HOUSE OF ASSEMBLY

Wednesday, 19 June 2024

The SPEAKER (Hon. L.W.K. Bignell) took the chair at 10:31.

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

The SPEAKER read prayers.

Parliamentary Procedure

VISITORS

The SPEAKER: I begin by welcoming some students in the gallery today from Sunrise Christian School at Morphett Vale. Welcome to Parliament House. I see you have the member for Reynell showing you around. She is an excellent local member of parliament and she always likes to buy everyone some soft drinks and some scones down in the Blue Room, so make sure you hit her up for some snacks.

Bills

CRIMINAL LAW CONSOLIDATION (SEXUAL PREDATION OFFENCES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 15 May 2024.)

Mr PEDERICK (Hammond) (10:33): I rise to make a contribution to the Criminal Law Consolidation (Sexual Predation Offences) Amendment Bill brought in by the shadow attorney-general, the member for Heysen.

This bill seeks to strengthen the protections afforded to victims of sexually predatory behaviour. The bill would amend the Criminal Law Consolidation Act 1935 (the act) to create a regulatory framework that would make it easier for victims of sexual predation to pursue a conviction against the offender. Currently, spiking of food or beverages is criminalised under section 32C of the act; a person is guilty of an offence if the person adds a substance to a food or beverage intending to cause impairment of another person's consciousness without their knowledge. The bill would provide for new offences for the possession and/or administration of a prescribed sexual predation drug or liquor to another person in circumstances that meet the definition of a prescribed interaction.

The bill would increase the penalties that apply to the existing spiking offence; for example, an offence against new section 42(1) would incur a maximum penalty of 10 years' imprisonment, whereas the existing penalty under section 32C of the act is three years—a significant lift in the maximum penalty. Clause 4 would add new sections 41, 42 and 43 to the act. New section 41 defines conduct that falls outside the scope of a sexual predation offence, including if the victim lawfully consented to the conduct or if the conduct lies within the limits of what would be generally accepted in the community as normal incidents of social interaction or community life.

Doing an investigation of new section 42, it would provide for sexual predation offences as follows. With regard to new section 42(1), under the offence, administering a prescribed sexual predation drug to another person in a prescribed interaction, in a prescribed place, the maximum penalty for a basic offence is 10 years; for an aggravated offence, 12 years; for an offence against a victim under the age of 17, 15 years; and for an offence against the victim under the age of 14, life.

Under new section 42(2), the offence of administering or supplying liquor to another person intending to make them vulnerable to sexual assault will be penalised with eight years' imprisonment

for a basic offence; for an aggravated offence, 10 years; for an offence against the victim under the age of 17, 12 years; and for an offence against a victim under the age of 14, there is a 15-year penalty.

Under new section 42(3), possession of a sexual predation drug in a prescribed place or prescribed interaction, there is an eight-year maximum penalty. Under new section 42(6), for possession of a prescription or controlled drug capable of producing a state of intoxication and not labelled in a legally compliant manner, in a prescribed licensed premises between 9pm on any day and 5am on the next day, there is a five-year penalty to be imposed. They are just some of the penalties that are being lifted to protect people in regard to these terrible offences.

New section 43 would provide for alternative verdicts if a jury is not satisfied beyond reasonable doubt that a charge for a sexual predation offence has been established. If the judge has instructed the jury that it is open to the jury to find the defendant guilty of a lesser offence and the jury is satisfied beyond reasonable doubt that the lesser offence has been established, the jury may return a verdict that the defendant is not guilty of the offence charged but is guilty of the lesser offence.

The remaining subsections of new section 42 would establish defences and exemptions for the listed offences and defined terms used in the section. Clause 3 would amend section 32C of the act to remove any reference to sexual predation offences that are now covered by new section 42. Schedule 1 of the bill would make related amendments to the Child Safety (Prohibited Persons) Act 2016, the Child Sex Offenders Registration Act 2006, the Evidence Act 1929 and the Sentencing Act 2017.

This is very sensible legislation that has been put to this place by the member for Heysen, the shadow attorney-general. I think it should be supported across the board. I want to talk about a drug that is used in the agricultural industry that is one of the drugs, from what I understand, that we are trying to rule against here, which is a drug called Rohypnol.

For the shearing industry, and back in the day when I did it, we did not see landowners or shearing contractors using Rohypnol as they are now allowed to do under very strict regulation—extremely strict regulation. What it is used for is to quieten rams down, so that you can shear them without getting kicked to death. I did not get kicked to death, but I got kicked around a bit at times shearing rams.

The availability of Rohypnol is extremely highly regulated, and it is about registering a number of rams that need to be shorn at a particular shed or sometimes contractors, from my understanding, would have to say, 'We have these sheds this week, and we have this many rams.' They might be allowed to have only several—maybe two or three—extra doses just in case there is an extra ram or two that comes through. I believe now that a shearer can refuse to shear a ram unless it is injected.

This drug is something that obviously creates impairment—and this is just one use of it in the agricultural industry—and that is why it is so, so heavily regulated, and is only given to the farmers themselves under very strict guidelines or shearing contractors operating in the shearing industry. I commend the bill introduced by the member for Heysen and seek its support in this house and the other place, and seek its speedy passage.

Mr ODENWALDER (Elizabeth) (10:41): I move:

That the debate be adjourned.

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.	Clancy, N.P.	Close, S.E.
Cook, N.F.	Hildyard, K.A.	Hood, L.P.
Hughes, E.J.	Hutchesson, C.L.	Koutsantonis, A.
Michaels, A.	Mullighan, S.C.	Odenwalder, L.K. (teller)
O'Hanlon, C.C.	Pearce, R.K.	Piccolo, A.
Picton, C.J.	Savvas, O.M.	Thompson, E.L.
Wortley, D.J.		

NOES

Basham, D.K.B.	Batty, J.A.	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.	Tarzia, V.A.
Teague, J.B. (teller)	Telfer, S.J.	Whetstone, T.J.

PAIRS

Stinson, J.M.	Cowdrey, M.J.	Fulbrook, J.P.
Speirs, D.J.	Champion, N.D.	Hurn, A.M.

Motion thus carried; debate adjourned.

The SPEAKER: I would like to wish the member for Davenport a very happy birthday for today. I am sure you could not think of anywhere better to spend it, particularly if we are to sit late tonight. I am sure you will be very, very excited. There is no better place to have a birthday than parliament.

CONSTRUCTION INDUSTRY COMMISSIONER BILL

Second Reading

Adjourned debate on second reading.

(Continued from 22 March 2023.)

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

That this order of the day be postponed.

The house divided on the motion:

Ayes 21
Noes.....15
Majority 6

AYES

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

NOES

Basham, D.K.B.	Batty, J.A.	Brock, G.G.
Cregan, D.R.	Ellis, F.J.	Gardner, J.A.W. (teller)
McBride, P.N.	Patterson, S.J.R.	Pederick, A.S.

Pisoni, D.G.	Pratt, P.K.	Tarzia, V.A.
Teague, J.B.	Telfer, S.J.	Whetstone, T.J.

PAIRS

Stinson, J.M.	Speirs, D.J.	Fulbrook, J.P.
Cowdrey, M.J.	Champion, N.D.	Hurn, A.M.

Motion thus carried; order of the day postponed.

Motions

GENDER EQUALITY

S.E. ANDREWS (Gibson) (10:57): I move:

That this house—

(a) notes that gender inequality continues to exist in Australia and notes that addressing this inequality is integral to our economy and in every aspect of our state's community life;

(b) notes that the South Australian gender pay gap was reported at 6.7 per cent in May 2023 across full time, adult, ordinary time earnings;

(c) notes that women's employment was disproportionately affected by COVID-19 as work in hospitality, events and the arts disappeared;

(d) congratulates the Malinauskas Labor government for establishing the South Australian Gender Pay Gap Taskforce to provide independent advice to the Minister for Women and South Australian government on issues related to the gender pay gap; and

(e) commits to doing whatever it can to—

(i) address the prevalence of women engaged in insecure work, including in casual and part-time employment and through labour hire companies, by strengthening labour hire, wage theft and other industrial legislation;

(ii) ensure legislation and government policy is inclusive and enables equality of opportunity; and

(iii) ensure equal representation across government boards.

In South Australia, as it is everywhere, gender inequality is the key driver of disadvantage for women. It affects women's economic equality and participation, women's safety and their ability to determine their own future. Our Minister for Women and the Prevention of Domestic, Family and Sexual Violence—my friend, Katrina Hildyard—and the Office for Women established the South Australian Gender Pay Gap Taskforce in September 2022. The task force is a statewide multistakeholder panel of experts in the fields of gender equality and industrial relations that will conclude later this year. I am proud to chair this task force, taking over from the dedicated and passionate Hon. Irene Pnevmatikos in November last year.

The task force has four main roles, including the identification of the specific issues leading to the gender pay gap in South Australia, consulting with subject matter experts and diverse cohorts to understand their experience of the gender pay gap and to ensure an intersectional response. During 2023, the task force undertook statewide research in consultation with organisations that have demonstrated best practice and progress towards achieving gender equality in their workplaces. Additionally, it contacted over 60 peak bodies and conducted 15 interviews with a diverse range of South Australian peak bodies and organisations that had undertaken or were implementing initiatives to address the drivers of gender inequality in their organisation, profession or industry.

In April 2024, we released our interim report which identifies four focus areas to address the gender pay gap in South Australia informed by insights gained from interviews, desktop research and task force members' experience and deliberations. These four areas are: drivers of the gender pay gap, needs of South Australian organisations, effective policies and practices and additional research. Based on the findings of the interim report, we will deliver a final report with recommendations towards the end of 2024, focused on three key areas, including opportunities to bring together research and practical expertise and lead evidence-based initiatives, support for small

and medium-sized businesses to address the gender pay gap and opportunities to reduce the gender pay gap in the public sector.

We cannot be complacent about the impacts of the gender pay gap on women's lives. Closing the gender pay gap goes beyond just ensuring equal pay. Closing the gender pay gap requires systemic and cultural change to remove the barriers to the full and equal participation of women in the workforce and broader society. Undervaluing the work of women must stop and, while government has a role, we need to acknowledge as a community that we all have a responsibility to value women. We will be closely monitoring the pay gap and making positive change to close it. The task force is not only an important step towards closing the gender pay gap in South Australia but also a key step to securing women's financial security throughout their lives and achieving gender equality in the future.

Our government has also reinstated the Women in Sport Taskforce to advise the government on issues that prevent women and girls participating fully in their sporting passions. Our progressive government has also funded a $4 million Women in Business Program that is providing a suite of programs that is made available to South Australian female-owned businesses.

The state government outlined last year our key initiatives to improve gender equality in South Australia, with the Women's Equality Blueprint 2023-26. The blueprint highlights the current government's significant gender equality initiatives to help to achieve equality for women and girls and address issues which inhibit women and girls from equally participating in our community. It outlines four priority focus areas, which will be addressed to support women's wellbeing and enable all women in South Australia to prosper. These are the focus areas:

- women's safety and security, including criminalising coercive control and making electronic monitoring a condition of bail for people charged with particular family and domestic violence offences. We have also announced the Royal Commission into Domestic, Family and Sexual Violence, chaired by Natasha Stott Despoja AO;
- leadership and participation, including ensuring all state government boards comprise 50 per cent women and holding a women's leadership symposium in conjunction with the FIFA Women's World Cup in Adelaide in August 2023—and what are World Cup that was. It was great to have some of the world's best football players in Adelaide and a huge gathering of supporters;
- economic wellbeing, such as the already established Women in Business Program and Housing Security for Older Women Taskforce, as well as exploring the possibility of extending portable long service leave to the arts and creative sectors; and
- women's health, including extending support for free sanitary products in public schools.

The blueprint also describes how the state government will seek to realise its vision of making South Australia a fair and inclusive state, in which everyone can equally and actively participate in the economy and in all aspects of community life. These commitments will ensure that South Australian women and girls can build financially stable futures and are empowered to equally participate in all aspects of the community.

Late last year we witnessed one of the worst times as a state and as a nation, a time which culminated in the deaths of four women in the space of a week. Sadly, we know the terrible fact that on average one woman every four days is murdered across the country. One in four women have experienced physical or sexual violence since the age of 15. One in four women has experienced emotional abuse by a current or former partner. Nationally, an estimated 44 per cent of Australian young people have been exposed to domestic violence with serious consequences for their health and wellbeing across their lifetimes. We know these shocking rates of violence are even higher for certain groups, particularly those facing intersectional barriers.

Our government is committed to do all we can to prevent violence before it starts, to tackle perpetrator behaviour, to respond in ways that support women at their hardest moments to help them to recover and heal, and to absolutely tackle the gender inequality that drives violence against women by increasing women's economic wellbeing and participation in every aspect of community life. A

royal commission into domestic family and sexual violence will play an integral role in ensuring we have the evidence base to drive change.

Despite the fact that girls and women are making up 53 per cent of SACE subject enrolments, they are dramatically under-represented in business, enterprise and technology. Specialist mathematics has 28 per cent of women and physics has only 24 per cent of women, again demonstrating the way in which gender norms influence behaviour and ultimately result in gender segregation in job type.

Women returning to work after a break do so in lower paid roles and across the first five years of parenting their first child women's earnings are reduced by 55 per cent on average. During the same period men's earnings remain unaffected. These issues are not well understood with many still reporting they do not understand the concept of the gender pay gap, nor how to analyse and address theirs. An important step to address this is through shining the light on the prevalence of gender inequality across industries and sectors.

Earlier this year, the Workplace Gender Equality Agency (WGEA) for the first time published gender pay gaps for private sector employers with 100 or more employees. The WGEA data release reveals the gender pay gaps for nearly 5,000 Australian employers, including 327 South Australian organisations. The data shows that 62 per cent of median employer gender pay gaps are over 5 per cent. The public release of gender pay gaps has been shown to be a useful tool in reducing pay gaps in the United Kingdom and we anticipate that we will see a similar effect here in Australia.

Our state is experiencing strong economic growth and we know that we must continue to build and develop the state's workforce to meet the state's economic ambitions. Growing and sustaining the supply of skilled workers is essential to addressing our key labour market challenges. This includes increasing women's participation in the workforce by unlocking barriers and pursuing opportunities that enable this to happen.

Our state government's commitment to an early years reform will not only improve child development outcomes but will also increase opportunities for women to participate in the workforce. Additionally, we are focused on increasing women's representation across decision-making bodies, including government boards and sporting bodies. We are also growing and supporting the participation of women and girls in sport on and off the field.

When working to end gender inequality we recognise this is not a women's issue, it is everyone's issue. Ending violence against women and achieving gender equality requires the collective effort of us all—governments, community, business and the not-for-profit sector—to dismantle systemic inequalities and foster environments where every individual, regardless of gender, can thrive.

Ms PRATT (Frome) (11:10): I move to amend the motion as follows:

Delete original paragraph (d) and insert new paragraph (d):

(d) commends the Marshall Liberal government on its achievements in addressing the gender pay gap in South Australia;

In rising to speak to this motion brought by the member for Gibson, I thank her for bringing attention and interest to the issue of the gender pay gap. As the Liberal spokeswoman on this topic today, it is certainly critical that this house understands the significance of addressing the gender pay gap in South Australia.

Women are fundamental to South Australia's future, there is no doubt. The gender pay gap difference in Australia denotes a significant disparity between women's and men's weekly earnings. Data from the Australian Bureau of Statistics and the Workplace Gender Equality Agency shows a preference for men in all industries. The national pay gap has ranged between 12 per cent and 19 per cent, which is the lowest in 20 years. As of February 2024 the national gender pay gap is 12 per cent, as calculated by the Workplace Gender Equality Agency. The ABS reports that the gender pay gap in South Australia is 9.2 per cent as of November 2023.

This percentage of the gender pay gap is far more than a mere percentage, it is also an indication that the Labor government bringing this motion must continue to act to ensure this

percentage continues to drop. The ABS also reports that as of November last year, men earned $1,982.80 per week while women earned $1,744.80. This disparity is influenced by factors like sex discrimination, industrial and occupational segregation, years out of the workforce, age and part-time employment which can amount to $12,376 annually. For every dollar men earned, on average, women earned 88¢. That is $238 less than men each week; over a year, this difference certainly adds up to that $12,376.

The current South Australian gender pay gap rate clearly also reflects the accomplishment of the former Liberal government. Not only did the Marshall Liberal government deliver record numbers of women in jobs but when we were in government we also released a women's strategy to drive women and girls to live, study and work in this state. The South Australian Women's Leadership and Economic Security Strategy 2021-2024 aimed to ensure that South Australian women have equal opportunities to contribute to, and benefit from, employment, entrepreneurship, leadership and economic security.

I take this opportunity with great delight to reflect on the outstanding women within my own electorate with whom I continue to associate, and new women I continue to meet, who are really punching through the glass ceiling when it comes to those factors of delivering jobs, building the workforce, entrepreneurship, leadership and economic security.

I always risk leaving out fantastic people, but the opportunity to recognise women from across my electorate is too good to refuse. As I walk us through the fabulous electorate of Frome, from Two Wells to Terowie, I note that Emily Riggs, based in Burra, has been focused on R&D and retail. When it comes to food and wine, you cannot go past Ali Paulett at Polish Hill River and Steph Toole in Auburn with Mount Horrocks Wines. Flosski Studio and Felicity's Auburn is also a true vintage entrepreneur in retail. Merrilyn Williams from Clare and Rachael Bombardieri from Two Wells have their focus on floristry and retail.

Sue Pratt is a leader in education when it comes to teaching the agricultural curriculum and is now seconded to the department. Giedre Budrius is a fantastic friend of mine, an extraordinary woman, and I do not do her any justice to say that her entrepreneurship in communications technology and social media has no peer. Paulie Calaby is another great friend, working across Clare and Brinkworth districts, with a focus on education and environment. Katherine Nugent is just a deadset legend, with a background in law and education, a volunteer and an entrepreneur in food and wine.

I give a shout-out to Dr Lisa Beament, who is marking 35 years of service as a practising GP in rural South Australia. She is based in Clare, and I thank her for the work that she does. There is Mel Sparks in retail, with her fantastic Depot on Irvine in Jamestown. To round it out, there is Katharine Crane in creative media, based in Kapunda, and Amanda Keller, in retail in Eudunda. I am so fortunate that I get to meet these wonderful women every single day I am in my electorate. They are examples of what opportunity through investing in women's entrepreneurship and leadership can look like.

This Liberal strategy that I touched on acknowledged the potential to close the gender pay gap by addressing barriers, supporting women in their professions and empowering them to drive their future. This strategy has set the foundations for where we are today, a reflection of the former Liberal government's commitment to women and girls in South Australia. All South Australian girls and women should have equal opportunities in this state. It really should not need to be said out loud.

We know that progress towards pay equity between men and women in the Australian economy stalled during the COVID-19 pandemic. Our strategy sought to empower women and girls to achieve financial security and become leaders in the South Australian economy. It looked to the jobs of the future to ensure women were at the forefront of these industries. It sought to bridge the gender pay gap by promoting emerging career paths like space, defence and construction for young girls. We set out to improve access to all occupations and industries, regardless of gender.

It also recognised that women in regional and rural South Australia face distinct economic opportunities but also challenges, the tyranny of distance and network connectivity being some of them. It is critical that the Malinauskas government does not stall now on the progress made by the

former Liberal government, ensuring that pathways for women in these industries of the future continue, in particular STEM and STEAM. When we think about the arts being added to science, technology, engineering and maths and understand the creative thinking that is required to solve and identify particular problems in those technical areas of engineering and maths, then the arts are definitely the companion piece in that factor.

Our strategy also identified the importance of supporting the economic security of older women. Women over 55 have been recognised as the fastest growing group of homeless people in Australia. The Malinauskas government has inherited a significant framework upon which to build women's economic empowerment in this state.

However, this will not stop the Liberal opposition or myself from continuing to advocate for South Australian girls and women. We want to continue to see barriers removed so that gender equality can be achieved. I commend the motion and, in addition, I commend the opposition's amendment to the motion.

Mr McBRIDE (MacKillop) (11:19): May I just thank the member for Gibson and also the member for Frome in speaking to the motion and then obviously to the amendments that are coming forth. I can understand why both, coming from Labor and from the Liberal opposition, hold a different aspect in this motion.

May I provide some clarity here: there are some really good points in this motion to protect workers in terms of gender and about what the future will look like, whether you are a woman entering the workforce or whether you are a male entering the workforce. What seems to be missing here is that no-one really comes out and admits that, if you go through the national awards and you look at pay rates and experience and education basis, not one award says that if you are a female you will be paid less. Not one award says that if you are a female you are not as worthy as a male. This is what really gets missed in all this sort of banter in regard to the difference between women and females in the workforce and males and men in the workforce.

I have asked questions regarding this. Where does this 6.7 per cent difference really come from and why does it exist? Apparently, it exists because of the white-collar corporate world. The problem with the white-collar corporate world in Australia is that there is no real award that actually exists at all. They are a rule unto themselves; they are a law and an award unto themselves. Unfortunately, in this aspect we are coming from 100, 200 or 300 years back—100 or 200 years if you are in Australia—and, if you go back to the Westminster system and the European systems, a lot of the leadership in society was male dominated. It is a fact and you cannot argue.

There has been a movement, it has been a large movement, and there continues to be a movement in the high-end of society, the corporate world, the leaders of businesses and even in government. We look up on the walls here and we see women getting their first time to vote and being able to enter parliament. These were absolutely landslide movements, 100 and 200 years ago, and we are still moving.

I think it is really important that this motion has some aspects regarding violence, sexual harassment or coercion of anyone—it does not matter whether a woman or a male. It does not matter at all. We are all equal, and so we should be treated equally. But this is the problem that the government has: there are two economies here. We have a bureaucratic government economy where they can put in legislation and in writing: we will be represented equally on a board, in management, in a system and on an employee basis—fifty-fifty. No-one is really going to mind. We would love to see women entering the government workforce, or men entering the workforce. It does not matter.

But in the private sector, and this is where it gets lost, the best person should always win the role if there are two people to choose from. It should not matter about gender. I believe that gender does not come into it in the private world. The clarity around that is that in the private world—again, I will reiterate—the awards do not say, 'I can pay that person less because they are a male, or I can pay that person less because they are a female.' It does not distinguish. That is what is really important around gender bias and equality. We all want to see it.

I have a daughter who is entering the workforce at age 22, and she is going into upper management. She tells me about the old ways, perhaps the men's club type mentality in the corporate world. It exists. Unfortunately, it still exists but it is changing. Can I just say that we must always realise that, in the productive private world, production matters.

I will give you another little reference. My son is a diesel mechanic. He has been working in the mining industry. He told me about a massive cohort of young women going into the mining industry; there were about 50 of them. It was a big draft of women being trained as apprentices. I cannot remember the field; it does not matter. It could have been diesel mechanics, it could have been engineers, it could have been drivers, it just does not matter, but they were going into the earthmoving business and they were absolutely valued. They were in the system, they were being trained and they love it. They carry their weight and they are as valued as much as anyone in the mining industry could be.

From the next cohort of females who came through, there has been a massive exodus. In other words, half of them have stayed in it. Why? It apparently was not for them. These young women obviously wanted to have a go—great. They got the feeling to see how it was going to work for them and it did not. That is absolutely fine as well.

It is still the fact that women in our society are the ones who rear and do most of the home work still today. If you go back 10, 20, 30, 50 or 100 years, that role was a great deal bigger and more significant. There has been a great shift. We know that some men make great home fathers; they play that mother role. That is not a problem. The wife in the family unit can be the breadwinner. We hear of this and that is absolutely brilliant. We have these family units completely opposite to what they used to be 100 years ago.

It is important that the women coming through society and moving out of the education system know that there is no difference out there, that their choices are not restricted because they are a woman, and I do not believe they are. We must recognise that there are different roles that we still have as genders. We know that the women obviously have to bear the child, have the birth and then there are greater options than ever before going forward.

I can tell you that I am very much appreciative because I would not have made much of a mother. I was not much of a father but I would have been worse as a mother. I did marry a beautiful wife, a nurse as she was. She was a terrific nurse. Even that occupation is dominated by females. It does not mean there are no male nurses—they can make absolutely brilliant nurses—but it is still an area that the women do very well and it seems to attract women more than ever and it is still the same. It was a lot bigger cohort 10, 20, 30 and 50 years ago.

I appreciate this motion and I think it has some real merit, but I want to make sure that governments understand that in the private sector we are still about productivity. We still want the best people for the jobs. The best people should still be allowed to get those jobs. Gender should not matter. I have highlighted this before, but there is not an award in Australia that says because I am a male I should be paid less than my female counterpart and vice versa, that if I were a female I should be paid less and my male counterpart should be paid more. That does not exist.

Yes, there are some women who may wish to work fewer hours. Perhaps they are still doing the family role, perhaps they still have children and child-bearing type duties because the male cannot do it, will not do it or is not good at it like me, so those sorts of differences will exist.

When we talk about the family court system, when marriages and unions break up, great importance is given to who has played what role and the importance of the stay-home parent is valued through the court system in the separation. Superannuation is taken into consideration through the separation process because the woman might not have been able to participate in the workforce as much as the male, for example, as the past has indicated. That is balanced out and this happens.

With reference to this gender pay gap, there is not a system out there deliberately trying to divide our genders, there is not a system out there trying to pay one gender more than the other. Yes, there are some differences about participation. Yes, there are some differences about role play

and the importance of family life and if that continues to play out then we are going to hear about those differences.

Amendment negatived; motion carried.

NUCLEAR ENERGY

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (11:29): I move:

That this house—

(a) acknowledges that South Australia is where 25 per cent of the world's uranium is found, and that our state holds 80 per cent of Australia's known uranium reserves;

(b) acknowledges the groundbreaking AUKUS agreement which will see the construction of nuclear-powered submarines at the Osborne shipyards, noting that this will see the development of nuclear skills which could in turn leverage a civil nuclear industry;

(c) acknowledges that base load zero emissions nuclear power is critical to decarbonise globally and that many countries around the world are already using base load zero emissions nuclear power;

(d) acknowledges that inherent grid stability which is provided by base load zero emissions nuclear power;

(e) notes that Australia is the only G20 country with a blanket ban on base load zero emissions nuclear power and that this poses a risk to decarbonisation targets at state and federal level;

(f) notes that active participation in various stages of the nuclear fuel cycle could present multiple economic opportunities for South Australia;

(g) supports base load zero emissions nuclear power being considered as part of a source-agnostic pathway to clear, zero emissions energy production; and

(h) supports a non-ideological, open-minded investigation into the potential for a civil nuclear industry, including energy generation, in South Australia.

I move this motion because I believe that South Australia, and Australia, has moved in a very significant direction in recent years. The support for nuclear power generation and, in fact, participation in the whole nuclear fuel cycle, has expanded and grown significantly in our community. I think that is largely being driven by community sentiment around a realistic pathway to net zero in 2050.

There are other reasons for it as well: an increasing acceptance of the safety of nuclear energy production, and participation across the broader fuel cycle. I believe, and I lead a party that believes, that South Australia is standing at a point in time when we can participate in a more active way in the nuclear fuel cycle. This has been a journey for many people in society, and it has been a journey for me and for many people in my party as well.

Yesterday, in my budget reply speech, I foreshadowed that a future Liberal government would have a second chapter, so to speak, of the Nuclear Fuel Cycle Royal Commission, which was headed by former Governor Kevin Scarce in 2015-16. That new chapter, a royal commission 2.0, would have, in many ways, quite narrow terms of reference: to see if there is opportunity that has come from advanced technological changes since 2015-16; a change in community sentiment; and, of course, new activities and occurrences, such as the historic bipartisan AUKUS agreement, which will see nuclear-powered submarines constructed at Osborne on the edge of Adelaide in the coming decades.

The landscape has changed, my sentiment has changed, the sentiment of many in the community has changed and the technology has changed, so now could very well be the time for the state of South Australia to participate more openly in the nuclear fuel cycle.

There is a range of poll figures out there, and as this debate occurs at a federal level in the coming weeks and months we will find more statistics put on the table, we will discover more polling and we will find out more about community sentiment. However, there is no doubt that in the research I have seen undertaken independently by third parties, industry groups and the like, support for nuclear power generation in Australia has moved from around 20 per cent to 25 per cent in our community to about 50 per cent in our community. That is a dramatic shift, a dramatic shift in community sentiment.

I believe, and the Liberal Party believes, that it is time for South Australia, and our nation, but particularly South Australia, to have a mature discussion about what participation in the nuclear fuel cycle looks like and what nuclear energy readiness looks like. What do we need to do now in terms of community engagement, in terms of infrastructure, and in terms of planning, to participate at some point down the track in activity across the nuclear fuel cycle?

The change leads us to a point where this parliament should, I believe, undertake an investigation into what South Australia is doing. Yes, there is an opportunity perhaps in the future to have a royal commission, and that is an election commitment that is on the table but, in fact, this work could very well start much sooner. That is why this motion is being put forward by the opposition, as a goad to action, for the parliament and to the government, but for the broader South Australian community to have this debate, this discussion, this conversation, this non-ideological conversation about what the opportunities are here.

South Australia is navigating an energy trilemma: energy security, emissions reduction, and energy affordability. We know there is an opportunity to talk about how much nuclear energy will cost us to establish it in this nation. This is a debate we will have. Peter Dutton has put that on the table and there is going to be a very clear level of product differentiation between the two major federal parties, the parties of government at federal level, when we move towards the federal election.

I think that debate started today in a very specific, very focused way with Mr Dutton putting on the table what the Coalition's nuclear energy policy looks like in a tangible way, where small modular reactors could be sited, what support and engagement with communities will look like, and what the benefits will be for those communities. Today marks a very significant day for our nation in that there is enough information now on the table for that conversation, that debate, and that election issue—because it will be an election issue—to be fought, to be discussed, to be debated from now until the federal election and, I suspect, well beyond that. I think there are very significant opportunities for South Australia to be involved in that debate, in that discussion.

When it comes to energy policy, we believe in being highly agnostic as to what is on the table in terms of zero emissions and energy outcomes for the future. There is a place for wind and solar, absolutely a significant place. South Australia does not only lead the nation but in many ways we lead the world in regard to the penetration of wind and solar power generation. There are other options—hydro-electric power in some parts of our nation, pumped hydro in others—and there are continual technological advancements that are bringing other things onto the table. I believe that hydrogen is a fuel of the future. I simply do not know what that looks like and when that will be a viable option in the future.

The Labor government has an agenda around hydrogen but we have significant questions around its viability and whether it could result in significant taxpayer expenditure on an initiative which is not proven and does not have the support of industry—because, from the conversations I have had, it clearly does not, and there is significant scepticism there. Labor has on the table a mode of energy production, being hydrogen, that is unproven and questionable. We are saying that nuclear energy should be on the table as well as an option. It should be discussed, it should be explored, and it should be investigated.

Some of this work has happened, and some of it happened with the previous royal commission but, in terms of technological advancement, we are light years removed from Kevin Scarce's royal commission. That did foundational work, but technology moves quickly. Community sentiments move surprisingly quickly with regard to this issue. I say 'surprisingly' because I am surprised at the way things have moved away from where they were 10 or so years ago. There is now an opportunity to build on the evidence base we have from the past.

I am on the public record questioning some aspects of the 2015-16 royal commission. I questioned whether South Australia should put up its hand and say, 'We'll take nuclear waste from the world.' I was uncomfortable with that at the time; I am still uncomfortable with that being the sole purpose or our sole participation in the nuclear fuel cycle beyond just uranium mining and extraction in this state—I think we can do more than that. I am not the expert, though, so I believe we should bring experts together to dig into this, to investigate it, to get further evidence on the table, to analyse

where the technological solutions are today and where they are likely to be in the near future, and to move forward from there. That is why this motion is on the table.

This state I do believe stands at the precipice of something quite significant, something quite great in terms of our contribution to our national security when it comes to our participation in the AUKUS agreement. We have a lot of heavy lifting to do, but it is nation-building stuff and it is national security related. We talk a lot about the economic benefits of the AUKUS agreement and shipbuilding more broadly, and they are important, they are critical, they are a fundamental part of what South Australia is all about, but we are also playing a critical role in our nation's national security. We do not talk about that quite as much, and I think we should talk more about it. I think that will be part of building our state's participation and desire to participate in the activities around AUKUS, knowing that we can proudly be part of our nation's national security—we are the defence state.

Sometimes I think we should push ourselves to think about more than just the jobs that flow from that, but about what we are doing for our nation as well. With AUKUS on the table, with South Australia's promising participation in the AUKUS construction project, there is also an opportunity to look at civil nuclear energy and a broader civil nuclear skills sector in this state and in the nation more broadly.

I travelled to the Rolls-Royce facility, the nuclear energy and manufacturing precinct in the city of Derby in England just last week. I spent time talking about the skills side of things with regard to AUKUS, the direction of the technology more broadly (the technology around reactors) and looked at a broad landscape of opportunities for countries that are participating in the nuclear sector more broadly—everything from traditional large-scale nuclear power generation, which I do not think has a place in Australia today at least, through small modular reactors to advanced modular reactors, right through to almost science fiction based ideas around reactors in space providing power to activities in space, given the duration of longevity that those sorts of energy sources require. Sounds like science fiction at the moment. Will it be in five or 10 years' time? Most likely not!

When I was in Derby it was very clear that the amount of research and development going into small modular reactors is nothing like I had ever seen before—600 scientists and research officials working on this project. There is significant opportunity here. I am a more recent convert to it in many ways, a convert because of the changing landscape, the changing community sentiment. My desire to see a sustainable sensible pathway to net zero, with various targets along the way—I am certainly not in the business of walking away from 2030 or other interim targets—I think is a powerful goal to action for our state.

This is about grid stability, it is about potential long-term affordability, it is about being open-minded and non-ideological about an issue which is at the forefront of thinking across the Western world at the moment. There is an opportunity here for South Australia to be involved in this discussion in a mature way, to be part of our national security effort at a national level but also to do significant things for energy production in our state and in our nation. I commend this motion to the house.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (11:44): I move to amend the motion as follows:

In paragraph (b), remove all of the words after 'Shipyards'.

In paragraph (c), remove the words 'base load zero emissions' and replace with 'low emissions' (in both occurrences).

Remove paragraphs (d) to (h) inclusive.

Insert new paragraph:

(d) condemns the Speirs opposition and the federal Liberal National Coalition for floating vague proposals about nuclear energy without providing any compelling commercial or technical justification and for failing to heed the findings of the South Australian Nuclear Fuel Cycle Royal Commission and other inquiries.

I heard the Leader of the Opposition today on radio saying that the Scarce royal commission did not consider nuclear generation as an issue. That is not true: it did, and it ruled it out. What concerns me about the opposition's rush to support Peter Dutton, which I understand from a party political perspective—they want to support their colleagues and their friends in Canberra—is the lack of

research and the danger that it can cause investment in South Australia and the recklessness of not even knowing the basic facts.

The amendments that I have moved I think give us a number of points that I wish to make. The Malinauskas government takes an agnostic view on nuclear energy and agrees with the Intergovernmental Panel on Climate Change that nuclear energy is one of many technologies the world needs to employ to address the harms of climate change. We agree with the IPCC Sixth Assessment Report on the mitigation of climate change that:

> Nuclear power is considered strategic for some countries, while others plan to reach their mitigation targets without additional nuclear power.

Recent nuclear projects in North America and Europe:

> …have been marked by delays and cost overruns. Construction times have exceeded 13-15 years, and cost has surpassed three to four times initial budget estimates.

It goes on to say:

> Some countries have a lot of renewable energy, whereas others do not, and other energy sources, such as nuclear power or fossil energy in which CO_2 emissions are captured and stored…can also contribute to low-carbon energy systems.

We are one of those countries with bountiful renewable energy. Australia cannot afford the risk of opting for nuclear when there is no commercial viability or business case. There is a high risk that nuclear would not be delivered until years after all coal-fired power plants have closed. So the only way this plan of members opposite to build nuclear reactors is to keep coal-fired power stations open longer, and I suspect that is the actual plan.

The most recent real-world examples include the US Voglte unit in Georgia, which was $US17 billion over budget and cost $US31 billion, and that was seven years late. In Finland, the Olkiluoto unit 3 was reportedly €8 billion over budget at €11 billion, and was 12 years late. In the United Kingdom, Hinckley Point C plant is under construction and running over budget by about £16 billion at £31 billion to £34 billion (in constant 2015 pounds), and about six years late. In France, the Flamaville 3 plant had an estimated cost of €3.3 billion in 2007 when construction started. In 2020, the estimated cost had grown to €19 billion and was scheduled to be operational by 2012. It has finally been given approval for it to load fuel now in 2024.

This government accepts the findings of Australia's leading scientific organisation, CSIRO, in its GenCost 2023-24 report. That report found for Australia the cheapest form of new electricity generation is to build renewables. This includes the cost for sufficient transmission and storage to reach up to a 90 per cent share of generation.

The CSIRO estimated that small modular reactors, which are yet to be built anywhere outside of Russia or China, would have the highest capital cost of any generation technology. Large nuclear reactor capital costs would be more expensive than solar (large scale, rooftop or thermal), wind (onshore or offshore), gas (open cycle, closed cycle or with carbon capture storage), and hydrogen.

The amendment of the phrase 'base load zero emissions' to 'low emissions' acknowledges two facts: firstly, that every technology involves some form of emissions, at least in the construction phase, including nuclear; secondly, that nuclear is not widely used for base load generation. As I will describe later in more detail, large base load generation is not compatible with renewables, particularly in South Australia. Why? And this is the point that my colleagues opposite forget. They claim hydrogen as a percentage unit of cost is more expensive than nuclear, but hydrogen is a peaking source, not a base load source, so it comes on and off to firm, potentially at 10 per cent of the time, and even less than some other generators operating at a 2 per cent operational factor within the market.

What members opposite want to do is entrench expensive costs 24/7. Given the CSIRO report of the cost of nuclear energy, and given its base load nature, that would be pricing in to everyone's bills those costs in perpetuity. This is what they have not thought through. You cannot say a peaker is more expensive than a base load generator without saying if that base load generator has high costs that are baked in 24/7 into our costs. I think that is where the debate of my friend, the shadow minister for energy, falls over.

