attractions have the ability to spend those dollars in our community.

In relation to increased assistance for regional athletes and the number of parents I know who are constantly on the road driving athletes who show promise at an elite level but are disadvantaged by living in Mount Gambier, the five hours to Adelaide where the training is or the games are or the coaches are, I would like to see some type of partnership with our local council and business community in establishing a fund for our regional athletes to achieve the best they can achieve and not have living in a regional area as an impediment to their success and, of course, our state's success and maybe national success going forward.

The only other things I will mention are marine rescue and Port MacDonnell. None of these will be a surprise going forward. I have spoken in this place many times about them in past motions and tried to work with the government and the opposition in developing a good package for the South-East so that the South-East can really contribute to the state's economy as well as provide a great standard of life and services for those who live in the regional area of the South-East of South Australia. With those comments, I conclude my remarks on the Supply Bill.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (16:02): I place on the record my thanks to members for their contributions. The second reading debate on the Supply Bill is often an opportunity for members to speak about issues that are important to them and their local communities. It has been interesting to hear some of those issues raised by a range of members. I will leave my comments there and welcome questions in the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr COWDREY: I do not anticipate that this is going to take very long. I do want to express my gratitude to the Treasury officials for taking the time to come down to the house today. My first question to the Treasurer is: has there been any change as to how the government determined the quantum for the Supply Bill? Secondly, could the Treasurer outline to the house the consideration framework that was used to determine that amount this year?

The Hon. S.C. MULLIGHAN: Thank you for the question. The methodology has not changed and the methodology is that it is the actual first four months of appropriation, and the current financial year is used to determine the figure going forward for the appropriation for the following year.

Mr COWDREY: If that is the case, if we look at previous financial years, the amount sought in the Supply Bill in 2019-20 was just over $5½ billion. The 2020-21 financial year was obviously the COVID-affected year when the government came to the house seeking a rather unprecedented level of money in the Supply Bill which was, as acknowledged at the time, welcomed by the opposition. I

think that level of sensible approach and gratitude was welcomed by everybody around South Australia at that period of time, that being $15-and-a-bit billion. In 2020-21 it was $6.1 billion; 2021-22, $6.6 billion; and last financial year, $6.5 billion. As the Treasurer is, I know, acutely aware, those numbers are obviously very similar in terms of taking out the COVID-affected year. I am just seeking an explanation from the Treasurer as to why there is a significant increase upwards of $1.2 billion for the amount sought in this Supply Bill, at $7.7 billion?

The Hon. S.C. MULLIGHAN: I am advised that we had a relatively late passage of the Appropriation Bill last year that caused a change in the timing of some payments necessary for agencies, and so there was an amount of about $1.2 billion which was appropriated to agencies in that last week of October.

Mr COWDREY: I take it from the Treasurer's response, and again I do not want to put words in his mouth, that none of the increase here is attributed to the significant increase in across-government expenditure baked into this budget of near $2 billion more across government?

The Hon. S.C. MULLIGHAN: No, I would not say that. Obviously, as we have been releasing the budget, the Appropriation Bill provides for the appropriation of moneys for what you could refer to as ongoing operations but also new initiatives. Agencies try to manage their cash flow within the capacity they have under how much is able to be provided to them through the Supply Bill. The Appropriation Bill is really to fund the marginal increase in operations that you will get from year on year, but also new funded initiatives.

An example of that is the significant amount of additional funding that we have taken the decision to provide, for example, to Health. In fact, I think in the current financial year the total Health budget is—I will correct this figure if I do not get it exactly right, because I do not have it in front of me—about $1.2 billion higher than the amount of money that was provided under the previous government's last budget. That reflects that we have had two budgets, and we have also had a couple of Mid-Year Budget Reviews, so we have had a number of opportunities progressively to increase resourcing to the health system to combat some of the pressures that it has been under. So it is not just timing because of payments which we are making for the ordinary course of business or ongoing operations; it is also reflecting the fact that there are new initiatives and additional expenditures that have been approved in subsequent budgets as well.

Clause passed.

Remaining clauses (2 and 3) and title passed.

Bill reported without amendment.

Third Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (16:10): I move.

That this bill be now read a third time.

Bill read a third time and passed.

SUPREME COURT (DISTRIBUTION OF BUSINESS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 11 April 2024.)

Mr TEAGUE (Heysen) (16:10): Perhaps given that a little over another month has passed, I might, before proceeding, deal with those matters that I introduced in my earlier remarks back on 11 April in the course of contributing to this debate and just address again what was really a central observation at that time.

Conveniently for members and others who are following the debate, my remarks on 11 April followed immediately after the contribution of the minister as he then was, the member for Cheltenham, in moving the second reading on behalf of the government, in circumstances where the Attorney in another place had moved the second reading of this bill, as I recall, back on 18 May of

2023, and in terms, somewhat uniquely, as plainly follows—and I just quote the Attorney for the sake of completeness, in May 2023, where he said, on moving that the bill be read a second time:

> I introduce today to the chamber the Supreme Court (Distribution of Business) Amendment Bill. This bill is 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 the division of the Supreme Court to which they are appointed.

I think, as I observed a little under a year after that date (because we are coming up to almost exactly a year since then), when the minister introduced and moved the second reading in this place, again, somewhat unusually—and, as I said in the course of my contribution last time, I mean no particular criticism in terms of the repetition or recitation. But in the course of a year that had followed from the minister's introduction in the other place until the second reading was moved by the government in this place, the proposition rose no higher than precisely the same case for advancing it, and again I quote:

Again, I quote:

> 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.

