HOUSE OF ASSEMBLY

Wednesday, 30 October 2024

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

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

The SPEAKER read prayers.

Bills

SUMMARY OFFENCES (UNLAWFUL SELLING OF KNIVES) AMENDMENT BILL

Introduction and First Reading

Mr BATTY (Bragg) (10:32): Obtained leave and introduced a bill for an act to amend the Summary Offences Act 1953. Read a first time.

Second Reading

Mr BATTY (Bragg) (10:32): I move:

That this bill be now read a second time.

I introduce the Summary Offences (Unlawful Selling of Knives) Amendment Bill 2024 today with a simple but sensible proposition, which is that children should not be able to buy knives. We enact this very simple and sensible reform with a discrete amendment to the Summary Offences Act, where it is currently an offence under the law to sell a knife to anyone under the age of 16. What this bill seeks to do is extend that prohibition to other minors aged 16 and 17 as well, and it does this through making some discrete amendments to section 21D of the act, including a provision that a person who without reasonable excuse sells a knife to a minor who is 16 or 17 years of age is guilty of an offence carrying a maximum penalty of $20,000 or imprisonment for two years.

Importantly, there is that provision for reasonable excuse to cater for a number of common sense examples of where a minor might lawfully and reasonably be able to purchase a knife, whether that be for the preparation or consumption of food, or construction or renovation, or the lawful pursuit of an occupation, education or training. An example there might be that an apprentice butcher can still reasonably and lawfully purchase a knife under these reforms.

What this legislation seeks to do is bring South Australia into line with the rest of the country and to make our community safer by preventing knife crime because the introduction of this bill today follows a very unfortunate spate of knife crimes committed by minors right across the state over recent weeks and months.

We know that crime is rising on a number of fronts right across the state. The latest SAPOL crime statistics unfortunately indicate a whole range of crimes have increased under the Malinauskas Labor government. We know that the latest crime statistics show a 54 per cent increase in murder, for example. We also know that 44 per cent of all attempted murders have involved a knife. We know from the latest crime statistics that there has been a 9 per cent increase in assaults or acts intended to cause injury, as it is described. We also know that every year around a thousand assault victimisations involve a knife.

So crime is up and unfortunately we keep seeing examples of crime involving knives and indeed involving minors, whether it be an incident on 23 June at Marion where three youths were arrested; two were 15 year olds, one was a 16 year old, and charges of assault, affray and aggravated robbery were laid and the shopping centre was put into lockdown and evacuated, or at Arndale on 25 June, where six youths were arrested for threatening a man. This included four 14 year olds, a 13 year old and a 15 year old, two of whom were carrying knives.

At Elizabeth, outside the courts on Friday 9 August, a group of teens were arrested for a brawl, aged 17, 16 and 15, with one of these youths allegedly wielding a machete around. As recently as last week, two separate incidents occurred at the same shopping centre on the same day, one of which resulted in three teens being arrested, aged 17, 16 and 14, after an18 year old was stabbed and taken to hospital, and a large knife with blood was reportedly found in a recycling bin in the centre.

It is incredibly disturbing and concerning to think that as recently as last week we had 16 year olds and 17 year olds allegedly committing crimes involving knives at local suburban shopping centres. It is even more disturbing to think that under South Australia's current laws those 16 and 17 year olds could have illegally purchased their knives. They could have legally purchased their knives unless and until this bill today is passed, and it should be passed because there is absolutely no need for children and teenagers to be wielding knives around and getting into brawls at our local suburban shopping centres. We do not need knives being wielded around at our local Westfields.

This law will bring the state into line with basically every other jurisdiction in the country. Unfortunately, under this Labor government, we have a little bit of catching up to do. Jurisdictions like New South Wales, Victoria, Queensland and Western Australia do not allow the purchase of knives by minors under the age of 18. I cannot understand why we in South Australia would be allowing teenagers to purchase knives, allowing minors to purchase knives, especially in the wake of this spate of knife crimes across our streets and suburbs.

I hope and, indeed, I expect that this bill will be supported by this parliament and I hope it is done so urgently because the picture that we have painted is very concerning. Every day that we are allowing children to buy knives is a day that our communities are being put at risk.

I must say, the government's response to the Liberal opposition introducing this bill to promote community safety today has been really unusual. First, we were met with the usual barrage of personal abuse, talking about us being, I think the Attorney called us new and inexperienced. Well, it is a bit rich I think calling us inexperienced. I think the Attorney is probably the least experienced Attorney we have had in South Australia. A new opposition has new ideas, which is what we are putting on the table today, and it is a new, sensible idea to ban children from buying knives.

Yesterday morning we heard the Attorney saying that banning children from buying knives was perhaps a bad idea because children could still go and get a butter knife and use it to commit a crime. That is such an enlightening observation from the state's first law officer that I will not even bother to respond to it. But later in the day the Premier changed his tune a little bit because we heard the Premier saying, 'We quite like your idea. In fact, we like it so much it is actually our idea. We were just about to do it. We were just about to do this, and not only were we going to do this but we were going to have a comprehensive package on knife law reform.'

If that is the case, support this bill today and get on with the rest of it. If you were just about to do it, what are we waiting for? How many more incidents like what we saw at the Elizabeth shopping centre last weekend are the Attorney and the Premier waiting for before we see this very sensible prohibition on children being able to buy knives passed? In the meantime, we have communities at risk and knife crime running rampant.

Where was the Premier's comprehensive plan to tackle knife crime at Marion in June? Where was it at Arndale in June? Where was it last week at the Elizabeth shopping centre? It is just a ridiculous thing to say: 'This is a bad idea from the opposition because it is something we were just about to do, just take our word for it, trust us.' Well, do it—but you have not done it. You have not done it, and it has been left to the Liberal opposition that actually cares about community safety. Law and order and community safety is in our DNA, and Labor have been caught napping.