In the GenCost report, CSIRO estimates that a nuclear plant would have a capacity factor of 53 per cent. That is an Australian-wide context, including the Eastern States where rooftop solar provides a far lower proportion of supply than in South Australia. Here it would seldom be needed, but we would be paying those costs anyway. That is, we would be paying for the capital costs, and the entrenched base load costs of that expensive generation when we did not need it. That is what members opposite are seeking to employ.

Nuclear plants do not turn on and off. Therefore, it would condemn South Australians to either pay for extremely expensive power supply at some times when it is not needed or it would force the shutdown of rooftop solar on South Australian households, so the excess supply could be absorbed. Either outcome would be a considerable cost burden on South Australians.

I want to finish on this point. I would be for nuclear power if it were cheaper. I would be for it if it made economic sense. The thing about hydrogen versus nuclear that my colleagues on the other side refuse to accept is that hydrogen is not one form of use. The government's aspirations for hydrogen are not just in generation. The government's aspirations for hydrogen are the decarbonisation of value-added products like copper and iron ore to green iron, because hydrogen can be used to remove the oxides and beneficiate iron oxides to green iron.

Nuclear power will have its role. It will have its role in our defence capabilities through propulsion systems. I do not think this has been thought through by members opposite.

I am concerned about the space reactors that I just heard the Leader of the Opposition talking about having in five to 10 years. I am not sure where he heard that from. If that is the level of detail the opposition is taking to this, God help us all. God help us all. I suspect that members were pretty shocked by the Leader of the Opposition's remarks in the house about his space reactors.

Mr PATTERSON (Morphett) (11:55): I rise to support the motion moved by the Leader of the Opposition. He makes the point at the outset that acknowledges that South Australia is where 25 per cent of the world's uranium is found. It holds 80 per cent of Australia's uranium resources. South Australia is already part of the nuclear fuel cycle, and it underpins the livelihoods of so many people who work in those mines: Olympic Dam, Four Mile, Honeymoon and Beverley. Not only that, but that uranium is exported to the world and powers nuclear power plants worldwide in jurisdictions that have the benefit of nuclear power. I will touch on that later.

In terms of nuclear, that has the basis for an understanding here in South Australia. As I have said before in this house, my father was born during World War II and studied post World War II. He actually did his doctorate and PhD in nuclear physics. At the time, Australia was looking to develop a nuclear industry and he saw opportunity there. Instead, because we are blessed with so much coal in this country, coal took priority over nuclear and so he never got the opportunity to have the interest in a nuclear industry here in Australia that, as we go forward, is now occurring right here in South Australia.

The impetus for that, of course, is the groundbreaking AUKUS agreement where we are going to have nuclear submarines based at Port Adelaide, at Osborne. We hear about, and rightly so, what a massive undertaking that is, but also about the skills that that will bring to the nation—of course, the skills that are required but also the high-paying jobs that go with it.

But, of course, Australia already has skills in the nuclear domain, even in the domain of building and operating nuclear reactors. We have built and operated nuclear reactors at Lucas Heights in Sydney. We built that nuclear reactor three times, in fact, over the course. That provides world-leading nuclear medicines to the world. We already have, because of that, established regulatory frameworks. We have ARPANSA, which is world-leading as well, so we already understand that.

It has to take into account the handling of waste, but certainly with the nuclear submarines we are going to have to consider the handling and disposal of that high-level radioactive waste. We are going to have our Australian submariners sleeping next to these nuclear reactors. As a country, we have moved quite rapidly. I think you can understand that many Australians can see the need for the submarines and are supportive of it.

I think it is worth making the point around these nuclear submarines, because a lot of the time—as we will shift later on into a discussion about the civil nuclear debate—we talk about the cost. The country, Australia as a nation, made the decision instead of spending $90 billion on conventionally powered submarines to spend over $360 billion on nuclear-powered submarines, and instead of having 12 to have eight. It makes the point that the economic cost is one consideration but there are also other important factors that go into that decision-making, especially from a national security perspective.

You look at what the utility of it is, what its likely detection rate is and what its posture is, so it is not just the economics. It looks at the overall system, because we talk about the defence force overall: air, land and sea. That is just one part of a defence system. I think later on when we get into the civil nuclear electricity, we have to look at it from a system perspective as well.

The other point to make, of course, is that both the UK and the US, our partners in AUKUS, not only have a military nuclear industry but also have a civilian nuclear industry, and the interflow between those is vitally important to sustain both. Australia would be the only country trying to undertake a nuclear military capability absent of a civil capability and the reinforcement that would provide.

Looking at the worldwide civilian nuclear industry and the move towards net zero, when we look at reliable, stable systems that need base load power with zero emissions or low emissions the technologies available at the moment are hydro, geothermal or nuclear. When you look at the South Australian perspective, when you look at the Australian perspective, we do not have the vast hydro resources that other countries have. We do not have the geothermal that others have, and so what option do we have as a country if we want to have low emission base load power, if not to look to nuclear?

We need to understand why that is the case. I have talked about how the announcement around AUKUS shows the acceptance and the understanding of nuclear. The reasons may be manifest, but there is a broad acceptance. Certainly, when you also look at South Australia's energy transition, we are at the forefront of having a low carbon emission electricity system, but what we are seeing is that that has coincided and been manifest with power prices skyrocketing.

We have lived through the removal of our base load coal-fired power station in Port Augusta with no replacement, and since then bills have been skyrocketing, without a dedicated plan to try to replace that base load power. We have had blackouts. We have had the statewide blackout and we are continually under threat of blackouts.

It is a real issue, but underlying that, which households would have seen, it is also our commercial and industrial bases that are suffering. They have said that their system security costs have escalated by over 200 per cent since 2016. All these costs are borne because the system is intermittent and has lost that base load power that provides steady power for it.

What we see is a real cost that not only households are feeling but commercial and industrial as well. The energy minister moves an amendment condemning the opposition for having a view on nuclear energy because, he said, there is no compelling commercial or technical justification. Tell that to all the households whose bills have gone up. Tell that to all the industries whose bills have gone up, who are finding it hard to compete nationally or globally. That is why there needs to be a discussion around that.

That discussion, of course, does not say we just want 100 per cent nuclear. It is looking at a range and a mix of technologies. The scale and complexity of the energy transition is at such a scale that all options should be on the table, rather than this renewables-only push, which we see is associated with prices escalating. It is looking to see what technology is there. Nuclear is certainly in a conversation looking at what role that could play.

In fact, it is very complementary to renewables. The minister talks about base load power not being able to run with renewables. In fact, it would be very complementary to the renewables. With nuclear, the actual running costs are very low, because the fuel costs are not high, which does allow nuclear stations to run over prolonged periods. Talking to experts, I have talked about how it

looks in the context of South Australia, where there are high periods of solar and wind and then those wind droughts either on days or even during the day.

Nuclear can run alongside that and provide great support. It means that the system does not need to be overbuilt. The hydrogen plan of the government relies on a massive overbuilding of energy. It takes so much extra energy in to create the hydrogen because it is a very energy intensive process, much more than the energy out, and so a lot of energy is required for that. That is why the Liberal opposition has announced that it will undertake a royal commission looking into how nuclear can play a role to make sure our economy and our standard of living is strong going into the decades ahead.

Mr HUGHES (Giles) (12:05): I will also add a few words to this debate. Obviously, I rise to support the amendment. In some ways, this argument has been done to death, to say that we need to investigate again and again. When does it finish in the Australian context? When you look at the Australian context, report after report indicates that we do not need base load nuclear power in this country. We do not need it because of the expense associated with nuclear power. Nuclear power is not the cheap option.

The energy minister mentioned what has happened overseas—not all projects but a lot of projects in the Western world—where there have been massive cost overruns. There have been massive delays when it comes to the building of projects. Hinkley Point C is one of the classics. It is a nuclear power plant being built in a country with a long history of nuclear power dating back to the 1950s. Initially, I think a French company was involved and then a Chinese company, also with histories of building nuclear power.

I think the minister might have got wrong the amount of money that it has now blown out to. I think it is now up to $A90 billion. That is a massive blowout from where it started, and it is still not online after years of development. As the minister said, you can point to numerous other examples around the world where there have been these big cost blowouts when it comes to nuclear.

In this country, we have the CSIRO. They do their GenCost annual report looking at the levelised cost of electricity, and they have come out and indicated that nuclear in the Australian context is the most expensive form of electricity. I want to emphasise the Australian context because we have so many other opportunities. Nuclear is nowhere near the front of the queue when it comes to how we respond to the need to provide reliable energy, affordable energy, and energy that is low emission or zero emission.

I am not someone who has a reflex attitude towards nuclear power. In my electorate I have the largest uranium mine in the country and one of the largest in the world. I have another potential uranium mine that is going to be developed, a leachate mine about 20-odd kilometres to the south of Whyalla. I have been supportive of that project because of the jobs that it will generate. Clearly I am a supporter of Olympic Dam and the benefits that it generates at that multimetal mine for the state, and obviously one of the things it produces is uranium.

There are countries overseas that do not have the same energy choices that we have. Nuclear is going to be part of their mix, and rightly so. There are other countries where there is sunk capital. They went in this direction many years ago, they have a history of nuclear power and they have existing nuclear power plants.

It is interesting when you look at the cost curves of different forms of electricity production. When you look at renewables, those cost curves are absolutely amazing. The cost of renewables, both wind and solar—especially solar photovoltaic, not so much solar thermal—have come down massively, and we have batteries now following the same cost curve. I am not saying that batteries at this stage are a substitute and the way that we need to be storing all our electricity, but it will have an increasing role because of the amount of research that is going on in that particular area.

There are other options as well in Australia. There are literally thousands of potential pumped hydro sites in Australia, according to the Australian National University study on what sites were available. Of course, in this state we are looking to use green hydrogen to drive a peaking station. If it was the case that through the day electricity was at a constant price, and a high price, you would not be going down the hydrogen path. But there are times in this state where wholesale electricity is

incredibly cheap, so it makes sense to use that incredibly cheap electricity to drive electrolysers to produce hydrogen for a peaking power station. As the minister said, hydrogen has a whole range of uses, so that is why we should be going down that particular path and taking that first-move advantage.

I have mentioned the CSIRO, our peak body. Of course, they were attacked because there are some people in the Coalition who are quite hostile to science, and they are especially hostile to the science around climate change—I prefer to call it global warming—so there is that hostility in the Coalition, federally. Indeed, this whole announcement about the sites today, and a bit more detail about nuclear power plants, has been an interesting one. Here is a Coalition at the national level and the Liberal Party at this level, and anything that is not nailed down they are very keen to privatise. Of course, the plants—

Mr Patterson: What about ForestrySA, SAGASCO and land tax?

Mr HUGHES: We did not privatise ETSA, the big one. You should never be forgiven for that. Playford would have turned in his grave given the actions taken by the Liberal Party. I have to say, when it came to Playford's nationalisation of electricity in this state he was ably supported by the Chifley Labor government that provided the financial wherewithal to carry out that nationalisation, so it was a great example of nation-building.

The issue now is that the federal government, when it comes to their nuclear proposal—which is largely a fantasy proposal, and it is all about another agenda—when it comes to their nuclear fantasy, it is going to be publicly owned. And why is that? Because the private sector in this country, in the context that we have, will not go anywhere near it. All the big energy providers in this country have indicated that nuclear is not part of their options for the future.

But the real agenda at a national level is about the divisions within the Coalition when it comes to the future pathway, and going nuclear is just a backdoor way of retaining fossil fuel energy sources in this country for many additional years. That is going to come at a real cost, as these often old, clapped-out coal-fired power stations struggle in the future. And what will we see? A national government that will subsidise them. They will keep using dirty sources of energy for many years to come because, if this nuclear fantasy ever comes to fruition, we are talking about sometime in the 2040s.

It is interesting once again, at that federal level, the change in positions, because originally they were talking about the modular reactors, none of which exist commercially at the moment anywhere in the Western world. You have one in Argentina, once again there was a cost blowout; you have one or two in China; and you have one or two in Russia. These modular reactors that people talk about are not there. One of the arguments about modular reactors—and there is a scale issue here—is that it will be cheaper. Well, it is not. As to the levelised cost of electricity, all the estimates that have been done indicate that it is actually going to be dearer. The leading proponent in the United States, I am not sure if it is called the NuScale project, has now collapsed with litigation everywhere, so it does not exactly—

The DEPUTY SPEAKER: The member needs to wind up please.

Mr HUGHES: I will wind up with one comment. The head of the International Energy Agency was here in Australia recently. It is a very pro-nuclear body and they accepted——

The DEPUTY SPEAKER: The member, winding up means concluding.

Mr HUGHES: —that in South Australia it makes no sense.

Mr TEAGUE (Heysen) (12:15): The debate this morning has served some useful purpose, if only to see that we have the minister putting some aspects of a view of sorts on the public record. What we have heard clearly is that there is a clear choice ahead. The Malinauskas Labor government has just made it clear that the government is against nuclear energy development in the state. It has put it clearly. You got a very clear statement there from the minister.

I think the attitude of the government to this debate is disappointing—that is my view about it, it is disappointing—and I go a step further to say that the attitude of the government is irresponsible in this space. That is in the context of what we have started to hear, which is the embryonic

development of a scare campaign that links curiosity about nuclear energy to an inevitable extension of coal-fired power in the country. If one is going to feed into informing the other, we are going to have a scare campaign from Labor that is going to say, 'Don't be curious about nuclear energy, because somehow that is inevitably associated with extending coal-fired power.'

We have that debate separately, let's not waste too much time this morning. We have got a bit of a glimpse of what might be coming. What we see clearly is that Labor is against nuclear energy and it is against a curiosity in this space that has dated back for decades as we know. So what we have got to do first of all clearly is to tackle the necessity to clear the air in the context of the debate about uranium, about nuclear fuel development of electrical power in this state. There is going to be a clear divide, because you have denial on the government side of any real prospect of anything being progressed and on this side you have a pathway towards curiosity to learning, to confidence, to development of a way forward in the future.

It is really disappointing in the extreme to see the government coming along and flipping the motion of the leader to condemn the opposition for coming up with a proposal to explore something that South Australia has the most significant resources of anywhere in the world, and by some extraordinary margin. But we are not allowed to do that for risk of being condemned by this government for doing so.

Apart from what we have seen and heard about now as this embryonic scare campaign, what the government has further done in its response to this motion today is to draw attention to the completely wrong-headed approach that it has taken now for the better part of the last 20 years in this space driven by what is a fortress SA parochialism-based debate about energy generation.

It said to the people of South Australia, 'Don't think too much about reliability, about cost and about the future of the way we fit into the energy cycle in the country. We're going to make sure that we shut off connection as far as needs doing in order to make sure it's island South Australia, and we'll have this variety of energy sources that will keep the lights on, possibly, but we'll do that via this parochialism debate.' That is just completely wrongheaded from the start.

We know that any worthwhile debate about the generation of energy in a network system such as Australia, let alone by the time you start looking at analogies around the world, depends enormously on areas playing to their strengths and on interconnection to ensure that we have a rational approach to reliability and to cost efficiency. It has been put by the minister, 'You have to understand the difference between firming and base load, and this is all a wrong cost analysis,' and we all have to understand the great wisdom of the government's foray into hydrogen for this reason as distinguished by that, and that is why it is okay to talk about hydrogen every day of the week, but heaven forbid anyone talk about nuclear power generation.

Parochialism has got to go. Parochialism has got to stop. We have to be able to have a rational debate that is free from ideology. We have to be able to encourage those who would study science in our schools and our universities, let alone those who would come here to learn about what the best practice in the world is on energy generation. You have to be able to free them up to be able to say, 'Come here and you're going to be in an environment where we can innovate, we can learn and we can develop all aspects of the energy generation cycle, and we're not going to be hit by political arguments left, right and centre the whole way along.'

The motion in its original form gives this parliament today an opportunity to say, 'We are going to chart a new course and we are going to explore all aspects of the fuel cycle.' That includes what we know we are brilliant at in this state: exploration, extraction and milling; exporting uranium and the further processing and manufacture; electricity generation, which has occupied the bulk of the debate here today; and the management, storage and disposal of waste.

Of course, that comes in the context of paragraph (b) of the original motion, which has survived the more or less comprehensive surgery that the government wants to put in terms of its amendment, because the government is at least willing to acknowledge the groundbreaking AUKUS agreement which is going to see the construction of nuclear-powered submarines at the Osborne shipyards. They are endorsing that, at least. So they are happy for us to have a degree of curiosity, engagement and innovation to that degree, but I suspect that there is far too much infection of ideology that remains over on that side.

The course that we have to chart is not to be thwarted by these condemnations that the government is going to place over any proposal to head into the future, but to speak up for doing away with all those outdated ideological debates. We were really close, going back to the middle of last century. The Gorton government got very close to the establishment of a nuclear power plant. We had a debate that was based on cost at that point. It was a competition between nuclear and coal, and we didn't go down the energy generation path at that point. Unfortunately, we all know that the eighties were preoccupied by the nuclear disarmament debate and we have been stuck in a kind of *Back to the Future* mould in which the possibility to explore in the usual scientific, innovative way has been forestalled far too much.

We must get back onto a footing where South Australia can play to its advantage, where being curious and innovative and confident is not against the rules because there is a government and a public debate that are willing to promote it. The Minerals Council of Australia has been calling for the rethink on the ban on nuclear power now for the better part of the last generation. The history in Australia, let alone South Australia, is well documented in terms of where we have been.

To get back to the beginning of these short remarks, I am left informed as to the sort of scares that we are going to see now coming from the other side against the exploration of this important topic. It ought to be noted today that the government, in taking the approach that it has to this motion and amending it in the way it has, condemning a proposal for further consideration, has charted a course that is not only disappointing, it is irresponsible. It needs to be called out, and I support the motion in its original form.

Ms HOOD (Adelaide) (12:25): The Malinauskas government has maintained a clear and consistent position on nuclear energy. The position is that nuclear energy has a role in the global campaign to address climate change; however, in Australia, and particularly in South Australia, the cost of deploying nuclear makes it completely unviable. There are no businesses here clamouring to invest in nuclear. In this nation, and particularly in this state, there are plentiful resources for renewable energy and short to long-term duration energy storage. That is the pathway to cleaner, more affordable, reliable energy.

In contrast, the Liberal Party has flip-flopped around when it comes to energy policy. The South Australian Liberals refused to support the recommendations of the Nuclear Fuel Cycle Royal Commission but are back here now with a half-baked call to go nuclear. The muddle-headedness is even more evident at the federal level, where the Coalition had some 22 energy policies during their near decade in office but failed to land even one coherent and accepted policy.

Let us never forget the former Prime Minister, ScoMo, bringing coal into the parliament and telling us not to be afraid or describing our big battery as the 'big banana'. To be honest, the Liberals' energy policy reads more like a Roald Dahl novel: there is 'Scotty and the giant banana', and there is 'Peter Dutton and the nuclear power factory'. During this dismal period, some in the Coalition did support nuclear, but it was ruled out on multiple occasions by Coalition cabinet members as being too expensive.

Now, we have pledges of a pro-nuclear policy from the federal Coalition but no detail on cost or who would pay and when they would be built and turned on. This is against the backdrop of the Coalition stepping away from interim targets to get to a net zero emissions future. This is from a party and a leader that went about recently saying, 'If you don't know, vote no.' Well, we do not know. In the case of the Voice, there was actually information there for those who wanted to look. In this case, there is nothing there. It is a hollow call.

Consider how the Coalition has flip-flopped on the type of reactor they propose. Last year, Liberal leader Peter Dutton was repeatedly calling for small modular reactors, or SMRs for short. Now, the Coalition seems to be saying that modern, large-scale reactors would be required. The state opposition is a half-step behind their federal colleagues, as they seem to be still calling for SMRs. The Intergovernmental Panel on Climate Change says there are more than 70 SMR designs at different stages of development, from the conceptual phase to licensing and construction of a first-of-a-kind facility, but there are no actual SMRs anywhere in the world except outside Russia and China.

In the Russian Arctic Circle, the *Akademik Lomonosov* is powering the small settlement of Pevek. It is basically a barge with an SMR adapted from the type of nuclear reactors used to power icebreaker ships. Construction of the ship started in 2007, and the 70-megawatt generator began full commercial operation in 2020. The final cost, at an estimated $US700 million, was nearly three times the initial budget.

In China, the nuclear power plant in Shidao Bay, Shandong province, began commercial operation in December 2023. It is the first fourth-generation plant: a 200-megawatt helium-cooled pebble-bed reactor. Multiple delays were encountered. While small, it is not clear whether it is actually an SMR in the modular sense. A genuine Chinese SMR has been under development since 2010: the Changjiang 125-megawatt SMR on the island of Hainan. It is in advanced stages of construction and has the advantage of being co-located with larger, traditional reactors.

In democratic countries, the most advanced SMR remains stuck at the design stage. Founded in 2007, the NuScale Power Corporation SMR has not yet completed regulatory approvals by US authorities. Lauded as being at the front of the pack, it suffered a major setback in November 2023 when its flagship project in Utah collapsed because of high costs and technical issues. In January 2024, NuScale announced that nearly one-third of its staff would be made redundant. Also in the US, Westinghouse has submitted a pre-application plan to the US Nuclear Regulatory Commission. Westinghouse anticipates its design will be certified by 2027. This would be followed, it says, by site-specific licensing and construction on the first unit toward the end of the decade.

The member for Black is very excited about a Rolls-Royce SMR. Again, there is no such thing. Rolls-Royce is in step 2 of a three-step process for generic design assessment by the UK's Office for Nuclear Regulation. After step 3 it would still need site-specific assessments before construction could start on any actual SMR. It has only got as far as agreeing with the University of Sheffield to start building prototypes for SMR modules.

In Canada, Ontario Power Generation is planning an SMR which has yet to receive state and federal approvals. It has set a target to be operational by 2036. In Argentina, an SMR project was launched in 1984—a year before I was born—but shelved until 2006. Concrete was poured in 2014, but progress stalled in 2018-19 over contract disputes. Construction has resumed under new contracts signed in 2021. So this is a project that has already been going for close to 40 years with not a single day's operation to show for it. These are track records in countries that actually have established nuclear industries. Imagine how much longer the delays would be here in Australia.

Rather than chasing something that does not exist, the Malinauskas government's involvement in the nuclear sector is in the support of uranium mining. We know there are many countries that cannot develop renewables and where nuclear can assist with decarbonisation. We are proud to support them, but our involvement stops at that raw material stage. We do not have the ability to convert or enrich the uranium so that it can be used as fuel. Nuclear plants do not run on uranium oxide.

According to the World Nuclear Association, many of the modern large-scale nuclear reactors now being contemplated, and more than half of the SMRs now being designed, will need a more enriched fuel than is currently used in the older fleet of reactors. This fuel is called high-assay low-enriched uranium. Rather than enriching uranium so that it consists of about 5 per cent of the U-235 isotope, which is at the heart of nuclear fission and is used in older reactors, this is enriched to between 5 per cent and 20 per cent.

Where is the enrichment done? The World Nuclear Association says that there are only two countries that produce commercial high-assay low-enriched uranium. These countries are Russia and China. So rather than nuclear creating a more reliable energy system in Australia, it would create new risks to reliability because we do not have the sovereign capability to make our own fuel and, at least at the moment, that risk centres on two countries with whom we do not have a stable trading relationship.

The federal Coalition has foreshadowed that its nuclear policy will include keeping coal-fired power stations running for longer until nuclear is built and operating. This would cause terrible damage to the environment. It would undermine international trade prospects for Australia's

exporters as the world moves to establish carbon border adjustment mechanisms. It would also create yet more of a cost burden on Australian taxpayers.

The coal-fired power stations are old and, like all machines, would require major maintenance to keep them going a bit longer. Consider that New South Wales has put $225 million a year on the table to keep coal generator Eraring for just some of the time for two extra years because they are running behind on building sufficient new generation capacity. Imagine that burden on taxpayers being replicated at every coal-fired power station in the country and for years and years, not just the two-year hurdle identified in New South Wales. That is what the member for Black is asking for: expensive, unreliable, unnecessary energy. That is why I support the amendments to this motion.

Mr PEDERICK (Hammond) (12:35): I rise to support the leader's original motion:

That this house—

(a) acknowledges that South Australia is where 25 per cent of the world's uranium is found, and that our state holds 80 per cent of Australia's known uranium reserves;

(b) acknowledges the groundbreaking AUKUS agreement which will see the construction of nuclear-powered submarines at the Osborne shipyards, noting that this will see the development of nuclear skills which could in turn leverage a civil nuclear industry;

(c) acknowledges that base load zero emissions nuclear power is critical to decarbonise globally and that many countries around the world are already using base load zero emissions nuclear power;

(d) acknowledges that inherent grid stability which is provided by base load zero emissions nuclear power;

(e) notes that Australia is the only G20 country with a blanket ban on base load zero emissions nuclear power and that this poses a risk to decarbonisation targets at state and federal level;

(f) notes that active participation in various stages of the nuclear fuel cycle could present multiple economic opportunities for South Australia;

(g) supports base load zero emissions nuclear power being considered as part of a source-agnostic pathway to clear, zero emissions energy production; and

(h) supports a non-ideological, open-minded investigation into the potential for a civil nuclear industry, including energy generation, in South Australia.

I note that Peter Dutton, our federal Liberal leader, has outlined a path for nuclear and potential sites for nuclear power plants across the state.

I want to get back to the very simple issue that we do mine a lot of uranium in South Australia and that many thousands of people have had the experience of being involved, whether at Roxby Downs, Honeymoon, Beverley or Four Mile. My son works for Redpath Mining and he completed about a year last year working at Roxby Downs, working on the surface and down hole, and he is currently working at a lead, silver and zinc mine out of Mount Isa. If he is not on a plane, he will be on a plane soon, coming back to Adelaide after his swing.

What the mining industry and the uranium mining industry do is support many people, many families right across this state and this country. To decarbonise to zero emissions by 2050 we do need nuclear base load power.

We have the scare campaigns put up everywhere. We have the minister admitting today that the multibillion dollar hydrogen plan is looking at generating 10 per cent peaking power for the state. That is a terrifying thought when you think that the unrecognised technology to build an industrial-sized plant that the government is looking at building for $593 million—and as we see over time that component that comes in that $593 million gets less and less and less—is to be used as a peaking station. Apart from that, we will need 1,500 clean square kilometres of land—so we will probably need anywhere up to 3,000 square kilometres—to put all the solar panels on to generate the energy to be transferred to the hydrogen.

Not only that but there are the thousands of wind turbines and the many, many square kilometres they will take up to generate that power, and I am informed there can be up to an

80 per cent loss from that renewable power through to hydrogen. This for potentially 10 per cent of the state's power?

We should be moving to where we have nuclear power as a base load, and I would think you would have it running at about 30 per cent to 40 per cent of the state's needs. That is how it works; like a coal-fired power station, it sits there running all the time. Obviously, in the background you have your wind and solar—and we have much wind and solar in this state, and that is well regarded—but it is not base load power.

We use a lot of gas as firming power, which can be switched on immediately and get on with that peaking, but that industry has been under threat, as well, from interest groups. The Tiwi Islanders have tried to stop the extra exploration north of Darwin, and there are the Aboriginal groups that tried to stop the Scarborough project off Western Australia. The simple fact is that we will need gas for at least three decades as a transition power moving into the future.

I heard the story about the plant in New South Wales that the government is putting money into. The issue is that the government is putting money into it because financiers have been scared off of financing these things. They are literally falling down; I have heard of bits of sheds falling down, bits of plant. In the meantime, we see solar and wind generation being subsidised.

The whole issue here, as far as base load power in this state goes—whatever power we generate, whether it is wind or solar and obviously gas power when we need it—is that we need more interconnection. We have certainly built our side of the interconnector heading towards New South Wales; we have the Heywood interconnector that goes down through my electorate towards the Victorian border, and we also have Murraylink, an underground connector up in the Riverland. They are vital connectors.

I found out only the other day that there is one major powerline in my area that is not even energised, which intrigued me. This is not just Stobie poles, this is the big poles. I am not sure whether it is a 132 kilovolt line—I would have to check on that—but I found it interesting to learn that that one is not even activated. We do need to get on, we do need to get involved, because the sooner we start the sooner we can have a result with nuclear power. Yes, it does take some time.

I went to Finland, France and England when we had the nuclear royal commission here on storing nuclear waste, and talked to the experts in Canada, while we were in London. We went to Manchester, near the Lakes District, where there are 120 tonnes of plutonium sitting on the surface. There are hundreds and hundreds of tonnes, probably thousands of tonnes, of spent nuclear rods and waste material sitting on the surface because people are still getting to the final development phases of putting that waste underground.

The beauty of it is that people like the Finns have legislation in place where they have to store their spent rods. I saw some great work they were doing in putting the spent rods 500 metres down encased in a steel tube which was then encased in a copper tube. They were looking at autonomous vehicles to put that material down 500 metres. They used bentonite clay and cement to hold it in, and then there was a whole heap of rock towards the surface and more cement and clay. The engineers, after about the third blocking process, start to roll their eyes.

Yes, there is some work to do there. Other countries put a production facility in place where they can reduce those spent rods down to about 20 per cent of their size. There is plenty of work going on. On visiting France, it was interesting to see the nuclear power station sitting there with vineyards right up to the outside fence, and canola crops, which shows that it can be done.

If we are serious about decarbonisation in this state, and especially as we are obviously getting further involved in the nuclear industry with the nuclear submarines and we will have to take the responsibility of storing spent fuel—we missed that opportunity that was quoted as somewhere around $680 billion during the fuel cycle royal commission—we have a great opportunity in this state to not only be leaders here in Australia but to be world leaders working on that total nuclear fuel cycle.

Mr McBRIDE (MacKillop) (12:45): It gives me great pleasure, first of all, to see this member's motion and then to obviously support it in every shape, aspect and fashion. One of the

things that I think is quite fascinating about this area, and the reason I wanted to speak to it, is that there is a gaping hole in what I think is the argument.

This whole philosophy of carbon and climate change is not actually being driven by the business world. You might say, 'Who cares?' The fact is that the actual business world is following and the business world is acting upon it, but it is being driven by science, and the science is being led and pushed and coerced by governments worldwide, and that is fine, it may all stack up really well.

But one of the things I will pose is that governments and bureaucracies picking golden eggs are probably one of the worst sectors in the world to do so because they fail more times than they actually win, and the private investing world, the share markets of the world, the share markets of Australia, the big businesses of Australia, have a really strong emphasis to be on the right side of the equation rather than the wrong.

One of the things about this proposal with nuclear is that it actually fills in a great, gaping hole in renewable energy where we do not have good answers. The good answers are in trying to fill the gaps between sun energy, wind energy, and when there is no energy. We have seen some beautiful, big million-dollar batteries that have thorium and every other rare earth in the world in them. They cannot find enough of it, and they want to dig up the Limestone Coast to try to find some rare earths that came from a volcanic eruption millions of years ago that may be really good for this process, but what is missing in this is that that technology of battery, and potentially no technology existing around recycling as yet, does not really fill in the gaps that the wind and the sun energy does not cater for when either of those two are missing.

What then happens is that we see government saying, 'But we will have a gas turbine that sits there in the wings waiting for there to be no wind and no sun. We will have this big battery that cost millions of dollars that will give us a couple of hours of relief, at this stage'—maybe it is more than that, but we know it is not days. We know that if there is no sun on days and there is no wind on days, we have no alternative but to use gas turbines and then, in today's technology, we are using diesel generators as well.

What gets lost is that we know what the government has done, and South Australia has led the way in solar, and we know that solar energy, as those on the other side and those who are really in favour of this process say, is a cheap form of electricity. In fact, it is even an expensive form of electricity when they oversupply and kill the grid, and the grid collapses because of oversupply. Then we have home batteries and some other storage means, and then we are looking at other options like hydrogen, but the fact is that this hydrogen idea—that hydrogen is the answer—has not actually been done.

We cannot copy anyone else. We want to be frontrunners in this. We want to be world leaders. I welcome that, but who is to say that we will be a world leader. Who says we are a world leader in this space? But if we get it wrong it hurts. It actually comes back and hurts us in the hip pocket. It means that we will have a system and a grid that is not only not reliable but one of the most expensive in the world. That is a fact too. Go and tell me how many other countries in the world have electricity prices like South Australia or Australia, in the perspective of being more expensive. There are a few maybe, but they are few and far between because we are hell-bent on recognising that we are at the forefront, a leader in solar development and solar rollout.

Just so everyone knows how we got there: when our lifestyle in the 1980s went through the roof and we wanted air conditioning and transpirators in our houses, the grid could not cope with all this air conditioning during a heatwave. The answer was solar. Then they advocated lots of solar units and paying these people 40□, I think it was, to attract them into the solar space. It worked really well because it was a bargain, a great initiative. But, it actually overworked, and it is still overworking because we can cook the grid.

I say thank you to the oppositions of not only the state government but also the federal government for their serious consideration in this area, recognising that despite the battery, the gap fillers and the sources of energy that we require when there is no wind and there is no sun, nuclear energy is tried, proven and tested. You cannot walk away from that.

When the other side of the government says that you cannot put nuclear into this space because it is perhaps not even renewable or it is dangerous, how can they even talk about submarines? How can submarines even come on to their radar? They say, 'We'll have nuclear submarines in this state.' Not only will we have them, we are going to build them. Yet, we may even be able to get away with modular nuclear radiation rather than just big ones—I am not even sure. Maybe that could be a retrospective backdown by the opposition governments in that we might not need these big plants. Maybe we need what they call small micronuclear plants that we see in submarines and aircraft carriers, and the like, producing electricity in the grid, filling in the gaps, like we see diesel generators and the gas turbines filling in the gaps in our grid.

I do not think I have to ask the Liberal opposition, but certainly other side of the house and those opposed to nuclear are saying that it is expensive. It is almost a mischievous 'expensive'. Why is it mischievous? What they will do is compare a megawatt of power from a wind turbine, they will compare a megawatt of power from solar and say that nuclear is three, four, five, ten times, maybe even more expensive. But these renewables are only wonderful when there is wind and sun.

Turn it around and say, 'Well, there is no wind and sun', and you will find that nuclear does stack up, because your battery certainly does not do it and hydrogen has not been proven. You do not even know how you are going to produce the hydrogen and at what expense. How much hydrogen do you have to store if you are going to use hydrogen as a back-up network for one, two or three days of no wind and perhaps no sun?

These are the sorts of elements that I hope the governments of today, the bureaucrats who sit behind and are governing and working through climate change, carbon and carbon being the enemy, can see in the light of day and say, yes, we can get there, but we have to do it with what is proven, tried and tested. The arguments have to be balanced.

It is not solar against nuclear. It is a battery against nuclear, it is a two-hour battery against nuclear. It is a hydrogen plant of stored hydrogen against nuclear. It is not the same. You cannot measure the two. In the dark hours of night, when there is no wind, guess what? There is no solar and no wind in the system, but you can turn on a nuclear switch and you can produce power reliably. The rest of the world is doing it, and we should follow suit.

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (12:53): I thank those who have made contributions and dismissed the government's nonsensical amendments to this motion, which really gutted its purpose and are a clear indication that the Labor Party of South Australia is anti-nuclear. They are anti-nuclear in South Australia. They do not want any debate in this. It is important that South Australians know this, because the Premier presents an impression that he is supportive of nuclear power and he is, anywhere but in Australia.

There is an opportunity to have this discussion, this debate, this conversation with our community, get evidence on the table and understand what the opportunities are for South Australia. The government, the Labor Party in South Australia, has rejected that and it is important that South Australians know that. I look forward to seeing the outcome of this vote and being able to continue this conversation with my federal colleagues, with sensible crossbench contributions involved as well.

The house divided on the amendment:

Ayes 23
Noes.....13
Majority 10

AYES

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

Picton, C.J.	Savvas, O.M.	Szakacs, J.K.
Thompson, E.L.	Wortley, D.J.	

NOES

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

PAIRS

Stinson, J.M.	Cowdrey, M.J.	Fulbrook, J.P.
Telfer, S.J.	Champion, N.D.	Hurn, A.M.

Amendment thus carried; motion as amended carried.

Sitting suspended from 12:59 to 14:00.

Parliamentary Procedure

VISITORS

The SPEAKER: I would like to begin by acknowledging some special guests in the gallery today. First of all, Joan Hall, former tourism minister in this place—a great tourism minister, and one of the best we have had—and the wife of Steele Hall. We welcome you here today, Joan, and to many other people who have come in, many of whom I have had the pleasure of working with over the close to 40 years that I was a journalist before I came into this place.

It is terrific to see some familiar faces. We have the Hon. Dean Brown, former premier, welcome. We have the Hon. Graham Ingerson, former deputy premier; it is great to have you here, too, Ingo. We have: the Right Honourable the Lord Mayor of Adelaide, Dr Jane Lomax-Smith; the Hon. Martin Hamilton-Smith; the Hon. Legh Davis, former member of the Legislative Council; Mark Brindal, former member for Unley and minister; Michael Wilson, former member for Torrens, the father of the O-Bahn, I think, and a constituent of mine—you are very, very fortunate to have that honour; and Joe Scalzi, the former member for Hartley.

There are a few people there who I will catch up with before we finish up today, but my eyesight is not as good as it once was, but it is tremendous to have you all in here today, and we thank you for your attendance.

Condolence

HALL, MR RAYMOND STEELE

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:02): By leave, I move:

That the House of Assembly expresses its deep regret at the death of Mr Steele Hall, former member of the House of Assembly and the 36th Premier of South Australia, and places on record its appreciation of his long and meritorious service, and that as a mark of respect to his memory the sitting of the house be suspended until the ringing of the bells.

The passing of Steele Hall marks the end of an era in our state's politics. His impact on our state, and our nation, was both significant and positive, fuelled by his fierce adherence to principle and to the cause of liberal democracy. It is one thing to do the right thing when it is expedient; it is another to do it when it comes at a cost, and Steele Hall was a leader unafraid of doing the right thing regardless of the cost.

He entered parliament in 1959 representing the seat of Gouger, which covered his childhood home of Balaklava, and became Leader of the Opposition in 1966 after the resignation of none other than Thomas Playford from parliament. Steele Hall was left with the invidious task of redefining what the Liberal and Country League stood for in South Australia after decades of rule under Tom Playford,

yet successfully brought the Liberal and Country League back into power after only two years in opposition, defeating Labor under leader Don Dunstan at the 1968 election.

The Hall government quickly began the process of reforming our state in areas such as abortion access and Aboriginal affairs, and oversaw the establishment of our state's very important natural gas industry. But what truly marked Hall out as a leader—a leader—was his steadfast service to what he recognised as the best interests of South Australia, even where it directly impacted on the success of his own government.