I say that because there are all sorts of reasons why government pursues its agenda in this place. Much of what we have seen over the course of now a little more than two years since the last state election has somehow been characterised by members of the government opposite as fulfilling election commitments or otherwise justified by the available evidence of circumstance, other reasons for reform and so on. But what is core to the legislation that is brought to this place by the government is that there is some reason that is advanced by the government for adhering to that legislative agenda.

What we have seen now and over the course of almost exactly a year is a case for this bill rising no higher than a request from the Chief Justice in the terms that I have described and the terms that have been presented now in another place and here. As I did a month ago, and I again do so standing here now, I request the government to provide any kind of indication as to the case for the necessity for this change or indeed some reason that justifies proceeding with this legislation that rises higher than simply the request of the Chief Justice.

Again, I put this into context on the previous occasion as well. I might refer in a moment to an informative paper that was written by a member of the Victorian Bar and I think delivered a little over a decade ago. I will find it in a moment. I want to do justice to Tin Bunjevac for the work that he did. The paper, in any event, as I understand it, was delivered about 10 years ago. It was published in the *UNSW Law Journal* in 2017, going to the matter of the progression of reform over a period of time from a form of courts administration that was characterised by individual judges.

Essentially, it would proceed in a broadly consensus model to a form of judicial bureaucracy and the way in which judicial counsels have emerged and the changing nature of judicial accountability in court administration. By that paper, some salient observations are made about the line that is drawn when we are considering the separation of powers between the courts' accountability to the direction of government on the one hand and judicial independence on the other.

It is well in this regard to reflect on the context of development that has occurred within the living memory of many members in this place, if not in the time of their parliamentary service. Chief Justice Len King, who served in that role after serving in this place and then as a puisne judge of the Supreme Court, served as chief justice of the South Australian Supreme Court from 1978 until 1995, including in particular the oversight of the introduction of the Courts Administration Authority, which has now been serving the state for therefore in the order of three decades.

Chief Justice King, for whom now one of this house's electoral districts is named, was an eminent jurist as is well known. He was in particular an eminent courts administrator. So it was well, indeed, that he was there to drive the establishment of the Courts Administration Authority and to see that significant step in terms of the transition that has been described in the paper.

It might be observed that it is certainly not every politician's core strength nor is it every judge's core strength to deal with matters of administration of the courts. It is not something that is

to be taken for granted. Suffice to say that if there is one shining legacy of Chief Justice Len King's glittering career, it is his services as chief justice at a time of the introduction of the Courts Administration Authority. I will refer to the paper to provide some context for this. It is observed in relation to reference to a minister's reserved powers in court administration, and I quote:

> …there are many legitimate reasons justifying ongoing involvement of the Minister in court administration. The first concerns the ability of the government to effectively deliver a suite of justice sector services to the public that are deeply intertwined with the work of courts, such as public prosecutions, corrections, legal aid and so on. Secondly, as Chief Justice Leonard King pointed out, the government also has a legitimate interest in the judiciary's decisions about issues such as the locations, openings and closings of courthouses. Thirdly, the electorate will always regard the administration of justice in the courts as an essential public service, which means that the government may be held to be politically responsible for the proper operations of the courts, regardless of who is formally in control of court administration. Arguably then, when politically sensitive incidents involving the courts do arise, the Minister will be under enormous political pressure to respond—

and then the author quotes—

'in order to appease the government and the electorate'—

end quote, and he there footnotes—

> This may be the case even if the judicial council is statutorily responsible for the operation of the courts, because, as [the learned authors] explain in the context of the Irish Courts Service, 'the line of a Minister's political responsibility to Parliament has different dynamics than that of the much slower and less direct line of responsibility that the Courts Service has with Parliament.

It goes on—and this might just be a further salient reference:

> …there is an emerging trend in jurisdictions that have recently established a service-oriented judicial council of entrusting a range of residual court administration functions to the Minister: One important exception to this trend is South Australia, where the relationship between the Attorney-General and the Judicial Council appears to be tilted conclusively towards the judiciary.
>
> According to former Chief Justice King, the Attorney-General is principally responsible for presenting the judiciary's budget to Parliament, and is also entitled to receive adequate information about the operations of the courts. Apart from that, however, he or she has no control over decisions of the Court Administration Authority and consequently no direct responsibility for them. This position is clearly reflected in the South Australian legislation, which explicitly provides that a member of the council or the CEO must attend a Parliamentary Estimates Committee to answer questions about the courts' operations and expenditure of money.

I pause there to indicate, as I do at the outset of the estimates process when it comes to the courts, that it is my practice in asking questions in this regard to inquire almost exclusively as to the adequacy of funding that is provided to the courts in order to exercise their independent functions, and in the presence ordinarily of the Chief Justice and, on occasion, a delegate of the Chief Justice—one of the members of the court—that assurance might be given, and some consideration of that might ensue. But that is very much the nature of the inquiry in terms of that parliamentary estimates committee process with which members will be familiar. The author goes on:

> While at first this may be seen to be inconsistent with the idea of judicial independence, the Chief Justice explains that he would be attending the estimates hearings in his administrative capacity as the Chairman of the Judicial Council.

It might be observed that, in contrast to South Australia, there are a number of jurisdictions around the world for which the minister's responsibility for certain threshold questions impacting on the operations of the courts have not been removed, and for a variety of reasons.