They have been caught napping on this issue and people are getting stabbed. People are getting stabbed and kids are stabbing kids at suburban shopping centres. Every day that this law is not passed is a day that we are at risk. If you have all these ideas, let's see them, because here are ours, and you can pass it today. The truth is the first that we have heard about knife crime from the Labor government in recent months came only after the opposition introduced this bill to this parliament.

It has taken the Liberal opposition to introduce a bill into this parliament about knife crime for the government to realise that we are in the midst of a knife crime crisis in South Australia. As if the recent events had not been a wake-up call enough, it has taken the Liberal opposition to show that this parliament should be serious about law and order, making our communities safer and preventing knife crime.

Labor like to talk a big game when it comes to knife crime. The truth is all that the Malinauskas Labor government has done in recent times on knife crime is release a discussion paper. Discussion papers do not get knives out of the hands of children. The Liberal Party's strong new laws, which we introduce today, do. Community safety will always be a priority for the Liberal Party. It ought be for the government, and I urge them to support this bill and to encourage its urgent passage through both houses of parliament to make our community safer and prevent knife crime.

Debate adjourned on motion of Mr Odenwalder.

CRIMINAL LAW CONSOLIDATION (SEXUAL PREDATION OFFENCES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 19 June 2024.)

Mr BROWN (Florey) (10:43): I rise to indicate that the government will be seeking to postpone consideration of this bill and to briefly outline some of the concerns that exist with it. This bill was introduced by the member for Heysen and seeks to insert new so-called sexual predation offences into the Criminal Law Consolidation Act.

The bill creates new offences for the administration or possession, in certain circumstances, of a prescribed sexual predation drug, being Rohypnol or any other benzodiazepine, which are prescription drugs; GHB and GBL, also known as fantasy; ketamine; or any other controlled drug prescribed by regulation. The bill also criminalises the supply or administration of alcohol with intent to make another person vulnerable to sexual assault. Penalties are graded by aggravating circumstances, including the age of the victim.

The government believes that this bill is unworkable for a number of reasons, which I will outline. The conduct this bill seeks to capture is already covered by existing offences, and there is a real risk that the bill will cause difficulties and inconsistencies for SAPOL and other prosecuting authorities due to the overlap with existing legislation. In fact, even more complex elements are introduced by the bill than there are in current legislation, of which the member opposite is already so critical.

There is a significant risk that prosecuting agencies would face the same if not increased difficulties under the scheme proposed in the bill. I know this is a concern shared by the Law Society, which wrote in a letter to the member for Heysen that 'caution should be observed in the creation of overlapping offences to ensure they do not give rise to difficulties in prosecution'. The Law Society further wrote:

> The Society echoes past sentiment that reforms directed to achieving a particular aim which is already covered by the existing law, may overcomplicate the prosecution of the relevant offence to such an extent that the stated purpose of the reform may be undermined. We note the likelihood of this occurring in the case of the reforms being considered, particularly against the background of a perceived lack of data underpinning the inadequacy of the current offences.

There are also a number of other concerns that have been raised with the government about this bill. Curiously, the bill introduces a concept of a 'prescribed interaction', during which certain offences can be committed, being 'an organised romantic or social interaction between two persons' and 'any other social interaction between two persons that takes place over a period of at least one hour', which seems to suggest that those offences cannot be committed during interactions that are unplanned and take place over a period of less than one hour, which quite frankly does not make much sense.

It is common to hear of reports of drink-spiking incidents occurring between strangers or where the offender and the victim did not personally interact at all but the victim's drink was spiked

completely unbeknownst to them. One can also imagine the difficulties of a prosecutor trying to prove that an interaction was 'romantic'.

The government is concerned that the member's bill is unworkable. In the meantime, this government has been taking real action to prevent and respond to violence against women and taking real action to combat drink spiking. Coordinated efforts from Consumer and Business Services and the Office for Women have been undertaken to make improvements both to training for hospitality providers and to protections for victim survivors.

The government announced this year that we would be interested in releasing a discussion paper on proposed wider ranging reforms to the delivery of Responsible Service of Alcohol training to include bystander awareness and drink-spiking prevention training. The Australian Hotels Association has made bystander awareness training available to its approximately 600 members. The new training will help staff better identify and respond to sexual harassment and other unwanted behaviour so as to protect both hospitality workers and patrons—a preventative and protective measure aimed at stopping this predatory behaviour, rather than an unworkable new and unnecessary penalty for after the offending has already occurred.

This joint work alongside the AHA training component came off the back of the release of the Not So Hospitable: Sexual Harassment in the Adelaide Hospitality Industry report, published by Jamie Bucirde and the University of Melbourne. The move also follows feedback received by the equal opportunity commissioner, the United Workers Union and What Were You Wearing Australia, including consultation on the Late Night Code. The government is eager to work alongside these powerful awareness campaigns to ensure that women are protected from drink spiking and other assaults on their safety.