To Steele Hall's eternal and enduring credit, he took on the task of fundamental electoral and democratic reform in South Australia, modifying the gerrymander electoral boundaries that had been so beneficial to the Playford government and to the Liberal and Country League. This was no small consideration, especially since he did so in the knowledge that his actions in levelling the playing field—however fair it was, however necessary it was—would make the next political contest harder for him to win.

That contest came earlier than expected, also because Hall chose to do what was right rather than what was politically pragmatic. Steele Hall could have backed the planned construction of a dam on the Murray River at Chowilla, especially since his minority government rested on the support of the Independent in whose electorate the dam would have been built: Tom Stott, the member for Albert. But Steele Hall insisted that the economics and the environmental science behind the dam simply did not stand up, so Stott switched his support to Dunstan and in doing so sent the state to an election that returned Labor to government and began the Dunstan decade.

Steele Hall remained in parliament as Leader of the Opposition before resigning to create a more progressive political body, one closely aligned with the small-l liberal values and ideals he feared the LCL had abandoned. The Liberal Movement only lasted a few short years, but its members bravely supported the Dunstan government introducing full adult suffrage and proportional representation to the Legislative Council, another critical democratic improvement for our state.

Steele Hall left state politics to embark upon a well-deserved federal career, and was elected as the Liberal Movement senator for South Australia at the 1974 double dissolution election. Hall resigned from the Senate the following year to make an unsuccessful tilt at the federal seat of Hawker. After four years on the farm, Steele Hall then returned to Canberra as the Liberal member for Boothby, and the time away from parliamentary politics had by no means dulled his commitment to his principles.

Steele Hall was outspoken in his criticism of any actions that he considered repugnant, even from his own leaders, penning an open letter to Malcolm Fraser expressing his disgust with the 'shabby behaviour' of blocking supply to the Whitlam government, and crossing the floor to vote with Labor to oppose John Howard's proposed use of race as a determinant in immigration policy. That courage was rewarded by his being left on the backbench for almost the entirety of his federal career, save for a brief period as shadow special minister of state under the Hon. Andrew Peacock, until his retirement in 1996.

Steele Hall also holds a unique record—a very unique record—as the only Australian to have served in three legislatures: the South Australian House of Assembly, of course, as the member for Gouger between 1959 and 1973 and Goyder between 1973 and 1974, the federal Senate between 1974 and 1977, until he realised he had to go back to where he belonged and that was the house of the people as the member for Boothby in the federal House of Representatives between 1981 and 1996.

Steele Hall will be remembered for his life of public service, political courage and personal integrity. We offer our condolences to his beautiful wife, Joan, who, of course, has also served in this chamber as the member for Coles and, later, Morialta. We also offer our condolences to Steele Hall's six children and grandchildren, and to all whose lives were made better by his dedication to the people of this state.

I am very grateful that Joan Hall has accepted the opportunity to have a state memorial service in Steele Hall's name and I very much look forward to that being a celebration, not just of

Steele Hall's life and his substantial contribution to the people of South Australia, but also to the virtues of principled leadership, consistent with one's convictions.

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (14:10): On behalf of the opposition, it gives me great pleasure but also some sorrow to be able to make a contribution today in this place recognising the Premier's condolence motion on the life of Raymond Steele Hall.

Raymond Steele Hall, better known as Steele, was a giant of politics and public life in South Australia and in our nation. In a rare feat, Mr Hall served South Australians as a state parliamentarian for the seats of Gouger and Goyder, a South Australian Premier, a federal Senator and a federal lower house member of parliament for the seat of Boothby. Born in Balaklava in 1928, he attended primary school in Owen and graduated from Balaklava High School.

After leaving school, Mr Hall worked on the family wheat and sheep farm in Owen, during which time he was active with his then wife in the Gouger Young Liberals. He was first elected to state parliament in 1959 as the Liberal and Country League member for Gouger, based around his home community of Balaklava. I have heard many stories about the passion, excitement and meaning that he got from representing his community of birth, and perhaps more so than from any of the other offices that he had the privilege to hold.

Mr Hall was 30 when he entered parliament and quickly proved himself to be a person of significant character, intellect and public speech, rising through the ranks within the Liberal and Country League, becoming Government Whip from 1965, which he used as a later stepping stone to the leadership in July 1966 when Sir Thomas Playford resigned the leadership. He served as opposition leader for two years. Interestingly, when he ran for the leadership, one of his potential opponents was a gentleman called Bill Nankivell. Bill was five years older than Steele, and died a few days after Steele—just a couple of weeks ago—at the age of 100. We will have more to say about Bill's life and contribution in a condolence motion in due course.

During Mr Hall's time serving this place as opposition leader, he came up against two leaders of the Labor Party when they were in government: firstly, Premier Walsh for 10 months, and then Premier Don Dunstan for 10 months. When Don Dunstan assumed the leadership, and they were moving towards the forthcoming state election, the media referred to the battle as the 'Battle of the Matinee Idols'.

One of the first items on Mr Hall's agenda when he became Premier somewhat unexpectedly, despite the gerrymander being in place, was the issue of electoral reform. And as the Premier has foreshadowed, this saw a leader put state, and what was right—the principle of the matter—before his own political advantage, and certainly the political advantage of the party that he led. I think there is no doubt that that led to significant challenge, significant pain for Premier Hall while he was Premier and also in his role as leader of the party for an enduring period of time. His legacy is now cemented in principle and that in itself I am sure surpasses any feeling of ill that sat within his party. The acceptance of that leadership based on principle by the wider community sets this man out as one of the great leaders of our state.

Over a 32-year period the House of Assembly had 39 members, 13 from metropolitan Adelaide and 26 from regional communities. By the 1960s Adelaide accounted for two thirds of our state's population, so a vote in country South Australia was effectively worth double a vote in metropolitan Adelaide. This was an extreme gerrymander and became known as the Playmander because it, in effect, held Sir Thomas Playford in office for longer than the community expected, or the will of democracy anticipated.

Mr Hall undertook the electoral reform required despite knowing it would considerably benefit his political opponents. The electoral reform bill expanded the House of Assembly to the 47 members that we have today, including 28 in metropolitan Adelaide. The changes effectively secured Don Dunstan's victory at the forthcoming 1970 election, but Steele Hall was a conviction politician who deeply believed in creating a fairer foundation for democracy in this state.

While electoral reform might be the thing we talk about most when we talk about the legacy of Steele Hall, his premiership and his leadership of the Liberal Party was far greater than that and it

should not be ignored that his time in the leadership not only modernised the Liberal Party but also led to significant reforms and outcomes for the state of South Australia.

His term in office saw significant progress in other areas, including women's health, Aboriginal affairs, the gas industry and the fluoridation of South Australia's water supply, a major controversial at the time but which has, of course, led to significant dental health improvements for generations of South Australians. And, again, in the face of significant public opposition—and also I understand some opposition from within his own party—the principle of doing the right thing drove Steele Hall to make sure it was acted upon.

Notably, and I know that other members will refer to this later today, as Premier it was Steele Hall who determined the site for Adelaide's Festival Centre and negotiated financial support from the commonwealth that enabled its construction to begin. The Premier mentioned that principle was again at the fore when Steele Hall rejected the location of Chowilla for a dam in the Murray-Darling Basin, preferring Dartmouth, and jeopardising and, in the end, concluding his time as Premier of South Australia, for making that principled, evidence-based, scientifically-sensible decision that would have the least environmental impact on the Murray-Darling Basin and would be the most sustainable storage option for water from that basin. It was the right decision from a principled point of view, it was the right decision from a scientific point of view, but it was the wrong decision for the politics of the Liberal Party in South Australia. He made the right decision once again and he should be remembered for that principle.

After losing the 1970 state election Mr Hall founded the Liberal Movement; again based on principle and again based on wanting to drive forward the modernisation and the relevance of the party and the political movement that he sought to lead. To form the movement he resigned from the Liberal and Country League and when the Liberal Movement split from the LCL in 1973 he continued as a state parliamentarian until he resigned his seat in 1974 to be the Liberal Movement's lead and successful senate candidate at the 1974 Australian federal election.

After the Liberal Movement disbanded in 1976—with many believing, including Steele, that its work and aims had been achieved—he rejoined the Liberal Party, as it was now called in South Australia. He resigned from the Senate in 1977 to contest a lower house federal seat, as the Premier said, finally realising that he wanted to be part of the house of the people once again. He participated in that election as a candidate in the seat of Hawker, which he narrowly lost, before another attempt at entering federal parliament, this time for the seat of Boothby in the 1981 federal by-election triggered by the resignation of John McLeay. Steele Hall continued as the member for Boothby until his retirement in 1996.

Over a career spanning more than 30 years, Steele Hall showed time and time again that he was a man of principle and boundless courage. This was best highlighted by his time as Premier of South Australia, but it was again highlighted when he joined the Liberal Movement and again highlighted in his willingness to challenge the leadership of his party in the federal arena. Time and time again, Steele Hall showed that he was a man of principle and a man of courage, a man who would put his beliefs and his advocacy for the community that he represented ahead of his own ambition.

Too often we forget that there is humanity behind the roles that we occupy in this place. I have no doubt that the humanity behind Steele Hall was his family, his love for his community and his love for his family. Joan, a member of our party, a former member of this place and a minister serving our state, our thoughts are with you, your children, your grandchildren, your extended family and your friends.

Raymond Steele Hall, Steele Hall, former Premier of South Australia, former member of the House of Assembly, former member of the Australian Senate, former member of the House of Representatives, but first and foremost husband, father and grandfather. Vale Steele Hall.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:21): Before I begin, can I please pass on my family's condolences to Joan. Joan and I served together in this parliament. She would often nick one of my cigarettes at the front entrance here, where she and I would discuss the latest ongoings in parliament. We used to have a great time together and she is someone I hold in high regard. She

has done a magnificent job, with her family, in the care of her husband. You are a saint, Joan, for what you have been through.

Raymond Steele Hall served in a number of seats, namely Goyder, Gouger and Boothby, and the Australian Senate. I rise today to add my voice to acknowledge his service to South Australia and his important and ongoing legacy to the state. He was, as the Premier said, a man of conviction. He will be remembered for many achievements, not only as a person to have served as Premier—and it is important that we remember that role—and, of course, as a senator and as a member of the House of Representatives, but, as the Premier and the Leader have both said, he will be remembered for his courage in being prepared to make reforms that he knew would ultimately cost him government.

It is fair to say that, as I heard the member talking about the malapportionment of seats, I could see the tears in the eyes of a few country members on the backbench, but everyone knew that this system was going to change and had to change. There was no way that the Labor Party could have made this reform on our own. It would have been impossible for us to do. When Frank Walsh defeated Sir Thomas Playford he did so, I think, by one seat. Sir Thomas Playford famously said in 1947, despite him very rarely talking about the Playmander, that he had a fundamental objection to any system under which, and I quote, 'an area within a radius of nine miles from the GPO could possibly return more members than the rest of the state'.

Of course, it was self-evident for anyone that that system had to change. There needed to be an electoral system based on one vote, one value. As I said, we would not have been able to change this system of government. Why? Because even if we had won a majority in this house, it would have been impossible for us to have changed it in the other where there was voluntary voting and, of course, the entrenched bias of property franchise and voluntary voting. It took the courage of a leader who knew that he had to modernise his party and modernise his state. For that, he deserves our eternal credit.

He led the party from 1968 to the state election and even though he was successful in winning an election on this basis, he was prepared to make those changes. He was sworn in as Premier, took the portfolios and then set about changing the system that had put him in place. That takes courage, rare courage. I have to say, I still stand in awe of it because it was a remarkable reform. When he introduced the legislation, he knew what he was doing, he knew what would occur and the Dunstan decade began.

I do not have the eloquence to add to what the leader and the Premier have said in memorialising Steele Hall, but I am the son of migrants. What made me most proud of what he did was what he did in the Australian House of Representatives. He spoke out against a political party that was flirting with race elements of Australian politics. In August 1988, Steele Hall, along with Ian McPhee and Phillip Ruddock, dissented with their colleagues, in the finest tradition of the Liberal Party, maintaining their independence—I enjoy seeing that quite often. They crossed the floor to support a Labor government motion against the use of a racial criteria for selecting immigrants. During that debate on this motion, Steele Hall noted, and I quote:

> I now take the opportunity to place on record the reasons why I voted today for the Government motion on migration. We were asked to approve the proposition that, as to the reasons used for determining immigration intake, 'race or ethnic origin shall never, explicitly or implicitly, be among them'. To vote against it is clearly to invite the imputation that one may at some time in the future use race or ethnic origin as a selection criterion. The problem about following that course is the perception held by the public of what politicians are talking about…
>
> The simple fact is that public opinion is easily led on racial issues and no amount of 'inertial guidance' can control the racial missile once it is off the launching pad.
>
> It is now time to unite the community on the race issue before it flares into an ugly reproach for us all.

House of Representatives, 25 August 1988.

I submit that the two contributions this man has made to public life: of one vote, one value and that speech in the House of Representatives deserves more recognition than almost everyone else who has their portraits in this chamber.

This man was a great man. This was a man who believed in principle. This was a man who was prepared to lose on principle, govern in principle and vote on principle. He is an example to us

all. It was right that the Marshall government commissioned his portrait. It is right that his portrait stands outside in the corridor to remind us all each and every day the value of public service. This man exemplified it. God rest him. God comfort those who loved him. I hope, in the eternal Orthodox prayer that we say at every funeral service: may his memory be eternal.

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (14:29): It is with sadness that I rise to support the motion. The example of Steele Hall is to us all an opportunity to reflect on the principles he espoused, the philosophies he believed in and the legacy that he created, the example of which should inspire us all and encourage us all in the work we do and all those who are in public office and public life.

Steele Hall's political career lasted from 1959 to 1996, with gaps at certain points. His engagement in the Liberal Party continued for most of the rest of his life thereafter. His support for Joan was something I became very familiar with because I met Steele Hall for the first time in the room that now forms my office in what was then Joan's reception area, when I did some volunteer work and support for her.

Steele was a support to Joan throughout that period. Steele was a generous sage, somebody who was kind and generous with his time to a 17 or 18-year-old boy who was given the opportunity to learn something from him. I wish I had spent more time talking to him, but as a 17, 18 or 19-year-old young person, you do not always appreciate those opportunities when they are given.

Joan, to you, to Ben and Alexia, to all of Steele's family, I offer my most sincere and deep condolences. I know what an extraordinary life Steele led and the extraordinary love that he had for his family.

Steele was a giant for South Australian and Australian politics, and I agree with everything that has been said by the Premier, the Leader of the Opposition and the member for West Torrens. He was significant in the roles that he held and the way in which he used those roles as an avenue for service for his community, for our state and for our nation. Throughout his career, he expressed principle, purpose and achievement. Many examples of that have been given today; I will reflect on just a couple, and one at some length.

His legacy in the location of the Adelaide Festival Centre I think is really important in understanding the city that we are today. For 50 years, the Adelaide Festival Centre has played a central role in the cultural life of South Australia. I think that as we look out on it from the Balcony Room of this building, it is inconceivable that it would be anywhere else, that it would look like anything else than it does now. Certainly, I think the public art that was between this building and the Festival Centre may have been controversial and open to change, but I think we all appreciate, and I think all South Australians appreciate, the creation of the Festival Centre where it is.

In the foyer of the Festival Centre is a copy of the extraordinary Robert Hannaford portrait that the member for West Torrens talked about. I think the original stands outside this room. It is an encouragement and inspiration to all members of parliament and those visiting who are able to walk past it to reflect on what Steele stood for and what he achieved, that we may all follow in his thoughts. A copy of that is in the foyer of the Adelaide Festival Centre. If you go there now, you can see some flowers in tribute, and the following plaque is left:

> Adelaide Festival Centre pays tribute to Steele Hall
>
> Adelaide Festival Centre Trust Board and staff acknowledge the passing of former Premier, Steele Hall who holds significant legacy with the development of Adelaide Festival Centre fifty years ago.
>
> Between Dunstan governments, Steele Hall was Premier for one term. During that time, he kept the concept of a multi-complex arts centre alive, moved the location to the riverbank and negotiated financial support from the Commonwealth Government. These decisions were fundamental to the Adelaide Festival Centre's success today.
>
> We remember him with gratitude and respect and send condolences to his family and friends.

It is worth taking a moment on an occasion like this to reflect that it was not always going to be where it is. It was not always going to take the form that it now does. Don Dunstan had an important role in the development of the Adelaide Festival Centre, in particular the surrounding facilities. It is why we have the Dunstan Playhouse, for example. I have often wondered why Steele Hall is not more remembered in terms of the legacy and naming of the Adelaide Festival Centre complex.

I took the opportunity in recent days to look over some *Hansard*. At the back of this room, I am sure that many of the people in the gallery would remember well there are hundreds of tomes, historically useful tomes, of *Hansard*. It is also searchable now by computer, thankfully. For decades those tomes have been there, and they remain much as they would have been left in the memories of those who are visiting today. *Hansard* reflects the debates of times past. One looks at question time of the late sixties and discovers that the questions took more time of the hour than the answers did. It is an interesting read; I encourage anyone to take the rabbit hole that I took.

I found through August, September and October 1968 the original debates about the Adelaide Festival Centre and they bear some reflection. Don Dunstan, after the 1968 election loss, had had some interest obviously in the establishment of a festival hall or some sort of performing arts facility. Originally, Carclew had been identified as a possible site. Some people were talking about Hindmarsh Square as a possible site. Ultimately, Don Dunstan moved a motion in the House of Assembly in August 1968, and those who want to have a look can go to 7 August. He said:

> We examined whether an area of land at the rear of Government House and running down to the parade ground could be excavated and re-aligned…We could get the five acres: that could be done by taking a small portion of Government House grounds north of the chauffeur's cottage—

I think this is the area that is now a car park at the back of Government House for the overflow car parking—

> and then taking a line down through the Government House wall to the parade ground.

He said:

> The topography of the site lends itself admirably to theatre architecture….It is close to tertiary institutions and could be integrated with training programmes in the performing arts in those centres.

He said:

> …less than two acres of Government House grounds, and the total site would be about five acres.

This motion was adjourned. In those days one would hear a speech, at great length. There were no time limits. It goes on for some pages. It is worth the read. Then Steele Hall responded on 21 August, a couple of weeks later in opposition to the motion:

> Government House is a good site, and so is the Torrens Parade Ground. However, to put a festival hall in between them would ruin both sites. There would not be two choice venues: there would be three crowded sites and, in addition, we should use three acres of park lands by the Leader's own explanation.

He went on to say:

> If most people were to examine the broad outlines of the area now and place the hall in the position where the Leader has verbally placed it—

this is Mr Dunstan—

> by moving this motion, they would find it would virtually ruin three sites instead of preserving the values of two.

He said:

> We do not want this area to be developed as a subdivision.

He went on:

> When in London, I took the opportunity…of looking at a series of halls in London, and one thing that impressed me was the waterfront view from the main festival hall. I came back to South Australia intending, if possible, to promote the idea of a waterfront site. I believe there is such a site…This is the site now occupied by the Railways Institute and the immigration hostel.

Later on he described the attractions of the site as:

> …a waterfront view, easy access to transport, park land surroundings and plenty of space for car parking. I believe it presents the best site available to serve all purposes in Adelaide.

And so it was shown. That was not the view taken by all. Lloyd Hughes, Labor member for Wallaroo, said on 3 September:

…only one site is acceptable to the people of South Australia. If it is not possible to use the site where Government House now stands and to build another Governor's residence elsewhere, let us use the site at the rear of Government House where ample room exists for a performing arts centre.

Arguing for Government House, Don Dunstan asked a question of Steele Hall:

Will the Premier say whether, before he came to this conclusion, measurements were taken from the edge of any possible performing arts centre to the nearest building on the two sites concerned in order to compare the likely cramping on the two sites?

I am not sure that Speaker Cregan would have allowed such a formulation. Further:

…what scenic view from what position would be interfered with by the performing arts centre if it were placed behind Government House?

Steele Hall responded. I am summarising a little bit but the direct quote is:

…the Elder Park site for its own worth was better than the site behind Government House. This is the Government's opinion. I am sorry if the Leader does not agree with it.

Dunstan, in the following debate, highlighted that the Swimming Association of South Australia was very concerned. If the baths were demolished, then the three clubs would have nowhere to go. He said:

We are providing a performing arts centre not for people to look at a view of the water but for the performing arts activity, and that is what takes place inside the building.

I imagine that in October, when Steele Hall was able to return with a copy of a report by the committee appointed, saying that 'in the unanimous opinion of the committee members, the Elder Park site is well suited to the erection of a festival hall', and so it was. Ultimately, in the subsequent years, I am sure that Don Dunstan himself would have come to agree that it was not a bad idea.

Steele Hall's memory and his tremendously important contribution to the arts in South Australia, and the Festival Centre history in particular, was remembered by Steven Marshall, who was very happy to host, he tells me, a lunch on the stage of the Adelaide Festival Centre, with many people associated with the original design and construction, on its 50th anniversary just some years ago. Steven Marshall described Steele Hall as a role model and a mentor.

Through his support for Joan in the Morialta electorate, which I now have the privilege to serve, many people in our local area still remember Steele fondly from their engagements with him through Joan's service. I will not reflect on all of them, but I will highlight one community leader who would be known to almost all present, Domenico Zollo, as an example. Domenico wrote, 'Gone but not forgotten. To Joan and family, our deepest condolences. May he rest in peace. From the Holy Mary of Montevergine Association.'

Liberal Party members, the Young Liberal Movement, of which he was a member and ultimately a life member, many of them have expressed their sadness and their condolences to Joan and family in the days since his passing. I highlight one more reflection from Sue Lawrie, well known to many members on both sides. Sue described Steele as a trailblazer of the sixties and seventies, a dear friend to Sue's mother, Jean. 'Condolences to Joan, Ben, Alexia and family.'

I know Joan and I have known Alexia and Ben for a great majority of my life. I extend my condolences. I did not know the other members of Steele's family, but I extend my condolences to them too. Vale Steele Hall.

Parliamentary Procedure

VISITORS

The SPEAKER: Before we go to the next speaker, I would like to acknowledge the presence in the gallery today of Grant Chapman, the former member for Kingston.

Condolence

HALL, MR RAYMOND STEELE

The Hon. V.A. TARZIA (Hartley) (14:41): We clearly have lost an absolute legend of South Australian politics in Steele Hall, the 36th Premier, three years in the Senate, the member for Boothby

for an extended period of time—a career in the parliament of some 33 years. He was a man who had a deep conviction. We have heard the stories on what it took to achieve that concept of one vote, one value. He was a man of fairness, a man of equity, a man of principle. These principles, of course, were at the forefront of everything that he did. In fact, he embodied the word 'principled', being such a legend of South Australian politics. His legacy continues to live on in the state.

We have heard about electoral reform, we have heard about reforms regarding health, we have heard about reforms regarding water and the arts in regard to the Adelaide Festival Centre. He also continues to inspire South Australians, South Australian politicians, to do what is right, to do what is right in the face of adversity even if sometimes in the short term that is going to take political capital to be lost.

It was a real privilege to be able to help commission a portrait that has been referred to of Steele Hall that is proudly now displayed in the south-western corner of this building. Every single time students walk past that portrait and every single time residents walk past that portrait and every single time that one of us walks past that portrait, we will be reminded of the legend that Steele Hall was.

My sincere condolences go to Joan and Steele's family and friends. Like the member for Morialta, many of my constituents will often remark about Joan and the late Steele and the contribution they made to this state. His memory will continue to live on long into the future. May he rest in peace.

Ms PRATT (Frome) (14:43): In speaking to this condolence motion for the late Steele Hall, I rise to acknowledge a titan of Liberal politics, a man who cut across both state and federal lines and who reformed the system that changed the course of state politics forever. Steele Hall was a politician of great conviction and brought courageous reforms to the political system which we recognise today. His sense of duty and his commitment to service above self, to put the state's interests above his own, was the mark of the man, and that resonated throughout his years in the state parliament as the member for Gouger from 1959 until 1973 and then through a redistribution which saw him elected as the member for Goyder from 1973 until 1974.

Born on 28 November 1928 at the Balaklava Hospital, which I am proud to say is still going strong, he grew up on a mixed farm at Owen. Raymond Steele Hall began a farming life that many of my colleagues can relate to in our own circumstances, being born locally at the hospital in the local town, going to the local primary school, sharing farmland across extended family, being involved in local progress associations, and learning at an early age what it means to give back to your community.

I have the privilege, and it is a great privilege, to represent those very same communities of Owen, Grace Plains, Pinery and Balaklava, and I can say without exception that that altruism and that sense of community service are alive and well. These communities are still particularly well represented today by an Owen local resident, our mayor Rodney Reid.

When I was little, I did not know too many country road names. GPS did not exist, and our navigational landmarks were unnamed back roads and long black tree stumps, and the triangle paddock and salt lakes and water pipes. But I did know the Nine Mile, that long stretch of road that cut through the farming heartland of Owen and Grace Plains, and it is the same road that was scorched on that apocalyptic day of the Pinery fire. That road is now known as Traeger Road, and it runs past the Hall family land.

Family reflections of this farming period being shared at the local level include, no surprise, another Hall personality, namely Doug Hall, who, of most notable fame, is the secretary of the Balaklava Racing Club and that award-winning cup day that we are all familiar with. On Steele's passing, Doug has noted that his own father, Murray, a cousin to Steele, farmed at Grace Plains and had a great respect for Steele. As a young man, he would call Murray up for advice and guidance in all matters farming.

As a very young boy, Steele and his peers attended Owen Primary School, which led on to Balaklava High School and subsequently many other adventures, including the generational livelihood of being a wheat and sheep farmer. Steele had a number of different farming enterprises

during his younger years, which included breeding turkeys and building that flock to 20,000 birds. He also expanded into medic clover harvesting, a low-lying crop that took weeks to reap due to the cumbersome machinery requirements that meant the harvester be run at a walking pace—heaven forbid.

During the era of ag bureaus and Rural Youth—and in preparing my remarks I have discovered that the very first rally of Rural Youth was in fact held at Balaklava—it is no surprise that in 1953 or thereabouts, Steele found himself an active member of the Gouger Young Liberal Movement, and went on to become the Gouger Young Liberal secretary. At the youthful age of 30, in 1959, he fended off about 10 preselection contenders and was on track to be elected as the member for Gouger, not, of course, before some contention was resolved about the results.

One preselection candidate, Mr Ira Parker—another significant Balaklava local with a nursing home named after him now—received 49 per cent of the vote, and so a countback was done on preferences, which saw Steele preselected. It would have made for interesting family dynamics, as I am told that Steele's younger brother, John, was engaged to Ira Parker's daughter, Verna, at the time. With the dust settled on that preselection, an electoral victory in Gouger, and Premier Playford's retirement seven years later, Hall found himself Leader of the Opposition in 1966. By 1968, his star really was rising when he became the 36th Premier of South Australia.

When we think of political titans on the global stage, we are quick to recognise unique monikers from famous leaders in the US or the UK, like 'JFK', 'LBJ', 'FDR', 'Ike', 'Dubya' or, across the pond, 'British Bulldog' and 'Iron Lady'. On the Australian front, of course, we are more familiar as political tragics with 'The Little Digger'—you have to cast your mind back a bit—'The Silver Bodgie' and 'Kevin 07'.

In 1959, South Australian politics was introduced to 'Tin Shed'. Have a think about it—Steele Hall; Tin Shed. I will wait for you to catch up. Modern nicknames in politics are rarely kind or well-meaning, but for a country boy from a wheat farm in the Mid North what better reduction of the imposing name of Steele Hall than Tin Shed.

His commitment to service and the state's interests was evident throughout his tenure. Steele's legacy includes electoral reform, women's health, Aboriginal affairs and the fluoridation of South Australia's water supply, and it is appropriate that all of the speakers today touch and expand on those elements. I have been pleased to expand on a more personal and local level on Steele's life. He also played a pivotal role, of course, in determining Adelaide's Festival Centre site and negotiating financial support from the commonwealth.

Today, by coincidence we are joined by some young year 10 work experience country students who are listening to our remarks. I wonder, what might young people see when they look at us and our profession? What are our responsibilities as custodians of this house, and do we work hard every day to leave it better than we found it? What legacy does Premier Steele Hall leave behind for the next generation?

Young men and women who live in regional South Australia should look to their own local members of parliament and understand that there is a pathway for them to follow us to this hallowed place, not just to serve but to lead. Our party has a proud tradition of country Liberal MPs becoming Premier, like Playford, Hall, Olsen and Kerin.

On behalf of the Liberal opposition, I wish to pass on my condolences to Steele's wife, my friend and supporter, Joan Hall, former member for Coles, along with Steele's children and grandchildren. I make special mention of Alexia, who I know has been by her mom's side all the way. Extended family are also grieving, and I make special mention of Steele's brother, John Hall, who lives in Port Vincent with his wife, Verna, and John's son, Jason.

I am truly proud of Steele Hall's service to our state and the leadership he offered through his years of service, and this recognition is well deserved. Members in the other place have chosen to proffer new names for the electorate that I represent. While that will be a matter for the Electoral Commissioner, I certainly do not hesitate to proudly recommend that, in line with former premiers Playford and Dunstan, consideration be given to this great man in the renaming of a future electorate the seat of Hall. Vale.

Mr PATTERSON (Morphett) (14:52): I would also like to take the time in parliament to recognise the passing of Steele Hall and also his commitment to South Australia, to this parliament in general, and to his family. As has been said, he truly was a giant of South Australian politics, and the fact that so many of his colleagues are here to recognise this condolence motion moved by the now Premier speaks volumes about him as a man.

As I said, he is a giant of SA politics. He is the only Australian to serve as Premier of a state as well as three different legislatures in the country. First elected here to the South Australian parliament as the member for Gouger back in 1959, he served that community with great distinction, going on to become the 36th Premier of this state. We have heard his achievements, and really it speaks a lot to his integrity and also his political courage. What is most obviously remembered during the course of this remembrance is his work in electoral reforms and what he did to value democracy, which we all aspire to, and his recognition of one vote, one value.

In his term of office, he also saw significant progress in other areas such as women's health, Aboriginal affairs and also the fluoridation of South Australia's water supply. And, yes, it was controversial at the time, but it has certainly led to significant dental health improvements for those who have had the benefit. I remember as a young boy going along to the dental clinic at school, doing the checkup and having lots of plaque show up on the teeth. I probably was not brushing my teeth as well as I should have. But I still have a very good set of teeth, so I think Steele certainly had something to do with that.

As I said, Steele served in three different legislatures, including the Senate of Australia. It was quite a tumultuous time in federal politics. He was elected in the double dissolution election in 1974 and served for three years in that Senate. During that time, he was very influential because he held the balance of power. It was such a fine balance between Liberal and Labor representation in the Senate, and he held that balance of power.

Of course, he also served in the House of Representatives in the seat of Boothby from 1981 to 1986. Boothby is the federal seat which takes in so much of Morphett. As I have heard stories of his integrity and political courage and what he stood for, I thought it worth recalling again another display of his political courage in the federal parliaments.

In March 1986, Steele Hall was alarmed by trade practices legislation, which he saw as assisting Robert Holmes à Court's attempt to take over BHP. The second reading of the bill was carried on the voices, but Hall requested that his lone, dissident voice against the measure be recorded. That says a lot about him rather than just allowing it to go through on the voices. He wanted his position to be put on the record so that people knew where he stood on that. Again, I think that is another reason to remind us to stick to our values and our principles.

Of course, yes, we are parliamentarians, we represent our community, but there is also the family that stands behind you. In the 1970s Steele met his wife, Joan, and they married in 1978. It is through Joan that I got to know Steele in person. Joan was kind enough to help me in my campaign back in 2018. At that stage, while Steele's health might have been failing him, he was still very active and he came out to help me on the campaign trail once, and it was great. He was there, and people remembered him fondly—so, again, not only his parliamentary colleagues but also the people he represented remembered him very well.

To Joan, thank you for introducing me personally to Steele. He was a man of integrity. You cared for him through to his last days. We remember with a great deal of care, and also pass on our sympathies to you, your children and your grandchildren. We remember Steele very fondly. Vale Steele.

Mr TEAGUE (Heysen) (14:57): To Joan and to all the family, our condolences. We are here doing our best to remember Steele with affection and, as the contributions so far have done, to put on the record some matters of substance along the way. We are remembering a great man and human being, and reference has been made to that 2019 Hannaford portrait that sits just outside the chamber, well that it is, and well that it is a portrait of Steele at the peak of his powers. This is a portrait of a man who was on the stage of the South Australian state parliament at the time of the portrait, and I reflect a bit on the values that drove the person who comes through Hannaford's great skills in a moment.

Back in June 1968, *The Australian* had this to say about the contenders, and this was focused on Steele. There are a couple of pieces. Mungo McCallum wrote:

> South Australia's two parliamentary leaders are young looking, tanned and handsome, and neither would look out of place in a Gary Cooper style Western.
>
> Both are enormously accessible to Press and public and eager to talk about themselves and their aims.
>
> But there the resemblance ends. Mr Don Dunstan, the lawyer, is a cool, sophisticated political theorist, a complex intellectual who reads widely and corresponds with men who share his views around the world.
>
> Mr Steele Hall, the farmer, is a friendly, relaxed man who tends to play politics by ear and is frank almost to the point of naivety. It seems a paradox that he is the Liberal, and Mr Dunstan is the Labor man.
>
> Mr Steele Hall (his first name is Raymond, but he prefers to drop it) is almost embarrassingly easy to talk to.

And he goes on. It is a point that ought to be made in this context because he could be, and perhaps should be, referred to as the Hon. Steele Hall, but he declined that title; in fact, he positively requested it be removed, and he is correctly described in terms of the condolence motion. I have the letter. He said, 'Thanks, but no thanks. I won't be the Hon. Steele Hall. I am Mr Raymond Steele Hall, thank you,' and there he was.

It is good to reflect on some of the particulars. A great leader is remembered for the things that they do—the practical things that they do—but, more than that, what comes through is where someone is leading driven by their values first and foremost, and that is displayed by taking courageous decisions at one's cost and finding one's self in multiple legislatures for various reasons because you cut straight through to where you think things ought to be, and that has consequences. There is a model for public service. There is a model for leadership. There is a model for public life.

It inspires an analysis of the values. We often talk about the fact that the Liberal Party brings together a broad church of values: the values of conservatism, liberalism and what has been recently described in writing as regional interests. Steele embodied those values so very well. He was ably personifying Liberal values as he was at the peak of his powers only a few short years after he entered state parliament at the age of 30.

The member for West Torrens has reflected on Steele's contribution to what was a very serious debate that occupied the public mind in the eighties. I know a bit about that and, indeed, it is right that it is recognised. That contribution at that time, that demonstration of values, stands the test of time and that legacy only grows subsequently.

I want to perhaps focus on the electoral reform aspect as a means of demonstrating how those values resonate into the present. Just almost exactly a week ago in another place down the road, spontaneously, in the wake of Steele's passing just days before, those appearing before the Boundaries Commission found themselves reflecting on Steele's contribution to electoral reform and then, in a rather spontaneous way, coming to a view that it would be entirely appropriate to recognise Steele and his contribution by naming one of the electoral districts after him, because what a remarkable display of values it was when Steele, as Premier, said, 'I'm going to lead the way to a better, fairer electoral system.'

Steele did so at his cost; that is uncontroversial. What was controversial was how people within his own party felt about it at the time and what he had to encounter as a result. There is no indication that it fazed him at all. He was right to support the expansion of the number of electoral districts in the House of Assembly, and it has been a significant contribution to electoral fairness.

The Playmander is often referred to as a gerrymander. It is not, of course. It is a malapportionment. That malapportionment was what needed to be addressed so that we did end up in a situation where we have electoral districts with the same number of electors. That was not the end of the electoral reform challenge, of course. You have to keep working on ensuring that the will of the electors across the state is properly reflected on the floor of the parliament. There is no doubt that was an era of significant reform led by Steele Hall and carried on throughout the course of the decade to follow.

I reflect on Steele's life going back to his entry into the state parliament at the age of 30, the Steele Hall that is reflected in the Hannaford portrait just outside of the chamber, Hall at the peak of

his powers, and as recently as this time a week ago when the boundaries commission was reflecting on the contribution of Steele Hall that resonates right through until today. Vale Steele Hall.

Mr WHETSTONE (Chaffey) (15:05): I rise on this very important condolence motion and reflect Raymond Steele Hall, aka Steele. He was born in Balaklava on 30 November 1928 and was a former wheat and sheep farmer in Owen in the state's Mid North. He was originally a regional MP representing Gouger. His parliamentary career spanned over 33 years, as the only Australian to serve as Premier and a member of three legislatures: the House of Assembly, Senate and the House of Representatives.

Many of the legacies that he left, the man he was, and what he meant to South Australia has already been stated and so I will not traverse those. One thing he was well remembered for in particular was a maiden speech in the House of Representatives. The story was that while on the hustings he and Andrew Peacock, Minister for Industrial Relations, visited a hotel in Boothby and they were told that the Leader of the Opposition, Bill Hayden, had been at the bar the day before and was on the wagon and he was drinking Claytons Tonic. Minister Peacock quickly said, 'Claytons, that's the drink you're having when you're not having a drink,' and Steele said, 'That's the leader you're having when you don't want a leader!' Steele recalled perhaps that summed up the voters' views in the electorate of Boothby.

He succeeded Sir Thomas Playford as the Leader of the Liberal and Country League in 1966. They shared similar backgrounds: firm but fair, strong views, both former farmers and both serving premiers. Steele was a great mentor to many incoming politicians and MPs, as he was to me, and as was Joan. Very often at outings he would pull me aside and give me words of wisdom, words that I think were principled and that I still adhere to today.

I want to acknowledge the great work that Steele did, particularly in pushing back with Sir Thomas Playford's vision to secure water supply for South Australia, which was to build the Chowilla Dam, at a cost of $68 million. It eventually was going to cost $28 million more than was planned. Steele was not prepared to support that. He did lose the 1970 election over that issue, as did the former member for Chaffey, the Hon. Peter Arnold. He had real concern.