The author cites the example of Ireland, where legislation implicitly recognises that government should have a say in the administrative affairs of the court system by requiring the Irish Courts Service to obtain the minister's approval of its strategic plans. There are also a number of other matters that are referred to there.

By way of further example, there are the circumstances in Sweden and the Netherlands, where the government and the minister respectively are also entitled to issue broad general directions to the Judicial Council with a view to ensuring proper operations of the courts, as long as the Judicial Council considers them to be compatible with the principle of judicial independence.

That is provided for in the Judiciary Organisation Act 1827 in the Netherlands at article 93, and also Domstolsverket, the Swedish National Courts Association, in terms of the way that is dealt

with in their respective legislation. The author goes on to make a number of other comparative observations about the ongoing connection and the relevant threshold between the extent of the minister's role on the one hand and the role of the courts on the other.

Just to cite that, in England, the subject of observation, the minister's ongoing involvement in courts administration is found in England and Wales, where control over court administration is shared between the judiciary and the executive government in accordance with a formal partnership agreement. The policy rationale behind the Lord Chancellor's continuing role in court administration is partly based on implicit recognition that the courts are, by their nature, a shared responsibility between judiciary and government.

I am not in a position to be tabling documents, and I do not propose to read the balance of the learned author's article into the record—certainly, I expect it is not the only such analysis. However, I just refer to that specific part of that analysis, because it makes a useful observation about the role of the Courts Administration Authority and, in particular, observations relating to Chief Justice Len King in this jurisdiction.

It is undoubtedly the case that a line is drawn between the independence of the court on the one hand and the provision of adequate funding for those activities that are necessary in the public interest and the disposition of the courts' business. Here, I say it again, we have a bill that has been brought to another place by the responsible minister, citing as the reason for doing so the request of the Chief Justice. As I said earlier in this contribution, not quite a year later the member for Cheltenham, in bringing the bill into this place in his then capacity, cited precisely the same rationale.

So I was moved, as I had been prior to its introduction and at that time a month ago, to urge the government to provide or to seek, if the government decided that it was in fact no more adherent to the request than simply to abide by it, to provide to the house—provide to me so that I could provide to the house or so that it could—any kind of justification beyond that bare request, because absent some evidence of an administrative requirement it is appropriate for the house to consider whether or not a change of this nature is in fact a change that is in keeping with those proper duties of the government and the parliament in legislating for the administration of justice in the state.

Again, just to be clear, I have asked for those questions to be passed on if necessary. I have asked for any kind of information or data to be provided. I do not suggest that there is any particular stonewalling or lack of diligence—far from it. There is no lack of interaction either, I might say, in terms of my ability to interact with the minister and the minister's office. I can only conclude, as I continue these remarks a month on from the moment of making some introductory remarks back in April, that there is no such justifying data.

I do not want to attempt to make the case, but I might infer from the absence of any data that might necessitate, or even if not necessitate, flag the future desirability of such a change that it is actually the absence of any need that somehow gives this change the character of a pre-emptive strike, a sort of, 'Well, there's nothing that's remotely requiring the change for the time being, and we want to keep it that way.'

Legislation, if not always, then certainly predominantly, is made with a view to improvement and in circumstances where there is some indication of a perceived need. I made these observations in some ways in commencing my remarks that the evidence on the other side, that is, the evidence for continuing with the current arrangements the subject of the legislation as it currently is in section 47, is pretty strong. As I understand it—and I do not understand this to have changed; if the government is in a position to tell me that any of this has moved on since I last referred to it, I welcome the opportunity for update—there are five sitting members, and Justice of Appeal Lovell remains on full-time long service leave and is leaving next year, so four active members.

The Court of Appeal is functioning and at its maximum capacity such that a month ago listings were out to very late this year at the earliest. Again, if there is an update to that I would welcome it; it might be into next year by now. It is not as though you have the Court of Appeal, with justices all sitting idly by waiting for matters to come up into their jurisdiction, and they would sort of like a peaceful life or something. If anything, they are short on active brethren and they are flat out—and I will refer to it again in a minute—because we are curiously retaining the current structure for good measure as well. I will get to it in a minute.

The idea, therefore, of imposing a new arrangement that will provide for no longer an agreement between the Court of Appeal and the general division—that is, between the president and the Chief Justice—but rather a directive model, really seems wholly inapposite right now and for the foreseeable future. That is just looking at it one way. The removing of a judge from the Court of Appeal would appear to make no practical sense. If there is a case for that directive to be imposed, then let's hear it.

In terms of the capacity of the court and the general division, I just make an observation for the moment, and I will perhaps come back to it a little more and unpack the history of the establishment of the courts. It is not an existential debate; we are assured of that. It is also no secret that the Chief Justice was not a proponent of the establishment of the Court of Appeal in the first place. There is no secret about that. It is not an existential debate.

The point that is made in the context of the Chief Justice's general ambivalence, if not opposition to the establishment of the Court of Appeal in the first place, was to make only a couple of requests in relation to things that ought to be considered at the time that the court is established, one of which involved extending the capacity of the general division to be able to hear more matters, matters that might ordinarily be heard by the District Court. I respect and applaud that observation. I will come to it in a minute because the amendment refers to both capacity and to a notion of complexity for the first time.