It also bears looking at the context upon which this legislation has been introduced and is being discussed. The government has also progressed a strong suite of legislative and other reforms to prevent and respond to domestic, family and sexual violence, including:

- establishing the Royal Commission into Domestic, Family and Sexual Violence, with the commissioner, Natasha Stott Despoja AO, commencing ongoing public consultations in July and making many remote visits right now across South Australia to hear the communities' views;
- introducing legislation to this house to criminalise coercive control after extensive public consultation;
- passing legislation to make the experience of domestic violence a ground of discrimination, which commenced operation in September 2023;
- passing legislation to provide access to 15 days' paid leave for domestic or family violence in the Public Service, which commenced operation September 2023;
- passing legislation to require persons charged with serious domestic violence offences to be electronically monitored on bail;
- funding Yarrow Place to conduct a research project on the extent of rape and sexual assault in South Australia to ensure we have the necessary evidence base to drive change; and
- funding and establishing both a northern and a southern domestic violence prevention and recovery hub, with the southern hub, The Yellow Gate, hosting Yarrow Place to ensure sexual violence counselling services are accessible in the southern suburbs.

In conclusion, the government will be seeking to adjourn this debate pending further consideration of the significance of the concerns raised. I also take this opportunity to commend the government for its ongoing work to address drink spiking in a practical way.

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

That the debate be adjourned.

The house divided on the motion:

Ayes 24
Noes.....15
Majority 9

AYES

Andrews, S.E.	Boyer, B.I.	Brown, M.E.
Champion, N.D.	Clancy, N.P.	Close, S.E.
Cook, N.F.	Fulbrook, J.P.	Hildyard, K.A.
Hood, L.P.	Hughes, E.J.	Hutchesson, C.L.
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.	Batty, J.A.	Bell, T.S.
Brock, G.G.	Cowdrey, M.J.	Cregan, D.R.
Ellis, F.J.	McBride, P.N.	Pederick, A.S.
Pisoni, D.G.	Pratt, P.K.	Tarzia, V.A.
Teague, J.B. (teller)	Telfer, S.J.	Whetstone, T.J.

PAIRS

Malinauskas, P.B.	Hurn, A.M.	Bettison, Z.L.
Patterson, S.J.R.		

Motion thus carried; debate adjourned.

CONSTRUCTION INDUSTRY COMMISSIONER BILL

Second Reading

Adjourned debate on second reading.

(Continued from 28 August 2024.)

Mr ODENWALDER (Elizabeth) (10:57): I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes 23
Noes.....15
Majority 8

AYES

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

NOES

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

PAIRS

Malinauskas, P.B.	Hurn, A.M.	Bettison, Z.L.
Patterson, S.J.R.		

Motion thus carried; order of the day postponed.

Motions

OXENHAM OAM, MS H.

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence, Minister for Recreation, Sport and Racing) (11:07): I move:

That this house—

(a) pay respect to Ms Helen Oxenham OAM;

(b) offer condolences to Ms Oxenham's family and the many others who loved her;

(c) pay tribute to Ms Oxenham's remarkable work, together with other women, to establish and sustain one of the first women's shelters in our state at Christies Beach;

(d) acknowledge Ms Oxenham's visionary work as a founder of Spirit of Woman through which she led the development of Places of Courage and enabled communities to remember and honour those lost to domestic and family violence and generate awareness and engender crucial conversations about the role we can all play to help eradicate this scourge; and

(e) honour her tireless and inspiring commitment to the prevention of violence against women.

I rise to pay tribute to the life, legacy and impact of the formidable Helen Oxenham OAM and the spirit of this remarkable woman, a woman born in 1930 in Cork, living her early years in Crumlin, near Tallaght, outside Dublin, down the road from Firhouse, from where my stepdad hails, as he and Helen discovered one night over a drink or two, and retaining so much of her beautiful Irish culture through her many years here in Australia.

As has been the path of a number of our Irish brothers and sisters, Helen and her husband immigrated to Australia in the late 1950s, and by the time they got to Adelaide had a child, August; they then welcomed Heather and Peter. I am deeply proud to call Helen a very special friend, a friend whom I love, deeply miss and continue to be inspired by. Helen was a trailblazer, a leader, a tower of strength, whom we will rightly continue to honour through our contributions today and indeed for decades to come.

Helen's determination, the ripples she has created both through art and her indomitable spirit, her care, wit and kindness encouraged me and so many others, and will continue to do so for the rest of her days. I miss her and so often think of her smile, her urging me to continue, her voice and her strength. As we honour and remember Helen and the impact she had on our community, I offer my love to Helen's family, particularly her beautiful and devoted daughter, Heather, who unfortunately is not able to join us but I know is watching on from Sydney and will be delighted to hear members' contributions.

I also offer my love to the many others who loved Helen and the thousands whose lives she touched in that beautiful way of hers, a way that made you feel loved, empowered, strong and special. I have an incredible amount of love and gratitude for all that Helen did and the way she went about it. Helen inspired me and so many others to speak a little louder, to act and to relentlessly persist. Before it was ever talked about in the media—at a time when a 'domestic', as it often was referred

to, was somehow seen as a lesser form of violence, its link to gender inequality was rarely contemplated, and alarming attitudes about the roles women should play were shared—Helen forged a path.

From the early seventies, Helen helped lead our struggle against the horror of domestic violence, speaking up, demanding better and providing love and care to the women experiencing it, at a time when far too often they were expected just to accept it as their lot in life. Helen was the driving force behind the Spirit of Woman and Place of Courage ripples. Inspired by Helen, through collective effort these ripples have brought communities together to remember and honour those we have lost, to have conversations and take action to prevent and end violence against women.

I know, through being present at the launch of these ripples and through proudly working with Helen and other passionate people toward them, just how powerful they are in allowing women, and indeed all community members, to reflect, find peace, feel seen and heard in their experiences of violence, and in generating the conversations we absolutely must have to advance change.

The establishment of the first Place of Courage ripple in Christies Beach, the place I proudly call home, was the place where Helen and her band of fearless women friends established one of our state's very first women's shelters, a Place of Courage built through courage indeed. The passion to establish this safe place was born through Helen meeting women in the community experiencing domestic violence and Helen and a number of other remarkable women just knowing they had to help.