He continued to lobby for what he saw as an environmental evaporation and science-based evidence that the Dartmouth Dam be built in Victoria on the Mitta Mitta River. It was a much better option. Having long conversations with the former member for Chaffey, Peter Arnold, he said that he persisted until the others just gave up and agreed and that negotiation was reached. The icing on the cake is the 1,850 gigalitres of water that Steele Hall negotiated, the water security that we all enjoy today. That 1,850 gigalitres of guaranteed storage is a legacy that he left.

I would like to acknowledge you, Joan, your extended family, Steele's colleagues, and your friends and family. Well, what a great man he was and what a legacy he left. He will never be forgotten.

Mr PEDERICK (Hammond) (15:09): Thank you, Mr Speaker, and I rise to support this motion in memory of the great man Steele Hall and acknowledging Joan and her extended family. Steele's service has been well put to the chamber. His sense of getting things right was essentially lost in the premiership here in South Australia. He did the electoral reform process that he thought was the right thing to do, and the Chowilla dam process. He looked at everything and weighed it up as, 'What is the right thing to do here?' He was a man of true conviction who served not only this state but this nation for decades, and I doubt whether the service will ever be equalled in this country.

He was a man of great conviction, and I remember, as a Liberal Party member in Hammond after the 2002 election, the time when we saw Peter Lewis run as an Independent Liberal and deliver power to the Labor Party. Steele came down and met with me and other Hammond electors out at Karoonda and he just wanted to see if we could get a different decision and do what was right, and there was quite a bit of turmoil around that. I acknowledge Steele's support at the time, not just for Hammond but for the Liberal Party of South Australia.

One thing I truly treasure is something I have got in my electorate office now. I was in Liberal headquarters as a candidate—I think it must have been in early 2005; I was preselected in 2004—and there were quite a few items that were going to be thrown out, and I said, 'What's that black table

there and those black upright stands?' and they said, 'That's Steele Hall's cabinet table.' I said 'Well, that's not going anywhere.' I rang my brother, and then said to them, 'I'll be back here Monday with two utes and a trailer and we'll be taking what we can get on board,' and we did. It was just going out in the skip otherwise, which I could not believe.

This big cabinet table—and I saw it on the news the other night on Channel 7 and I thought, 'That's got to be the same one.' It came in two big pieces. It's a couple of big, heavy pieces of timber with its big upright stands and in a nice deep black colour. I had it in two different sections in my campaign office, and then when I got my office that I have now it was put together in my meeting room as it would have been in the day. Every day when I walk past it to get into my office I always have a little smile about Steele Hall, and I will keep doing that.

He was a man whose nickname was Tin Shed, and I know in one of the debates around the Festival Theatre it was indicated that someone would rather have a Steele Hall than a tin shed. Truly, I believe Steele Hall was a man of steel for this state and this country, and my deepest condolences to you, Joan, and the family, and thank you all for your care for Steele in the latter years of his life. Vale Steele Hall.

The SPEAKER: I have just asked the Serjeant-at-Arms to head around to repossess that table from your electorate office, member for Hammond! Thanks for furnishing us with that information. The member for Bragg.

Mr BATTY (Bragg) (15:13): I rise to support this motion and pass on my sincere condolences on the passing of former Premier Steele Hall and to pay tribute to his decades of public service, not only in this place but in the Australian Senate and the House of Representatives as well. I want to make a brief contribution today to acknowledge the legacy that Steele Hall leaves to our state, to our party and, of course, to his own family.

First, Steele Hall left an enormous contribution to our state. He was a Liberal Premier whose legacy should be celebrated and has been rightly celebrated today. His government, while only brief, contributed to enormous reforms during 1968 to 1970. We have heard about a lot of it today, from the Festival Centre, to the fluoridation of the water supply, to the Dartmouth Dam.

He is also being rightly recognised today for his reform of the House of Assembly electoral boundaries, despite those very reforms ultimately leading to the downfall of his government. He said in 2018 that the boundaries were 'totally undemocratic, totally wrong'. He said that he knew that he was sacrificing government, but it had to be done. It had to be done because it was the right thing to do.

When I reflect on these reforms, I am reminded of Kennedy's *Profiles in Courage*, which is a short volume of biographies of eight US senators who made brave, courageous moves because it was the right thing to do but always in circumstances where it was not in their personal or political interests. I think the story of Steele Hall is just that: our very own South Australian profile in courage that we should recognise today. He was undeniably a man of conviction, of principle and of intellect, and he will leave an extraordinary legacy. I might say he serves as a model, I think, for members in this house, particularly those like me who are relatively new to this house, on how we conduct ourselves and who we are here to serve.

Secondly, I want to briefly acknowledge Steele Hall's contribution to our party. Steele Hall was undeniably a stalwart of the Liberal Party. During my time in the party, he has always been somewhat revered as an elder statesman of sorts. I have been a member of the Liberal Party for half of my life, joining at age 16. As, I think, the youngest person contributing to this motion, I want to particularly acknowledge his involvement with and support of the Young Liberals here in South Australia.

Beginning in the 1950s and continuing right up to the 2010s, Steele has always extolled the virtues and the importance of the Young Liberals as the future of our party. When Steele as Premier brought an end to the Playmander in South Australia, the Young Liberals campaigned wholeheartedly in the public debate in favour of the reforms. When he pursued the modernisation of our party in the 1970s, it was the Young Liberals who were amongst some of his key allies leading the debate both internally and externally at that time.

Throughout the eighties and nineties, as the member for Boothby, Steele acted as a mentor to many who took an active interest in politics, including, I am sure, many of my own now SEC members, who I suspect joined the Liberal Party in no small part because of Steele Hall. They were proud to have him as a local federal member. This continued in his retirement. He supported a number of generation Y campaigns and campaigners, and he was a leading fundraiser for Young Liberal campaigns across the state.

Steele's final campaign, for the member for Morphett in 2018, which we heard about today, saw him standing at polling booths with Young Liberals who probably were not even born when Steele retired from parliament in 1996, but they had the opportunity to learn from him and to admire him. I am sure he was extremely pleased to see not only the election of the member for Morphett but the end of 16 years of Labor government at that time.

I think it was this longevity that made him such an admired figure amongst generations of Young Liberals. He was honoured with life membership of the Young Liberals, which I am told he was incredibly proud of. We thank him and acknowledge his service and contribution to so many Liberal Party members and parliamentarians and indeed in shaping the modern Liberal Party today.

Finally, I want to pass on my sincere condolences to all of Steele's family, in particular my constituent and my friend Joan Hall, Steele's beloved wife for over 40 years. I never really had the opportunity to get to know Steele, but I have had the absolute honour and privilege of knowing Joan. Joan was a very early supporter of mine when I sought preselection, and I continue to be very grateful for her support and advice, which I am sure is born in part from Steele's great political experience as well.

I pass on my condolences to you and to all of Steele's children and grandchildren, particularly my friend Ben, who I got to know very well during my time in London, and Alexia as well. You mourn a husband and a father, but we all celebrate today the legacy of a great man. Vale Steele Hall.

The Hon. D.G. PISONI (Unley) (15:19): I, too, rise to offer my condolences to Joan and family and to reflect on personal experiences that I had with Steele Hall. It is funny that Jack Batty, the youngest member of the team, talks about the support he received as a young Liberal by Steele Hall. Well, I was there 20-odd years earlier and I received that very same support from Steele and Joan, and I am forever grateful for that.

There is no doubt that we have heard the changes that were driven by Steele's desire to do the right thing for the state, regardless of the consequences for him politically. It really showed that he had a real commitment to South Australia. Not only did he have a commitment to South Australia, he could read the room, both from a collective point of view—and just the stark comparison between Tom Playford, even if you compare the two portraits in the parliament, you can see that Tom Playford was a man of the past and Steele Hall was a man of the time, a man of the future.

The Minister for Energy and Mining referred to the one-seat loss in 1965, and that one-seat loss was the seat of Modbury. That was held by Laucke. The reason that seat was lost was because it turned from a rural seat to a metropolitan seat and all of these British migrants who could vote on day one back then when they had arrived were complaining that they could not buy a state lottery ticket and they could not go to the pub after 6 o'clock. Playford said, 'Don't worry about that. The economy is going really well,' and, of course, they voted for the Labor candidate at the election and changed the government.

Steele Hall knew that times were changing and he knew that it was the right thing to do and he was very successful in some very big changes and very controversial changes, particularly in his own party. I was seven years of age when he left the office of Premier, but I knew as a 23 year old when I first met Steele and Joan about his reputation and what he was able to achieve in a very short period of time in the parliament.

I thought I would try to find something that might not be quite as commonly known about what he attempted to do in his reforms of the South Australian parliament. I had to go to Dean Jaensch's *The Government of South Australia,* which was published in 1977. It says that back in this period the constitution until 1975 was also vague about the source of ministers, in other words where they came from, which house. So the convention was that the maximum number of ministers who

were able to be ministers were chosen from the House of Assembly and the remainder would come from the Legislative Council. It states:

> This precedent of Council representation in cabinet has caused some tensions in the past. These came to a head during the L.C.L.-Steele Hall crisis in 1972 which led to the formation of the Liberal Movement. Hall had intimated his intention of forming a future cabinet of 'no more than ten' by appointing only seven ministers, all from the Assembly. And in the closing stages of the 1974 session, the House of Assembly passed unanimously a private member's bill to amend the constitution to enable an entire ministry to be formed from the Assembly…

It was blocked by the opposition-controlled upper house at that time. So, again, a fighter, taking risks for what he believed was right. I think it is fair to say that when I joined the Liberal Party—the boy from Salisbury—I did not know anybody, and coming across Joan and Steele very early in that process helped me decide that I had made the right decision. My first Liberal Party meeting, I have to say, was in stark contrast to the first political meeting I went to as a Young Labor member two years earlier, where I was completely ignored and had to sit through the Young Labor president at that time ranting—

An honourable member: Who was it?

The Hon. D.G. PISONI: I do not know who it was. He was ranting about how he was going to resign from the Labor Party—this was in 1984—to support Peter Garrett running for the Nuclear Disarmament Party. And there was Chris Schacht, trying to manage the whole situation, and I thought, 'No, this is not for me.' So I was a lost boy for a couple of years and then I joined the Young Liberals and was made to feel at home because of people like Joan and Steele. So thank you Joan and thank you Steele; it has been a terrific relationship.

Members interjecting:

The Hon. D.G. PISONI: You can blame her that I am here. Thank you so much for your care for Steele in his later years also.

The SPEAKER (15:26): Thank you for some great testimonies and tributes and contributions. It was very good indeed to reflect on the life and the great contribution that Steele Hall made to our state. I again want to thank all the former members who have come in here today to hear those contributions.

A lot of people spoke about Steele Hall being a man of principle and a man of integrity, but the saying goes: integrity is doing the right thing when nobody is watching. The story I want to tell is a story not in the public glare through politics or the media. In 1992 in Leigh Street, before the council made it a pedestrian precinct, before John Rau made it a hipster place, I can tell you how unhipster it was. I was driving a white Saab. I came back to the car and got in and there was a note on the windscreen. It said, 'I'm sorry, I reversed into your car. I think I have damaged your bumper bar. Can you please ring me, this is my home phone number. Steele Hall.'

I think we had both been to Rigoni's for lunch but at different tables. I got out and I couldn't see any damage so he must not have hit it very hard. It was not really until the next day that I thought that I would not have noticed that for weeks, if not months, but it was something that I had to get fixed or it would have fallen off. So I rang Steele and he said, 'Just take it to a crash repairer, get it fixed, let me know how much it is and I'll send them a cheque.' Now, that is a man of integrity. That is a man who does the right thing when people are watching and when people are not watching.

Joan, our condolences, my love, to you and to your family, and thank you for sharing Steele with the rest of the state. Could members please rise so that the motion can be carried in the customary manner.

Motion carried by members standing in their places in silence.

The SPEAKER: The house will stand suspended until the ringing of the bells.

Sitting suspended from 15:28 to 15:39.

Petitions

WESTERN HOSPITAL

Mr COWDREY (Colton): Presented a petition signed by 2,858 residents of South Australia requesting the house to urge the government to ensure the future of the Western Hospital at Henley Beach, and in particular, ensures that the land on which the hospital sits remains zoned for health care services into the future.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Abortion Reporting Committee, South Australian—Annual Report 2023

By the Minister for Human Services (Hon. N.F. Cook)—

State Autism Strategy 2024-29

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

SACE Board of South Australia—Annual Report 2023

Ministerial Statement

AUTISM STRATEGY

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services, Minister for Seniors and Ageing Well) (15:44): I seek leave to make a ministerial statement.

Leave granted.

The Hon. N.F. COOK: In March this year the Premier made a statement in this place and tabled our government's Autism Inclusion Charter. At the time, the Premier noted the charter was an important milestone on our journey towards delivering one of our key election commitments: an autism strategy for South Australia. Today, it was my honour to join the Premier and the Assistant Minister for Autism to officially launch the strategy, along with members of the autistic and autism communities.

I am pleased to table a copy of the strategy and I encourage all members of this place to read it and think about what action they can take in their own lives and offices. The launch of the Autism Strategy follows Autistic Pride Day that was celebrated around the world yesterday, and marks further progress toward making our community more inclusive and more productive.

Over many decades we have seen so much potential wasted because of a lack of awareness and understanding of different groups in our community. This new strategy, and a range of other work under this government, seeks to improve knowledge and understanding while setting out a framework for positive change. Positive change begins with listening: listening to those with lived experience and making sure they have the opportunity to lead the way.

In the lead-up to the last election, we heard from people all over South Australia that we needed to do better when it came to autism, so we worked with the autistic and autism communities to understand their challenges, goals and ideas. We opened up consultation so everyone could be involved, and received more than 1,350 submissions in one of the biggest disability-focused consultations we have ever undertaken.

After much work, we have the strategy that has been launched today. It focuses on seven areas identified by the autistic and autism communities: diagnosis, education, employment, supports and services, community participation, health, and justice. Action plans will now be developed and monitored across the seven focus areas to help drive change in our community.

I would like to thank the members of the state Autism Strategy Advisory Committee who joined us at the launch this morning for their work on this important project. I would also like to thank the many individuals, organisations and agencies that gave their time, thoughts and resources to make the strategy happen.

As the Premier noted, when talking about the Autism Inclusion Charter we have been taking action since the election in a range of areas to support the autistic and autism communities. This work has included: introducing autism inclusion teachers in public schools, hiring extra wellbeing workers in schools, appointing an Assistant Minister for Autism, establishing the Office for Autism, offering autism grants, launching the Autism Works campaign, boosting and retargeting diagnostic support, working with industry groups to deliver everything from sensory spaces at major events to quiet dinners in hotels, and establishing a new target for employment of people with disability across the public service.

In closing, I note a more inclusive approach to autism is part of our broader work to boost disability access and inclusion across neurodivergence, physical, psychosocial and cognitive disabilities. In turn, this is part of an even bigger focus on diversity, equity and inclusion that touches on younger people, older people, people from disability, people with disability, people with diverse gender and sexual identities, those from culturally and linguistically diverse communities, and Aboriginal people, amongst others.

A key message from the strategy for everyone in this room and across our state is to show respect and treat people as individuals. As the development of this strategy has shown, taking the time to genuinely listen and to understand the views and aspirations of different people in our community is an investment in a better future for us all.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr ODENWALDER (Elizabeth) (15:48): I bring up the 47th report of the committee, entitled Subordinate Legislation.

Report received.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:48): I move, without notice:

That standing orders be so far suspended as to enable the house to sit beyond midnight.

The SPEAKER: I have counted the house, and there being present an absolute majority of the whole number of members of the house I accept the motion. Do you wish to speak in support of the proposed motion?

The Hon. A. KOUTSANTONIS: No, sir.

Motion carried.

Question Time

CONSTRUCTION INDUSTRY

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (15:49): My question is to the Premier. What actions has the Premier taken or will he take to stop John Setka's CFMEU from taking over the construction industry in South Australia?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (15:49): I thank the Leader of the Opposition for his question. I think I have been on the record consistently now for a long period of time, probably going back to my time as a union leader, about how stark the contrast the approach of what I think appropriate and thoughtful leadership within the labour movement looks like versus the type of leadership that has been displayed by John Setka.

Sometime ago I know the Prime Minister of Australia, Anthony Albanese, was responsible for initiating an action, which I thought was meritorious, to expel John Setka from the Australian Labor Party. He is not a member of the Australian Labor Party anymore as a result of that, and I think that's a good thing. But like I said, anybody who knows me and has been following my remarks—in opposition, in my time as a union leader and certainly now as Premier—would be well familiar with the fact that I don't think John Setka represents the best interests of the labour movement. I would even argue that I'm not too sure he best represents the interests of his own members. Now that, of course, is a matter for his own members.

I have never spoken to John Setka. Notwithstanding all the wishes in the world that that might not be true, I have never spoken to John Setka, I have never met John Setka, but I have read that John Setka is soon retiring—great. Let me just make something clear though, that although I have clearly a very different point of view to Mr Setka in regard to what good union leadership looks like, I will say this: I think men and women working in the construction industry deserve to be well paid. I think men and women working in the construction industry need to have quality, professional union representation so as to ensure that what is otherwise an inherently dangerous job becomes more safe. They are causes that we are committed to on this side of the house, and I am happy to support them.

CONSTRUCTION INDUSTRY

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (15:52): My question is again to the Premier. Is the Premier aware about concerns from industry groups of the possible impacts on the cost of government-funded infrastructure projects in South Australia by the recent endorsement of a new pattern pay deal with the CFMEU members in Victoria? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: CFMEU members have yesterday endorsed a new pattern pay deal, which includes a 21 per cent wage increase over four years and the allowance for union officials to enter sites without a legal permit.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:53): It is important to note that, when the government goes out for procurement on all these projects, we set what we think is an appropriate budget for all infrastructure programs. In effect, what consortiums are doing is bidding against the Department for Infrastructure and Transport's assessment of what this project would cost.

Now, whether it's the Majors Road intersection or the north-south corridor Torrens to Darlington tunnels, whether it's a series of intersections or whether it's the Mount Barker Interchange, the Verdun interchange, the roundabout in Mount Barker, the new hospital building in Mount Barker or the $700 million worth of infrastructure spending in the Adelaide Hills, all these things go out to tender. Within that tender process, consortiums bid and against what it is they think they can deliver a project for.

Traditionally in this state, traditionally in Australia, the Australian Workers Union have coverage of things like tunnels, and they would have their own enterprise agreements. If consortia are bidding, and they have agreements—

The Hon. V.A. Tarzia: Here is the door opening. Here it is, right here.

The Hon. A. KOUTSANTONIS: I don't know who you are speaking to, but it's worrying me. These consortia have to bid within a range. If one consortium has an enterprise agreement with one union that is more expensive than another, it obviously does their bid some harm. The idea that all construction jobs—every single one in this state, in the entire civil industry—are at the beck and call of one enterprise agreement with one union is simply not true. It is simply not accurate.

Do I share the concerns the Premier has? Yes, I do. Is John Setka and the CFMEU my type of union leadership? Absolutely not. Every time—and I say this publicly—

Mr Whetstone: You took his money.

The Hon. A. KOUTSANTONIS: I do not understand why the member for Chaffey cannot get a question to ask. He just sits there and interjects constantly rather than asking a question. If you have something to say, ask it; if not, sit quietly.

Members interjecting:

The Hon. A. KOUTSANTONIS: Nevertheless, if there are interstate bidders who are wanting to bring a Victorian industrial relations regime to South Australia, we have a very good industrial relations regime here in South Australia. There is industrial harmony with a lot of the unions here in South Australia. I would encourage interstate bidders to look at the South Australian example as the model, not the exception.

NORTH-SOUTH CORRIDOR

The Hon. V.A. TARZIA (Hartley) (15:56): My question is to the Premier. Can the Premier assure South Australian taxpayers that the cost of the north-south corridor will not blow out as a result of the involvement of John Setka and the CFMEU?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:56): I would say two things: if my young friend has any evidence of a blowout, please provide it, and the second thing I would say is that if we had gone to procurement under the model the previous government had left us, more than likely we would have only had one bidder, such was the risk allocation in the previous model. What we have been able to do is get an accurate costing for what the tunnels and the project will cost. What we have been able to do is have a competitive tender process. I am completely confident about the way the Department for Infrastructure and Transport is conducting this to make sure that we come in on time and on budget.

INCOLINK

Mr COWDREY (Colton) (15:57): My question is to the Premier. What steps has the Premier taken, or will he take, to prevent Incolink from becoming the dominant entitlement scheme for the building industry in South Australia? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr COWDREY: On 1 June 2023, the Premier explained to this place that there are, and I quote:

> …various acts and powers and functions that exist with the state that we are willing to deploy should that opportunity present itself and should the need arise.

The opposition has received a draft copy of the CFMEU South Australia Major Civil Contractor Enterprise Agreement 2023 which states, and I quote:

> On commencement, and in accordance with the fund's procedures the Company shall register the Employees with the relevant industry funds.

The fund referred to in the agreement is Incolink for severance pay.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (15:58): I thank the member for Colton for his question. The government's concern about Incolink principally goes to transparency around those funds. That is our principal concern and it is a concern that I think we have to remember a couple of things about when it comes to enterprise bargaining.

Enterprise bargaining represents a democratic instrument that exists between employees and employers, as I know the member for Colton is well aware. It is governed by federal industrial legislation which, of course, this parliament doesn't have carriage of, ever since the Howard government assumed the responsibility for all forms of private sector industrial relations during the course of the WorkChoices changes. When it comes to workers' entitlements under any enterprise agreement, ultimately those workers will form a judgement through the democratic means available to them as to what should happen to their money—workers' money. I think that is just something to bear in mind.

But the concern that the government has with the CFMEU speaks to what we have seen over a substantial period of time come out of the Victorin CFMEU principally around the practices that they deploy: allegations of bullying, allegations of thug-like behaviour, all the things that the Labor movement at its best rejects without qualification. What we know is that the vast majority of the trade union movement reject those types of behaviours.

Mr Cowdrey: Well do something about it.

The Hon. P.B. MALINAUSKAS: I thought there was a powerful contribution since John Setka has reared his head again by what I think was a desperately ill-thought through piece of advocacy that the AFL should not employ someone in an umpiring role, which was a unique contribution as its mildest, and a dastardly ill-informed contribution at its most obvious. When that happened, Michael O'Connor—and I don't expect everyone in the house to know, but Michael O'Connor is a leader whose background is in leading the forestry division of the CFMEU. I think at one point he rose to be National Secretary of the CFMEU himself. He, himself, as a senior official within the CFMEU made remarks rejecting the sort of entree or contribution to the political discourse that Mr Setka has made.

I know from the Liberal Party's perspective they see this as some sort of killer gotcha moment that tries to ensnare everyone within the Labor movement as somehow being complicit or associated with John Setka's behaviour, but it doesn't fly because it's just not true—it doesn't fly because it's just not true. So we will remain vigilant where we can and we will do something about it.

INCOLINK

Mr COWDREY (Colton) (16:02): Supplementary: will the Premier use procurement policy to prevent the CFMEU and/or Incolink from having involvement in South Australian major projects?

The SPEAKER: The member for Colton should not be reading a question if it's a supplementary question.

Members interjecting:

Mr COWDREY: I can listen and write at the same time.

The SPEAKER: I don't see a printer over there.

Members interjecting:

The SPEAKER: Let's just have that as a little warning that if they're going to be supplementary they should be genuine supplementaries. Go your hardest.

Mr COWDREY: Thank you sir. Will the Premier use procurement policy to prevent the CFMEU and/or Incolink having involvement with major projects in South Australia like the north-south corridor project?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (16:02): The government is aware of the suggestion that's come out of the Master Builders Association. Having the relationship with the MBA that the government does, we take their suggestions that they put forward seriously and we are seeking advice about that. We are in a difficult position, for the reasons that I have said consistently when this subject has been raised, that there are only so many options that we have available to us in being able to control what is something that is essentially exclusively within the power and the purview of the commonwealth—

Members interjecting:

The Hon. P.B. MALINAUSKAS: What we said, what we have been clear about is that we are open to other options when they present themselves. The procurement policy option may well be one of those, but we also have to think about the implications of that because if we have governments seeking to achieve industrial outcomes using procurement policy, then we are starting to talk about something that might have a whole suite of consequences because that isn't typically what governments use procurement policies for. Industrial relations are matters between private sector companies and their employees.

Think about this for the moment—and I invite the Liberal Party to think about this—would it constitute an ill-advised precedent to have a state government, of either political persuasion, now starting to dictate what employees in supermarkets or pubs or restaurants or anywhere else are getting paid, how they are paid and what their conditions are? These are matters that are, generally speaking, resolved between the employee and the employer, which is the great virtue, the great productive outcome, that has arisen out of enterprise bargaining since those labour market reforms were introduced during the course of the 1990s. So we are taking advice on the matter and thinking it through accordingly.

PORT PIRIE HEALTH SERVICE ADVISORY COUNCIL

The Hon. G.G. BROCK (Stuart) (16:05): My question is to the Minister for Health and Wellbeing. In regard to our health advisory council, which is made up of community people, can the minister advise my community how we can understand what is happening in our community in regard to any health issues this committee might be discussing? Particularly, currently there is a lot of community concern in regard to the future of the Hammill House aged-care facility. With your leave, Mr Speaker, and that of the house, I will explain further.

Leave granted.

The Hon. G.G. BROCK: As the minister is aware, this committee consists of a chair, a local government representative, a local member of parliament representative, a medical practitioner—which I will mention has been vacant for some time—a staff representative plus six community members. Our Port Pirie HAC do not place their minutes on their website, nor do they do any public consultation.

I get numerous community members coming into my office asking what is happening, particularly in regard to the future of the Hammill House aged-care facility, which is part of the Port Pirie Regional Health Service. The board itself undertook a survey in January this year regarding the future direction of that facility. At the moment, we have no communication whatsoever, and I have people coming in droves to understand what is happening.

The SPEAKER: I think the Independents, as we saw from the member for MacKillop yesterday, are sort of merging the 90-second statements in with the questions. I will give you credit for job-sharing.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (16:06): Thank you very much to the member for Stuart for his question. He is passionate about local health services in Port Pirie and broadly in his electorate. In relation to the question of the publication or distribution of information that has been discussed by health advisory councils, that is a matter for their own constitution, I am advised.

The understanding I have is that most health advisory councils when they were established adopted what was then a model constitution that was created after the Health Care Act 2008 was enacted. That put in place provisions: minutes have to be provided, they have to be provided on request to the chief executive of a hospital, and there is also the ability for the health advisory council to provide those minutes to other people more broadly who are not on the health advisory council as they deem appropriate.

To date, this has not been an issue that has been raised with me for any other health advisory councils, which may well mean that other health advisory councils have taken a more proactive approach in terms of being able to release their minutes. I will certainly have a look into the issue in relation to whether the Port Pirie Health Service Advisory Council have been refusing requests from people to have access to their minutes. Certainly, as the member knows and outlined in his explanation to the question, members of parliament in local areas are able to nominate a representative on the health advisory council, which I am sure the member has done so would have access to the minutes that way.

Certainly, in relation to the issue of Hammill House, it is an issue that I am aware of. I am also aware of the member's strong advocacy in relation to this matter. The Yorke and Northern Local Health Network has been consulting with the community in relation to that. Obviously, part of that would be discussion with the health advisory council. The advice that I have as of yesterday is that

there have been no decisions made by the local governing board of the Yorke and Northern Local Health Network following that consultation that took place over previous months.

I am sure that this is a subject matter that the member will continue to advocate for and continue to be particularly interested in, as will I, as this becomes a matter that the governing board considers in coming months. Of course, the government is strongly committed to expanding health services in the Port Pirie region. I know the member is well aware—and I am thankful for his advocacy—of measures that were put in the state budget that were tabled in the last week of sitting. That means that we will be able to ensure that we can deliver a proper new emergency department at the Port Pirie regional hospital.

In addition to that, we will establish what has been called for, for some time, particularly from Uni Hub, in relation to a clinical simulation centre for Port Pirie. That will be established and run through the local health network, but obviously provided to Uni Hub and other training providers as needed to enable more health practitioners to be trained locally in the region, in the Upper Spencer Gulf, ultimately to see more health practitioners working in Yorke and Northern Local Health Network and in the Port Pirie hospital.

ENERGY GENERATION

Mr ODENWALDER (Elizabeth) (16:10): My question is to the Premier. Can the Premier update the house on energy generation in South Australia, and is he aware of any alternative views?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (16:10): I want to thank the member for Elizabeth for his question, because the member for Elizabeth represents a community that is important to our state in a number of ways. There are constituents within the member for Elizabeth's electorate who I think are pretty concerned about the cost-of-living crisis at the moment. They are often the types of householders who work hard, exceptionally hard, often on lower incomes, who have to deliberate on a daily basis about how to weigh up various costs—and energy is one of the ones that is top of mind. That is why I think—

Members interjecting:

The Hon. P.B. MALINAUSKAS: Just listen. That is why constituents within the member for Elizabeth's electorate will be very interested to hear today about the alternative prime minister of the nation announcing a federal public policy to build seven nuclear power stations.

I want to make a fundamental point here. Today, we have had a major policy announcement and the alternative prime minister of the nation—do you know how much he told us those seven nuclear power stations are going to cost? He told us nothing. What does that mean? It means that Peter Dutton either announced the policy position without knowing what it costs, which is a bit of a no-go spot for an alternative prime minister, or he does know what it costs and he is not willing to tell the people of Australia. Think about how scary a proposition that is. Imagine if the alternative prime minister of the nation—

The SPEAKER: The member for Morialta on a point of order.

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

The SPEAKER: I think the Premier can continue with his remarks. It is quite fitting to the question that he was asked. I think maybe if everyone on both sides is a little quieter, it might be a bit easier for us all to hear.

The Hon. P.B. MALINAUSKAS: I suspect that the federal Leader of the Opposition and the federal Liberal Party do know how much nuclear power is going to cost because it is all out there on the public record, including from the CSIRO which independently evaluated what the costs of different power sources are—cheaper, a lot cheaper than nuclear.

We know that within the GenCost report from the CSIRO, very recently released, they announced very clearly the most expensive form of a power that we could have here in Australia was nuclear, and it is all here to be listed. Thankfully, what the CSIRO did in their GenCost report was they didn't just break down nuclear, they didn't just refer to nuclear versus hydrogen or gas or CCS or solar with firming, they also specifically broke down thankfully the cost of large-scale nuclear

reactors versus small modular nuclear reactors. Now what we know is that Peter Dutton's special surprise for the people of South Australia isn't just giving us the most expensive form of power but actually giving us an SMR which is the most expensive form of power on steroids.

Now, I've got to say that all the noise that is coming from those opposite is in stark contrast to what we have seen from other conservative leaders around the country. I know that the LNP Leader of the Opposition, David Crisafulli, has announced today that he is opposed to nuclear power in the state of Queensland. He is opposed to the exorbitant cost that would be coming Queenslanders' way with nuclear power coming in Queensland. It will be interesting to see what the state Leader of the Opposition has to say on this subject in the not too distant future.

AMBULANCE RAMPING

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (16:15): My question is to the Premier. Does the Premier have confidence in the Ambulance Ramping Review Report of January 2024? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: The SA Salaried Medical Officers Association has claimed that a direction has been issued by SA Health which says, and I quote:

…mandating SA Ambulance Service offload at 180 minutes, and that SAAS patients were to be preferentially offloaded over patients in the waiting room.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (16:15): I certainly do have confidence in the work that was done by Professor McNeil and Professor Griggs in the beginning of the year. Following allegations that were made, they were investigated and there was a report provided which found no evidence for those claims that were made. There were recommendations made and a working group of clinicians established to oversee the implementation of those recommendations, sensible recommendations in terms of how to appropriately manage the clinical priority of patients in the waiting room, on the ambulance ramp and in the community who need an ambulance response.

In fact, I met with Professor McNeil—my regular meeting with him as the Commissioner for Excellence and Innovation—just yesterday and he advised me that the progress of that working group is going exceptionally well and they are close to finalising a number of the aspects of the implementation of that work, including a revised policy. The policy has been in place for many years, essentially along the same lines that, if there are patients of equal clinical priority, then preference should be given to the ambulance—and that was the situation that was in place under the previous government—to make sure that that ambulance can be released to other cases in the community.

The recommendations made a number of points in terms of ensuring that there is greater visibility of the impact in terms of what ambulance resources are available to respond to community responses. That work is progressing very well, I am informed by Professor McNeil. In addition to that updating of the policy in terms of clarifying in relation to clinical decision-making, that work is progressing well. I have no evidence whatsoever of the claims that were made in the explanation of the question and nor has the opposition produced any.

PATIENT CARE

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (16:17): My question is to the Premier. What legal or administrative powers are being relied upon by SA Health to provide instructions to clinicians regarding the care of patients? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. D.J. SPEIRS: On 18 June, *The Advertiser* reported concerns raised by union officials which said:

…regarding the powers being relied upon for the administration to provide instructions to clinicians regarding the care of patients, and the secrecy around 'directions'.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (16:18): I again refer to my previous answer where I said that there was a very clear policy that has been in place since under the previous government in terms of the prioritisation of ambulances. There has been no evidence produced in terms of the claims that the opposition are making in the house now. I invite them to produce such evidence, if they have it.

AMBULANCE RAMPING

Ms PRATT (Frome) (16:18): My question is to the Minister for Health and Wellbeing. Can the minister inform the house, under the directive issued to local health networks on 7 June 2024 how many times has the chief executive officer been notified that a patient has been ramped for more than three hours?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (16:18): The member is referring to a protocol which, as part of the incident management response that is currently in place, the incident commander has asked that if there are any incidents in which a patient has been ramped for more than three hours then that would be notified to the chief executive of the local health network in that area. In terms of the exact number of times that that has happened, I will have to take that on notice.

MINING TENEMENTS

Mr ELLIS (Narungga) (16:19): My question is to the Minister for Energy and Mining. Are landowners with land inside a mining tenement going to lose landowner rental distributions associated with mining? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr ELLIS: Landowners have received correspondence from DEM advising that, as outlined in the state budget, where previously the landowner kept 95 per cent of the rental distribution and the government 5 per cent, in the near future it will become fifty-fifty. Why is the government entitled to 50 per cent of their rent?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (16:19): Because the minerals are owned by the people of South Australia, that's why, and the tenements are owned by the people of South Australia, that's why. In fact, I know members in regional communities might not like this, but in truth people are receiving rent for property and a right for which traditionally they have not been entitled. That was extended by the government on the basis of trying to create greater social cohesion with people allowing people onto property, but the truth is the minerals that are being extracted and the tenements are the property of the people of South Australia. To extract those tenements, the benefits of those should go to the local community and the local community has a right to access them and that is why this decision was taken.

The SPEAKER: The member for Davenport who celebrates her birthday today; so for that you get a happy birthday question.

DEFENCE WORKFORCE PLAN

Ms THOMPSON (Davenport) (16:20): My question is to the Deputy Premier. How is the state government supporting defence industry workforce development in South Australia?

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) (16:21): I am delighted to bring the parliament up-to-date with the work that we have been doing on a defence industry workforce. Members will remember that there was a task force established across the federal government and the state government to work through the challenges—there are tremendous opportunities, but challenges in making sure that we have the right workforce, not only the numbers and not only the qualifications but also the level of experience that will be required to meet the significant opportunities represented by the amount of defence manufacturing that will be occurring in this state over the next several decades.

I am pleased to therefore bring up a report on how we are tracking with implementing that plan. Initially there were some 22 initiatives that were established as being those of priority to meet this challenge. The way in which it was constructed—and people can see the task force work through an action plan on the website if they choose—was to go through the chronological stages in which the people of South Australia engage with deciding what they are going to study and where they are going to work. So the initiatives range from primary school, secondary school, vocational training, undergraduate training, entry-level work and then also, crucially, mid-career options in order to have people who are working in allied industries with similar skills able to make the transition across.

Of course, we have made many investments already in order to deliver this. For example, the election commitment that was made by the Premier and the Minister for Education to have five technical colleges fits neatly into one of the strategies to make sure that we are offering young people the opportunity who wish to work with their hands, at the same time making sure that they finish school, to have very high-tech equipment available and make an easy option to go and study some trades and work with industries such as BAE Systems.

Some 60 per cent of the 22 initiatives have successfully been launched already, which means that we are starting to track through in putting in place those major markers. We are seeing, of course, the increased interest from people in being engaged in the defence workforce, now that they appreciate that this is a serious option for them. In fact, at the naval and shipbuilding weekend that was held at Outer Harbor, in my electorate, a few months ago is an example of the number of people who came out. The schools were sending young people to come out and see what the options were and what pathway they needed to take to embrace that kind of work, and then also having families going and looking at the ships, looking at the submarine and finding out what the options would be for their children in the future.

We have seen some particular highlights recently. There have been 71 STEM scholarships, which have been offered to year 11 and 12 students for STEM, and they range from $3,000 to $7,000. Too often in the state of South Australia where we have relatively high levels of disadvantage, we see that young people have barriers to participating in this kind of workforce development through their experience of schooling and their recognition of what they are good at and what they might work in, and having STEM scholarships is one of the ways to encourage these students to consider those options.

We have also seen 13 commencing the Software Engineering degree apprenticeship. That is groundbreaking for a university qualification to be regarded as an apprenticeship, and able to be taken up through that pathway. We have already seen that, as we say, for the first cohort of 13 and, as it is tested out, we are expecting that approach to become much more widespread. We have had an addition of commonwealth-supported places for the universities, and I look forward to being able to update the house in future on further developments.

ROCK LOBSTER FISHING INDUSTRY

Mr WHETSTONE (Chaffey) (16:25): My question is to the Minister for Trade and Investment. Did the minister meet with the Chinese Premier Li Qiang during his visit to South Australia, and discuss South Australian rock lobster? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr WHETSTONE: Live rock lobster exports to China have been on pause for the last four seasons, which has cost an average family fishing business a loss of between $1.5 million and $1.8 million over the sanctioned period and caused the lobster industry to miss out on $400 million worth of gross state product.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Veterans Affairs, Minister for Local Government) (16:26): No.

EARLY YEARS LEARNING FRAMEWORK

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (16:26): My question is to the Minister for Education, Training and Skills. Is the—

Members interjecting:

The SPEAKER: The member for Morialta has the call.