There is no doubt that those members of the court, those justices of the Supreme Court in the general division, are of the highest calibre in the state's judiciary. Any sensible proposal to extend the practical work of the court or plenary jurisdiction, the proposal to extend the practical work of the general division of the Supreme Court, generally speaking, I will welcome. This is one of only very few specific observations of chief justices, as I understand it, in the course of the process leading towards the establishment of the Court of Appeal.

The point is that we have established a Court of Appeal, which has, for very deliberate reasons, appointed that small number of justices of appeal with a view to those justices of appeal specialising in the hearing and determination of appeals in order to improve the quality of outcomes, the consistency of outcomes, by way of having that specialist appellate jurisdiction in South Australia. That is not a controversial proposition. It is an important reform, albeit one established only in recent years, one that is now well established in terms of the process of reform in the course of the court's history.

We have the benefit in this state of the history of the establishment of the Courts Administration Authority under the authority of Chief Justice Len King, as he was. I did not know the Hon. Len King but I am certainly familiar with his judgements. If you ever wanted a succinct statement of authority on any particular matter, then you would certainly go to the reasons of Chief Justice King.

In particular, in terms of his capacity and skill as a courts administrator, he was a particularly appropriate person to lead the way in terms of the establishment of the Courts Administration Authority, as he did back in the early nineties. We could go back a bit further and talk about the establishment of the District Court, but relevantly, the Supreme Court operating in terms of a general division and then the reform establishing the standalone Court of Appeal, they all ought to be proudly recognised as key steps of reform and key components of both judicial administration and the disposition of the business of the courts over now many decades.

This is all the more reason why at this juncture, if there is a bill brought to this place that we are told is not brought here for reasons associated with the government looking to reform, re-establish, revisit the Courts Administration Authority and legislation associated with it, or indeed substantive matters of legislation going to the structure and nature of the courts, then it is well that the parliament have a close look at what evidence is provided. As I stand here, now many weeks after first commencing consideration of this bill in this place, there is none provided.

At risk of doing the government a disservice, it would be remiss of me not to refer to the fact that there is a little more than just what we have heard in those second reading contributions in another place and here, because there is also an explanation of clauses that has been incorporated into the *Hansard*. I refer to that, because there is only the one operative clause. The amendment that

is altering section 47, in terms of the structure of what we will address in a moment, is said to, and I quote:

> …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.

In terms of my remarks, by way of context I have addressed this point about particularly the problem associated with moving judges from the Court of Appeal to meet needs that are caused by the limited availability of judges in the general division, and I would like to see some indication of necessity in that regard; and then we have this reference to complexity. I might say that I would have thought that all of those judges who are members of the general division are not, as it were, distinguished by their relative capacity to hear and determine matters according to their complexity, so I am a bit at a loss as to what work that particular distinction has to make.

There are a couple of clues there in that passage that I have just read that is said to provide an explanation. The first is, if one reads it, I would not charge the explainer as it were with having asserted that the so-called greater flexibility that is attended by the amendment extends to the addition of the new power. Just to unpack that, the operative clause amends section 47 to allow greater flexibility in the management of the distribution of business of the court, as I have said, in circumstances where all three agree—that is, the president, the Chief Justice and the relevant judge.

That is what section 47 provides for already, so in a way I am left somewhat curious as to what greater flexibility is afforded by providing for an arrangement where all three agree because we have that now. It might be put that we have a slightly different explanation of it, but we have that in terms now. I just want to flag that mutuality in this respect is something that I wholeheartedly endorse in that, in circumstances where you have conceivably the capacity for judges to go from one division to another, mutuality ought to be emphasised rather than the opposite, as a matter of principle, in my view.

Importantly, the explanation of clauses does not apply that test or that descriptor of greater flexibility to the additional power. In fact, there is no justification that is provided for the addition of the new power. I will just read it again:

> 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.

That is quite a good explanation—it could not be clearer. You have a so-called amendment to allow greater flexibility on the one hand—that is where there is consensus between all three—and then on the other hand, you now seem to have this sort of unilateral imposition of an additional new power that is inserted for the Chief Justice to assign a judge in the Court of Appeal to the general division.

It is that change which, it would appear, is coming at the request of the Chief Justice and without more. So it is eminently possible for there to be a proper engagement in this regard. Again, perhaps to be really clear, in the short time in which I had the honour to serve in terms of exercising those powers and functions, I enjoyed a very clear and frequent line of communication with the Chief Justice on a whole variety of matters, as I am sure the Attorney continues to do now.

In the course of these remarks, I have referred in a number of different ways—and I hope about as emphatically as I can muster—my request to the government for some indication of grounds upon which this request is made and I do so in circumstances where someone might say, 'Why don't you go and ask the Chief Justice yourself?' It is not appropriate for me to do so in my present capacity and I do not seek to, in that sense, be a source of embarrassment for the Chief Justice in the slightest.

But I do ask that the government might make those inquiries so that the government might come back to this place and say, 'We as a government are convinced by the following evidence,' and it might be that the Chief Justice is best placed to assist the government in terms of the provision of any such evidence.

We do have some direct engagement in the debate from the Chief Justice that the Attorney in another place has referred to and in fact read onto the record. I have made some preliminary reference to it as well. I might turn to it in a moment. We are certainly in no doubt: we do not have to take the Attorney in another place's word for it or indeed the minister in this place's word for it that it has come at the request of the Chief Justice, because we have a letter from the Chief Justice that makes it very clear that this is a change that the Chief Justice desires.