Helen remarked in an interview in recent years that hearing the experiences of these women in the community resonated with her because they were 'exactly like my mother'. Helen and her friends cleared out a room in the back of her and her husband's watch repair shop, broke down a window and made it a door, a door that represented welcome and safety. Over time, our ever generous southern community assisted through the donation of goods and money, and in 1977 this first women's shelter was officially opened, with the event attended by Don Hopgood, then health minister.

This extraordinary achievement that provided refuge to women did not come without its challenges. Helen told me of the nights when groups of men thought it would be funny and possibly opportunistic to roll up at the shelter late at night, after sinking a skinful of beer at the Christies, to bang on windows and ask the women to come out for a drink. In Helen they met their match and were firmly shooed away. She told me of the constant work to help identify pathways for the women to longer term accommodation to get set up to live a new, safer life. She told me of days and nights of rounding up furniture for new places for women and just being with them in their saddest, hardest times.

Helen did all of this while being an active member of our southern community in other ways. She is well known at our beloved Christies Beach footy club for many reasons, but one that has stayed in the collective memory of the club for decades. Helen's son Augie played footy with the Saints. Hailing from Ireland, where hurling, Gaelic football and the world game were predominantly played, Helen started out intrigued when she first saw Augie play. Her intrigue quickly turned to anger when she saw an enormous tackle laid on her son and him lying on the ground under a pile of players. Helen found the way that her son had been treated unacceptable and took to the oval with her umbrella to shoo those pesky opposition players away.

When she was not taking on the impromptu role of footy umpire and peacemaker, Helen worked tirelessly for decades, raising money and donations to offer safe haven to hundreds of women through the shelter's inception and its years of running and through advocating for and bringing to life Spirit of Woman, work which led her to rightly being bestowed an Order of Australia medal in 2020, Key to the City of Onkaparinga, and last month having her work honoured at the KWY FOCUS Awards.

Ten years ago beautiful Helen first came to meet me in my office. We literally could not stop talking, sharing a little about our respective childhood experiences and building this beautiful bond that I think about and still feel so very often, a feeling that Heather recently said to me means Helen is still looking out for me, encouraging. What a special thought that is, Heather. We shared so much and left that first meeting with a steadfast commitment to make The Place of Courage happen

wherever we could and for these places to generate conversations that encourage understanding and commitment by all who visit to take responsibility and action to advance change.

Helen and I shared many memories across this journey and I feel humbled to have had the opportunity to support her in every way I could as she tirelessly campaigned to launch Ripples, now in place in Christies Beach, Seaford, St Clair, Gawler, Burnside, Murray Bridge and in the Port Adelaide Enfield council area. The launch event at Christies saw a large crowd attend, an emotional gathering, which gave space to contemplate our need to work together for communities free from violence and for peace, safety and love for all women and children.

How someone makes you feel is really important. Helen always made me feel good about myself, emboldened in continuing our struggle to tackle gender inequality and violence against women, happy and more determined than ever. Every time I saw her she told me I looked like I had just come out of a band box, told me that she had loved my particular words and that I was getting better and made me laugh and always unfailingly said to me to remember how much she loved me and how proud I must make my mum. As any woman in politics, or working toward a cause that you carry in your heart and mind every day, knows, these are some of the things you just need to hear and know as you continue.

Helen's birthday was on Christmas Day. She was so loved by so many people, but Heather and Helen made time one Christmas morning—also a birthday morning for Helen—to head to the waves at Southport and cheer Heather and I on whilst we dived into the sea with the Southport surf lifesaving crew and rode what locals know as the Southport express.

I saw the difference Helen made to the kids of Christies Beach High School, being alongside them as they sought help around some of the violence they experienced in their homes and encouraged their voices through art and music and in so many other ways. Helen was the life of every party. Our 10-minute chats regularly turned into three hours. She started the singing and the laughter and connected everyone around her through it.

As members speak on their own stories of Helen and what her life means to us all individually, I know that the common attributes of Helen will shine through. She was fierce, beautiful, kind and wise. Helen was a relentless fighter for all that mattered and a woman with the most enormous heart and capacity for love. In the words of one of her favourite songs, Helen encouraged us all to not be 'too polite' and to 'show a little fight', to 'not be fearful of offending in case you get the sack, but to recognise your value and not look back', and to always 'keep your hearts full, girls, keep our hearts full'. This song will forever stay in my heart and mind, as will Helen's singing of it, and the encouragement of women she met through doing so will continue to spur us on.

We often rightly say that we want someone to rest in peace. I suspect that Helen will rest easy, as she should, but will always be urging us not to rest but to continue her legacy however we can. Again, to Heather and to all of Helen's family, so very much love to you. We will, indeed, not rest. And to Helen, to quote a beautiful Irish blessing:

May the road rise up to meet you,

May the wind be always at your back.

May the sun shine warm upon your face,

The rains fall soft upon your fields.

And until we meet again,

May God hold you in the palm of his hand.

Mr TEAGUE (Heysen) (11:20): I rise to commend, endorse and support the motion and acknowledge the contribution of the minister just now, capturing the nature and spirit of Helen and in expressing a solidarity with Helen's work and what is ahead since her passing. I think this motion, coming as it does now some months after Helen's passing, shows that Helen's legacy is a towering one that is alive and well and that will continue to be a powerful force throughout the state of South Australia. Indeed, I expect Helen's pioneering example will set an example far and wide for a long time to come.