Members interjecting:

The Hon. J.A.W. GARDNER: I shall wait until they are done. My question is to the Minister for Education, Training and Skills. Is the minister familiar with the detail of the recently updated Early Years Learning Framework, and does it place appropriate priority on key issues for young children? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. J.A.W. GARDNER: IPA analysis has highlighted that social justice in early years is described as an 'exciting' opportunity to explore gender, sexuality, race and culture, and that issues of diversity, inclusion and equity have 149 references in the framework, while 'mother', 'father' and 'parent' are not mentioned.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (16:27): I thank the member for Morialta for his question about the Early Years Learning Framework for Australia, and I am happy to speak a bit about why it is important, why South Australia adopted it, along with every other state and territory in Australia, who have also adopted the Early Years Learning Framework.

The first thing, I think, to make clear to this place is that it is not a curriculum to instruct children. I think, certainly, in some of the commentary that I have read about this from the Institute of Public Affairs it is certainly suggested or characterised as a curriculum, which it is not. It is a guide to help teachers and educators with their planning and, of course, we need to also keep in mind how the early years are different to primary school and secondary school, and keep in mind that particularly around preschool we characterise it as teacher-led, play-based learning. That is why it is different to primary school, just in the same way that primary school is different to secondary school.

I might address the part of the question where the member for Morialta spoke around the comments made by the IPA around the number of mentions in the new framework, which was approved in December 2022. The number of references in the framework to diversity, inclusion and equity—which I think is right—have been mentioned at about 149 times. Aboriginal and Torres Strait Islanders and reconciliation are mentioned 96 times and, as the member for Morialta said, as the IPA put it, no mention of mother, father or parent. But what has not been mentioned, and I think conveniently left out by the IPA, is that the words 'family' or 'families' is mentioned 154 times in the early years framework, which I think is a good thing.

If I could try to talk about what is at the essence of the framework and why it is an important thing, I want to just reiterate to this place and I think it is a good opportunity for me to do that again. I am not interested in culture wars, not one bit. They are a distraction from the job at hand. I am interested in getting good outcomes for kids who are at preschool, primary school, secondary school and in our vocational educational and training system. That is all I am interested in; that is the only thing.

Members interjecting:

The Hon. B.I. BOYER: I think I speak, as you can hear, on behalf of all those on this side. I know the member for Morialta agrees and many on that side do too. I am not interested in getting sucked into a debate by the commentariat like the IPA around culture wars stuff, which I think comes at the great detriment not only of the public debate but certainly comes at the detriment of, particularly, those young people out there from more impoverished or disadvantaged backgrounds who aren't getting the good outcomes at preschool, primary school or secondary school that we all aspire to and it takes our attention away from that.

I can tell and reassure everyone in this house, Mr Speaker, including you and the member for Morialta, that if this Early Years Learning Framework didn't deliver better outcomes to those kids who we are all on both sides of this place inspired to help, then I wouldn't have signed up to it and nor would have this government. That is my solemn commitment to this place.

But I do think that the messages that are within the framework, particularly around respect and inclusivity, are important. They are important. I spend a disproportionate amount of my time, as did my predecessor, dealing with issues around poor behaviour at schools—almost everyday, unfortunately. A lot of that stems from a lack of respect between young people or between families. If we can do just a small thing, just add an extra modicum of respect into the thinking and value structure of young people who might be as young as three or four, it will go a long way to addressing that really acute stuff that we are all aware happens sometimes, unfortunately, at our primary and secondary schools.

SPEEDING FINES

Mr COWDREY (Colton) (16:31): My question is for the Minister for Police. Will the government provide any grace period for fines to motorists travelling along Tapleys Hill Road at West Beach? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr COWDREY: I asked the same question a fortnight ago and the minister took the question on notice. After question time, I sincerely appreciated the discussion with him where he indicated he would immediately seek detail. Despite contacting the minister's office by phone and email since, I am yet to receive an answer for my constituents. Since I asked the question, I have been contacted by constituents who have since received multiple fines for the period immediately following the speed limit change. They are simply seeking clarification about whether they need to pay the fine or whether a grace period will be granted.

The Hon. D.R. CREGAN (Kavel—Minister for Police, Emergency Services and Correctional Services, Special Minister of State) (16:32): I appreciate the question from the shadow treasurer. It is an important question. As I indicated on the last occasion, I would anticipate that there are members of his community who are seeking this information. The question was taken on notice; it is still on notice. We are seeking some additional information to complement the information we presently have to hand. We also, of course, observe that the estimates process will soon be upon us. As soon as I have a complete answer for the shadow treasurer, I will come back to the house.

RIDDOCH HIGHWAY

Mr McBRIDE (MacKillop) (16:32): My question is to the Minister for Infrastructure and Transport. Can the minister advise if, and when planned, an overtaking lane between Naracoorte and Keith will be constructed? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr McBRIDE: In 2019 the Marshall and Morrison governments announced that $47 million would be allocated to construct three overtaking lanes on the Riddoch Highway between Mount Gambier and Keith. Two have been completed south of Naracoorte but the third, which is supposed to be constructed north of Naracoorte, has not been started yet.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (16:33): It is a good question. I thank the member for the question and thank him for bringing this to my attention. I have done some research on this in anticipation that the member might have some interest in this so I could inform the house. There was a $155 million Rural Roads Safety Package—

Members interjecting:

The Hon. A. KOUTSANTONIS: I anticipate the needs of the crossbench. You might remember in the condolence debate there was a 1965 election, and there was one previously, where Labor and Liberals were tied and a conservative Independent sided with the then conservatives. I have worked very hard to make sure that never happens to us again.

There was a Rural Roads Safety Package, and $47 million of it has been announced. Of the entire package, there are overtaking lanes on the Augusta Highway and on the Lincoln Highway, north of Whyalla, there are overtaking lanes on Long Valley Road between Wistow and Strathalbyn,

and there are two overtaking lanes on the Riddoch Highway, which the member has talked about, and how they have been built and constructed. There is design being undertaken on two more: one on the Victor Harbor Road, near Hindmarsh Tiers Road, and of course one on the Riddoch Highway between Naracoorte and Elmor Road, which I think is the one that the member is talking about.

This third overtaking lane on the Riddoch Highway was initially designed for further south; however, concerns were raised by the local community and affected adjacent landholders, and the local MP rightly contacted the regional roads minister and the infrastructure minister with the issues, including those proximities. There was a new location proposed further north, adjacent to Naracoorte Road. That third overtaking lane has been put on hold because the money that has been allocated to it of $16.8 million is insufficient.

What I have asked the department to do, because of the advocacy of the local member of parliament, is to go away and see if there is a program of works that we can use to undertake and fulfil that obligation, and build that third overtaking lane. So we are revising funding options available, and I will get back to the house as quickly as I can with an answer for the member and his constituents.

HEARTKIDS

Mrs PEARCE (King) (16:35): My question is to the Minister for Health and Wellbeing. Can the minister update the house on any government investment in services for children impacted by heart disease and their families?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (16:36): I thank the member for King for her question, and for her very strong interest in terms of children affected by heart disease and her support of HeartKids. On the weekend, in her local electorate, both her and the member for Newland participated in the superheroes day, supporting HeartKids—not for the first time as well—and I think even in previous years maybe the Minister for Education may have dressed up as a superhero as well, under his suit no doubt at any time.

HeartKids is an incredible organisation. It works across Australia to provide support for families and for children who have been affected by heart disease. Sadly, we know this affects far too many families across Australia and across South Australia. It can be a lifelong condition, and obviously long-term support is required. Many of those families will require surgery, which for South Australian children would have to be completed by travelling to Melbourne to undertake that surgery which therefore means a significant amount of support is provided for those families through HeartKids.

It was about three or four years ago that HeartKids raised with me their concerns in terms of the demand that they were seeing and not being able to meet it through their charitable donations, and that they had raised a concern with the then minister, Minister Wade, asking for funding to be able to help families who are in this situation. That funding was denied by the previous government and they were told that there was no funding available through the significant state budget to be able to help HeartKids and the work that they do.

We took a different approach, and we took to the state election a plan to invest $1 million across four years in expanding the work that HeartKids does. I am happy to provide information to the house on what has happened since then, because HeartKids have now been able to expand their work in terms of providing, now mental health support—so, providing essential mental health services to children and families dealing with the challenges of congenital heart disease—and also in terms of early childhood intervention, ensuring early detection and intervention to improve health care outcomes and quality of life for affected children.

I was lucky enough to meet one of the occupational therapists who is involved in that program through HeartKids. Very importantly, as well, through regional support: extending vital resources and support to families in regional and remote areas, ensuring that no child is left without the care that they need no matter where they live in South Australia.

This is amazing work that HeartKids is doing, and we are the only state government in the country who is providing support to HeartKids to do this work. They regard this as the model exemplar

of what they are capable of doing. They are now putting similar plans forward to other states and territories around the country to do that.

Today we had a delegation of HeartKids staff, families and supporters who we hosted here in parliament. I was very delighted that many members on this side of the house were able to be there, as well as the Hon. Connie Bonaros and the Hon. Tammy Franks. Unfortunately, no Liberal members of parliament were able to attend the function. It was amazing to hear from a number of the families in terms of the work that has been done.

In my remaining time, I will highlight Belinda's story. Belinda is a heart mum who spoke about her family's gratitude for the service HeartKids has been able to provide her little girl, Isabella. We heard about the power of play to help process different emotions, impacting positively on mental health for those kids. The family had to stay in Melbourne where there were three surgeries within four weeks. This reduced her immune system and meant the family was in lockdown over winter. Isabella had been able to meet with other kids through the program for play through HeartKids, enabling parents to gather and chat and for their kids to play, which is an excellent sign of the work that was done.

HOCKEY SA

The Hon. V.A. TARZIA (Hartley) (16:40): My question is to the Minister for Tourism. Can the minister provide an update to the house on any discussions, if she has had them, with Hockey Australia and Hockey South Australia relating to upcoming major tournaments proposed to be held in South Australia?

The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (16:40): I recently had a meeting with Hockey South Australia and Hockey Australia about some potential opportunities. I would have to take it on notice to get the dates that we were talking about.

Previously, we have held quite significant international hockey events, playing India; I think it was in 2022 we had that here. Obviously, the location was a great location. Hockey, of course, is one of those growing sports, particularly because of the increasing levels of Indian migrants who have made South Australia their home. It is a very popular sport also with Malaysians. Those of us from country South Australia know that some country areas are really big in hockey.

We know it is a competitive landscape as well. Obviously, we have lots of different sports and we have talked many times after the FIFA Women's World Cup about our focus on women and girls in sport, not just in soccer but other areas as well. I will take it on notice and remind myself exactly of the dates and opportunities that were discussed.

STRATHALBYN HEALTH SERVICES

Mr PEDERICK (Hammond) (16:41): My question is to the Minister for Health and Wellbeing. Can the minister provide an update on the status of the Kalimna Hostel aged-care centre in Strathalbyn? With your leave and that of the house, sir, I will explain.

Leave granted.

Mr PEDERICK: During the previous term of government, $3 million was allocated towards the redevelopment and reactivation of the Kalimna Hostel.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (16:42): I thank the member for Hammond for his question. Certainly, I am aware of the aged-care services provided at Strathalbyn, and I think in the past two or three months I was able to visit Strathalbyn hospital and meet with the staff, who are providing excellent services.

My understanding is that the majority of that funding that was spent under the previous government was in terms of upgrading the services in relation to the current hospital site and expanding those aged-care services. Those aged-care services are really excellent now, I have to say. I met with the staff there who are providing very high-quality services and I think, in fact, they have won or been nominated for a number of different awards for the work that they are doing.

I was able to visit the site across the road, the former site, which was closed down many years ago due to issues in terms of its fire maintenance and other issues with that site being able to be provided safely. That site is still not in a position to be appropriately used, but the Barossa Hills Fleurieu Local Health Network is exploring opportunities in which it could be used for some various clinical purposes. That may well be in terms of consultations or outpatient clinics. Bronwyn Masters, the Chief Executive Officer of the Barossa Hills Fleurieu Local Health Network, is leading that work in terms of looking at what the future use of that site could be, particularly as we will be undertaking the building of a new hospital at Mount Barker as well. That may well provide an opportunity to have some of those services based in the Strathalbyn region.

STRATHALBYN HEALTH SERVICES

Mr PEDERICK (Hammond) (16:44): Supplementary: can the minister confirm that $3 million is still held for the actual piece of land and the hostel building, Kalimna Hostel, in Strathalbyn, separate from the hospital?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (16:44): I will take that on notice.

FREIGHT AND SUPPLY CHAIN STRATEGY

The Hon. V.A. TARZIA (Hartley) (16:44): My question is to the Minister for Infrastructure and Transport. What will be the cost to implement the government's recently announced freight and supply chain strategy?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (16:44): The strategy is not so much about necessarily a cost but what it is about is making sure that the state has a supply chain strategy and that that strategy fits in with commonwealth government funding levels. We have developed the strategy over a period of time when we had these four strategic outcomes, which were that people are safe, that freight is productive, that it is sustainable and that it's stakeholder centric, that is that we worry about the people who are actually involved in moving freight.

The eight responses to the strategic vision were that we want a safe and connected network, we want long-term planning, and a net zero pathway for freight to be moved. We want resilience and redundancy within the system. We want technology integration, skilled workforce, data sharing and regulatory and policy harmony.

My job as the Minister for Infrastructure and Transport is to make sure we do the appropriate mapping. I know that there are a number of regional councils that are very concerned about the freight strategy and the reason they are concerned is because they do not want freight using their roads. Last mile productivity is one of the most important factors in job creation in South Australia, moving our freight to and from our farms, to and from our factories, to and from places of work and industry are important.

It occurs to me on a number of occasions when there are numerous permits issued for freight paths and freight routes, why do we need to continue issuing permits? If the permits have been issued six, seven, eight, nine, 10 times in a row, aren't we just embedding a bureaucracy over the top of this? Aren't we better off saying, 'That route now is approved. No permit needed.' Local councils don't like that because local councils feel that it puts their infrastructure at risk. Who was their infrastructure built for? It's built for the businesses that operate in their communities.

The state and commonwealth governments both realise that these local councils, of course, who own a majority of Australia's roads, can't sustain them on their own and they do need assistance; hence, the state government spending money on roads that aren't necessarily owned, maintained and operated by state government, and the commonwealth government does the same thing.

In relation to the freight strategy, the real question I should have been asked is: what is the cost of not doing it?

Members interjecting:

The Hon. A. KOUTSANTONIS: And long may that last; long may that continue. I will continue to ask because I'm just trying to offer advice as a helpful minister to my young apprentice. I'm trying to say, 'Look, the questions you want to ask are: you've got a freight strategy, why haven't you implemented it faster?' That's the question you should have been asking.

In terms of the direct cost that the member is asking for, I will get a detailed response from the department and have a look if there are indeed any costs of implementation of the freight strategy. I suspect overwhelmingly it will be savings: savings on time, saving on bureaucracy, greater productivity for freight, greater access to our roads and routes, making sure that South Australian wheat, grain and barley, making sure that our lamb, beef, pork and all of our livestock, all of the commodities we make will be moved around the state freely and fairly to create productivity and jobs in South Australia. Who could be opposed to that? I think this is something I will get back to the house on.

FREIGHT AND SUPPLY CHAIN STRATEGY

The Hon. V.A. TARZIA (Hartley) (16:48): My question is to the Minister for Infrastructure and Transport. When will the KPIs for the strategic outcomes be released as part of the freight and supply chain strategy released on 1 June? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: On page 49 it says, 'The strategy indicates that the KPIs to measure strategic outcomes are yet to be delivered.'

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (16:49): I will be releasing those key performance indicators as quickly as I possibly can. It's important to note a bit of context here for this. For the entire time of the previous government, there was no freight strategy. Every other jurisdiction—

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: No, GlobeLink was not a strategy: it was a hope—GlobeLink and the right-hand turn for the tram. They are the two major pieces of freight infrastructure—

Members interjecting:

The Hon. A. KOUTSANTONIS: Yes, we are still waiting for the tram to turn right, despite members opposite being told it could never turn right. The KPIs will be released by the agency in consultation with the round table. As soon as we have those, I will report them to the house.

Grievance Debate

ROCK LOBSTER FISHING INDUSTRY

Mr WHETSTONE (Chaffey) (16:50): I rise today with concern for the rock lobster industry in South Australia. As many of us would know, China is our largest trading partner and has been a boon for the commodity sector in South Australia. Our primary producers have geared up their properties, the types and varietals that they were going to grow. It was riding on the back of the free trade agreement back in 2015. We have had issues with barley, livestock feed, red meat, wine, rock lobster and timber.

What we have seen today really is concerning. We have had the Premier of China, Li Qiang, visit South Australia over the weekend, and more broadly he has travelled from one side of the nation to the other, looking at rebuilding trade relations. What we saw in South Australia was that the Premier was prepared to talk about pandas, but the trade minister was not present—not present with our largest trading partner. I think it is outrageous that he was either excluded—not worthy, not capable—or not invited.

It would be good to know that something of such importance in South Australia had a minister, a representative for South Australia, as well as the Premier, dealing with rekindling that friendship, that relationship, with our largest trading partner. We have seen over time that trade tariffs have impacted significantly. The question I asked the minister today was: did he attend any of the

functions with the Premier, Li Qiang, as part of a delegation to talk about trade, to talk about reinstating what is the last piece of the puzzle, live rock lobster exports? He said no and sat back down. There was no preamble, there was no concern—just 'no'.

Obviously, he is not happy he was not there. I am sure the lobster industry is not happy that he was not there. I am sure that if the Premier had any good news—Good News Pete—he would have jumped up and said, 'Yes, we had a discussion about lobster, and we are looking to rekindle that relationship for a commodity that is so very important.' Again, in South Australia the value of that rock lobster has dropped from $150 million per annum down to $79 million. That is a significant loss. As I said in the question, an average family fishing business has lost between $1.5 million and $1.8 million through the course of these trade barriers.

There is no sensible reason for these sanctions to continue, so I am hoping that if anyone with a listening ear of influence into the Chinese export sector is listening—if Siri is listening, if anyone is listening—please give our South Australian lobster fishermen respect and consideration for reinstating a full trade ability, as we once had under the free trade agreement.

The $400 million gross product that has gone missing from the lobster industry is a huge concern not only to our economy but to the regional fishing economy. Those fishermen almost put their lives on the line every day they go out and deal with collecting, harvesting and catching lobster to put on tables around the world. It is a world-class product. There is nothing more that can be stated.

What we see in South Australia, from Ceduna in the northern zone to Port MacDonnell in the southern zone, is that those lobster fishermen are doing it tough. They have invested heavily to accommodate that growing trade, the growing opportunities for putting lobster into the Chinese restaurants and onto the Chinese tables. It is a premium product. Yes, it is expensive, but the world, and particularly China, is calling out for South Australian lobster to be put back onto its tables.

What I must say at the moment is that the lobster industry is at a turning point. We have a world-class product, we have a journey that for lobster fishermen has been varied in the last four years. We have boats sitting in ports unused, we have licences that are being transferred or sold due to hardship, we have fleets of ships that now do not have licences attached to them, and so they continue to sell those licences. But the rot did not just stop with China. The rot stopped with marine parks, COVID, planes, trade barriers, and the industry is afloat but only just.

SPURR, MR J.

Ms THOMPSON (Davenport) (16:55): It is with profound sadness that I rise today to speak on the passing of an extraordinary individual from my community, John Spurr, a man whose life was marked by his boundless love and dedication to his family, friends and community. John was the loving husband of Alison and the devoted father of Abby, Bridget and Ned. He was also a much loved son, brother, brother-in-law and dear friend to many.

John had a passion for dancing and music. He was a talented drummer, guitarist and singer, with music being a significant part of his and his family's world. His athletic prowess was evident in his love for sports, especially football and tennis, and his representation of South Australia and Australia in korfball.

John's academic journey took him to the University of South Australia where he studied secondary maths and science teaching. His commitment to education was further demonstrated during his time at Craigburn Primary School, initially as a teacher and later as a groundskeeper. His dedication to the community extended far beyond the school grounds. John was actively involved in parkruns and biodiversity projects, and he volunteered his time with council, St John Ambulance and the Country Fire Service.

As a passionate member of the Labor Party, John served as president of the Kingston sub-branch and was a dedicated member of the Davenport sub-branch, often seen devoting countless hours at election booths, which was where I first met John.

His dedication to community and environment knew no bounds. A few years ago he approached me with an idea. He had noticed that Craigburn Primary and other schools in our

community had an excess of school desks after the year 7s had moved on to high school and he thought that they could be donated to underprivileged schools and students in Fiji rather than sending them to landfill. He was definitely an ideas man and a thoughtful one at that.

John was described by his friends and family at his funeral with words that captured his essence: sublime to ridiculous, a big kid, and the word 'funcle' was used a lot meaning the fun uncle. These descriptors highlight his playful spirit and the joy he brought into the lives of those around him. John's love for his family was immense and they share many wonderful and fun memories. They are fortunate to have many hilarious videos to remember him by. His children Abby, Bridget and Ned are beautiful souls who embody the same caring empathy that John was known for.

A particularly touching moment at John's funeral was when his son, Ned, performed a song called *Postcode* which he wrote with his father about a year ago. The song spoke about not having preconceived ideas about people based on where they live, a testament to the values that John instilled in his children. As we remember John, I want to share the poignant words of his brother-in-law, Ben: 'John's legacy is one of kindness, dedication and zest for life. He lived fully, loved deeply and gave generously. His impact on all of us is profound and lasting. RIP Spurry.'

I extend my heartfelt condolences to John's family, his extended family, his many friends and the wider community who undoubtedly will miss him dearly. Vale John Spurr—a beautiful man taken from us too soon.

With my time left, I would like to take an opportunity to thank all of the members today who came along to the motor neurone disease Parliamentary Friends of MND morning tea. This week is MND Awareness Week. As we did last year, and as I hope we will do every year, we welcomed in the South Australian MND community to the Old Chamber where we were able to share their experiences and their stories and have members of this house listen to those experiences and learn more about this horrible disease.

We are very fortunate to have had representations from MND SA and MND Australia. The new CEO of MND Australia spoke about their vision nationally and what they will be taking to the federal government seeking support for, so it was a great opportunity to hear from them. I hope that our government and members here in this house will continue to provide the support that they so much deserve.

CAMPBELLTOWN POST OFFICE

The Hon. V.A. TARZIA (Hartley) (16:59): I rise today to talk about our updated campaign to save the Campbelltown post office. Obviously, the Campbelltown post office has been quite the service in Campbelltown for several decades and I am continuing the fight to make sure that we can do everything possible to maintain that level of service for the good residents of Campbelltown.

On 23 May, I was notified by Australia Post that they unfortunately planned to close the Campbelltown Australia Post post office. Initially they said it would close by 20 June and it was later corrected to August. Well, that is just not going to fly with my local residents and that is why we have immediately taken up the fight, by way of a hard copy petition and also an e-petition, to make sure that we can do everything possible to keep Campbelltown post office open as long as possible.

I think we have a number of things that are going in our favour. We have a number of residents who have rallied together, we had a street-corner meeting that was attended by dozens of residents and, in addition to that, I have made several hundred submissions. At last count I had over 600 pieces of correspondence that I will be delivering to Australia Post and I am quite confident that, by the end of this month, that number will surpass 1,000 letters. So I will be writing over 1,000 letters to Australia Post because the people of Campbelltown want to keep their post office open for as long as possible. I will not back down until Australia Post admit that they have stuffed up here and that they will go on to keep the Campbelltown post office open.

You might ask who uses a post office. Well, a post office like this is revered by many in the community. What I have learnt in recent weeks is that some people only use that post office to pay most of their bills. If you sit outside in the car park in the Campbelltown shopping centre what you see every couple of weeks is that people get their pension from one of the local banks and they literally come from the bank and go straight to the post office, pay their bills and do their shopping at

the Campbelltown shopping centre. Many people only walk; they do not drive. Some of them are unable to catch public transport and so they depend upon the post office that is literally right outside their house.

By Australia Post asking residents to travel several kilometres away just lacks complete heart. It is unempathetic and that is why we are going to continue to take up the fight to Australia Post, because we know that they can do better. They also have a landlord who is willing to come to the party and willing to accommodate their request. We know that Australia Post is trying to cut costs where it reasonably can; however, this is massive overkill.

What I have learnt in recent times is that apart from having a landlord that is willing to do the right thing, willing to negotiate and willing to even reduce the footprint of Australia Post, if that is what their intention is, you also have a newsagent that has applied to be, if you like, some sort of subagent to make sure that they could have some sort of parcel delivery service still at the shopping centre but have it related to the newsagent.

As I said, we had a street-corner meeting that was attended by dozens of residents, and I thank Channel 9 for also capturing the rage of local residents and helping us to broadcast the message of local residents, because at the moment Australia Post is not coming to the party and is not responding.

Since that time, they have suggested some form or, if you like, some sort of temporary parcel-type service where packages and parcels can be picked up. That is not going to be enough. All I can say is that that e-petition and hard copy petition momentum is gathering steam. As I said, I will be shocked if I do not reach over 1,000 signatures by the end of this month. We will continue to lobby Australia Post to make sure that the Campbelltown post office stays open.

This is a much-loved service, much depended on service by literally hundreds if not thousands in the local community. You cannot just expect people to travel several kilometres away to pay their bills, to get their passports done, to go and buy stamps. It is not good enough and, therefore, we are going to continue the fight to make sure that we keep this post office open here in Campbelltown as long as possible.

I want to take the opportunity to thank local residents for having their say. Thank you to the local residents who have had their say via a hard copy petition and via our e-petition. Together we will continue the fight and we will do everything possible to make sure that we can keep the Australia Post Campbelltown post office open.

THE BLACKWOOD TIMES

Ms HUTCHESSON (Waite) (17:05): *The Blackwood Times* has been the local paper of most of my community for almost exactly 30 years, but the June edition was its last. After 30 years of serving our community, of keeping us informed as to what is happening in the area, celebrating the wins, acknowledging members of our community who do great things, and supporting local business, the editor, Miles Badcock, has sadly decided it is time to stop the press.

Every month over the last 30 years, Miles has worked hard with the help of other journalists to bring together our community, provide a platform for community groups to share their events and stories, to celebrate our sporting endeavours, and to bid farewell to special people. Supported by local businesses through advertising, *The Blackwood Times* has hit the newsstands in the first week of the month for many years, and we have all waited eagerly to see what might be on the front page, what exciting events might have occurred or were coming up.

Miles has thoughtfully prepared an opportunity for our community to stay in touch, and we will miss him and the paper. In the last edition, our community joined together to say thank you and good luck to Miles. The Blackwood Action Group said:

> Over the thirty years, the Times has seen our community change in so many ways, as well as growing in numbers and area.
>
> Always, the Times has reflected what Miles, as editor, has believed to be our community views and values and for that we are very indebted to Miles for his passion and love for our Mitcham Hills community. We wish him well in the next stage of his life.

The infamous *Hawthorndene Daily*, akin to Lady Whistledown's society paper, which, like the mystery surrounding its author, none are too sure as to who entertains us under the *Hawthorndene Daily* posts, proclaimed:

> Delivered at no cost, the newspaper has been the epitome of the free press.
>
> Supporting a healthy and vibrant community, keeping us informed and imploring us to shop locally, time and time again, the publisher Miles…Has gone the extra MILE.

They went on to say:

> We were going to ask rhetorically whether without the Blackwood Times important local news stories will continue to be told. But at press we were too pressed for time. The times they are a changing.

Personally, I thank him for not only supporting our Mitcham and Hills Wellness Education sessions, allowing Tracey Yeend and I to write articles about what sessions we have had and what sessions are coming up, but also supporting us when we relaunched Beacon—Beacon 24. Beacon was operating in our community helping our most vulnerable, and with the collaboration between our inter-church council, Tracey Yeend, myself, Rotary and Lions Club, we have all come together and relaunched it to create food hampers for those most in need that can last them for 24 to 48 hours. Miles has taken the opportunity every month to help us by calling on our community and asking them to donate what they can, and we very much appreciate his support in that space.

I have also had the honour of penning a few articles myself within *The Blackwood Times*, and also been able to provide comments to other articles, and I thank Miles for all of the support that he has provided to me and our community. The times are a-changing, and for the Mitcham Hills community we will be without our most favourite read. So Miles, thank you for being there over the last 30 years, for working tirelessly to entertain, inform and share success with our community. We wish you all the very best.

With the minute I have left, I just want to talk a little bit around the Friends of Blackwood Forest. They have been absolute champions in trying to look after that area. It is part of the national parks team, but they, as a community group, come together every week to do weeding, to do planting, to look after the manager's cottage, and they do a wonderful job. A little while ago they lost the use of their ride-on lawnmower, and they were unable to slash and keep the grass down, which is always good for all our dog walkers and all the people who love to enjoy that area.

They were not successful in getting grants from state government, federal government or local council, so they opened a GoFundMe page and, together with lots of people within our community, we managed to raise the funds that they needed to buy the ride-on lawnmower. Clementine is her name and I got to meet her on the weekend. She is doing a wonderful job not only to be able to slash the grass but also, with the trailer on the back, to help carry all of the sticks and all of the branches out of the way.

Thank you to our community for supporting the Friends of Blackwood Forest. Thank you to the members of the Friends of Blackwood Forest for all of the work that you do. Without you and all of our 'friends of' groups, we would be definitely having to rely a lot harder on our parks staff, who are already under pressure. We appreciate everything that you all do.

STATE BUDGET

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (17:10): I want to take this five minutes to provide a ready reckoner to my constituents, and those others watching the parliamentary feed, on the state budget: how it impacts South Australians and, in particular, having a mind to how it impacts South Australians who are young or potentially have not even been born yet.

The headline thing in a budget people talk about is deficits and surpluses. The Treasurer is proud that he has delivered a surplus. I point to the fact that in this year's budget there is nearly $3 billion extra in the budget than was forecast just a couple of years ago. This is extra money coming into the state each and every year as a result of bracket creep on things like payroll tax. The businesses who were not previously paying payroll tax are now paying payroll tax because the cost of labour has gone up. Businesses who were paying less payroll tax are now paying more because

of inflation and the cost of labour. It is because of significant increases in GST revenue, unanticipated by earlier budgets, because of the cost of living going up dramatically.

Can I say, this budget surplus is built on a fabrication. In terms of real terms, what it is built on is a massively inflated tax take: stamp duty because the property prices have gone up, payroll tax going up because the cost of labour is going up, and GST going up dramatically because the cost of food and other groceries has gone up.

Despite the small operating surplus as a result of this billions of dollars of extra tax take—which, of course, the government has immediately starting spending each and every year going forward rather than putting any aside to pay down debt or putting any aside to let South Australians be taxed less through reductions in tax or payroll tax—there is also a massive inflation in the debt figure.

Some people ask, 'Why can the debt go up even though there is an operating surplus?' The debt can go up because the operating surplus does not take into account capital investment. It does not take into account the expense, for example, of the north-south corridor. It does not take into account, for example, the expense of the Women's and Children's Hospital. I highlight these two projects because they are specifically inflated as a result of decisions taken by this government. Both projects are delayed and inflated as a result of rescoping and changing and delays by this government.

The north-south corridor is $5 billion more expensive and being delivered later as a result of the decisions of this government and the Minister for Transport. The Women's and Children's Hospital has been moved to knock down the police barracks and is being delivered later, as a result of the decisions by this government and the health minister. It is $1 billion more than it was going to be.

These decisions matter; they delay projects and they massively inflate the debt. I should also say, of course, the Women's and Children's Hospital also has the corollary that they are moving the police horses and the dogs—and the band, presumably, and other things—to Gepps Cross at a cost of, presumably, $200 million or more extra, all added to the state's credit card. This is the financial outcome of the Malinauskas Labor government.

Stephen Mullighan, the Treasurer, says occasionally, 'The former government put on debt as well.' That is true. We were dealing with a once-in-a-generation—in fact, once-in-four-generations—global pandemic. It was a once-in-100-year global pandemic where we had to spend money to keep people alive and to keep people in jobs. That is a fairly significant difference.

The government has put extra money into health. We acknowledge that they talk a lot about the inputs into health; we are interested in the outcomes in health. The government did not promise, 'We are going to put X, Y and Z inputs and, after every budget, add in extra inputs because our plan isn't working.' The government said they were going to fix ramping, and ramping is three times worse. We are interested in outcomes. The government only talks about inputs.

We have said that we will relieve the burden on GPs, and in particular their patients, if we are elected next election by removing the payroll tax from GPs which this government is going to start collecting on 1 July. We have also said that we will increase the threshold on payroll tax to deal with some of that bracket creep, and we will remove payroll tax from apprentices and trainees because we do not think it is fair that they have that impost put on them, given that small businesses are paying that, and larger businesses are doing the state, those apprentices and trainees a great favour by employing them in that way.

As the shadow minister for education, training and skills, I note that the budget's big spending allocations here were in training—although actually that was an allocation that was announced in October last year despite the government's repeated efforts to get new media for it—and in three-year-old preschool, which was promised for 2026 and is now being delivered in 2032.

My summary for the constituents in Morialta and elsewhere is that this was not a very good budget. I am not very impressed by the work the government has done here, and I urge them to do better in their final year next year—the fourth and final Malinauskas government budget—ahead of better management coming in 2026.

LIGHT ELECTORATE

The Hon. A. PICCOLO (Light) (17:15): Today I would like to take the opportunity to acknowledge and celebrate the contribution of two people in my electorate. Although they have different backgrounds, and have worked in different fields, they have both in their own way made significant contributions to the wellbeing of our community.

Firstly, I would like to acknowledge John Thorpe, a member of my local community, who was privileged with the Medal of the Order of Australia as part of the King's Birthday 2024 Honours. John is affectionately known to many as 'Cinema Man', after owning and operating our Gawler Cinema for 33 years. The cinema became more than a place to watch films throughout the years, with multiple fundraisers and events, including the popular Silver Screens for seniors—drawing people from as far south as Victor Harbor and from as far north as Jamestown—establishing a Saturday morning kids' club, beer, wine and pizza nights and high teas, all bringing the community closer together.

These events even drew celebrity guests, such as South Australian country music sensation, Beccy Cole, country and folk performer Smoky Dawson, and even the original red dog from the 2011 Australian film. But our community gained so much more than a thriving cinema when John moved from England to Adelaide before finding his home in Gawler.

Beyond the Cinema walls, John's contributions include being a member of the Rotary Club of Gawler since 1993, fundraising for the Gawler Health Foundation and supporting education both locally and in Kenya where he helped fund two classrooms in Sonoka, showcasing a man deeply committed to others. His recognition in our region reflects the esteem in which he is held in our community, securing Town of Gawler and Apex Australian citizen of the year awards and six Australia Day awards. Even his wife, Joy, is a three-time Australia Day award winner.

The essence of this couple, who delight in surprise and joy, is showcased by not only his wife nominating him in secret, but also John announcing his OAM to unsuspecting friends and family through the clever ruse of a birthday party. His work in the community continues today, running the South Australian arm of his daughter's Sydney-based children's party business, Junior Tradies. As he was inspired by previous citizen of the year winners before him, I hope his story inspires us all to give back to our community with the same passion and commitment. Thank you, John, for your contributions, and congratulations on your well-deserved recognition.

I would also like to honour a man whose dedication and leadership has been the driving force behind the Transport Workers' Union SA/NT branch for the past 15 years. Ian Smith rose from being a TNT driver in 1994, to go and work for and then lead the South Australian/Northern Territory branch of the Transport Workers' Union for the past eight years as its secretary. His humble beginnings helped him foster a passion for transport and develop an understanding of his fellow workmates' needs.

Ian's leadership qualities led to him representing South Australia in negotiations for Australia's first national enterprise agreement, securing industry-leading pay rates in superannuation for thousands of Transport Workers' Union members, taking on the Adelaide bus industry and winning by securing fair working conditions, building the Alex GallaCher Training Centre, fighting for safe rates for over two decades, and passing transport reform into federal law just a few months ago.

Late last year, the union, with his contribution, beat Qantas in the High Court to give justice to 1,700 Qantas workers around the country who were illegally sacked. Ian compared the event on ABC Radio Adelaide to that of Makybe Diva winning her third Melbourne Cup. He repeated trainer Lee Freedman's words that:

> …no-one watching that day was likely to see that feat again…not just the result, but the fight and drive the entire union put into making that outcome a reality—members, delegates and leaders.

Ian's philosophy, inspired by his late mentor the former union secretary and Labor Senator, Alex Gallacher, was to leave the union stronger than he found it. As Ian steps down to focus on his health the union continues to grow, is financially robust and more powerful than ever, giving transport workers a voice and a chance to fight.

Ian was not just involved in unions, he is also an active member of the Gawler Harness Racing Club in Gawler. I would like to take this opportunity to congratulate Ian. I wish him well with

his health and I am sure that you will have the support of your loving wife Suzan and daughter Maddie, as you have throughout your entire journey. You can be proud of the contribution you have made to the wellbeing of workers in the transport industry.

Private Members' Statements

PRIVATE MEMBERS' STATEMENTS

The ACTING SPEAKER (Ms Thompson): Member for Flinders.

Mr TELFER (Flinders) (17:20): Thank you very much, Acting Speaker, and happy birthday. The long weekend was a sporting smorgasbord for the Eyre Peninsula. I start with the longest-running regional football event in the state, the Mortlock Shield which brings together footballers from all around the Eyre Peninsula with all the associations represented, with the Lincoln City team this year successful in taking out the Mortlock Shield.

On the Sunday the Norwood Cup, the under 15s equivalent of the Mortlock Shield, was also held at Centenary Oval. On this occasion it was the Lincoln Districts team which prevailed on percentage over Great Flinders after both sides won three of their four games.

Meanwhile, in Adelaide, Eyre Peninsula netballers were representing our community at the Netball SA Country Championships and were competitive across all teams. The Western Eyre seniors fell just short of winning the Division A title, just missing out in the final, and the Western Eyre under 13s also finished as runners-up, going down in the third division grand final by just one goal. However, the Port Lincoln under 13s were successful in their second division grand final, defeating Adelaide Plains 29-22.

And then there are the six teams of the Port Lincoln Soccer Association at the SA Junior Soccer Association championships, with all six teams finishing in the top three in their divisions, with the under-12s development boys and the under-16 girls being championship winners. Not to be outdone, the Port Lincoln Gymnastics Club hosted their annual invitation of championships with over 400 gymnasts competing over the weekend, so congratulations to all our representatives on their successes reflecting their tenacity, the spirit and the sporting prowess of the entire Eyre Peninsula community.