But the explanation of clauses, just to stay with that for a moment, really does beg two questions. Firstly, if it is to allow flexibility, then for whom, exactly? If it is not for all parties concerned—perhaps to some extent the judge who is the subject of the request might be the one who is perhaps to some extent on the receiving end of a request to do different duties, but otherwise, flexibility for whom? Surely, there is a need for mutuality in terms of any claimed additional flexibility.

Secondly, one is left to ask: if there is to be this additional power that is inserted, then what is the need to keep a form of the old consensus provision? They are both there described in the explanation of clauses. Again, the core point comes back to: where is the demonstrated need? So, to understand what section 47(1) currently provides—again, a fair amount of thought was put into this in the circumstances of the establishment of the Court of Appeal—it provides as follows:

> (1) If—
>
> (a) the Chief Justice and the President agree that—
>
> (i) the Court of Appeal needs an acting judge and that a judge, or acting judge, in the General Division could be available to act as a judge in the Court of Appeal for a suitable period; or
>
> (ii) the General Division needs an acting judge and that the President or another judge, or acting judge, in the Court of Appeal could be available to act as a judge in the General Division for a suitable period; and
>
> (b) the particular judge or acting judge agrees to undertake such acting duties,
>
> the Chief Justice may, by instrument in writing, authorise the judge to undertake such acting duties for a period specified in the instrument of appointment.

There might be a small point made about the additional flexibility that is supposed to be accorded by the change—and I will get to the change in a moment—because the provision at the moment provides for the appointment for a particular period of time. One might look at such things from the point of view of the seriousness of the appointment itself—that is, the responsibility that is placed upon the individual judicial officer—rather than look at it through the prism of some sort of question of where the relevant directive power might lie.

It is a provision that is cast very much in terms that are substantive in that they are permitting the appointment. Sure, it is cast in terms of that being done for a period of time, but the substantive matter is the appointment in circumstances where that is a matter of mutuality. Importantly, not only mutuality between the Chief Justice and the president but also mutuality in terms of the possibility for there to be an appointment from the general division to the Court of Appeal and vice versa.

So along comes the amendment—and I will perhaps deal with the greater flexibility part of it first, because I am not extraordinarily impressed by the greater flexibility part. I think there is a kind of change in the structure that might be described as providing for greater flexibility. But we have now got a considerably more thoroughgoing replacement for section 47(1). The explanation of clauses does it in the reverse order from the way in which it is provided for in the replacement subsections, so I will perhaps deal with it in the order of the explanation.

In terms of retaining the consensus provision, new subsection (1b) refers to the additional power above in (1) and (1a), and then retains what will be now familiar:

> …if—
>
> (a) the Chief Justice and the President agree that it is convenient for the purpose of the proper administration of the Court—
>
> (i) that a judge or acting judge in the General Division act as a judge in the Court of Appeal; or

(ii) that a judge or acting judge in the Court of Appeal act as a judge in the General Division; and

(b) the particular judge or acting judge agrees to undertake such acting duties,

the Chief Justice may, by instrument in writing, authorise the judge to undertake such acting duties for a specified proceeding or for a period specified in the instrument of appointment.

There is the flexibility. That is what seems to be the additional flexibility, but it is a consensus-driven arrangement, and it seems to me that the distinction between what is there in section 47(1), as it currently stands in terms of the period of time, versus the proceeding or the period of time, is purely a matter of convenience. I do not see anybody making some case. You have established the consensus for a particular complex case. You have got the judge seized of that case and you have anticipated that it is going to take a period of time and it goes longer; well, you are just going to extend the time. It would be extraordinary to contemplate that somehow 'my time is up', the wheels just now grind to a halt and the judge goes up in a puff of smoke, Cinderella style. You get to midnight and the whole show just transforms itself.

No, the practical result will be that, if more time is required in those circumstances, then more time will be provided and, fairly obviously, in the particular context of that proceeding. It is all very well to provide for the instrument in writing to authorise the judge to undertake acting duties for a specified proceeding. You have got auxiliary justice appointments for very much analogous purposes.

I would have thought that there may be other ranges of tasks that might answer this point about a period being specified an instrument of appointment that go well beyond simply one key specified proceeding. But the point is, as we know, with the case load of courts the difficulty of assigning judges is one that is often characterised by having to deal with a particular long-running case that is going to clearly take up the capacity of an individual judicial officer for an extended period of time. But it is the proceeding rather than the period of time that is going to govern the practical necessity.

So, we have a provision that then makes it explicit that you can make those acting duties operate for a specified proceeding. Whereas before, the instrument that was specifically authorised, which is the subject of 47(1) presently, refers to a period being specified in the instrument of appointment. I do not know. Unless there has been a practice of doing this in pretty conservative terms that allow an abundant amount of time when such arrangements have been made, I would be surprised if there is not the capacity under the present arrangements for a fresh instrument to be made where any period specified in an originating instrument was not proved to be inadequate.

Certainly there is no sense in which, as I understand it, anyone is making a case for the necessity for these provisions on those grounds. If they are, then I would be very glad to know about it. That I think is the flexibility that is referred to in the explanation of clauses, or the greater flexibility in the managing of the distribution of the business. Again, I stress I limited that reference to this part, that is to what would be subsection (1b), because it is the only part to which this so-called greater flexibility is said to apply, and then we get to the addition of the new power.

The addition of the new power is not said to by itself allow greater flexibility. Rather, it is described really just in bare terms. It is an additional new power that is inserted for the chief justice to assign a judge and, expressly, 'after consultation with the President of the Court of Appeal', the point being there is no requirement for mutuality and there is no claim to flexibility. Rather, the relevant reference points are a stipulation that the proceedings are complex and there is a 'limited availability of judges in the general division'. So, there is a fair bit to then consider.