I am very glad to hear that Heather might be watching from Sydney. Heather was very straightforward about how, when you honour the legacy of someone like Helen, it is not all sort of bound up in solemnity and, as it were, the calm and reverence, it is also acknowledging that Helen was a powerful force. Indeed, she was a demanding character including, particularly, in terms of the demands that she placed on Heather to get on and continue the work. I acknowledge Heather today and I hope that the occasion of this parliament debating the motion now, as it does, is something that Heather and the rest of the family can take some real joy from.

We support the motion to pay respect, to offer condolences and at this time, particularly, to pay tribute to Helen. I will say a bit more about The Place of Courage in particular, her founding of Spirit of Woman.

I reflect again, as I did in a contribution on 27 August this year, just a couple of weeks after the memorial service at South Adelaide footy club on 2 August, that the outpouring from community was there for all to see on that day. I know those of us who were fortunate to be able to be there saw the formalities of that occasion flowing into—I still do not know when it might have ended—just one after the other, people stepping up and having something to say about Helen as the afternoon went on. Hundreds of people gathered on that special occasion happening in the days following Helen's passing on 23 July this year.

One thing that I just reflect on in particular about those tributes to Helen at the memorial service that is particularly personal and moving to me is that it was not only that people were coming up and saying how they knew Helen or shared something of Helen's life but there were so many who were moved to talk, sometimes for the first time publicly, about their own experience of the suffering of violence and in ways that you would not have expected it to be at all.

A dear friend of mine was among them. He told me later. I said, 'I had no clue.' I spent a decade with him through our adolescence. He said, 'Yes, it's the first time that I have said a word about the life that I had as a child and the experience of violence.' So it should not just be assumed that there are the Helens out there who then lead to shelter being there, and of course that is there, and then there is support, and then there are things we can talk about. But we are still in an environment of domestic and sexual violence where it is not talked about. There are still cultural and social norms and challenges to get past. So that day was particularly moving and I think reminds us that there is so much more to do.

Go back 50 years to the seventies and Helen's adopted home in the southern suburbs and the establishment of that first shelter, and you are there in an environment, which Helen described, where you would have fathers of adolescent girls who would want to give Helen the rounds of the kitchen, saying, 'Where's my daughter? She'll be coming right back home right now,' and Helen would say, 'No, she's not, she's cared for here,' and the standing up to those social norms were many times over difficult and challenging circumstances that Helen confronted.

Of course, let's also remember that it was not until her 20s that Helen moves to Australia. She very much grows up in Cork, Ireland, and comes over and raises a family in the southern suburbs of Adelaide, and it is as a woman in her 40s that she has an opportunity to study at Flinders Uni and then put into practice these values of practical assistance for women. We then see a life led right through her middle age and into her old age leading the way in support for women and, as the minister has said, starting out and very much remaining at home base in and around Christies Beach and the southern suburbs.

I note, as I did in remarks back in August, that The Place of Courage—and, again, a word to Heather—was very much a key project of Helen's in recent years and something that she continued to pester Heather about all the way to the end and has passed on that task to her. I am proud, as I have referred to before, of the Marshall Liberal government's contribution of $200,000 towards the establishment of that Place of Courage, and we know that there is more that is needed to do there to support the Spirit of Woman and in so many ways to carry on that important work. So we say, once again, vale Helen Oxenham OAM.

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services, Minister for Seniors and Ageing Well) (11:29): I support wholeheartedly the motion paying respect to the wonderful, the beautiful Helen Oxenham and thank my friend the Minister for Child Protection but importantly the

Minister for Women and the Prevention of Domestic, Family and Sexual Violence for bringing this motion to the house and also for her relentless pursuit to ensure that the memory of Helen and the work of Heather will absolutely continue, and has continued, because she does not stop with this. This is absolutely a mission that is shared amongst all of us, not just the women in this team—although we have a lot of them—but the entire team here.

I remember Helen as formidable, a domestic violence advocate, a pioneer, a leader but importantly a friend, a friend to all of us. I am unashamedly south for life. My postcode has always been 5162, neighbouring suburb to Christies Beach. I grew up in that area.

While I was first lucky enough to meet Helen as part of some work in the south around violence prevention following the loss of my son, there were round tables that were formed around that work going back now around 14 years ago that I was lucky enough to be part of. I was seated next to this woman who I thought was the most incredible, powerful but quiet person who only said things when it mattered to make it count. I thought: 'Who is this?' I had never met her before. Sitting listening, I unpacked the story and I realised who, in fact, she was. She was the legend that was Helen Oxenham.

She shared how to and why we were activists, why and how to be determined and why and how we could display stoicism in the face of adversity. She did this through very few words; she just knew how to target them.

I knew of Helen. She is very well known as having established the first domestic violence shelter in the south known as number 73—this was in the seventies in Christies Beach—along with the equally formidable Peggy Robinson, Josie Harvie and Connie Fraser. What warriors, what lobbyists for awareness and services, but equally I know Helen was determined that prevention come to the surface and be as important or more important than other things in this space.

Their story goes that after only recently immigrating from Ireland, she already became quite notorious with the police as such. There is a quote that says:

> If a husband came looking for his wife, they would tell him: 'Go down to number 73 Beach Road [because] there's a mad Irishwoman down there [and] she's bound to be behind it.'

Well, behind it she was. I know that woman who set up number 73 formed a collective of hope and safety for so many women in the area, with the door always open, always there for safety, for support and for refuge for children and women fleeing violence, sometimes up to 20 at a time in a four-bedroom house to provide that protection and safety. Helen would stand up to people five times her size to protect those seeking shelter.

Without giving too much detail, I know very personally somebody whose life has absolutely been saved because of Helen and because of her stoicism and her absolute determination to protect. I did not know why my friend used to disappear quite regularly until I was a much older adult. She showed me what I think at the time was Flagstaff Electrical. Twenty years before it had been the haven for where she and her mother and little brothers were protected.