Mr McBRIDE (MacKillop) (17:22): I rise today seeking government support or assistance for the preservation of the iconic Robe obelisk. As you may or may not be aware, the obelisk was built on Cape Dombey in 1885 as a day guide for ships entering Guichen Bay. The aim was to create a landmark that could be seen at 16 kilometres out to sea in ordinary weather. The structure stands at 12.2 metres tall and is painted with three white and two red stripes, creating what has become Robe's most famous landmark.

Since it was built, the soft sandstone cliffs on which it stands have eroded significantly, meaning that the obelisk will eventually fall into the sea. It is now off limits to the public but still draws thousands of tourists each year. Recently, the Robe Council said it had decided not to spend ratepayers' funds, looking into options to preserve the obelisk. Mayor Lisa Ruffell has now called a public meeting for 11 July to see what locals would like to do about the iconic structure.

When you think of Robe you think of the obelisk, the same way as when you think of Kingston you think of the jetty or the Cape Jaffa Lighthouse, both of which are needing large amounts of money to preserve their integrity. It is a catch-22 situation. Local councils that have towns in their boundary that are popular tourist destinations often do not have the funds due to their ratepayer base to preserve the landmarks that help make them popular.

The state government has acknowledged that the obelisk is important to the local community and the state in general; therefore, I hope this government can assist where required. It may not be financially viable to save the obelisk, but we at least need to do the work to find out what the potential solutions could be. I call on the government to liaise with the council on this issue. Relocation may not be an option but reconstruction of a matching obelisk back further from the cliff may be a more practical solution. We need to investigate the options, not sit back and do nothing.

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (17:24): I am very pleased to congratulate Mal Hansen OAM and Val Hansen OAM, husband and wife, valued

members of the local community in my area and in the King's Birthday Honours recognised for their services to Rotary and particularly through the Campbelltown Rotary Outback Experience to the Royal Flying Doctor Service.

I am very pleased to be an honorary member of the Campbelltown Rotary Club and I was previously an active member prior to coming into the parliament. Mal Hansen was one of those people who really warmly welcomed me into the club, and I got to know Val as well in later years. He has been in the club for a long time. His service to our community has been across a range of areas but I think the King's Birthday Honour that has gone to Mal and Val has been particularly for the Rotary Outback Experience. Ten times they have brought together groups of Rotarians and others and explored this extraordinary country, with stops along the way and fundraising adventures along the way.

The combined merits of these experiences has been to raise in excess of $300,000 for the Royal Flying Doctor Service: an extraordinarily impressive feat appreciated by flying doctors, appreciated by the communities whose lives they have touched and appreciated by the Campbelltown Rotarians and other people in our community who have really enjoyed these outback trips. I have not been one of them; I am sad about that, but I have enjoyed every year hearing the reports of these 10 amazing trips. Congratulations, Mal and Val.

Mr ODENWALDER (Elizabeth) (17:25): It would have escaped no-one's notice here that housing affordability and rental affordability have reached a fairly acute point, particularly in our outer suburbs. I do recognise we are doing what we can as a government. My friend the Minister for Housing, the Treasurer and the Minister for Human Services are working as hard as they possibly can as part of the cabinet to address some of these issues, but there are people doing some really good things on the ground, including some church leaders in my community. I will talk about them as a group later on, because they are doing some very good things as a group, but I want to focus today on the work of the Salvation Army Playford Corps.

I have been involved with the Playford Salvos since before I was a member of this place. They always do good work. This year, they are focusing their annual Red Shield Appeal very much on homelessness. They are aiming to raise $20,000 for a mobile trailer shower and laundry for those people in our community who are sleeping rough. I want to particularly congratulate Fi Allan from the Playford Salvos who works so hard and is very much the face of this new campaign to raise the money for this trailer. I want to thank her and the Playford Salvos for their work. I am doing what I can. I will be posting links to their fundraising pages periodically throughout the next couple of months, and I hope we can raise that $20,000 for a much-needed service in our community.

Mr Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (17:29): I move:

That the house at its rising adjourn until Thursday 27 June 2024 at 11am.

Motion caried.

Bills

STATUTES AMENDMENT (PERSONAL MOBILITY DEVICES) BILL

Introduction and First Reading

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (17:29): Obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1988 and the Road Traffic Act 1981. Read a first time.

Second Reading

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (17:30): I move:

That this bill be now read a second time.

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

Leave granted.

I rise to introduce the Statutes Amendment (Personal Mobility Devices) Bill 2024. The bill amends the Motor Vehicles Act 1959 and the Road Traffic Act 1961 to provide a framework for allowing privately-owned personal mobility devices to be used on roads and paths. The bill also moves the definition of bicycle from the Road Traffic Act itself into regulations to allow for changes to the definition over time as new types of bicycles come onto the market.

Mobility choices have expanded in recent years due to improvements in battery and motor technologies. Consumers can now purchase a wide range of devices that complement and compete with established private and public passenger modes. Greater choice promotes transport equity and convenience, and can help reduce congestion and emissions. However, most of these devices are not currently legally recognised for use on our road network.

A personal mobility device is a small-wheeled motorised vehicle designed to be used by a single person over short to medium distances. There are a number of personal mobility devices currently available on the market, including e-scooters, e-skateboards and unicycles or solo wheels.

Personal mobility devices retail from around $500. They are popular because they promote transport equity and fill a gap in the budget mobility market. For a modest outlay, they are capable of short to mid-range journeys requiring little physical effort. They provide increased convenience for local journeys and have social, environmental and small business benefits.

This bill firmly characterises a personal mobility device as a new type of vehicle for the purposes of the Road Traffic Act 1961. The bill includes a power that will allow the device's dimensions, its maximum mass and speed, network access, the minimum age of the rider, and the rules they must follow, to be specified in regulations. This enables flexibility into the future, ensuring that a quick and effective response to new devices and technologies is possible. On passage of the bill, regulations will be drafted setting out these details, and the new legislation could commence in early 2025. This will allow for consultation to occur on the necessary details, and for current research on device dimensions, speed and mass to be considered.

Classifying a personal mobility device as a vehicle means they will be treated like a bicycle. This has several advantages: it means they can be provided similar network access as for bicycles, and the same road rules will apply, meaning that the conditions of use should be easily understood. It will allow police officers to use their existing suite of powers to stop the rider, give directions, and possibly charge them with riding under the influence. Similar to bicycle riders, the offences of drive with prescribed concentration of alcohol and drive with prescribed drug will not apply, as those offences are aimed at drivers of motor vehicles. Classifying personal mobility devices as vehicles will also allow for statistics to be gathered on a standardised basis, which will assist in the development of further evidence-based intervention, if necessary.

The bill provides that regulations may specify that certain devices such as personal mobility devices may not be considered motor vehicles for the purposes of the Motor Vehicles Act 1959 or the Road Traffic Act 1961. Accordingly, there will be no requirement to register a personal mobility device, nor a requirement for the rider to hold a licence or insurance. As is currently the case for crashes involving bicycles, other road users will not be able to claim under compulsory third party insurance for death or injury due to the actions of a rider of a personal mobility device.

This means the nominal defendant scheme is protected from unfunded liabilities, which is an appropriate outcome given that device riders will not contribute to any compensation fund. To allow otherwise would impact insurance premiums paid by ordinary motor vehicle owners. It is hoped that, in future, general insurers will develop suitable products when sufficient data is available, allowing them to price insurance cover affordably. Until such time as the bill has successfully passed parliament and the framework implemented, the use of privately-owned personal mobility devices will continue to be prohibited on public roads and road-related areas such as footpaths in South Australia.

Following commencement of the bill, personal mobility device fleet hire operations are expected to continue and possibly expand to other locations around South Australia. There will be no need for approval to be granted by the Minister for Infrastructure and Transport. However, operators will still require local government permits for storage or parking of devices on footpaths. Local councils will be able to enforce any restrictions on where commercial fleet devices can be stored and whether any geofencing technology is required. Any insurance requirements on commercial operators can be assessed by local governments through the issue of a business permit. I commend the bill to the house.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

This clause provides for retrospective commencement of Part 2 of the measure and subsequent commencement of Parts 3 and 4 on a prescribed day.

Part 2—Amendment of *Motor Vehicles Act 1959* commencing on prescribed day

3—Amendment of section 5—Interpretation

This clause excludes electric personal transporters (within the meaning of the *Road Traffic (Miscellaneous) Regulations 2014*) that may be driven on or over a road in accordance with an approval of the Minister under section 161A of the *Road Traffic Act 1961* from the definition of *motor vehicle* in the Act.

Part 3—Amendment of *Motor Vehicles Act 1959* commencing by proclamation

4—Amendment of section 5—Interpretation

This clause replaces the amendment in Part 2 of the measure with a more general ability to exclude devices or vehicles from the definition of *motor vehicle* by regulation.

5—Amendment of section 116—Claim against nominal defendant where vehicle uninsured

This clause allows motor vehicles to be excluded from the definition of *uninsured motor vehicle* by regulation.

Part 4—Amendment of *Road Traffic Act 1961*

6—Amendment of section 5—Interpretation

This clause makes various changes to definitions.

7—Amendment of section 7—Drivers of trailers

This clause amends section 7 to refer to 'vehicles' generally rather than specifically to motor vehicles and bicycles.

8—Amendment of section 99A—Cyclists on footpaths etc to give warning

9—Amendment of section 162B—Safety helmets for riders of motor bikes and bicycles

These clauses make amendments to ensure personal mobility devices are treated like bicycles.

Debate adjourned on motion of Hon. D.J. Speirs.

APPROPRIATION BILL 2024

Appropriation Grievances

Adjourned debate on motion to note grievances.

(Continued from 18 June 2024.)

The Hon. D.J. SPEIRS (Black—Leader of the Opposition) (17:30): I am pleased to provide a grievance contribution to this debate. South Australia's Liberal Party is the party of small business. Small business needs a voice, it needs an advocate, it needs a champion and it needs a political party that has its back, and that is the role of the Liberal Party of South Australia.

We aim to be the party of small business and it is my view that we are the party of small business. Small business is a great part of our state's economy and 97 per cent of all businesses across our nation are categorised as small business. They employ the most people. They drive our communities forward in so many different ways. Small businesses grow out of passion. Small businesses involve people who are passionate about an issue, a cause, something that they would like to create a bit of wealth out of. It does not need to be a lot of wealth. Sometimes it is, but it does not need to be. They want to make it their job because that is their passion.

That is where the vast majority of small businesses emerge from: someone's, an individual's passion. It might be a family's passion, but often it is just one person who sets out on a mission to create a business out of their passion. It is hard work.

As the son of small business owners and growing up in a family of small business owners, I have seen day in, day out the hard work, the blood, sweat and tears that goes into running a small business, establishing a small business, getting it off the ground, hoping that it survives, and hoping that it thrives. Perhaps it will create a bit of money for the individual, for the family, for extended people in the community—something that you can be proud of, something that you can grow, nurture and create meaning out of. That is what small business is all about.

Small business does not stay in the office. It is not a nine to five occupation. Small business comes home with you. It is at the dining room table, it is in the backyard with you, it is on the school run and it potentially is on the bus to work with you. It is in the bedroom, it is in the shower, it is with you day in, day out.

When things are going good, that is a good thing. When things are tough, that can be exceptionally hard because it is not just tough on you, it can be tough on your spouse, tough on your kids, tough on other family members, and tough on friends. Small business can be and often is tough. That is why small business in this state needs an advocate, it needs a champion, it needs a political party that has its back and it needs a political party that understands it. That is the Liberal Party of South Australia.

We are not a homogenous group on this side of the house. We are people who have had small businesses, who have made investments. Some of us have done okay, some of us have struggled along the way, but we have the experience of establishing small businesses, of getting them off the ground and of creating something out of them. We have experience in employing people: maybe a few, maybe more than that. That is what small business can do.

Small businesses take many different forms. Some are run out of the garage, some out of the spare bedroom. Some are run over thousands of hectares as farms. Farms and food and fibre producers are small businesses in this state as well, and we should not forget that. This side of the house is the side of the house that will have the backs of our farmers, our food and fibre producers, regional South Australians. That is what the Liberal Party stands for. That is who the Liberal Party stands for.

In our quest to be the voice of small business in this state, we have looked at what small business needs. We believe small businesses often need a situation that is not necessarily help from government: maybe it is government getting out of the way, less red tape, less green tape, less government intervention, less bureaucracy, less interference in the way that they go about running their business. We need regulations, of course. We need frameworks to keep people safe, to ensure that people do the right thing, to ensure that people do not commit activities that would not be acceptable to the broader community.

We need government frameworks. We need regulations and legislation, but we do not need too much of it, and we want to make sure that small businesses are not overburdened by the creeping arm of the bureaucracy into their day-to-day activities. Small businesses also need governments to keep an eye on how much they are taking from them. Small businesses have a lot of fees, a lot of charges, and pay numerous taxes, many of which are not even known by that small businessperson before they set out on their journey towards establishing and getting their small business off the ground.

One such tax that afflicts businesses when they get to a certain size—still usually a small business in a definitional sense—is payroll tax. Payroll tax is a tax on jobs. Payroll tax is a tax on growth. Payroll tax is a tax on ambition, and payroll tax is a tax on the independence of small businesses as well. Payroll tax is a problem in South Australia. When the Marshall Liberal government came to office in 2018, we fulfilled our commitment to lift the payroll tax threshold from $600,000 as an accumulative wage package up to $1.5 million. That relieved most small businesses in this state, and some medium-sized businesses as well, from needing to pay payroll tax.

But over the last five or six years, wages have grown. That is not necessarily a bad thing, but that has created a situation where many businesses have very unexpectedly—it has been a huge surprise—suddenly got payroll tax bills. That has been a significant impost on businesses, and it has created a situation where businesses have been discouraged from growing. In fact, some businesses

have chosen to sell parts of their business in order to keep under the threshold. It discourages businesses from innovating. It discourages businesses from employing people.

We announced as a Liberal Party a couple of weeks ago that it is time for the payroll tax threshold to rise again. We want the payroll tax threshold to move from $1.5 million, where we took it following our election in 2018, up to $2.1 million. This has been advocated for by a range of business representative bodies, no more so than the South Australian Business Chamber, formerly known as Business SA. The Council of Small Business Organisations Australia would also like to see this, as well as many other representative bodies, including the South Australian branch of the Australian Hotels Association.

This is a really necessary reform. We need this, and we cannot wait until 2026, until a potential change of government, to see that implemented. We need to see this occur in the very near future because that suppression on growth, that suppression on innovation, that suppression on job creation is something that is perverse in so many ways. The Liberal Party of South Australia is the party of entrepreneurial South Australians. It is the party of startups. It is the party of people who will invest a little bit of time, a little bit of money, a little bit of effort into creating something very special out of their passion.

That is why those small businesses need a party like ours: a party that has their back, a party that will advocate for them, a party that will pull government back from overly interfering in their day-to-day affairs and a party that will lower the tax burden that they face. That party is the Liberal Party of South Australia.

Mr TELFER (Flinders) (17:39): I want to speak this evening about the significant economic opportunity within my electorate in particular. The electorate of Flinders is a significant part of regional South Australia, with a big footprint of over 220,000 square kilometres. We are on the edge of an amazing series of economic opportunities, but we need government to be proactive, to have some foresight, to have some vision to open up these opportunities with proactive decision-making.

We see the potential for some exciting mining opportunities, and there is a variety of different minerals, not just hematite and magnetite but kaolin and graphite and other rare minerals we know are going to be needed not just in the long term but closer and closer as technology is developing. There are exciting proposals that we are seeing come forward for hydrogen projects, renewable projects and export port facility proposals that are a way to be able to open up some of the constraints that are being faced in my region.

When you live as far away from Adelaide as I do, you realise the cost of doing business is significant because of the lack of proximity. The costs just for a raw product that is not able to be exported out of a facility on Eyre Peninsula and thus has to travel the 400 to 700-plus kilometres to Port Adelaide means that the significant cost burden is on those tonnages. We are talking from $60 to $80 a tonne-plus for a product which is not necessarily going to have that margin within it.

There are exciting opportunities knocking at our door with the investment that is being made into the Northern Water project. That is well and truly in the footprint of my electorate. I commend both the previous government and the current government for looking at that opportunity for that Northern Water project because it will open up the economic opportunity, not just for my region but for the far north as well, because without a reliable water source for the potential for industry growth that we see, that potential will be nullified.

Water has been one of the main restrictions for my half of the state since settlement. Because of the lack of water there has not been the ability to be able to sustain a lot of the potential industries. Even the existing industries—the agriculture, the fishing, the aquaculture—are facing constraints because of the lack of a water supply. So this Northern Water project is an exciting one.

As I said, subsequent governments have recognised that the mining proposals in our far north cannot continue to rely on the Great Artesian Basin. Since the Northern Water project proposal has moved further south into my electorate—and the latest proposal's preferred location is at Cape Hardy, which is very much in the lower parts of Spencer Gulf. Cape Hardy is the location for a significant proposal around a port infrastructure investment which will enable the Iron Road proposal, potentially at Warramboo, which will enable the potential for the value-adding of agricultural product,

which will also open up a lot of these smaller mines for the potential for export which has not been before because of the cost of distance and the cost of doing business.

Unfortunately, I worry that we are going to miss opportunities because there is not that strategic decision-making over the top of all these opportunities that we are facing. I commend the work that the RDA on Eyre Peninsula have been doing to try to make sure that decision-makers understand the full range, the full gamut, of these proposals to see that there are certain roles that government need to be playing at local, state and federal levels of government to enable this to happen.

The Northern Water proposal at Cape Hardy, as a location, is only some 70 kilometres north of Port Lincoln. This is why the conversation that is being had in my community at the moment around the SA Water proposal for a 5½ gigalitre water supply desalination plant to be built down at Billy Lights Point at Port Lincoln is taken in the context of the potential for the site at Cape Hardy.

I had the opportunity, along with many members of my community, to present to the select committee which has been formed in the other place to look at Eyre Peninsula's water supply and distribution, specifically around my call for the need for there to be that big-picture perspective when it comes to water.

Let me tell this house, as I have told ministers and as I have told decision-makers and as I have told committee members, there is not the support for that desalination plant at Billy Lights Point because the concerns of our community, the concerns of industry and the concerns of fishers and aquaculture operators is that if you are going to build a desalination plant within that bay area of Port Lincoln, where there is very little water movement, where it is in the middle of aquaculture zones—as I always saying this place, Port Lincoln is the seafood capital of not just South Australia but Australia—the risk factors around what the impacts could be for those industries are in my mind too great.

We should not be putting the existing industry at risk by bringing this sort of construction in. This is why there is an opportunity. I think that with proper, strong leadership from government across departments and across ministerial levels, there is an opportunity to be able to invest in something that will be able to supply the short to medium-term water needs of the Eyre Peninsula at the Cape Hardy site. It will also provide a foundation for the potential growth of this greenfield site as an industrial hub for the Eyre Peninsula and it will open up economic opportunities for the whole state.

There are a lot of decisions that need to be made around making sure we are investing into some of the basics in my community so that we do not miss these opportunities. I speak often of the challenges around housing in my region because the workforce that will be needed, not just during construction but during the operation of a lot of these projects, just is not there on Eyre Peninsula. If these projects do go ahead it will not be people who are looking to fly in and fly out. They will be people who want—and why not—to live on Eyre Peninsula and to work on their doorstep on some of these exciting projects. But if we do not have the facilities, if we do not have the housing, if we do not have the educational facilities, if we do not have the health facilities, if we do not have the roads and infrastructure that go with that need, these projects are not going to come to fruition and we will miss an opportunity.

As I said, I am keen to work across party lines, across departments and ministers to make sure that we are putting a plan in place, a plan for the transport and infrastructure needs because the roads at the moment are only serving a small proportion of what the potential can be, a plan for housing growth, for the urban growth of our towns and our cities on the Eyre Peninsula, to make sure that there are not these barriers in place which I see currently: the planning challenges, the native vegetation restrictions, the things that are going to put the 'go slow' on the potential economic development of the Eyre Peninsula.

We need to be working with a vision. We need to be working with the foresight of what this can mean for our state because if we miss it I am afraid that this opportunity is going to go elsewhere. This is why, whenever I get the opportunity in this place, I always take the chance to point out that the investment in Eyre Peninsula is vital not just for my region but for the whole state.

Mr WHETSTONE (Chaffey) (17:48): I rise to make another contribution just to give an overview of what the budget has meant not to only me as a regional MP but to most of regional South Australia. As I said yesterday, yesterday was the 14th budget that I have sat through. Some of them have been better than others but this budget overall has been quite a disappointment. Really, what I have seen, what I have thought after reflection on the budget, was that there was a big noise in the city and bugger the country. My interest is funding for all things in South Australia, but obviously the regions are a focal point for myself, particularly the Riverland and Mallee.

As the member for Flinders has rightly pointed out, he has a very large electorate with a gem sitting along the coastline, and that is the fishing industry. It is in need of, I think, structural readjustment, and that is to have water supply, just like the Riverland does. It needs a constant, reliable water supply coming past our door, whether it is through feast or famine. It is inevitable that we have to prepare for when that feast happens, so that when the famine does come, we are better prepared, we are futureproofing the electorate.

What I have seen is that regional roads have seen a significant budget reduction in programs. The $20 million that is coming into the electorate I am grateful for, but it is for a study; it is not there for road safety programs. It is not there to deal with the vagaries of travelling on a regional road, particularly a federal highway coming right through the centre. There are arterial state roads that have seen some safety upgrades and, finally, they have just been finished. That has been four years that I have experienced upgrades, as have many road users, particularly on the Sturt Highway.

What I continue to need and ask for is to deal with sections of our highways that are blackspots, that we have serious issues with, particularly with the intersections. I am not looking for tens and hundreds of kilometres of bitumen, hot pave and spray pave, but I have concerns, as I told the police minister this morning.

As an example, I have an intersection on the federal highway at Monash. This section of highway is a federal highway. It is a skinny bit of road. It runs past the town. It has Stobie poles either side of the road. There is nowhere to go if there is a car turning into Monash. If you want to see the tell-tale of what is going on, on that road, the skid marks are pretty good evidence. There are skid marks from top to bottom, from the entrance to Monash and right the way past it. They are near misses at every opportunity or every time.

They are the sort of projects that I called out for, that I have asked, respectfully, of ministers to come out and reassess. I was given the opportunity to meet with department officials, and they are going to have a look at it, but it is a responsibility of a government to make sure that they are continuing to implement road safety programs, particularly with the impacts of having a federal highway running through the middle of the electorate.

Four-and-a-half thousand vehicles cross that point every day. It is one of the busiest heavy truck freight routes in the state. What we are seeing now is a reduction in truck numbers, but we are now starting to see larger configurations. Yes, they are modern-day technology vehicles, and these new configurations are state-of-the-art, but when they have to stop in a hurry when a mother is taking children to school or a local is turning off the highway into that town, people just shudder, they close their eyes, and they wonder just when someone is going to die at that intersection.

Again, I guess, as a regional MP I continue to look at health as a priority, and making sure that we do have satisfactory services for people who live within the electorate, making sure that we have services that are there to give opportunity to people who are looking to relocate or people who are looking to come into the electorate as a sea change or as a career move. Recently, we saw very little come into the country hospitals in the electorate of Chaffey.

Energy is something that I will just touch on before I run out of time. The electorate is a large power user. We pump a lot of water, we manufacture a lot of primary product, and the issue of reliable power is becoming more and more evident. We are seeing more and more brownouts. That is just one issue; the cost of power is obviously the other issue. What we are seeing now is that the cost of power is becoming the major component of running a business. It is not about wages, it is not about the cost of upgrading, it is not about the cost of planting. It is power, and that is something that is of real concern.

It is also about living in a harsh environment. The Riverland is a harsh environment. We have some of the colder mornings in the state and we have some of the hotter days in the summer. What we are seeing now is that climate control in homes, in businesses, in packhouses is something that we have to pay particular attention to.

Of course, there are many other issues that I wanted to talk about. The trade economy is of concern, and obviously so is housing. I just touch on apprentices. The state is critically short in skills. Apprentices are a big part of that solution, but with the cost of living the way it is, on low income, we are going to see a significant challenge in attracting apprentices to a regional setting. We are going to see apprentices attracted to a metropolitan Adelaide setting to deal with the cost of living, the cost of running a home and the cost of running a vehicle. That is just the start of some of the challenges of being an up-and-coming apprentice. I will conclude my remarks, with the budget getting a five out of 10.

Motion carried.

Estimates Committees

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) (17:57): I may need some guidance to make sure I read all of these in the correct order. I move:

That the proposed expenditures for the departments and services contained in the Appropriation Bill be referred to Estimates Committees A and B for examination and report by 27 June, in accordance with the timetables distributed.

Motion carried.

The Hon. S.E. CLOSE: I seek leave to incorporate the timetables in *Hansard* without my reading them.

Leave granted.

APPROPRIATION BILL 2024

TIMETABLE FOR ESTIMATES COMMITTEES

ESTIMATES COMMITTEE A

THURSDAY 20 JUNE AT 9.00 AM

Premier

State Governor's Establishment

Auditor-General's Department

Department of the Premier and Cabinet (part)

Administered Items for the Department of the Premier and Cabinet (part)

Attorney-General

Minister for Aboriginal Affairs

Minister for Industrial Relations and Public Sector

Courts Administration Authority

Attorney-General's Department (part)

Administered Items for the Attorney-General's Department (part)

FRIDAY 21 JUNE AT 9.00 AM

Minister for Energy and Mining

Department for Energy and Mining (part)

Office of Hydrogen Power South Australia

Minister for Infrastructure and Transport

Department of Infrastructure and Transport (part)

Administered Items for the Department of Infrastructure and Transport (part)

MONDAY 24 JUNE AT 9.00 AM

Minister for Climate, Environment and Water

Department for Environment and Water

Administered Items for the Department for Environment and Water

Department for Energy and Mining (part)

Minister for Industry, Innovation and Science

Minister for Workforce and Population Strategy

Department for Industry, Innovation and Science (part)

Administered Items for the Department for Industry, Innovation and Science (part)

TUESDAY 25 JUNE AT 9.00 AM

Minister for Multicultural Affairs

Department of the Premier and Cabinet (part)

Administered Items for the Department of the Premier and Cabinet (part)

Minister for Tourism

South Australian Tourism Commission

Administered Items for the Department of Treasury and Finance (part)

Minister for Police, Emergency Services and Correctional Services

South Australian Fire and Emergency Services Commission

South Australian Metropolitan Fire Service

South Australian State Emergency Service

Administered Items for the Department of Treasury and Finance (part)

South Australia Police

Administered Items for South Australia Police

Department of Infrastructure and Transport (part)

Administered Items for the Department of Infrastructure and Transport (part)

Department for Correctional Services

Special Minister for State

Electoral Commission of South Australia

Administered Items for Electoral Commission of South Australia

Legislative Council

House of Assembly

Joint Parliamentary Services

Administered Items for Joint Parliamentary Services

WEDNESDAY 26 JUNE AT 9.00 AM

Minister for Education, Training and Skills

Department for Education

Administered Items for the Department for Education

ESTIMATES COMMITTEE B

THURSDAY 20 JUNE AT 9.00 AM

Treasurer

Department of Treasury and Finance

Administered Items for the Department of Treasury and Finance (part)

Minister for Defence and Space Industries

Defence SA (part)

FRIDAY 21 JUNE AT 9.00 AM

Minister for Recreation, Sport and Racing

Department of Infrastructure and Transport (part)

Administered Items for the Department of Infrastructure and Transport (part)

Minister for Child Protection

Department for Child Protection

Minister for Women and the Prevention of Domestic, Family and Sexual Violence

Department of Human Services (part)

Administered Items for the Department of Human Services (part)

Minister for Health and Wellbeing

Department for Health and Wellbeing

Commission on Excellence and Innovation in Health

Preventative Health South Australia

MONDAY 24 JUNE AT 9.00 AM

Minister for Human Services

Minister for Seniors and Ageing Well

Department of Human Services (part)

Administered Items for the Department of Human Services (part)

TUESDAY 25 JUNE AT 9.00 AM

Minister for Primary Industries and Regional Development

Minister for Forest Industries

Department of Primary Industries and Regions

Administered Items for the Department of Primary Industries and Regions

Minister for Small and Family Business

Minister for Consumer and Business Affairs

Attorney-General's Department (part)

Administered Items for the Attorney-General's Department (part)

Department for Industry, Innovation and Science (part)

Administered Items for the Department for Industry, Innovation and Science (part)

Minister for Arts

Department of the Premier and Cabinet (part)

Administered Items for the Department of the Premier and Cabinet (part)

WEDNESDAY 26 JUNE AT 9.00 AM

Minister for Trade and Investment

Minister for Local Government

Minister for Veterans Affairs

Minister for Housing and Urban Development

Minister for Planning

Department for Trade and Investment

Administered Items for the Department for Trade and Investment

Department of Infrastructure and Transport (part)

Administered Items for the Department of Infrastructure and Transport (part)

Defence SA (part)

Administered Items for the Department of Treasury and Finance (part)

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

That Estimates Committee A be appointed, consisting of Hon. A. Piccolo, Mr Batty, Ms Clancy, Ms O'Hanlon, Hon. D.J. Speirs, Hon. V.A. Tarzia and Ms Wortley.

Motion carried.

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

That Estimates Committee B be appointed, consisting of Mr Odenwalder, S.E. Andrews, Mr Basham, Mr Brown, Mr Cowdrey, Mr Patterson and Mrs Pearce.

Motion carried.

Sitting suspended from 17:58 to 19:30.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Committee Stage

In committee.

(Continued from 5 June 2024.)

Clause 1.

Mr TEAGUE: The first question is: why are we here? I think it has crossed the mind of many of us here in the house. It has also, I daresay, crossed the mind of many South Australians, and it has certainly crossed the mind of the profession that has been really so unnecessarily and egregiously drawn into this unnecessarily politicised process. There was a clue in the motion that has been moved by the minister just now, and that the house has passed, so as to prioritise the debate in relation to this bill appearing at No. 3 on the Orders of the Day over the debate on the budget measures bill.

But, more particularly, I note that there is even more to be drawn, because the motion that the house has just passed moved Order of the Day No. 2 to be dealt with after Order of the Day No. 4 which, of course, is the Late Payment of Government Debts (Interest) (Review) Amendment Bill, and that is something that is clearly on the government's agenda. We know all about that; that is the government endeavouring to hasten the time by which the government pays its debts, and that is what I would call a substantive piece of legislation that comes against—

The CHAIR: Member for Heysen, I do not wish to interrupt, but I just draw to your attention that you are reflecting on a decision made by the house—

Mr TEAGUE: Yes.

The CHAIR: —and that, as you know—because you have been in the chair before—is inappropriate. So can you please get to the matter before us, which is this bill and a short title.

Mr TEAGUE: And I do so immediately because we are in this situation, not surprised by a motion that has just been passed, and I do not reflect on it for a moment, but as against a weekly program as provided by the government as recently as yesterday that, in fact, advised the house—of course, this is general guidance issued subject to change—it was issued for the purposes of today and yesterday and advised members that in fact the Late Payment of Government Debts (Interest) (Review) Amendment Bill was a matter of priority for the government over and above this bill.

The CHAIR: Member for Heysen, I have been trying to politely indicate to you where we should get back onto the bill. If you don't I'll ask that the committee report and I'll take the chair and deal with the matter as a house. I am making it very clear now, okay? I was trying to make a subtle hint and you chose not to take that. Can you please get back to the subject matter.

Mr TEAGUE: On the point of order, Chair, I have departed from any reflection—and I certainly accept your ruling in relation to a reflection on the motion that was just passed by the house. What I have moved right along to, and I was really only traversing that ground with a view to making that observation in relation to what the house has been provided as advice by the government as recently as yesterday. It goes to the question of why are we here. Why are we here this evening debating this bill at this time in the circumstances of a weekly program circulated by the government as recently as yesterday that said something completely different.

In the circumstances of the debate we are told at the outset, and we are at the short title—we are told that the short title of this bill is appropriate in circumstances where this is a bill that addresses what has been described by the Attorney, as recently as 7 May and on the radio I think, and I've heard it from the minister in this house as well, as a bill that is suitable to be described as a portfolio bill, Statutes Amendment Portfolio Bill. It deals with what's been described by the government, and by the Attorney no less, as routine matters that are of a—I won't quote the minister or the Attorney, or let alone put it at the feet of the government that it has been characterised as wholly uncontroversial, but certainly the bill has been styled the way it has against the background of being described both in this place and in the public debate, by the minister and by the Attorney, as one of a general portfolio nature.

The Hon. S.E. CLOSE: I have a point of order, sir.

The CHAIR: Point of order. Member for Heysen take your seat, please. Minister.

The Hon. S.E. CLOSE: I am uncertain about the standing orders here so I seek your guidance, Chair, but all I have heard thus far was extensively traversed in the member's second reading speech and I'm wondering if that calls for repetition.

The CHAIR: Repetition is a thing which you are not supposed to do and it has been brought to my attention. So I would ask the member—

The Hon. S.E. CLOSE: I am more than happy to answer the question that has already been posed at the very beginning and probably doesn't need the extensive elaboration that is effectively traversing previous statements.

The CHAIR: I will deal with the substantive repetition. I would ask the member to have his say on the short title and we proceed, and I just remind you, if I have to, I will report to the house.

Mr TEAGUE: Thanks, Chair, and I just remind the committee that there is an opportunity to address the question, if there is one, but to address the committee for—I think it's a period of 15 minutes. I will just see if I can turn up the relevant standing order, but in relation to each clause for I think three occasions. I bear that in mind and I can certainly indicate that I have flagged the nature of the question at the outset. will certainly endeavour not to repeat myself. Some time has passed in the course of this debate—and perhaps by drawing reference to the Attorney's recent remarks in the media, which are brand new; I have certainly not referred to them previously.

The Attorney, on ABC Radio Adelaide, I understand, on 7 May of this year in response to the question from the journalist, 'What do you have against the KC title?'—and this is what is of most interest, I think, to the committee—responded:

> Absolutely nothing at all, James, and I've got to say this isn't one of the major issues we're focusing on, we've had a lot of laws to reform to make it easier for investigators to prosecute domestic violence offenders, indefinite detention of child sex offenders, but occasionally we do have legislation that is routine, words that we use or modernising language, and there is a bill before Parliament to remove the term about 'Masters of Supreme District Courts'—

I quote there; I think he means Masters of the Supreme and District Courts, and it may have been wrongly transcribed—

> to modernise it to call Associate Judges, and also reform to bring us into line with how we've been I think for most of this century and certainly the vast majority of other states to refer to senior barristers as Senior Counsel rather than King's Counsel.

I hasten to acknowledge 49 of the 51 clauses of the bill relate to the former of those two topics. Further, just in terms of what is anticipated—and I refer to the question of controversy or not; I do not

know if I was quoting at the time—the Attorney indicated to the journalist later in the interview, in terms of where this bill had got to:

> I think it's about a month that it's been out for consultation, and I've had submissions I think from the Bar Association and the Law Society and also from the judges and Supreme Court and I reckon in the last month…I've been directly contacted I think by four barristers and the count is even—two in favour, two against.

A few moments later, the Attorney further observed:

> …this is a pretty minor issue and certainly we don't plan to dedicate much Parliamentary time at all, as we often don't, towards our routine matters and modernising language.

There is a caller immediately after that—whose sentiments I might indicate to the committee and I am tempted to share at this point—who was quick off the mark, observing, 'This Labor government is losing all credibility,' and then he went on.

In asking why we are here, I declare as I did at the outset in my second reading contribution that I am really dismayed about where we have come to with this legislation, because it might readily be said that 49 out of the 51 clauses might meet the description. Two of them do not, and as for the Attorney's observation that as of early May, a bit over a month ago, he thought he might have been approached by a handful of members of the profession and it was a bit even and no-one was all that interested, the public record speaks loud and clear to the contrary.

As I did in my second reading speech, I am quick to declare an interest in every sense. I am not presently a member of the senior bar, but I aspire to that role, I honour that office and I honour those who have been drawn into what might be described as a debate, a controversy, a sustained period of what could be described as politicisation, of difficulty, of controversy and one in which particularly the most senior members of the bar in our state have found themselves in circumstances where they ought to be recognised as the most uncontroversial of leading contributors to our justice system. We have seen this most unfortunate display of difference. It is a great shame.

I was even accused by the minister in this place—not this minister—of impugning the bona fides of the Chief Justice. I was quick to hop on my feet and demand a withdrawal and the minister withdrew. The last thing I would do is to impugn the bona fides of any of those senior officers of the profession and in the courts and most of all the Chief Justice. But there we are.

We are here in circumstances where it has become a matter in which a minister is addressing erroneously and he has withdrawn it, this question of whether or not the bona fides of the Chief Justice are being impugned. We see media reporting now running for many weeks, dragging the justice system, dragging those who make a leading contribution at the senior bar through this controversy and this difficulty and for what?

This against the background of a very thorough-going engagement of the profession, that is the Law Society of South Australia and the Bar Association and the court, a matter of a few short years ago in circumstances where a choice was reinstated, I hasten to add, entirely independently—remaining entirely independent—of any politicised process. That was the purpose of the 2008 changes.

We have had it embraced by as good as a unanimous view of the Bar Association—98 per cent I think was the recorded data. The Bar Association virtually unanimously maintains that the position we had got to only a few short years ago was exactly right. It was free from politicisation, allowing senior members of the bar to choose as to the post nominal and what do we see now? The government has decided to drag the justice system into this unnecessary ignominy, to drag the justice system into something.

It is not even described as what it is. It is all under cover of a bill that the government has described as, 'Oh well, amenable to this kind of routine characterisation.' It is a great shame. It is not too late. But here we are, sitting on one of those rare occasions in this Fifty-Fifth Parliament after 5.31pm. Why? Because we need to pass the budget to keep the wheels rolling in the state of South Australia? No.

In fact, we have the estimates process due to start first thing tomorrow morning. Against the background of feedback that came to the Attorney-General directly to the contrary of what the Attorney anticipated when he went out and spoke to the media in early May, it could not be further

from what he was anticipating. It is there on the record. It is not necessary for the committee to remind itself of the Attorney's expectation. And I get it. I do not want to look behind what the motivation is. It is there on the page. The government has chosen to characterise the bill in terms of being amenable to—

The CHAIR: Member for Heysen, you need to resume your seat if you've finished your first contribution.