Again, I stress that this, on the face of it, looks like something that is expressed in fairly short terms, but there is a fair bit going on. I have been at pains to provide some context in terms of the recent history in terms of the establishment of the Court of Appeal and the Courts Administration Authority. I certainly refer to the important role of the Chief Justice in all of those matters.

We then have at that part of the clause 3 amendment, which I am not going to stand here and—but for that, and it is not too late, you could do away with all the rest and just stick with (1b), and what we would have is a claimed provision allowing greater flexibility. I would concede that, on the face of it, yes, a provision to appoint a judge either way for a proceeding or for a period of time

might be said to provide greater flexibility than a provision that applies only to the making of an instrument that assigns that judge for a particular time. I suggest that that is about as close to a moot point as you can get. Call it greater flexibility if you like—I am not here to argue about that.

The bare addition of this new power is rather more startling, and all the more so in the absence of grounds provided for it by the government, in the absence of any particular data that might go anywhere near justifying it from any other source, in circumstances where we know the Court of Appeal has a full book—and then some—and against a background of circumstances in which the Court of Appeal has been established and running now for some years.

That range of circumstances really—as I was at pains to say a little over a month ago in commencing these remarks, and I say this is almost antique at this point—in the context of a debate that had at the outset—and it is all on the record. Go back to May 2023, the context of a debate that is properly met on the face of it, with a disposition to say that if this is a simple matter of the better management of courts administration, uncontroversially so, and while on the face of it is the addition of a bare power that really changes the nature of the interaction between those responsible presiding members in the way in which the members of the court then participate in arriving at a consensus, if that was wholly uncontroversial then even if it rose that high then one might, in the circumstances I have described, be unsurprised to see that met by a parliament that had a fairly clear disposition towards saying, 'Okay, then, there is no explanation rising higher than the addition of new power.'

It looks a bit startling on the face of it but, you know, wood for the trees. This is what we are told, and if that is what everyone wants—and all the usual feedback seems to be in line with that—then, surprised as one might be, the disposition might be to say, 'Alright; no cause for the usual interrogation of such a unilateral or bare addition of power.'

Of course, as we have seen, as emerged fairly quickly once the proposal came to the attention of the wider universe—by that I mean the profession, let alone members of the parliament and so on, and I do acknowledge the debate in another place—particularly the attention of the profession, one moves from a disposition of, 'Alright, we won't regard the addition of this sort of additional bare power as anything more than that and will look to facilitate without asking too much, if anything, what the government is presenting.' Well and good then.

However, the minute that there is, in those circumstances—special circumstances as they are—any indication of disquiet, then it is incumbent on all of us to say, 'Alright, let's have a closer look at what's actually going on.' So we do; 'Let's have a look at what this additional new power being inserted for the Chief Justice to assign a judge in the Court of Appeal to hear and determine proceedings in the general division amounts to.'

So we do away with all the section 41 provision, which was largely replicated by what is now described as the greater flexibility provisions, and we add, at the outset of the section, this new power, which provides that if the Chief Justice is satisfied that by reason of—and it's a 'both', an 'and'—the complexity of a specific proceeding and the limited availability of judges of the general division, it is necessary to assign a judge in the Court of Appeal to hear the proceeding:

> the Chief Justice may, after consultation with the President of the Court of Appeal, by instrument in writing, assign and authorise a judge in the Court of Appeal to hear and determine the proceeding.

There are two things about that. One is that is has become unilateral, and two is that it is one way only.

Again, I am not arguing for some sort of mutuality as a salve to this unilateralism that has been introduced, but in the circumstances of what I have described as my understanding of the Court of Appeal's present case load the provision is really very much focused on drawing from the resources of the Court of Appeal—there are not very many judges there.

In circumstances where the complexity of a specified proceeding justifies it (whatever that means) and there is limited availability of judges in the general division, I am conceiving of circumstances in which there is a long trial to be undertaken in the general division and the judges of the general division are either otherwise occupied with long trials of their own or it is desirable to have some capacity for judges to be available for other matters as they might arise.

That is what I am anticipating, but it does not say the length, it says the complexity, 'the complexity of a specified proceeding'. Again, I do not know what work that has to do. I suppose complexity implies length to some extent, but not necessarily, and there is no suggestion—it is not even remotely any sort of consideration—that somehow judges of the general division are not up to it in the same way as judges of the Court of Appeal.

It has to be somehow directed towards something that is going to take up a fair amount of time in a block for an individual judge and is going to draw upon, therefore, the resources of the general division in circumstances where there is a limited availability of judges in the general division—again, whatever that means. You then have this unilateral right of the Chief Justice to direct traffic, having presumably formed a view as to both of those components.

I hasten to add here that, as I have all the way through, there remains this sort of reference to the necessity for consultation with the President of the Court of Appeal and (1a) spells that out a bit more, because it refers to the consultation between the Chief Justice and the President of the Court of Appeal being conducted in accordance with a protocol that is approved by the judges at a council of judges that is held in accordance with requirements of the act.

I understand that such a protocol has been developed. I have seen the protocol and that is all well and good. No-one is suggesting that somehow they are incapable of meeting and consulting and developing protocols and all of the above. That sort of machinery is well within the capacity of a judge of the court. If they are required to go ahead and adopt such things, then that is well and good.