So that legend is fact and that fact is important. While it is no longer a shelter, the legacy of Helen Oxenham will continue. It continues across other shelters in the south, which many of us have visited and many of us show our support for as much as we absolutely can, and the work of domestic violence organisations across South Australia is because of this determination.

Helen was bestowed the Key to the City of Onkaparinga. One of the highest honours you can get is the key to a city, and I know Helen absolutely took joy in that. While I could not be at that ceremony, it was an absolute privilege to be with my friend the member for Reynell and the member for Kaurna, to be able to congratulate her and thank Mayor Moira Were on doing that beautiful honour.

To Heather and the family, thank you for sharing your mum, thank you for sharing your nanna, thank you for sharing your aunty. All of you have served South Australia with the biggest privilege that can be bestowed, and that is the love and strength of a woman like Helen Oxenham who will remain in history as one of the pioneers, one of the absolute warriors. We will see this in the Spirit of Woman, we will see this in the ripples, we will be able to sit and reflect and contemplate and

send others to those places to reaffirm their determination that everyone in our community should be and will be safe.

Helen, it is because of strong tenacious women like you that we are. So I thank you and say rest in power, Helen Oxenham.

Ms THOMPSON (Davenport) (11:37): I, too, rise to speak about this beautiful woman. I first met Helen Oxenham shortly after becoming Mayor of the City of Onkaparinga and a representative for women in the south. Having been fortunate to not have personally experienced domestic violence in my life, but wanting to be a voice for those in my community who had, I was privileged to have Helen guide me in my advocacy. She generously shared her stories with me—many of those we have heard today from the members of Reynell, Hurtle Vale and Heysen—and she really showed me the way in this space, which I was extremely grateful for.

Helen was a tireless advocate for domestic violence survivors, dedicating over 40 years of her life to creating safe spaces for women in need. Beginning her work in the 1970s, Helen played a pivotal role in establishing South Australia's first women's shelter at Christies Beach, which became a lifeline for countless women escaping violence. Her unwavering commitment and vision helped transform how we support those affected by domestic violence.

Helen's efforts did not stop at providing immediate refuge. She believed deeply in the power of healing and community reflection. Her vision for The Place of Courage, public art projects at Christies Beach, and now Adelaide too, stand as a testament to her commitment. It serves as a place for the community to remember, heal and raise awareness about the devastating impacts of domestic violence.

Helen's legacy is not just in her work but in her spirit. She has inspired many with her favourite song *Don't Be Too Polite, Girls*, which she sang at every opportunity. Its message of standing up, being heard and never backing down from the fight against injustice reflected Helen's own life. She embodied resilience, always encouraging others to push forward in the face of adversity.

Today, we also acknowledge Helen's family and supporters who have stood alongside her every step of the way. They, too, are deeply committed advocates, carrying forward her passion for preventing violence. Your dedication ensures that the work Helen began continues to grow, creating a safer future for all.

Today, I honour not only Helen's memory but the collective strength of those she inspired, who I know will continue this vital work in her name. Helen's work, her song and her spirit will continue to inspire us. We honour her memory by continuing her fight and ensuring that the spaces she created for reflection, safety and healing remain a beacon of hope for survivors. Vale Helen Oxenham.

S.E. ANDREWS (Gibson) (11:40): I rise to support this important motion. I would like to pay my respects to Helen Oxenham OAM and offer condolences to her family and the many others who loved her, including many of my colleagues. I would also like to acknowledge her daughter Heather. It was always so beautiful to see the two of you together. Your love and your strength shone through, and I offer you my deepest sympathies.

I would like to thank my good friend the member for Reynell for moving this motion for this strong, visionary and determined woman. Helen Oxenham's contribution to South Australia, particularly women and predominantly those escaping violence, is unmatched. Helen, together with other incredible women, worked to establish and sustain one of the first women's shelters in our state at Christies Beach. We know the crucial work that women's shelters and domestic and family violence services play in our state, and we can trace so much of this back to the work of Helen.

Born in Cork, Ireland, Helen was the second eldest of six, growing up in corporation housing in Dublin, where she and her family were subjected to horrific domestic violence by her father. Helen married a much gentler man and they emigrated to Australia in the late fifties. Over the next decade, Helen met a range of people who had intimate experience with domestic violence, and this sparked a fire in her to help. Helen, being the pioneer she was, cleared out a room in the back of her shop, broke down a window and made it a door. This building became the first drop-in centre for women seeking refuge.

The local community rallied around the six women, including Helen, who wanted a safe place, safe from men, and in 1977 the first women's shelter was opened. Helen's shelter was followed by women's shelters in Elizabeth, Adelaide, Port Adelaide, Port Augusta and Whyalla. Helen spent decades raising money to offer a safe haven to hundreds of women and children in South Australia. She was an incredible advocate and dedicated her life to supporting women and children experiencing family and domestic violence.

Helen also founded Spirit of Woman, a not-for-profit organisation seeking to change the discourse on domestic and family violence by creating The Place of Courage. These spaces are designed to be a place for grieving, a place of healing and a place for moving forward. They are a strategy to reduce the long-term impact of domestic and family violence on individuals and help prevent its occurrence in the community. Spirit of Woman describes The Place of Courage as a revolutionary and inclusive space which is a powerful public reminder and acknowledgement of the horrific damage caused by domestic and family violence in our communities.