Mr Teague interjecting:

The CHAIR: No it doesn't. It might in your world but not for me.

Mr TEAGUE: The question is why we are here.

The CHAIR: I think it's a meaning of life question.

The Hon. S.E. CLOSE: I have nothing to add to that given in the second reading speech explaining the purpose of this bill.

The CHAIR: I missed that.

The Hon. S.E. Close interjecting:

The CHAIR: No, it is okay. Member for Heysen, did you wish to make another contribution?

Mr TEAGUE: I missed it as well.

The CHAIR: In that case, you have to repeat it, sorry.

The Hon. S.E. CLOSE: I am perfectly happy to; I am just not sure why people do not listen to me. The question is: why are we here? I have nothing to add in answer other than that which I gave in my second reading speech explaining the purpose of the bill. I had the explanation of clauses inserted into *Hansard*.

Mr TEAGUE: That is a telling response. I think it is why we are here in the committee, serving what I hope may serve as a useful process of placing on the record numbers of matters that might contribute to posterity. The minister has indicated that there is nothing to add beyond what was indicated to the house in the course of the second reading speech. I might be corrected, but I think the bulk of that was inserted into *Hansard* by leave without reading it. We might all be corrected on that. It is not a great deal if anything turns on it.

The point is that the second reading speech was now some time ago. There might be other members of the committee who might be able to turn up precisely where it fitted by reference to the Attorney-General's contribution on ABC radio back in early May. If there is nothing to add since the second reading speech, it sort of begs the question: was the government's decision to press on in terms of the second reading flying in the face of what the Attorney's expectation on 7 May was? I think so.

The Attorney certainly could not be expected to maintain the characterisation that he gave of his expectation in relation to the nature of the issues the subject of the bill, having seen what has come since that time. There is a point in time that is illustrated by what we have heard from the Attorney on 7 May. At that point, there was an expectation that this was not a major issue, not really one of the major issues being focused on, that it was routine, that it was substantially about modernising language. There is a fair bit then to say about that.

Really, at the core, the indication to the people of South Australia at that time was, I would suggest, best characterised by ambivalence at best. We do not plan to dedicate much parliamentary time at all, as we often do not, towards our routine matters and modernising language. I am quick to make clear at this point as well that the characterisation of all this as being routine and modernising language and so on is to be contrasted with what was achieved just a few short years ago and, in turn, what was done in 2008 insofar as those two impugned clauses are concerned.

The committee might bear in mind for the course of the committee process that it is very important to distinguish the circumstances in South Australia at all relevant times from those that the government has drawn in as comparators, New South Wales chief among them.

At least since 2008, and in response to the particular circumstances first of Elliott Johnston, I might say—and I will come back to that—and more laterally those of David Edwardson, the process of appointment of Senior Counsel was disconnected from any question of politicisation by former Chief Justice John Doyle in leading the change that occurred in 2008.

What we have then seen, restored against the background of a substantial engagement with the profession, only in recent years it was again about the restoration of a choice that facilitated the appointment, free of politicisation, completely in the control of the courts, as distinct from circumstances in New South Wales where the Bar Association has control of the appointment and does not want to relinquish it and you have a fixed situation as a result, even though anecdotally the vast bulk of the bar in New South Wales would change if there was an opportunity to do so.

So there is no substantive problem to solve or issue to address, but rather there is this out-of-the-blue, uncalled for change in name that has then brought upon the government this completely unwarranted storm of controversy, with the result that particularly the most senior members of the profession and the judiciary have been then drawn into controversy in a way that the government might not have anticipated, even at the time of the second reading speech.

The Hon. S.E. Close interjecting:

Mr TEAGUE: The minister has indicated that there is nothing to add to what was advised; it has not changed.

The Hon. S.E. Close interjecting:

Mr TEAGUE: The minister said that things have not changed.

The Hon. S.E. Close interjecting:

Mr TEAGUE: No, and the minister is indicating that the bill has not changed, the provisions have not changed. But what informs the debate? Even if there is an inadequacy of capacity of persuasion on this side of the house to bring to attention matters that ought in the most sincere sense be persuasive, what ought to move the government? What ought to move those who have responsibility for the whole of government and the interests of people in South Australia, beyond just the individual portfolios of ministers who might be overly preoccupied with a particular agenda or whatever it might be, to have clear eyes and to say, 'Hang on, over the passage of time as a minister, in this case the Attorney, goes out to the media and tells a story about expectation.'

We have seen the Chief Justice has been in engagement with the media and then in turn we have heard from senior members of the bar also. There has been a public debate, there has been what I would describe as a furore, and that has all occurred over the passage of time whether any of us like that or not. I might have stood up at the beginning and said, 'Hang on, this is what is coming. I am not the author of it. It is avoidable and a reasonable course, a thoughtful course of action, in all of the circumstances.' This was against the background of the expectation of the government to say, 'We were not buying into anything controversial here. This is just a modernising. We do not want to spend any time on it. It is just a routine matter.' Once on notice that, no, this is really substantive stuff and this is really important and something that goes to the core of the justice system in a way that may not have been anticipated by the government, then surely the government is keeping its eyes and ears open, even throughout the course of the debate. So for the minister to hop up in response to my first question: why are we here, sitting on a rare occasion, after a dinner a break, into the late hours—

The Hon. S.E. Close interjecting:

Mr TEAGUE: If the only reason the government is doing this is to somehow exhaust the debating process, if that is the case, then it smacks of the government having closed its eyes and ears. Do I call on the Premier to do what the Premier has been wont to do from time to time through the course of this Fifty-Fifth Parliament, or the Deputy Premier indeed, to say, 'Hey, have a fresh look at this.' Come on over and say, 'Hey, come on, where are we?' But the Deputy Premier no less has said in response to my first question, 'Well, there's nothing to add in terms of what is informing this debate.' Certainly the bill has not changed, the words of the bill have not changed, the law has not changed—it is just as it was—and the second reading debate is there on the record; that has not

changed, that is there as it was. What has continued to develop and grow is a furore in the public space.

If it is to be regarded by the government as just of no consequence whatsoever, it could not possibly be in the least bit persuasive and the way forward is therefore to at no notice make a change-around of priorities and then sit specifically at this time in order to progress the debate in this bill, then there is this extraordinary juxtaposition, I will put to the committee, because it is certainly nothing like what the Attorney-General was anticipating there on the public record on 7 May.

My interest in this debate and for these purposes is squarely one of endeavouring to persuade the government of a better course. It is a free country and there are a whole variety of different advocates who have had things to say and there is a whole bunch of, as I understand to be, expression of opinion expressed in all sorts of ways, including to government, including in ways that I am not privy to, and it is best that I am not.

But I do not hear the Deputy Premier say, 'Actually, you've got this completely wrong. It is exactly what the Attorney described it as. All that you see in the media, we know better in the government because we have actually got an inside word. We've got reassurance. The Premier has been reassured. It's okay, the senior bar is all content, the judiciary is all content, everybody is happy about this. This is going to enhance the justice system in the state of South Australia. The poor old member for Heysen, he's endeavouring to make this point but he is barking up the completely wrong tree because the way the Attorney described it to the people of South Australia on ABC radio back on 7 May is precisely where we are, where we remain and where we have been.'

If that is the case then the minister might assure the committee, but if it is just a matter of the government just kind of bludgeoning its way through, ignoring the public debate and saying, 'Well, we are going to characterise this as just a routine 'nothing to see here' modernisation language, nothing to do with ideology, nothing to do with any broader agenda; it's just something that we don't put much time into and we will do it as a matter of routine,' that's a very different response.

So I will perhaps just ask the Deputy Premier: is it the case that in the course of the debate from the second reading until now, the government has been alive to the public debate, and particularly the voices that have been raised by members of the senior profession? Is the government giving consideration to representations that have been made, including by the senior profession? What, if any, effect has that had on the government's consideration of proceeding with the debate on this bill into the late hours of tonight?

The Hon. S.E. CLOSE: It is interesting to be accused of both undertaking a bill that is characterised by the member as a government attitude of this is unimportant, and then bewailing that we have decided to have an evening sitting to facilitate the debate of the bill. These two things do not sit together. I found it passing strange that the overwhelming theme of the speeches from the other side during the second reading was this was a waste of time, and yet I suspect that when people read through *Hansard* they will see who spent the most time repeating themselves in points that have been made previously.

The question appears to be whether the government in the last two weeks has been listening to feedback from the community, and I can assure you that the Attorney-General does so. But we are debating a piece of legislation. The question previously asked, that the member did not appreciate the answer for, was: 'Why are we here?' We are here to consider this bill. The rationale for that bill has been presented. If there are changes proposed to the bill, then let's have those amendments, and then let's allow people to continue to do their other jobs as well.

Mr TEAGUE: As has been the practice at clause 1, it is a convenient point to make that more general observation, and I will not reflect on analogous debates—debates in relation to other legislation—but this proposition is true: this bill has come to the parliament at the instigation of the government as I understand it. That might be a trite observation ordinarily, and I said I was not going to refer to other legislation, but let me be clear so that it is there on the record.

We had a bill that affected the business of the Supreme Court called the distribution of business bill before the house not so very long ago. That was, by contrast, described, characterised as being before the parliament at the request of the Chief Justice. That is why it was here. It was not

part of the government's agenda. The Attorney responded to a request by the Chief Justice in that case. That is uncontroversial. That was certainly the way that the government characterised the bill in that case.

This bill, by contrast, and I have mentioned the Chief Justice, and so in terms of this bill, it is very clear that this bill is brought to the house at the instigation of the government and, when asked, the Chief Justice, including publicly, has indicated that he is in favour of relevant provisions. I do not recall the Chief Justice engaging—he may have—in relation to the bulk of the clauses to which the bill relates in terms of changing the names of Masters to Associate Judges and Associate Justices respectively. The minister might just indicate to me if it has been the case, but I am putting a proposition that I understand to be true, which is that the entirety of the bill is here at the instigation of the government.

If the Chief Justice had something to say about matters other than the subject of clause 31 and clause 32 then that does not specifically come to mind, but it might be interesting for the record just to make that observation as well in the particular context. That is just to frame why we are here with this particular bill. As the short title indicates, it is described as being matters within the Attorney-General's portfolio and on we go.

The Malinauskas Labor government has made much, as one might expect, of making a virtue of meeting each and every one of the many election commitments that were made by the government in the lead-up to the last election and coming into government and so on. There has been a whole range of policy documents also that have been published by the Labor Party and have been the subject of undertakings from the now Malinauskas Labor government in relation to the meeting of election commitments, the actions consistent with stated policy, and so on.

I guess, perhaps to put it this way, if one was to take on board the contribution of the Attorney in the course of the debate and in terms of public pronouncements before and—

Members interjecting:

The CHAIR: Members to my right, I am trying to listen to the member for Heysen.

Mr TEAGUE: Thank you, Chair. The day-to-day opprobrium of the role is something one struggles through and I guess I am just sort of used to at this point, so I appreciate your protection. I do not expect that there is attention paid to every observation, and I have even admonished myself for my apparent lack of capacity to persuade in the course of trying to speak sense about why exactly—

The Hon. J.K. Szakacs: That is the first sensible thing you have said in the last 14 hours of debate.

The CHAIR: The Minister for Trade is not in his seat and therefore should not be speaking out of turn.

The Hon. S.E. Close: He should not be interjecting at all then, strictly speaking.

The CHAIR: No.

Mr TEAGUE: There might be other members of the committee who are actually interested in taking on board some of the substance of the debate. Indeed, for those who are following the committee progress by all of the various means—including the traditional one and in terms of the public record going forward—there is that work to be served.

The characterisation here to be made is: you have an Attorney-General who—and, again, I do not have the second reading contribution in front of me, but let's proceed on the footing—characterised the nature of the bill and the debate and the level of priority more or less in terms that he was sort of ably summing up to the journalist on the ABC radio (the one that I have cited) in terms of it not really raising much in terms of it being either a priority or expecting it would take much government time or that the subject matter had any real substance of import at all.

Far be it from being characterised as a great statement of ideology or an expression of principle—no, all that has been eschewed as, 'No, that's not us. There's nothing to see here about

that, this is just routine modernising.' I am conscious of your admonishment, Chair. I am not endeavouring to be repetitive in this regard.

What I have drawn attention to is that we have in this Fifty-Fifth Parliament now, in this rapidly ageing Malinauskas Labor government, a commitment at least to fulfilling election commitments, to stating policy and then delivering it, and saying to the people of South Australia, 'Right, there you go, you can expect that Malinauskas Labor will do what it committed to do,' and then you see this being trailed in. My question is: do we see this—and, if so, where?—anywhere in Labor's election commitments, and anywhere in terms of Labor policy?

One might expect that at the very least, in the circumstances of the way this bill has been framed, we might have an edifying debate about the sort of ideological matters that might be associated with it, but the government has walked away from that completely. It has said nothing to do with any of that—'This is just this sort of routine modernising, not much time to spend, nothing to see here and, by the way, 49 out of the 51 clauses are addressing a name change.' Who knows how that arose, but it has come at the instigation of the government.

There is not the request of the court, unlike the bill that I drew in comparison, where the government was right up the front and said, 'This comes at the request of the Chief Justice.' 'Okay, right, then let's have a debate about where that fits.' No, this is at the instigation of the government, and yet, as far as I can tell, there is no statement of policy, there is no election commitment to do any of this. I am reasonably well informed I would like think, and I am not aware of the Masters having clamoured for this at any point, and therefore of course you would see it in the election commitment document: 'We are going to change the name of the Masters, that's what we are going to do.'

In those various different illustrative ways, there is no evidence that this has come from anywhere except out of the blue, and yet we see it apparently being brought here at the instigation of the government. So the question is: which policy document; and where is the election commitment to be found? If not, why not, and why are we here?

The Hon. S.E. CLOSE: This was not an election commitment, as the member well knows, having presumably read our policy at some point during the election campaign; however, the idea that a government can only do what they have promised would severely hamper any government from operating. Naturally, one must do all that one has promised. To say that that would be all that one would ever do—for example, it would have been very difficult to respond to COVID if you had not happened to have a pandemic plan in your election commitments. The idea that this has come out of the blue would not be consistent with the understanding that when Labor was previously in government this was a position that was taken, so it therefore should be of no surprise.

I do not want to prolong this debate unnecessarily, but I would say that if the member is serious about persuading this house to vote differently, as opposed to simply repeating exactly the same arguments that I now feel has been exactly six hours' worth that I have heard, with nothing new being put, then there would be amendments tabled, but there are no amendments. We are not here to change the bill. The member does not like the bill and will presumably vote against at least two of the clauses. He has chosen not to genuinely seek to persuade the house to vote differently, but instead has chosen to spend parliamentary time repeating himself. Please continue.

Mr TEAGUE: Point of order.

The CHAIR: A point of order.

Mr TEAGUE: It is unfortunate to reflect on whether a contribution of a member is genuine or not. I think it is well known that it is contrary to standing orders to impugn the motives of a member, and I ask the minister to withdraw or recharacterise that.

The Hon. S.E. CLOSE: I would be very happy to withdraw the suggestion that not bringing amendments means that you are not serious about changing the bill.

Mr TEAGUE: That was not the subject of the point of order. I have been accused of not genuinely interrogating the bill, and I take exception.

The Hon. S.E. CLOSE: I absolutely withdraw any such suggestion—of course you are interrogating the bill. We are spending hours and hours interrogating the bill. I was simply saying

that, if there was a genuine attempt to change the bill—in a hypothetical sense that any member who wished to actually change the bill might actually bring amendments forward.

Mr TEAGUE: If I can quickly respond to that—

The CHAIR: No, you do not get the chance to respond. Resume your seat, member for Heysen.

Clause passed.

Clause 2.

Mr TEAGUE: Clause 2 then?

The CHAIR: Yes. Clause 2 deals with the commencement. Your comments had better deal with the commencement.

Mr TEAGUE: Thank you, Chair. I am conscious of the standing orders. The point that I would have taken the opportunity to be clear about—

The CHAIR: No. I have made my ruling: deal with clause 2.

Mr TEAGUE: In dealing with clause 2, just like each of the other 48 that comprise the 49 clauses that are not the subject of controversy, I have been clear right from the outset that there is no proposal to amend any of the balance of the bill and, in fact, the nature of the debate is in keeping with a bill that is as straightforward in many ways as it is. It is a bit grandiose to describe it as covering a whole lot of ground; 49 clauses out of the 51 are just going through the process of achieving those name changes. I do not want to belittle it too much, but that is what the 49 clauses are doing. There is no opposition to that from the opposition.

Amendments are not filed in relation to controversial provisions because the opposition has made it very clear that they ought not be there, and that has been perhaps said in a number of ways. But I might say, as the relevant context of the debate has permitted, while there has been occasion to make some observations focusing on those relatively minor—in terms of the volume of the bill, there are only two clauses out of the 51 that are controversial. That small number belies a greater significance.

It is certainly within the government's power not to press on with those clauses, and I am not standing in the way of the debate in relation to everything else in order to make that point. But the minister has addressed the question of an approach to the debate and the capacity to make amendments and so on. First of all, the nature of support is more or less comprehensive and, secondly, the nature of amendments is pretty straightforward, so much so that the amendments are a question of deletion. There is no surprise about any of that.

In the absence of there being any policy document or election commitment in relation to the bill, it ought not be surprising, then, to the government that there might be some interest in the committee stage of the process informing members about just what exactly the bill is doing, where it comes from and what the government anticipates will be achieved by it. Of course, we could all just say, 'Okay, it's routine, there's nothing to see here. We can all avoid the trouble, so we'll just sort of cut a swathe through all of that,' notwithstanding it has come up out of the blue and that it has caused such enormous angst as to one discrete aspect of it. That is not the case, and we are here responsibly dealing with what are, in large measure, provisions that are unrelated to the matters of controversy.

As we consider the question of the commencement provision the subject of clause 2, we see that the act is to come into operation on the day of assent but subject to carve outs that provide for the bulk of the bill to come into operation on a day to be fixed by proclamation. That rather begs the question. It is a somewhat unusual structure that has been adopted. And so for the benefit of those who are following the debate, I will perhaps just unpack the way in which the commencement provision is said to operate.

We have two subclauses. The first provides that, subject to anything else that is said in the provisions, then it comes into operation on the day of assent. Then we have parts 2 to 5 that are said to come into operation on a day to be fixed by proclamation. Parts 2 to 5, and I will be corrected, but I am going to characterise them as being those parts that respectively make amendments for the

name change from Master to Associate Judge, or Associate Justices might be applicable, respectively for the purposes of the Courts Administration Act 1993, the District Court Act 1991, the Environment, Resources and Development Court Act 1993 and the Judicial Administration (Auxiliary Appointments and Powers) Act 1988. That is one group. They are all provisions that are amending those acts so far as the naming of the judicial officers is concerned.

Then the second carve out that is said to come into operation on a day to be fixed by proclamation, sections 28 to 30 inclusive. Those are the first three—at present, they are the first three clauses of part 6, which are amendments to the Legal Practitioners Act. Those, as I understand it, are also relating to amendments to the name of the relevant judicial officers. We bear in mind the impugned clauses 31 and 32 that are then not included in this carve out.

The carve out then moves to what is presently clause 33, which deals with cost disclosure and adjudication. Then, moving right along to part 7 and part 8, which are respectively the changes to the Magistrates Court Act 1983 and the Supreme Court Act 1935, both of which are those parts dealing with the changes to the names for the purposes of those acts.

As I read it, it might have been perhaps more simply put in the positive. The minister might just indicate to the committee why just those two clauses were excluded from the operation of clause 2(2). Perhaps to save the committee time or to cover off, why the structure adopted in clause 2 in terms of the commencement?

The Hon. S.E. CLOSE: I am advised that subclause (1) is the standard, that a bill would ordinarily come into operation on the day on which it is assented to unless there are particular reasons for needing to take more time on particular provisions, and that the provisions that are listed are those expected to be likely to require an alteration to court rules to reflect the new titles.

Mr TEAGUE: I appreciate the minister's response. Is there anything other than the provision of that time to amend court rules that would drive the timing of the assent? At first reading, you would look for the exception to be subclause (2), but in fact it is the bulk of the bill that is the subject of coming into operation on the day to be fixed by proclamation. So the name changes will be coming in on a day to be fixed by proclamation.

If we call it broadly in terms of two categories of change that are being effected here, albeit one taking up the bulk of the contents of the bill, my first thought is that there might be rule changes required, or at least parallel amendments to the naming arrangements in the rules, that would effect both categories. Is there some sort of further elucidation on that that the minister might provide to the committee?

In doing so, if there is some special reason why it is only one category that is effected by rules changes and not the other, then for practical purposes is there some indication as to time that the government is advised—has there been some interaction with the courts, some expectation, preparation and so on? I am conscious that the debate has been going for a little while now.

The Hon. S.E. CLOSE: I think there are a couple of elements to the question. One is why would it not be perhaps that the King's Counsel/Senior Counsel change similarly require some adjustments. The advice I am given is that, because people who already have the title are free to maintain it and it is just about from this point on, there are no systems changes required.

As I previously explained for the second element of why those other provisions do require the capacity to take longer, we have explained already about the court rules. I do not want to be exhaustive in what might be required, but our expectation is that it is likely that there may be some systems changes required also. There will be consultation undertaken immediately about this to set a date, and the date will be fixed so that the courts are able to work towards that, allowing them the time that is required to adjust.

The ACTING CHAIR (Mr Brown): Further contributions on this clause? Member for Heysen.

Mr TEAGUE: I think that is right, thank you, Acting Chair. You have certainly hit the ground running, and I appreciate your guidance; a third question is my understanding as well. To put aside controversy to the extent that we possibly can, is it the case that—it would be legislated, I suppose—in terms of the rule changes that would be necessary in terms of the bulk of the clauses, the ones

the subject of subclause (2), is there any particular feedback or view that the minister might indicate to the committee about what might apply presently to the Masters of the District Court as distinct from the Masters of the Supreme Court?

Is it anticipated that all of those matters will be able to necessarily be achieved at once? Of course, we have got a universal set of civil rules; we are a multi-jurisdictional court, of course, and there are important differences between the work that the Masters are doing in each of those two courts. Is it anticipated that that will be done inevitably at once? Is there the possibility that one process might be dependent upon any aspect of rules that are distinct from one court to the other?

The Hon. S.E. CLOSE: So as I understand it, the question is whether some courts might be able to do this more quickly than others. We will determine that through the consultation process and work on a date that most facilitates that occurring smoothly. This is something that, although it has been requested, can be managed over a period of time, that means that it is not disruptive to the courts.

Clause passed

Clause 3

Mr TEAGUE: Clause 3, and I am conscious that there has been a fairly substantial preoccupation with the sort of small volume of the bill, perhaps to the detriment of the bulk of the clauses, which affect the role and the naming and, perhaps by extension, the status even, to that degree, of those particular judicial officers. So we see in clause 3 the first of the references to amendments to definitions of 'judicial office' for the purposes of the Courts Administration Act 1993. So for relevant context, I suppose, it may be of assistance to the committee for me to say that, while the office of Masters, as I understand it, has a history going back to 1066 and a mixed reputation over the course of the centuries, the role within the court system is one of particularly longstanding and amendments therefore to the name, let alone the institution, are matters of note in the evolution of the organisation of the business of the court.

I might just say there is a bit more to perhaps reflect on shortly. The reflections that have occurred in the course of the debate, including by me, in relation to a comparison by a court that adopts a docket system, the federal court being a prime example, a process that has been adopted in the South Australian registry from the outset and that we have seen a debate, culminating around 1997, in relation to a federal court practice that adopts a docket judge approach, that therefore you don't have a system of Masters, in terms of shepherding that interlocutory process.

The ongoing importance of the role of the Masters in our state's District and Supreme courts is informed at least by the fact that those are courts of multijurisdiction. We have criminal and civil matters running parallel and we have judges who are expected to be available to hear trials in both the criminal and the civil jurisdictions.

As a practitioner, I have been very fond of the efficacy of the docket system in the Federal Court where the judicial officer who is going to hear the trial ultimately is seized of the matter from the outset, so in a way the rot cannot set in in the process if it is running contrary to what the judge who is ultimately going to hear the matter at trial is really wanting to direct from the outset.

Matters like the evolution of discovery processes, the approach to what might otherwise have been endless preferences of parties to follow every interlocutory process down every rabbit burrow can be identified and addressed by a docket judge in that system from the outset, and that docket judge has eyes on the trial knowing that, 'Right, the end of the process is where we are headed.'

Two things are to be made clear. The first is that the District Court and the Supreme Court have that mixed jurisdiction, so you have Masters having that important role of making sure that the interlocutory side is managed, and judges are free to accept what might be a criminal trial one day and a civil trial another. The judges are not being seized of all interlocutory stages of every matter, so it is in contrast to the docket system.

The second thing that might be observed about the importance of the Masters—and this something that has been raised at various junctures ever since 1986. This is 16 years after the District Court was established. Even since 1986, there has been a distinct shift in the work of the Masters in

both of those jurisdictions—District Court and Supreme Court. Both departed from what we had at the outset of the tradition, which was a very administrative function, to one that is actually making binding judicial decisions routinely. That is underscored by the fact that, at least in recent decades, there are very few civil cases that now ultimately make it to trial.

In fact, it is possible to go as far as to say that for a bulk of matters that are before the courts, it is a sign of failure by all concerned if a civil matter is making it to trial and needing to be subject of a trial, with all the attrition and so on and costs and all the rest of it that is attended by that. So the Masters are doing critical work, critically necessary, and often the only judicial work in relation to large swathes of the business of both of those courts. That has been something that has evolved over time: both the expectation on those roles—and I say that since the mid-eighties—and then the nature of civil litigation and the fact that so very few matters now make it to trial.

That has found its way, therefore, into a kind of abiding appreciation by those involved in the justice system that the Masters do this vital work and that they are in turn saving the system from having to have judges occupied in circumstances where the bulk of matters are not going to trial, and yet throughout that history, including that modern history in South Australia of the Masters, it has been the case that the Masters not by dint of the title I might say necessarily, because the stroke of a pen in terms of proclamation could alter their status—the status of the Masters vis-a-vis the judges of the court, as section 10(1) of the District Court Act provides, for example, is that the judiciary consists of the Chief Judge, the other judges and the Masters. So that much is clear.

But Masters have otherwise been sort of subject to being in a sort of halfway house for practical purposes, which is in my view a matter of substantive concern. How to deal with that halfway house problem is a matter of substantive concern and it is not the subject of this bill and it is not easily the subject of an amendment, to go back to the minister's admonishment, but it is a matter of substance. If there was a matter of wrestling with where the Masters are really at and what they might need and how we might reform for improvement, then there is a matter that might find its voice in a portfolio bill of substance.

Again, the title is well known, it has a long history, there is no particular problem with it. My understanding is that it is sort of an interesting creation to think about an alternative title when nothing much turns on it—and I think I have said that in a number of ways—but you have these substantive halfway house issues that Masters are affected by, including a different financial treatment compared to judges, yet they are prevented from practice post retirement in a way that judges are. They are kind of caught in a position of disadvantage, if I might put it that way. Those anomalies or differences can be rectified, and I think there are seriously good arguments for going about that and considering it, including by reference to consideration of any relevant proclamation pursuant to section 4 of the Judges' Pension Act 1971.

So those are matters of substance that, if the government is serious about modernising the role—and we are here at clause 3 talking about the definition of 'judicial office'—then there is a matter of substance. There are a couple of matters of substance. Even at this late stage, why do we not help out. The government might say, 'Well, we can't think of too many reasons why we are here at this late hour right now but, guess what? We have been inspired in the course of the committee and we are going to do something substantive. We are going to not only give them this fresh new name, but we are going to do justice to, excuse the pun, these halfway house issues that affect ultimately the full-blown judicial independence of these officers'. You do not have to change the name in order to make the substantive change, and I will get to it perhaps a bit later on.

The Masters, as I say, since 1066 have gone through times in which the development of the tradition of the office has waxed and waned, but we all know about the Master of the Rolls, for example, and I do not see anybody looking to walk away from the famous legacy of holders of that office in the course of judicial history.

There is, on the one hand, plenty of prestige associated with the title and, if there is going to be a change that is associated with modernising—as it is perceived—from Master to Associate Justice or to Associate Judge, then I reckon I would speak for those Masters. I hasten to add that I do not purport to because they have not, as is not the case, made any direct representation to me in

this regard, but one can see it in the course of practice, and one is aware of where the Masters sit in terms of the situation.

Those anomalies are apparent. I think they are apparent to all of the profession. They certainly, I am sure, are apparent to the Masters and, if I might emphasise, that is particularly so in respect of the Masters of the District Court because, unlike the Masters of the Supreme Court who have status as Judges of the District Court—and I will be corrected to the extent any of this is sort of a gloss by way of summary, or as otherwise incorrect—the anomaly issue in terms of judicial status is not so acute in terms of those Masters of the Supreme Court because of that status as Judges of the District Court. But we see that writ large from time to time in terms of the circumstances of the Masters of the District Court in particular. And I understand it would not be unprecedented either. There have been proclamations at least—

The ACTING CHAIR (Mr Brown): The member's time has expired. Do you wish to make a further contribution, member for Heysen?

Mr TEAGUE: Perhaps if I might ask my question?

The ACTING CHAIR (Mr Brown): Yes.

Mr TEAGUE: Does the government have any plan, including in relation to a proclamation of the kind that I have described, to address any of the substantive concerns of the role of the Masters in the course of, or in parallel, with these name changes?

The Hon. S.E. CLOSE: Harking back to 1066, it is a long time ago, and I am starting to have a visceral sense of the passage of that length of time. The proposition before us does not address the matters that the member has spoken of extensively, nor is there any amendment to address those. Despite the obvious extensive knowledge of the member on the other side, it is not in this legislation. It could in the future be considered by either side. It could become an election commitment from the other side, should they choose, but it is not currently before us.

The ACTING CHAIR (Mr Brown): Are there any other contributions on this clause, member for Heysen?

Mr TEAGUE: That was number one, wasn't it?

The ACTING CHAIR (Mr Brown): Yes, it was.

Mr TEAGUE: I am glad to have an opportunity then to respond. I am at pains to just indicate that it is not within my power presently to make a proclamation of the kind that I have referred to. However, I understand that that can occur without legislation. While it might be that we have had this debate that has centred on what this bill does and does not do, I take the point. It has even been characterised by the government as kind of a 'do almost nothing' bill. I do not mean to be pejorative in that sense. It would make sense, I am just submitting.

The reason I raise it in this context is that there is nothing to prevent the government, in concert with this change, to say, 'Oh, and we're serious in a substantive way and we recognise the anomalies that apply and that's why we're committed to this Associate Judge term now and that's why we are committed to Associate Justice, and'—it puts it a bit crudely in these circumstances, but—'we're going to put our money where our mouth is and say we have thought this through.'

As I say, this bill has not come to the parliament at the request of the Chief Justice or at the request of anybody else in the courts; it has come at the instigation of the government. Had it come at the request of, or with the imprimatur or the guidance of the courts, that might be different. I just speculate. One might have thought if it was something that came as part of a kind of representation originating from the court—as one might in terms of the resourcing of judicial officers or the nature of support in terms of associates, which is something that we have certainly provided for and there has been a process of advocacy in relation to that discrete matter—it would surprise me if we were here debating a name change without these issues coming up more less immediately.

There are all sorts of reasons why something might just kind of arise discretely. We have heard on various occasions along the way, even in this Fifty-Fifth Parliament, 'This is part 1. This is the easy part of what is a more complex and serious piece of work to follow, but what we're doing

now is just the easy bit, the uncontroversial bit.' It has not been characterised that way, quite, but it has certainly been described as—

The Hon. S.E. CLOSE: Point of order, sir: a couple of times now the member has said, 'This isn't quite how they said it, but…' I just want to be really clear when we are quoting the Attorney-General and when we are not quoting the Attorney-General, just to be fair.

The ACTING CHAIR (Mr Brown): Member for Heysen.

Mr TEAGUE: On the point of order, I was not quoting the Attorney-General there; I was characterising the attitude of the government to the bill. If I might be seen as to be adopting the characterisation of the Attorney-General as described to the ABC radio on 7 May, as I have said it before, the Attorney-General said, and I quote, 'This isn't one of the major issues we're focusing on.' Then he talked about some matters that, presumably, were, and then he went on to say, and I quote:

> …occasionally we do have legislation that is routine, words that we use or modernising language, and there is a bill before Parliament to remove the term about 'Masters of Supreme District Courts' to modernise it to call Associate Judges, and also reform to bring us into line with how we've been I think for most of this century…

He then goes on to refer to Kings Counsel. We are not here concerned with that for the moment. That is the characterisation that I have quoted in relation to the Attorney-General more specifically.

I have couched the debate, the motivation, the beginning and end of the substance of the bill from the government's point of view more broadly, as being not even—I do not want to refer to other legislation in the current parliament, but we have seen where the government has said, 'Okay, we'll bring this sort of first round bit into the parliament. This bit is the easy bit, it's uncontroversial. We're doing some more work and that's going to be the subject of a subsequent bill, or we're going to do these other things in concert with what you see on the face of the bill.'

We have not seen anything of that nature and yet it would be surprising to me that, in the event that this change had been canvassed in a serious, substantive way with the court, not rising to the point of originating from the court as a request or a submission or something but that it was the subject of a thoroughgoing canvassing of the topic, that the anomalous position, if I might put it that way—perhaps not quite invidious—of particularly the District Court Masters would not have been raised such that government would have nothing to say about it.

I think the range of responses from the government in this regard might be from, 'Nothing in this bill, go away; nothing to see here,' through to, 'Yeah, I heard about the topic, appreciate that, goes hand in glove with the change,' and the change to the modernised title is actually charting a course towards these improvements that address anomalies all the way through to, 'Yeah, glad you asked, that's exactly what we are doing,' because that is exactly what you would expect. And you don't see it on the bill, because the bill does not have the work to do. You are going to see that on a proclamation. I am not even asking for that. It is like a stakeholder engagement question.

We hear the definition of 'judicial office'. The government has presumably asked the question, and yet we do not see any indication that this kind of reform, the subject of a proclamation available, as I understand it, to the government without another legislative measure is associated with this change. So I would just say that the amendment, in my submission begs the question, and as I say it is not unprecedented. As I understand it, it is a mode that has been adopted in terms of—at least, for example, in relation to the Chief Magistrate—a decade or so ago.

I just indicate to the committee, I regard it is passing curious if it had not come to the government's attention at all, much less being trumpeted by the Attorney and the government more broadly as part of what might be done by way of substantive improvement for the Masters while the name change is going on. So I would just ask the minister whether or not there is actually any information that might be provided to the committee in that line in any way, according to the full spectrum?

The Hon. S.E. CLOSE: The judiciary asked for these changes to the title so, when the member characterises it as exclusively having been instigated by the government, it is the case that that was a request for a change in title. The Chief Justice specifically indicated that the request was for a change in title and not any other associated changes. In the time since then, I am advised that we have not received any request for such changes.

The ACTING CHAIR (Mr Brown): Any further contributions on this clause? Yes, member for Heysen.

Mr TEAGUE: I think the committee is informed then by that answer, and I appreciate the minister's advice in that regard. Perhaps if I could put it briefly without artificially linking it to clause 3: does the government have any plans to investigate that aspect or any other substantive matter in relation to those matters that I have just raised?

The Hon. S.E. CLOSE: I am not aware of any such plans, but I will raise it with the Attorney-General.

Clause passed.

Clause 4.

Mr TEAGUE: We are here commencing part 3 of the bill and the first of what are a number of changes to the District Court Act 1991 that insert the new definition of Associate Judge and then—we have already covered judicial office—the deletion of Master and substitution of Associate Judge. I presume it is necessary to step through it like this, clause by clause. One might, in the vernacular, do a copy and paste or a find and replace and do it all in one clause, but here we are, one by one. Far be it from me to question the approach to the amending legislation. I think we will get to it: the Supreme Court Act's equivalent to subsection 3(2) is 5(2), so I think we are going to see, by the time we get to part 8, the relevant change to section 5(2) of that act, so we deal with both the District Court and the Supreme Court in turn.

While we are at the District Court, the change from Master to Associate Judge is one that comes against a background that is not so very longstanding in the court. The court itself was only created in August 1970 and at that time there were no Masters of the District Court. We had, in fact, a Local Courts Act Amendment Act 1969, as I understand it, that was relevantly applicable. There is then a key step in the circumstances that we explored at clause 3. I made reference to the Judges' Pensions Act 1971 which came into operation on 1 May 1971, as I understand it, and henceforth the establishment of the anomaly that the government might have occasion to reflect upon, because District Court Masters are not referred to for the purposes of that act at that time because the position had not been created.

Fairly hot on the heels of the creation of the court, late in 1970, is the coming into operation of the 1971 Judges' Pensions Act. There are no District Court Masters and so no occasion to refer to them. Unsurprising, there is no provision for the then non-existent District Court Masters. The trouble is that the situation has not changed as the result of any of the subsequent amendments to the act and we see that panning out.

The key point comes only 15 years later in 1986. It is a signal development in the history of the court. While we are reflecting on the District Court Act 1991, and those changes subject to part 3, the first of which is the present clause, we have established the role of Master from the outset. The Master's position is created some five years prior to the District Court Act.

There is an avoidable anomaly because there have been various amendments along the way, but this avoidable anomaly has been perpetuated at the time of the creation of the position and then subsequent. Crucially, at this time in 1986 as well, the Master's role is limited to the one that I have described in terms of the long history of the role and the various jurisdictions prior to it, in that the Master's role in 1986 is one that is properly characterised as being limited to administrative matters.

The Master is defined at that time as meaning a magistrate directed by the Chief Magistrate to sit on such courts of full jurisdiction as the then senior judge might require, duties limited to presiding over listings conferences. You get the gist at that time. There is a kind of a gatekeeper role, an administrative function, there is an ordering aspect to what is going on, but the role is very distinct from ordinary judicial duties.

A further observation that might be made about the circumstances of that time is that the jurisdiction of the court was then, during the period we are talking about, $100,000 and $150,000.

Considerably limited, but of course, we are going back to 1986 dollars, but a jurisdiction that is considerably different and the establishment of a Master's role that is considerably different.