References to consultation are all well and good as well, but what we have at the end of the day, at the end of the process, is, as the explanation of clauses provides, not for greater flexibility—that is what we see in the mutuality provision—but just there on its own at the end of the day is the insertion of a unilateral power of the Chief Justice to direct traffic in terms of the removal of a justice of appeal into the general division.

So, it is what it is. It's new. It moves away from what section 47(1) is all about as it presently stands. Section 47(1) was not there post the establishment of the Court of Appeal. You might be left with some sort of slavish rigidity that says, 'We've got the general division, we've got the Court of Appeal. There is a set of unusual circumstances going. We could benefit from there being movement by the other.' That is the reason why we have 47(1) as it stands, based on mutuality, providing for capacity for that change, but reflecting the fact that that is a significant exercise of power and, as it presently is described, providing for an instrument that provides for that appointment for a period of time. As I say, I am not here to cavil with (1b). It is just curious that any form of provision, leaving aside the vice versa part of it, is still there; you can draw on one or the other.

I have referred to far from the absence of disquiet let alone any expression of enthusiastic endorsement of this request, including from the government in both this and another place. It is hardly a situation about which we have heard anybody speaking up for exactly what is to be achieved by the insertion of this additional power. Indeed, the explanation of clauses does not even rise so high as to claim the benefit of providing greater flexibility as a result of it; that is limited to (1b). Far from hearing some sort of enthusiasm for the change, what we have heard from is both within this place, and really more importantly in many ways, because it goes to starting us off on this inquiry, from the profession, and we have heard also from the Chief Justice in terms of his letter to the Attorney perhaps three or four months since the debate in another place.

So what did they say? Before I get to the Chief Justice's letter to the Attorney-General, dated 28 August last year, I might just refer briefly to the Law Society's contribution, before making some observations about the Bar Association's view of all of this. The Law Society, by its then president James Marsh, wrote to the Attorney by a short letter dated 25 August 2023 reiterating contributions being made over the course of the debate. It serves to provide the following observation after referring to previous correspondence in July, and earlier that month, also made available to the Attorney.

There is some urgency to the letter at this point because the Law Society is indicating its understanding that there is further consideration to be coming and the Law Society could not put it more plainly, and I quote:

> The position remains that there is little information about any inefficiencies in case-flow management that the amendment is intended to address.

In addition, the letter from the Bar Association records that its research shows that the President of the Court of Appeal in other jurisdictions is not removed from a decision that a Court of Appeal judge be required to perform general division duties or from the converse decision. Making South Australia consistent with other jurisdictions was a factor put forward in support of the Supreme Court (Court of Appeal) Amendment Bill 2019 and caution should be exercised before passing amendments which put South Australia out of step. In the circumstances, the society retains the concerns about the proposed amendments expressed. He refers to that earlier letter. I might go to that in a moment. Reference has been made to the Bar Association, so I will not leave them out of it.

Again, just to be clear, you see there a sincere expression of concern in relation to a desire for evidence for improvement, change, imposition of unilateral powers and to say, 'Alright, here we all are. We have not so very long ago established the Court of Appeal.' There are a whole lot of principles attendant to that, including with respect to this question of mutuality when it comes to the assigning of duties and, as Mr Marsh puts it, the position remains there is little information about any inefficiencies in case load management that the amendment is intended to address.

That is many months into the debate in another place and it is not quite a year ago and still I would say that observation characterises the state of play as we stand here in mid-May 2024. Again, as I did in April this year, a bit over a month ago, if there is something that is responsive to that request, let alone mine, then let's hear it.

What does the Bar Association have to say? It is engaged in the debate and I might say in its usual thoughtful, thoroughgoing, authoritative and insightful way. I just refer to a couple of letters from the President of the Bar Association. The President of the Bar Association, Marie Shaw KC, writes to the Attorney-General by letter dated 17 August 2023.

The president there refers to some implied regret, I suppose, that the bill, while it was in another place, had been stood over in part so that members could consider the views expressed by the two legal peak bodies: the Law Society and the Bar Association. The president there laments that since that letter—this is the middle of last year—there has not been consultation with the South Australian Bar Association by the Attorney. I might start to think that I am convincing myself about this sort of request, but here it is again in writing from a year ago, and I quote:

> No data, episode or example has been brought to our attention where the current arrangements in the Act have led to inefficiencies or affected case flow management.

These are not bodies that are prone to running obtuse arguments for the sake of it, nor are they in the practice of—

Mr Odenwalder: Like some other people.

The ACTING SPEAKER (Mr Brown): Order! The member will be heard in silence.

Mr TEAGUE: I am sorry, Mr Acting Speaker, I am not inclined to respond to interjections but I actually did not hear the interjection, so I am not in a position to—

The ACTING SPEAKER (Mr Brown): Firstly, it is disorderly to respond to interjections, and, secondly, please do not let them interrupt your train of thought.

Mr TEAGUE: I am grateful, as ever, for your steadfast protection, Mr Acting Speaker. What we see on the face of those two letters is, alright, they are written within about a week of each other and some might say, 'Hang on, they have been talking to each other. They have worded each other up on what the key concern might be,' or something. Well, let me just assure members that we are talking about pretty ferociously independently minded professionals in the case of the Law Society and its leadership, and the Bar Association and its leadership.