I would like to finish by commending Helen's daughter, Heather, for continuing this work. I encourage all members of this place and in our community to also continue Helen's work, remembering and honouring those lost to domestic and family violence while generating awareness and enabling crucial conversations about the role we can all play to help eradicate this. We must end domestic, family and sexual violence, and while we are achieving that, we must also all support those who survive along the way. Vale Helen.

Ms CLANCY (Elder) (11:43): I would like to begin by thanking the member for Reynell for bringing this motion to the house. I also thank the member for Reynell for first introducing me to Helen. I am pretty sure, if I remember correctly, that the words were, 'Oh, Helen Oxenham! She's a bloody legend!' and she was right, as always. Helen was incredible.

I was so pleased to meet her that day and I was always really happy whenever our paths crossed again, whether it was when I was working for Women's Safety Services or when I actually knocked on her door during the election campaign and was welcomed in for a cup of tea, which I normally do not accept, and a chat, which was lovely. I have loved seeing her since then, since being elected as the member for Elder.

She was always incredibly generous with her time, kind and very, very funny. I think the word trailblazer gets used a fair bit, but she was a real one. She was a true trailblazer. She was an absolute champion. She took her pain and experience and put that energy into action and care for others. I am so grateful she chose to do that, and I am sure there are hundreds of women, children and families who are also really grateful to her for that.

I also want to thank her family and loved ones, who have continued her legacy, especially her daughter, Heather. I want to thank Heather for giving a number of us the opportunity to say our farewells to Helen as well. Thank you for that. Vale Helen. Wherever you may be, I hope you are dancing.

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence, Minister for Recreation, Sport and Racing) (11:46): From the way people have brought that sense of Helen and her beautiful heart through their words to this place, I feel her around us. Again, I have no doubt that she is encouraging us to relentlessly continue and to have some fun and always love and care for each other along the way.

Can I just say thank you so much to everybody who has spoken today. To the member for Heysen, and the member for Hurtle Vale, the member for Davenport, the member for Gibson and the member for Elder—incredible women, beautiful friends—thank you to all of you for absolutely bringing the essence of Helen to life through your words and for sharing those lovely memories of how Helen touched all of our lives and the lives of so many people and, I think through all of our words, collectively committing through them to continue on.

Love again to Heather and to all of her family, and so much gratitude to everybody for sharing today. It has been really lovely to listen and feel those words and feel the woman they were for.

Motion carried.

KANYINI MISSION

Mr WHETSTONE (Chaffey) (11:48): By leave, on behalf of the member for Morphett, I move:

That this house—

(a) acknowledges that in an Australian first, the South Australian owned and manufactured satellite Kanyini was successfully launched into space on 17 August 2024;

(b) congratulates the entire Kanyini team that worked over the last three years to ensure the successful deployment of Kanyini, including South Australian companies SmartSat CRC, Inovor Technologies and Myriota, based at Lot Fourteen;

(c) acknowledges that the former Liberal government established Lot Fourteen, located on the old Royal Adelaide Hospital site, into a hub of technology space, innovation and entrepreneurship to encourage projects such as Kanyini;

(d) recognises that Lot Fourteen is host to Australia's national Space Agency;

(e) acknowledges that the Kanyini mission is a giant leap for South Australia's space sector and is an initiative funded by the former Liberal government;

(f) notes that Kanyini will enhance Australia's sovereign capabilities in space by providing critical space data and help inspire South Australians to have a career in the space industry; and

(g) condemns the federal Labor government for defunding programs targeted to support Australia's space industry, such as the $1.2 billion National Space Mission Earth Observation.

All eyes were on the SpaceX rocket mission at Vandenberg Air Force Base in California in the USA on the morning of 17 August. I will note that I was at Hawthorne in California just two weeks prior to the launch of the Kanyini satellite and there was quite an exciting feeling around that there was an Australian first, but it was also me understanding what the Falcon 9 rockets do as a propulsion unit to take low orbiting satellites into space.

On board amongst many other satellites being launched was the South Australian-built satellite Kanyini. As the flight controller did the classic countdown from 10 all the way down to one, no doubt everyone involved in the Kanyini project held their breath. Finally, the flight controller announced, 'Ignition. Lift off Falcon 9. Go Transporter-11,' and Kanyini's journey was launched into space.

As the Falcon 9 rocket reached low Earth orbit, it began deploying the satellites on board. Kanyini was in the first batch of satellites being released and, again, the flight controller announced matter-of-factly, 'Kanyini deploy confirmed,' heralding a successful launch of Australia's first state government-funded satellite that was developed and manufactured here in South Australia. It also marked the fruition of over 3½ years of intense work by everyone involved in the project.

South Australia has a proud history in the era of space from the late 1950s, when Weapons Research Establishment commenced the Skylark upper atmosphere sounding program at the Woomera rocket range. This included the launch in November 1967 of the Weapons Research Establishment satellite (WRESAT), making Australia one of the first nations to launch a satellite. It is fantastic that more than 50 years later South Australia is again leading the way in Australia's space industry.

The Kanyini project got underway in January 2021 when former Premier Steven Marshall announced that his Liberal government was providing $6.5 million for a groundbreaking South Australian space mission. Under a partnership with the South Australian space industry, a small satellite was to be manufactured here in South Australia and launched into a low Earth orbit. The space mission was initially known as SASAT1.

While space seems far away, it is about making our life here on Earth better. The information gathered by the satellite will help to improve state services and provide vital data for everyday South Australians, such as assisting farmers to monitor water levels and more accurately predict future crop yields, or offering emergency service personnel greater oversight to monitor, manage and even mitigate emergencies like bushfires.

The mission was also about boosting South Australia's space economy by strengthening the competitiveness of South Australian businesses in the small satellite supply chain. This will pave the way for external investment and further growth in Australia and abroad. One of the big opportunities will be from the Department of Defence and the Australian government space and defence-related projects.