Unsurprising that if one were to take a point fixed in time in 1986, and say, 'Gee, that's not the role that we are now familiar with in terms of the exercise of judicial functions by Masters,' one might say, 'We are talking about a judicial function and this Associate Judge kind of concept might fit.' But for those who have participated in the court's process at all times since, during the period of time if not entirely going back to 1986 and the establishment of the roles, one will have appreciated that the understanding of what a Master does, the role of the Master, the special capacities and experience of the Master, have led to, in some quarters, a particular affection attached to the term and to the role.

There may well be quarters—again, I have not consulted them; it is not my role to do that—that say that over time the role of the Master as it is known in the District Court, as it has come to be established in terms of its function in the District Court, has evolved to such an extent that to a newcomer you might say they are judges. They are doing all of the functions one might expect of a docket judge in another jurisdiction; it is true.

That same, as it were, recognition of the seriousness of the judicial function—the role, responsibilities and so on—might in a very real sense be seen to be fully appreciated as attaching to the role of Master, and what is missing are the substantive ingredients to go with it, including those aspects of tenure, pension and the things that are attendant with judicial office.

Some would focus on the substance of that and leave aside the question of the name or indeed adopt it with affection and say, 'Well, that is part of our tradition now. We stick with that, we just make good on how important the role is by making good on the circumstances of the role: salary, pension and so on.' That substantive change is not seen in the bill, and there is no indication that substantive change is sounding anywhere else.

For present purposes, the question at least at the outset might start with: given the longstanding familiarity of the Master title and Master role, how does one come to land on this new title? Has it come from any sort of comparative usage and, to the extent that it has been the subject of a specific request by anybody, was there a particular author of the request, or is it really something that has been workshopped in a general way? Can the minister inform the committee as to the origins of the new title more particularly?

The Hon. S.E. CLOSE: The suggestion of the specific title came from the Chief Justice and is consistent with most other jurisdictions.

Progress reported; committee to sit again.

DISABILITY INCLUSION (REVIEW RECOMMENDATIONS) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 4, page 3, line 1 [clause 4, heading]—delete 'section 7A' and substitute 'sections 7A and 7B'

No. 2. Clause 4, page 3, line 12 [clause 4, inserted section 7A(2)]—Delete 'may' and substitute 'must'

No. 3. Clause 4, page 3, after line 23—After inserted section 7A insert:

7B—Minister to establish committee

(1) Without limiting section 7A(2), the Minister must establish a committee to—

(a) advise the Minister, taking into account the principles of co-design, in relation to the preparation and review of the State Disability Inclusion Plan; and

(b) perform such other functions as may be assigned to the committee under this or any other Act or by the Minister.

(2) The membership of the committee will be determined by the Minister but should, as far as is reasonably practical, include a diverse range of people with lived experience of disability.

(3) The procedures of the committee will be—

(a) as determined by the Minister; or

(b) insofar as a procedure is not determined under paragraph (a)—as determined by the committee.

No. 4. Clause 6, page 4, lines 2 to 4 [clause 6(2), inserted paragraph (p)]—Delete paragraph (p) and substitute:

(p) people living with disability from a range of lived experiences, and their families and representatives, have a right to participate in the design and delivery of inclusive policies and programs including, as appropriate, through co-design, consultation or other processes;

No. 5. Clause 6, page 4, after line 10—After inserted paragraph (q) insert:

(r) people with disability, and their families and representatives as appropriate, have a right to access and benefit from independent individual and systemic advocacy that assists in accessing services and addressing problems with services.

No. 6. Clause 6, page 4, after line 25—After inserted subsection (5a) insert:

(5b) In addition to the principles set out in any other provision of this section, the following risks and principles are to be acknowledged and addressed in the operation, administration and enforcement of this Act as it relates to people with disability who identify as LGBTQIA+:

(a) cultural and other differences create barriers to providing supports and services to people with disability who identify as LGBTQIA+;

(b) the provision of mainstream supports and services to people with disability who identify as LGBTQIA+ should recognise and seek to address those barriers and should be informed by working in partnership with people with disability who identify as LGBTQIA+ and in consultation with their communities, to enhance their lives.

(5c) In addition to the principles set out in any other provision of this section, the following risks and principles are to be acknowledged and addressed in the operation, administration and enforcement of this Act as it relates to people with disability who live in regional communities:

(a) distance from metropolitan regions reduces the availability of supports and services to people with disability who live in regional communities;

(b) the provision of mainstream supports and services to people with disability who live in regional communities should recognise and seek to address this availability shortage, and should be informed by working in partnership with people with disability who live in regional communities and in consultation with their communities, to enhance their lives.

No. 7. Clause 8, page 4, after line 30—Before subclause (1) insert:

(a1) Section 13(3)(a)—after 'of people with disability' insert:

including by adopting targets for the employment of people living with disability in the South Australian public service

No. 8. Clause 8, page 4, line 40 [clause 8(1), inserted paragraph (ba)(ii)]—Delete 'and (5a)' and substitute ', (5a), (5b) and (5c)'

No. 9. Clause 9, page 5, after line 12—After subclause (2) insert:

(3) Section 14—after subsection (2) insert:

(3) A report under subsection (1) must include details of any systemic issues raised with the Minister and—

(a) if action has been taken or is proposed to be taken in relation to an issue raised with the Minister—details of that action or proposed action; and

(b) if no action is to be taken in relation to an issue raised with the Minister—the reasons for not taking action.

No. 10. Clause 11, page 5, after line 19—Before subclause (1) insert:

(a1) Section 16(3)(d)—after 'strategies' insert:

, accompanied by measurable outcomes where appropriate,

No. 11. Clause 11, page 5, line 22 [clause 11(1), inserted paragraph (da)]—Delete 'and (5a)' and substitute ', (5a), (5b) and (5c)'

No. 12. Clause 12, page 6, line 4 [clause 12(5), inserted subsection (1a)]—Delete 'and (5a)' and substitute ', (5a), (5b) and (5c)'

Consideration in committee.

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

That the Legislative Council's amendments be agreed to.

I want to advise that the government supports the amendments passed in the other place. These amendments include:

- adding two priority groups to the act—regional communities and LGBTQIA+—on top of the existing four groups consisting of women, children, Aboriginal people and those from culturally and linguistically diverse communities;
- increasing the focus on co-design with people with lived experience of disability, their families and carers;
- requiring, rather than allowing, the minister to establish an advisory group and giving it a specific function in relation to the review of the State Disability Inclusion Plan;
- acknowledging the importance of independent advocacy;
- including an employment target for people with disability in the state Public Service as part of the State Disability Inclusion Plan; and
- requiring the annual report of the State Disability Inclusion Plan to include a section on systemic issues raised with the minister in the relevant year.

Honestly, again, I appreciate the cooperative nature in which we worked with the opposition and also with the Hon. Tammy Franks from the Greens in order to proceed with some of these amendments. They had some really excellent conversations with community advocates and organisations, such as Julia Farr Purple Orange, in relation to getting some of these amendments really beautifully worded, really effective, so we are really happy to support those. I think they actually mirror some of the concerns that were raised by the shadow ministers in this place when we went through committee stage, so I want to show our support for those and move that they be accepted.

Mr TELFER: I rise only briefly as I know that everyone is keen to get back to the previous debate. Can I just say that this has been a piece of legislation that has taken a little while to make its way through parliament. It has been on the *Notice Paper* for a fair while. But I will just reflect what the minister has spoken about, which was the across-party-lines, honest way that this piece of legislation has been worked on. I was going to say it was bipartisan but there have been amendments moved by the Greens in the upper house, so it is truly a multipartisan piece of legislation that I think is going to drive positive outcomes for those in the disability community.

I urge that the work does not stop here because these are the reactions to a portion of the recommendations that were made in the report that provided the basis for this legislation. I am looking forward to the minister bringing forward the next range of legislative changes, especially in light of the ever-changing dynamic in the federal space in this important portfolio area.

Once again, I commend the work that was done in the upper house. I commend my upper house colleague the Hon. Heidi Girolamo, the shadow minister for disability, and the Hon. Tammy Franks for the work that she has done. Also, as the minister has done, I commend the community groups in particular that are working closely with people who are affected by this act and enabled by this act. Those community groups have gone into this with a comprehensive perspective of life with a disability and what legislation that respects that life should look like. I commend the bill as the lead speaker for the opposition in this place and I look forward to its swift passing after it has been with us for quite a while.

Motion carried.

APPROPRIATION BILL 2024

Estimates Committees

The Legislative Council gave leave to the Attorney-General, Minister for Aboriginal Affairs, Minister for Industrial Relations and the Public Sector (Hon. K.J. Maher) and the Minister for Primary Industries and Regional Development, Minister for Forest Industries (Hon. C.M. Scriven) to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill if they think fit.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (21:26): I move:

That the time allotted for the committee stage of the Statutes Amendment (Attorney-General's Portfolio) Bill be 35 minutes and the time allotted for the debate of the third reading be 30 minutes.

The house divided on the motion:

Ayes 23
Noes.....11
Majority 12

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.	Hildyard, K.A.
Hood, L.P.	Hughes, E.J.	Hutchesson, C.L.
Koutsantonis, A.	Michaels, A.	Odenwalder, L.K. (teller)
O'Hanlon, C.C.	Pearce, R.K.	Piccolo, A.
Picton, C.J.	Savvas, O.M.	Szakacs, J.K.
Thompson, E.L.	Wortley, D.J.	

NOES

Basham, D.K.B.	Batty, J.A.	Cowdrey, M.J.
McBride, P.N.	Patterson, S.J.R.	Pederick, A.S.
Pratt, P.K.	Speirs, D.J.	Teague, J.B. (teller)
Telfer, S.J.	Whetstone, T.J.	

PAIRS

Malinauskas, P.B.	Cregan, D.R.	Stinson, J.M.
Tarzia, V.A.	Fulbrook, J.P.	Pisoni, D.G.
Mullighan, S.C.	Hurn, A.M.	

Motion thus carried.

Bills

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Committee Stage

In committee (resumed on motion).

Clause 4.

The ACTING CHAIR (Mr Brown): Do you want to continue on this clause, or do you want to move to a different clause?

Mr TEAGUE: There is no time to waste.

The ACTING CHAIR (Mr Brown): No.

Mr TEAGUE: In all the belligerence that we have just seen, I thought it would be wise to check in on just where exactly that leaves this committee.

The ACTING CHAIR (Mr Brown): There is 35 minutes of debate left on all the clauses remaining in the bill, so if you wish to debate this clause or move to a different clause?

Mr TEAGUE: So that is where the committee is at. So much for the work of the whole of house committee.

The ACTING CHAIR (Mr Brown): Member for Heysen, I would ask you to respect the decision of the house. Do you wish to ask a question on this clause or move to a different clause?

Mr TEAGUE: Let me be so admonished, and I thank you, Chair. The point, and it may be lost on others and we have seen some evidence of it, but the creation of the Master's position, in terms of the District Court in 1986, is one that is now attended by nearly 40 years of tradition, so it is a relatively modern office coming off the back of what is a relatively ancient one, in terms of the way it is expressed in the District Court. Yet with the anomalies in the judicial circumstances of particularly those Masters of the District Court that is what has remained the substantive differentiator, and in the course of all my time appearing before them and otherwise active as an advocate in the profession it has certainly not come to my attention that anyone was under any illusions as to the relative importance attached to the title, let alone any particular request for a change.

So, in the straitened circumstances in which I now find myself, I just, again, take the opportunity at this clause 4 to urge on the government that, should it actually be serious about the modernising, so-called, of the role of Associate Judges in particular, because at least they will now be differentiated as between the two courts, then spare a thought for those now to be termed Associate Judge.

The Hon. S.E. CLOSE: I will urge the Attorney-General to read the transcript in order to glean suggestions for further reform.

The ACTING CHAIR (Mr Brown): Are there further contributions on clause 4?

Clause passed.

Clause 5.

The ACTING CHAIR (Mr Brown): Member for Heysen, do you wish to make a contribution—at which clause? We are at 5. Do you want to make a contribution at 5 or move to a different clause?

Mr TEAGUE: I might make it at 5 and in the circumstances it might have to serve to speak for the subsequent several clauses. Let me just make the observation that this has been the subject of treatment, including, as is well-known by Messrs Bentham and Bennett—R.W. Bentham being a member of the Middle Temple, a barrister at law, and a lecturer in law at the University of Sydney, and J.M. Bennet, a solicitor of the Supreme Court New South Wales and a research assistant in the Faculty of Law at the University of Sydney—in their article for the *Sydney Law Review* 1961 in which they provide a treatise on the development of the office of Master, in particular circumstances in equity in New South Wales, and in the course of their treatment they take back the analysis to the early history of the English courts of law and the evolution of the role of Master, including the reservation of the appointment of their chief, being the Master of the Rolls, and we see those terms then sound through history.

I certainly, just to do some sort of justice to the change that is associated with this and the subsequent many clauses, draw attention to that particular contribution in the *Sydney Law Review* and, indeed, that is written all the way back now, more than 60 years ago. It is still finding relevant citation, including in a treatment of the experience of the Supreme Court in the ACT that was written only in recent years by the Hon. Justice David Mossop, in which he dealt with the evolution of the position of Master in a jurisdiction in which the term Associate Judge had been adopted by then.

That treatment, the Associate Judge of the Supreme Court of the Australian Capital Territory, is one that I also make particular reference to, including page 28 of that treatment where His Honour makes a comparison with other jurisdictions, including South Australia. We have not heard from the government about whether there has been any particular reference drawn to the Hon. Justice Mossop's contribution or to that comparative experience, but I make particular reference to that contribution as well.

While we are at it, I also make particular reference to the comparative treatment by the Australian Law Reform Commission in 2000 on the parallel circumstances that might be observed in the Australian Law Reform Commission's work *Managing justice: a review of the federal civil justice system* in which the Federal Court and its practice and procedure in case management is unpacked in some detail and we see the analysis of the differences, somewhat, between those two means of managing the court's work.

I just make reference as well to a contribution a little over 20 years ago now, titled *Case management reform: a study of the Federal Court's individual docket system* that was written by Caroline Sage, Ted Wright and Carolyn Morris. Again, like the Australian Law Reform Commission's contribution, we see there a treatment particular of the evolution of the Federal Court's system of managing the interlocutory stages, including as I had referred earlier to the 1997 introduction of what is described as this distinctive and significant model of case management to be found in an Australian superior court.

So, for the reasons I have described, it is not to urge a change in the jurisdictions that are the subject of the change to the Masters role presently—if ever for the reason of the multijurisdictional nature of the District Court and Supreme Court, in particular—but those are matters that might be compared.

The Hon. S.E. CLOSE: Thank you again. I appreciate the input from the shadow attorney and will make sure that the Attorney-General is made aware of the contribution he has made for further reform in the future.

Clause passed.

Clauses 6 to 31 passed.

Clause 32.

Mr TEAGUE: If you will bear with me for a moment, Acting Chair.

The ACTING CHAIR (Mr Brown): I appreciate that it was a large jump.

Mr TEAGUE: We are skipping ahead, rather.

Mr WHETSTONE: Mr Acting Chair, I draw your attention to the state of the house.

A quorum having been formed:

Mr TEAGUE: On clause 32, I think it has been made clear along the way not only in the course of the committee that, in what is a bill that has a rather large number of clauses, 49 of the clauses are perhaps in a nod to management of government business. If there were a drafting means of doing a global search and a cut and paste on the 49 clauses, it might have been wrapped up into one—but there we are: 49 out of 51 clauses dealing with the uncontroversial, albeit as I have endeavoured to unpack insubstantial changes. I thought we might have just returned to reality for a moment, but no.

Members interjecting:

The ACTING CHAIR (Mr Brown): Order, members! The member for Heysen has a right to be heard in silence.

Mr TEAGUE: There we are, with the 49 out of the 51 clauses that are the global search, find and replace measures. It is a pity, but here we are having heard the government describe those measures as being routine matters that are wholly and solely about modernisation. I have endeavoured to put that into some sort of context. There is no greater issue that the opposition has with the change. In particular, if there is some indication that it is meeting a request or an indication—I

think I pointed to the ACT as an example of where titles of that kind have been used sometimes, so we will see perhaps that there is a parallel tradition.

In relation to clause 32, we come back to the observations, including those that I would more particularly cite in terms of the Attorney-General's contribution to the public debate that day on the radio on 7 May and what the government has more broadly contributed in both houses in, of course, the second reading debate, in terms of what characterises this bill.

Rather than even see it named—'this is what we are doing'—or to see it described as being somehow consistent with policy or something that has been announced ahead of time, we rather see it diminished to the point where this matter that has been the cause of such furore, sufficient that if the government's position were actually how the Attorney-General described it on the radio on 7 May, then that is the sort of thing that might inspire a reasonable government to do something as straightforward as to say, 'Righto, we will press on with the 49, but let's leave the two for another day.'

I have described it as 'furore'. With his permission, I make reference in particular to the view of just one member of the senior bar who, ironically, writes as a member of Elliott Johnston Chambers: Elliott Johnston who was a hero in so many ways. We have talked a bit about heroes earlier today. Elliott Johnston was a lawyer of unique achievement and a political thinker of great note, and his name and his legacy are recognised in Elliott Johnston Chambers.

Dr Neville Rochow KC, as a member of Elliott Johnston Chambers, has addressed his concern about the circumstances that prevail right now, because I understand that this is the subject of ongoing consideration even as presently as right now. He has addressed his concern to his association, the South Australian Bar Association, in the following terms. He brings to the attention of the executive, and there is no need here to paraphrase, so I refer to the letter:

Dear Executive

I write to invite a response by the South Australian Bar Association to the recent reports of statements attributed to the Honourable Chief Justice Kourakis regarding those who have been appointed Queen's Counsel, now, of course, King's Counsel, of which I am one.

Reported in the Adelaide press in early May 2024 are, among others, the following attributions:

- 'What is offensive about that [use of the postnominals KC]…they do it for personal reasons, for personal exploitation of an office that is in the public interest' (5AA Radio).
- 'South Australia's top legal eagles are appointed to serve the public and not exploit clients by using a royal title to charge more money, the state's top judge says. (The Advertiser).

These remarks—

Dr Rochow KC says—

are offensive—

and at this point I pause to indicate that this is a member of the senior bar bringing to the attention of his association remarks published in the media and attributed to the Chief Justice, and I say no more than that. It has elicited this response, and no doubt there will be a range of further responses and characterisations about what is meant and by whom, but so far as Dr Rochow KC is concerned, those observations are made clear—

at many levels and are defamatory of an otherwise well-respected branch of the South Australian legal profession. They are made without any evidence to support them and, to my own knowledge of the members of the Senior Bar in this State, factually wrong.

As you are well aware, I am a longstanding member and strongly committed supporter of the Bar in South Australia and of the Australian Bar Association.

I add at this point, I am personally aware that Dr Rochow is, from my own observations, my own experience, both a longstanding member and strongly committed supporter of the bar and of the association. He goes on:

I have served on the Council of the local Bar and on committees of both the State and National bodies. I was appointed Senior Counsel in 2008 and was the first to be appointed with that accolade by the former Chief Justice

Doyle. That, at the time, entitled the use of the postnominals 'SC'. In every conference after my appointment, solicitors would start with an explanation of what 'SC' meant and that it was the same as having briefed a 'QC'.

The reasons for giving appointees a choice of postnominals were well canvassed previously; and over the objection of the Chief Justice, the reform providing the choice was implemented. This was a good reform and the current Bill is regressive. Having worked overseas, I found the recognition of 'SC' to be negligible. It had to be explained frequently and in response it was common for the inquirer to ask, 'Well, why don't they just use "QC" instead then?' It was because of the very poor 'brand recognition' of 'SC' that when offered the appointment as a 'QC' by the former Attorney-General, I readily accepted. Since accepting that appointment and using the postnominals 'QC' and later 'KC' in my overseas work, the recognition in the United Kingdom, New Zealand, and Canada has been immediate. It is also readily recognised in Germany, Belgium and other European Union jurisdictions and even in the United States. I have also noted that in working with Silks in London, there is an immediate according of equivalent respect. Working with international clients, the same has been the experience of immediate recognition.

There are other problems with the legislation that confines future appointments of Silk to SCs. First, because of the manner in which the Chief justice has been involved and spoken publicly about [this] and his opinion of KCs and their personal ethics, the administration of justice has been fractured in this State.

I pause there. I stress that these are the observations of a senior member of the bar and the point is that, for the purposes of this debate, this fracture, this furore, this dismay, sits squarely at the feet of the government. It is not as though the government was not warned. It is not as though the government was not given an opportunity to say, 'Okay, wow.' This is actually not just some sort of portfolio name change modernisation. This has real effect in terms of the way that people conduct themselves, the way people are regarded with integrity, and, dare I say, the circumstance in which there is a public expression of angst writ large here, vis-a-vis, the judiciary and the senior profession. It is a terrible state of affairs and the government has brought this on and not without warning and the opportunity to make a change. Dr Rochow goes on:

The first way in which this [fracture] has occurred is that there may now be a reluctance to brief KCs and, in many possible cases, take advantage of their experience and expertise for fear of disapproval from the Bench. A second way in which the Chief Justice has, by the remarks attributed to him, prejudiced the administration of justice is that, for those clients who do instruct a KC, they may feel compelled to make application for the Chief Justice to disqualify himself from hearing cases by reason of manifest bias. Such an application would be advised particularly when the opposition has briefed an SC.

It is completely inappropriate for the Chief Justice to have made defamatory, false and misleading statements regarding the barristers' profession, as has been reported. Moreover, it points up all of the constitutional reasons for a separation of the judiciary from the political process. Well-established and time-honoured principles have been breached with the predictable consequences. The Bar ought to respond to these statements in the clearest of terms.

Will the South Australian Bar Association now do so and denounce the process by which the current Bill has been wrongly promoted?

Those are the observations of a member of the senior bar. They are observations made in the context of a public debate that this member of the senior bar is regretting, and they are made in such a way that is highlighting a characterisation of the participation of the Chief Justice in that debate. The whole situation is regrettable. The whole situation is something that ought not to have occurred.

Can I say this as well: it happens not to have just come out of the blue. It sits against the background not of the centuries of history of the development of roles, not talking about something that goes back to 1066 and has not changed ever, and no-one has ever really thought about it, but we all have to modernise—no. All this comes against the background of a very thoroughgoing debate—and a bill, I might add, that at least had the name on it—to go about establishing a process for choice independent of politics, a choice that responded to the sincerity of those members of the senior bar and a recognition of titles that are recognised in the way that they well are.

It was a process that occurred only a few years ago that was preceded by perhaps the most thoroughgoing engagement that one could have imagined with not only the Bar Association, those who are immediately most affected—of which 98 per cent of members express their approval for the change—but also the broader profession, the members of the Law Society of South Australia, which takes in predominantly solicitors and practitioners, all those who are working in various ways in the legal profession.

The significant majority, 70 per cent of the members of the Law Society of South Australia, regarded those reforms as being appropriate, as taking a step that took us beyond the changes that had been made very thoughtfully in 2008. It was a process, I might say, of auguring away from what,

if we go back to a few years after the turn of the century in about 2003, 2004 and 2005, had actually been another form of fairly thoroughgoing fracturing, when the government decided that it would go in and have a go at the bar for doing its advocacy work.

It was a restoration over the bulk of those following 20 years, and I recognise the work of former Attorney the Hon. John Rau and former Attorney the Hon. Vickie Chapman in that regard. If you would say anything about where we were at immediately before this piece of legislation sort of landed out of the blue on the parliament and on everybody else who subsequently became aware of it, it was that the profession was, in very large measure, in a mode in which political turmoil or controversy or drama was at a 20-year low point; I think I might put it that way.

Then this comes along, and all hell breaks loose—for what? It was my question at the outset of this debate, this debate in the committee that started after dinner tonight. The government first suspended standing orders in the middle of the day to tell the house we would sit beyond midnight: 'We will suspend standing orders when everyone is here to tell the house we will sit beyond midnight.'

The ACTING CHAIR (Mr Brown): Member for Heysen, you are reflecting on a decision of the house. Your remarks should be confined to the bill.

Mr TEAGUE: Now, here we are in a guillotine environment. The government is forcing through this bill in its entirety with all of these 49 of 51 clauses addressing this relatively innocuous name change and then these substantive matters that at the very least you would expect to say, 'We as a government, we as a parliament let alone, went and engaged with you all very thoroughly a few years ago, but we have another bright idea. We are calling it a routine portfolio matter that does not really make much difference. We will not be spending much time on it, but you know it is a modernisation and we have this idea. We reckon you absolutely need this, and so here we are.' You would think that at the very least there would be a revisiting and a bringing along and a 'yep, okay, we have taken another step towards improvement.' But what ensues?

It is a great source of regret and dismay for me. I do not pretend to be the one who feels it the most—far from it. As I said at the outset of the debate, I indicate an interest in every sense. I aspire to these roles. I have worked with many of the members of the senior bar who are feeling aggrieved in much the same way as Dr Rochow has expressed, much in the same way as I have had the privilege to work alongside and closely with our Chief Justice, including for what I have described as the nanosecond or so as our state's first law officer.

We have this wonderful abiding history in terms of the justice system in the state of South Australia that it is not characterised by a politicisation, that it is not categorised by a process of having these sorts of public controversies and circumstances in which you have this sort of disharmony. It is bad for the justice system. Whatever anybody thought they might have been achieving by making the change that is the subject of clause 32, then let the last couple of months, including I might say the record of this debate in this committee, work as some sort of journal towards how not to do this in this way again.

So, at this late stage—I say 'late' in the context of a guillotine that has just been imposed—my question to the government is: will the government now withdraw this clause 32, and clause 31 while it is at it, render the bill the subject of changes that one might reflect on in terms of the evolution of those roles and make a great stride back towards restoring relations among and between those most senior contributors to our justice system in this state?

The Hon. S.E. CLOSE: I believe the question is will we withdraw the clause before the house? No, we will not.

The ACTING CHAIR (Mr Brown): Further contributions on this clause?

Mr TEAGUE: I seek your guidance, Acting Chair. I am not so familiar with the terms of the guillotine that has been imposed upon the committee. Are we presently in circumstances where the committee must conclude within the next minute?

The ACTING CHAIR (Mr Brown): That is correct.

Mr TEAGUE: Having indicated that those are the circumstances in which this committee finds itself, I will indicate that I prefer to see an orderly conclusion to the committee process and I note that we have been allowed only a further 40 seconds or so for that purpose.

Clause passed.

Remaining clauses (33 to 51) and title passed.

Bill reported without amendment.

Third Reading

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) (22:10): I move:

That this bill be now read a third time.

I thank all for their contributions.

Mr TEAGUE (Heysen) (22:11): I just indicate that in the circumstances the committee, in my view, served a useful purpose of elucidating somewhat the 49 of 51 clauses that were, if you like, the forgotten aspect of this bill in the course of the debate, I did not anticipate that there would be any great cause for public debate or reflection, let alone time to be spent in relation to those 49 clauses, and there had not been any particular warm-up to the reasons why, let alone the history of the roles of Masters in both the Supreme Court and the District Court.

The committee has served the purpose of identifying that there has been some suggestion as to the appropriate new name of those judicial officers, and I think the reflection on the history of the role of the Masters, particularly in the District Court since 1986, tells the story as to why there might be some ambivalence about a change of the title. It is certainly not something that has somehow become the subject of infamy or something over the journey: quite to the contrary. In fact, while we did not canvass it in its particulars, the history of the role of the Masters, if one goes back a bit further, is not without some cause for reflection in terms of the reputation of the Masters going back to the 1600s.

We saw a sort of history going back that long of what in that *Sydney Law Review* article that I referred to refers to the work of Holdsworth, who said that in around those early 1600s it was observed that the sale of the office of Master was carried on with a certain amount of eagerness, and the value of that office rose as someone who had influence over the process of the court as early as that. And yet, not for the 1600s was there a Statutes Amendment (Attorney-General's Portfolio) Bill to come and modernise the name of the Masters, and do away with all of that. No, we saw that role continue, and I commend the *Sydney Law Review* article from 1961 to those who would want to reflect on why some of these roles stay a bit, because there is a long history attached.

The committee provided some further elucidation on the motivation for the change of name, and I have made some reference in the course of all of that to one of the jurisdictions in Australia where we have seen the adoption of the title Associate Judge in the Australian Capital Territory. In the ACT, the Hon. Justice David Mossop has given a considerable reflection on both the history and the functioning of the Masters or Associate Judges as they are known in the ACT.

I was endeavouring to unpack—and here the government might not be subject to too much criticism; at least they were sort of up-front in this regard about the bill not amounting to much—if there was anything of substance that sits behind it or in parallel, including a proclamation that is available to the government, as I understand it, vis-a-vis the anomaly that applies to, particularly District Court Masters, the one that is a matter that might be a cause or a source of substantive improvement that might go along with the name change.

So the committee afforded, albeit as it turned out, a truncated opportunity to look at reasons why motivations and some exploration of the more substantive matters that might be attended by the change of name. It is a source of particular regret that all of that was part and parcel of what we have seen then in terms of a guillotine being applied to the debate earlier tonight. There is no doubt, though, that from the outset regarding the concerns of this side of the house and the opposition's indication in relation to its attitude to the bill, all of it was clear.

There are two clauses, about two-thirds of the way through this bill, which are not in keeping with the balance. They are not just simple matters of name changes and modernisation, contrary to what the Attorney-General has indicated publicly and in the course of the debate, and let alone the way that the government has perpetuated that characterisation. The evidence has shown now, evermore, the direct opposite.

I have indicated it is a source of particular regret that we are here in a debate that, from the outset, the government said it was not too terribly ambitious about and was characterised as being a matter of routine. And yet, even if you might say, 'Gee, the government got taken by surprise,' what do you know: there are these two clauses that are the subject of real feeling; they are the subject of matters that go to the core of individuals' professional integrity.

In the context of the bill that has been characterised as 'kind of portfolio, routine, not much time to spend on it, not a great priority, doing other things', for the government to anyway in the face of the storm that has erupted just sort of press on with it as though, 'No, we characterised it at the outset as nothing to see here, we're not too terribly interested in the furore that has erupted'—they are still characterising it as nothing to see here and are pressing on anyway—it sits, then, wholly and solely at the government's feet in terms of the fracture that we have seen articulated, particularly in terms of the senior bar and, as I have indicated, the justice system as a whole.

We are talking about individuals and groups of people of great integrity who are expected in the professional service of our state to conduct themselves with the utmost diligence, expertise and, as I said, integrity in all that they do. For there to be a circumstance arising in which those senior leaders of the judiciary and of the senior bar are fractured and dismayed and suffering a difficulty, is a travesty and I do not know what you do to repair it.

I have been admonished in the course of this debate for taking a bit of time, for highlighting where I see the problems have arisen, for perhaps being somewhat stepwise about going down this path, all in circumstances in which the opportunity is there for the government to do other than what it has insisted upon and pressed upon.

The government has not, in the course of all that process, said, 'Actually, no, the reason why we're pressing this at all costs, the reason why we're causing such a difficulty with the pressing of this legislation right now, is because actually it means a lot more than the way it was characterised at the outset. Alright, okay, reset. It's actually much more of an article of faith than what we characterised it as, and so that's why we're pressing on with it.' No, we have not heard the government say that.

I have just been admonished for taking any time over it at all beyond what was supposed to be routine and was not justifying time and all the rest of it. The government sort of admonished any time taken on the debate, because 'it's just routine, we're insisting on that'. The government has not responded to the debate by saying, 'Yes, okay, we thought this might happen. We didn't think it was necessarily going to happen, but it is an article of faith and here's where you find it in the foundational documents of the government's manifesto and at the core of its foundational values. Here's where you find it and this is why we're doing it.' But they have not done that.

We have this half-baked substitution, where anybody who might make reference to something as grandiose as ideology is just told, 'No, it's nothing to do with that.' On the other hand, anyone who is saying, 'You know, it's no so routine,' you are hearing it now from all sorts of sources. And then hang on, it is not even that you are just hearing some counter voices, you are now seeing this becoming the source of acrimony among and between members of the justice system, and yet it is still pushed on and yet it is still characterised in this 'does not mean a lot' routine, 'do not spend much time on it' way. So it is a particularly inadequate process and it is a particularly regrettable place that we have got to, at least in relation to those two clauses.

I hope that the course of the committee process has placed into some sort of context for reference where we are at now in terms of the role of the Masters and what opportunities there might be to do more substantive work to improve the circumstances of the Masters' service in those roles. I just say to the house: do not be surprised if in relation to those substantive matters, the subject of clauses 31 and 32, this is not going away anytime soon. There is going to be much kneading to be done, and it pains me to say this sits wholly and solely at the feet of the government.

The opposition has been clear in its support of the balance of the legislation, the opposition stands stridently against clauses 31 and 32 for all the reasons I have endeavoured in my rather inadequate way in the course of the debate to articulate, and it is my sincere hope that there may be opportunity to revisit and repair this, just as soon as the opportunity affords itself.

The Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition) (22:27): On the third reading, I rise to reflect on the bill that we are dealing with. Through the course of this debate, I have listened to the second reading speeches and I am yet to ascertain from anyone on the government side as to why they are pursuing this matter.

Allegedly, the Chief Justice has made some comments that have been reported in the press, and certainly that has caused extraordinary offence to many people in the legal profession. The scale of that disappointment is quite unfamiliar to me in the 14½ years I have been in this parliament and the 30-odd years I have been involved in politics. For the government to reflect on what they have brought through that, the breach of faith is really very distressing for those of us who place great value on our institutions. This is a great deal more than whether the use of the word 'king' should or should not be included in the use of expressing the names of senior members of the legal profession.

We use the word 'king' today in this parliament in reflecting on celebrating those who have been given awards under the King's Birthday Honours, and those people in the community do not seek the word 'king' as an anachronism just because their honours have been given on a king's birthday. In our legislation, with the Public Holidays Act, we use the word 'king'. We have, in fact, all sworn an oath to our monarch, and their heirs and successors, as well as the people of South Australia.

The very basis on which the two clauses in this bill in question is founded is utterly without standing, and it baffles me as to why the government has seen fit to bring this legislation. Why did they not just vote against it a few years ago when they had the opportunity then if they had the courage of any sort of convictions at the time? Their view to bring back the option for QCs, as they were then, was not a first order issue of priority for the people of South Australia, but they supported the bill and then for years said nothing about it.

They told the people of South Australia nothing about this issue before the election, and then we have this bill which, for 49 clauses, deals with issues such as Masters. I was learning a lot about Masters prior to the Leader of the House deciding to use the guillotine. I am very disappointed that that has happened. The use of the guillotine—and it is, I think, relevant in the third reading debate, reflecting on the entirety of the debate that has happened—

The ACTING SPEAKER (Mr Brown): That may be so, member for Morialta, but you may not reflect on a vote of the house.

The Hon. J.A.W. GARDNER: I am going to the motivation, sir. The use of the guillotine has happened, I cannot remember the exact number, but it would be in the order of a dozen times, maybe 15 times in the history of South Australia. I did it myself on a number of those occasions, and there were purposes that led to those occasions. We had, I think—and reflecting on a vote of a previous house, I believe, is orderly—hours of discussions on short and long titles. At one point, I think the member for Kaurna and the member for West Torrens brought out a thesaurus and looked through—

Members interjecting:

The Hon. J.A.W. GARDNER: The government members are remembering this with a certain amount of joy and glee. We listened for hours as people were reflecting on alternative potential titles for bills which were utterly irrelevant to the conversation. The member for Heysen's comments on the first two or three clauses of this bill did not merit that approach.

With the government having said that they were wanting to sit past midnight, we were resigned to the fact that they wanted to push this bill through—fine. We did our votes on the second reading and we made our position very clear on that. We had made our points. We wished to ensure that the detail was scrutinised at every point and that the record would truly show our concerns and our interest and that the concerns that had been brought to our attention by senior members of the legal profession and other people around South Australia were given every airing. But the

government saw fit to move the guillotine, and I make no reflection on the decision of the house to do so.

The ACTING SPEAKER (Mr Brown): Member for Morialta, again, please refrain from reflecting on a vote of the house. You may make remarks about the bill, which you were doing before, so please go back to them.

The Hon. J.A.W. GARDNER: I make no reflection on the vote of the house and I will not come close to the issue again, probably. On the bill, 49 clauses, whether necessary or not, are uncontroversial. On the two clauses in question, I think for many people it is baffling as to the reasons why the government would move this way, having not previously expressed any interest in doing so.

Questions need to be asked there. Questions need to be asked about the basis on which they say that the legal profession is in support of it because, frankly, that is not what I have been hearing. Questions need to be asked about which members of the legal profession, or what status, that support has come from because it strikes me as a very narrow level of support: 70 per cent of Law Society members surveyed not that long ago were very much in support of the previous arrangements, or at least supported moving to the previous arrangements. It may well be a different number now.

Of those who have been given the opportunity to either take the QC or the KC title or not, a majority—as I understand, a significant majority—are using the KC title. The basis upon which that seniority is understood by those who are making use of the legal profession and the several dozen, I think five or six dozen, Senior Counsel in South Australia is that many of them are people for whom KC or QC is a readily known term. Many of them are people for whom the letters SC could mean any number of things. I declare an interest: my wife is a special counsel at a law firm. She is not an SC as will be understood here.

As the King's Counsel whom the member for Heysen was quoting before identified, the explanation required at the beginning of a conference or a hearing in a jurisdiction that is not South Australia is a clipping of the wings of some of the people whose work we should be celebrating and applauding. I come back to this question. Nobody has asked for this. Well, that is incorrect; at least one person has asked for this. The government is yet to name another, as far as I can tell. That is not a basis to have the law.

It is not a basis, having had the Appropriation Bill debated at great length over the last couple of days and having decided to start this bill after the dinner break tonight, in effect, to sit past midnight. Sure, that might be a reason, but this is the priority above—and I will take a leaf out of the member for West Torrens' book from many debates before—25 bills that I am not going to name because we do not have time, but all of those bills that the government previously thought were important. I will name the Statutes Amendment (Budget Measures) Bill; that strikes me as something that the government would have thought was important.

The Late Payment of Government Debts (Interest) (Review) Amendment Bill will be delayed, so that the government can talk about their capacity to end what they describe as anachronistic use of King's Counsel. I guess they are proud of themselves. The bill will pass and the opposition is disappointed in the way the government has undertaken this. I think the people of South Australia will be pretty disappointed in the same.

Bill read a third time and passed.

At 22:36 the house adjourned until Thursday 27 June 2024 at 11:00