The fact that we see in pretty much like terms this sort of persistent reference to the absence of any information about inefficiencies in case flow management that the amendments intended to address, in the words of the President of the Law Society on the one hand and, from the Bar Association on the other hand, an observation, 'No data, episode or example has been brought

to our attention where the current arrangements in the act have led to inefficiencies or affected case flow management.'

So it is not just me saying this in April 2024 or indeed now, in May 2024—or in a whole variety of other ways, formally and informally over the course of the last year while this particular proposal has been under consideration one way or another—but those are serious observations made by two independent bodies, both keenly conscious of their responsibilities to the administration of justice in this state. The common observation at that time is inhabited by this observation about the absence of really any rationale by reference to data or episode or information about inefficiencies, and so on, and there has been no answer that I am aware of. I might flag that if it is capable of being in the least bit surprising, there is a bit of a clue as to the sorts of things I might be interested in interrogating in the course of the committee.

If there are answers, it would be contrary to standing orders but if someone wants to come and hand me some sort of information that says, 'No, there was a brilliant and thoroughgoing answer provided to answer that charge of the Law Society and that almost parallel charge of the Bar Association, and more or less at that time,' then fantastic—put it in my hands and on we go.

I talked about the sort of overview of the purpose of this place that I aim to impart to the young children who come here and visit from primary schools and how, as I said on the last occasion, you leave your guns and knives at the door when you come in here because this is a place that is about the power of persuasion and not about the capacity to deploy violence against your opponent, or something of that nature. We have the blood line here to demonstrate that for us daily.

So if someone wants to come along and persuade me that what the Bar Association and the Law Society put in the most straightforward terms nearly a year ago is amenable of a straightforward answer, then come and tell me about it. You do not need to answer me directly; answer them. To the best of my knowledge, there is no such answer.

In the context of the debate and perhaps in the context of those two—and they are not the only two letters written to the Attorney in the course of the debate—we see then a letter that the Attorney saw fit to read into the record and I think, in line with the processes of the other place, to table so we have it on the public record in its entirety. I think it was tabled on 29 August, a letter dated 28 August from the Chief Justice to the Attorney-General.

I do not want to characterise that as being somehow responsive to those letters—it is a letter that stands on its own—but it is coming after those letters, and I will address it in a moment. I only hesitated to describe it as responsive in that any such correspondence is entirely capable of standing on its own, and I do not want to detract from it in those terms. Certainly, the Chief Justice, by the letter, adverts to, indeed, refers to the debate and refers to the correspondence or part of it in writing to the Attorney.

The contents of the letter are important not only for any response to those observations that might be contained within it but also because, as it turns out, the government does not appear to be all that enamoured or adherent to any kind of case for proceeding with this bill. It sort of serves as about the high watermark of any supposed justification for the bill, so it therefore ought to be the subject of relatively close analysis. I will just stay with the Bar Association's letter for a moment before doing so, because the President of the Bar Association goes further to say:

> SABA has since conducted its own research into comparable provisions in New South Wales, Western Australia, Queensland and Victoria, all of which have an Independent Court of Appeal. We can tell you that either by reference to those provisions or existing conventions in those jurisdictions, the President of the Court of Appeal is not removed from a decision that a member of the Court of Appeal be required to perform General Division duties. Likewise, the same can be said in respect of the appointment of a General Division Judge to the Court of Appeal in an acting capacity.

That goes to the mutuality point—not removed. The president goes on:

> The agreement of the President is an essential requirement for the distribution of business and cannot and should not be removed.
>
> Nothing has been brought to SABA's attention that detracts from the proper and appropriate requirements that are encapsulated in the existing section 47 of the Supreme Court Act. The proposed amendment has potential to undermine the operation and integrity of the Court of Appeal.

> In these circumstances, SABA does not support this Bill for it has a genuine capacity to detract from the independence of the Court of Appeal.

Frankly, that ought to be enough. I turn to another special aspect of what we are dealing with here. We recently dealt with the second-hand motor vehicles legislation, some reforms there, and I take by way of analogy that it came in response to, chiefly, submissions from industry via the Motor Trade Association. We know that the RAA had a decent amount of input into various aspects of it. That is all capable of interrogation. One can seek out all of the various interested parties in terms of what is essentially consumer protection legislation.

This sort of legislation that is before us is special in the ways that I have described. In circumstances where there is uniquely an incapacity, there are uniquely real limits that are placed on the proper interrogation of the merits of a change of this nature, there is a clear bias towards saying, 'Alright, we will allow what might facilitate better practice with a fairly limited degree of close scrutiny.' But when you have the Bar Association of South Australia not just saying, 'This has not come to our attention properly,' or, 'Tell us more about it,' those references to data and efficiencies and all the rest of it, but making an observation—this is not a body that is prone to idle flourishes. I repeat:

> The proposed amendment has potential to undermine the operation and integrity of the Court of Appeal…SABA does not support this Bill for it has a genuine capacity to detract from the independence of the Court of Appeal.

As I said, in the circumstances of legislation of this kind, that ought to be enough to put the brakes on it and to go back and come back around with something that passes muster to the extent that there is not such a fundamental expression of disquiet contained in the correspondence and representations made by those two leading professional bodies in South Australia.

In the circumstances, and observing the time of the day, at this point and without wanting to leave members, and certainly not the Chief Justice, with any sense of skating over what was to follow later, in August 2023—I will come back to that when I have a chance—I seek leave to continue my remarks.

Leave granted; debate adjourned.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

At 17:55 the house adjourned until Thursday 16 May 2024 at 11:00.