At the time of the announcement, the Minister for Trade and Investment and I stated that the space mission will 'build on South Australia's strong starting position in the NewSpace economy'. We went on to say, 'We are also pleased to partner with the local space industry on a project that will drive growth, foster innovation and make us competitive on the world stage.'

The space mission was overseen by the SmartSat Cooperative Research Centre, which led the mission and application prototyping. SmartSat CRC is led by Chief Executive, Professor Andy Koronios, and the Kanyini Mission Director, Peter Nikoloff, with Adelaide-based satellite manufacturing company, Inovor Technologies, designing and building the satellite, and the South Australian space company, Myriota, contracted for the Internet of Things space services.

This announcement was made at Lot Fourteen which, of course, is where the three mentioned organisations are all based, but it is also home of the Australian Space Agency. Lot Fourteen, in a short time, has become an engine room of growth for the South Australian economy based on technology, space, innovation and entrepreneurship. It is home to over 150 organisations, with over 1,500 people working there.

Where the transformation kicked off materially was in work done by the former Premier who recognised the opportunities in having an innovation district on the site, but it would need key pillars that played to the state's strengths and also the future economic opportunities in which South Australia could compete internationally and attract investment to our state. One of those opportunities was in the space industry.

Australia was one of the last OECD nations to establish a space agency and the temptation was to have it based in Canberra where it would become bureaucratic. Federal Labor wanted it in Canberra; however, the space industry is changing rapidly and being driven now by business rather than traditional governments. The minister was excited to be present at Lot Fourteen in December 2018 when Prime Minister Scott Morrison and the Premier announced that the national Space Agency was going to based here in Adelaide in Lot Fourteen, and the announcement certainly excited many.

Securing the Australian Space Agency headquarters in Adelaide was a once-in-a-lifetime opportunity that has positioned South Australia as a key player in our nation's space industry. The decision to make South Australia home of the Australian Space Agency can be largely attributed to our vibrant and entrepreneurial space ecosystem, nurtured by the former Liberal government, and maybe Andy Thomas played a role in it too.

One aspect of this is the closely aligned $6 million Mission Control Centre to be co-located with the Australian Space Agency at Lot Fourteen. The Mission Control Centre is a focal point for space missions in Australia and will serve to accelerate the growth of the critically important space sector. It provides the facilities for space startups, companies and researchers to control small satellite missions, enabling real-time control and testing, and the accelerated development of Australian satellite technology.

The centre is run by Saber Astronautics, and space companies at Lot Fourteen such as the SmartSat Cooperative Research Centre, Myriota, Inovor, Neumann Space, Fleet Space Technologies, Space Machines Company, and Southern Launch. These companies cover the spectrum of the space industry through design, manufacture, testing and mission control, and allow for a project such as Kanyini to be possible here from South Australia.

Also at Lot Fourteen is the Space Discovery Centre. In conjunction with this, a further $6 million has been provided for a new Space Discovery Centre and it will provide science, technology, engineering and mathematics (commonly known at STEM) education, engagement and inspiration for our young Australians. One of the aims of the Kanyini mission was that the satellite will allow South Australian school students to view firsthand the vital information we gain from

satellites right here in our very own backyard, hopefully getting our next generation excited about what a career in space could mean for them.

The Kanyini naming competition initiative was something of a first. The first step was to run a competition amongst schools to name the space mission—rather than the clinical SASAT1—and 57 primary and secondary schools from across regional and metro South Australia answered the challenge to name the SASAT1 Space Services Mission satellite. The winning name, Kanyini, was submitted by year 11 students from Findon High School's Reconciliation Action Plan group. Kanyini is a Pitjantjatjara word that describes the principle of responsibility and unconditional love for all of creation. In their submission, the students were inspired by the connection of Kanyini to how the satellite data would be used to tackle real-world problems.

The Kanyini satellite itself took 3½ years of design and building at Lot Fourteen. A six-unit cube satellite about the size of a cereal packet and weighing only 12 kilograms, Kanyini will be positioned in low orbit about 500 kilometres above the earth. One project will create heat maps of surface temperatures across Adelaide and some regional areas and analyse how this can enable better planning and responses to heatwaves. The second project will use Kanyini's hyperspectral imagery combined with AI-based analytics to monitor native vegetation cover and crop health, focusing on Kangaroo Island and the northern pastoral region.

Inovor Technologies did not just import its components; rather, they designed and built the satellite from the ground up. Inovor Technologies also created a custom satellite bus, dubbed Apogee, after years of development. The satellite platform comprises power, telemetry, pointing and mission control systems, all packaged in a lightweight structure. Built printed circuit boards demonstrate Myriota's leading work in the Internet of Things and space services.

Once built, the satellite had to undergo rigorous processes pre launch, ranging from environmental stress screening to a full system integration review. This process was a great way to build the capacity of the Australian space industry and advance the local expertise within the sector. This process is also part of establishing space flight heritage. It allows these companies to then be involved in future space defence projects.

State and federal Liberal governments each allocated $20 million towards the establishment of the Australian Space Park in Adelaide, a dedicated satellite manufacturing facility that partnered with private industry. Federal space cuts have really affected the advancement of the space industry. While the $6½ million investment into the space industry was moving at pace, building sovereign capability, the federal Labor government were taking the opposite approach by axing important space programs.

The Albanese Labor government slashed nearly $80 million in programs targeted to support Australia's space industry. The cuts included the Moon to Mars Supply Chain Capability Improvement Grants. This program was aimed at helping small and medium space organisations to be part of the supply chain for NASA's plans to go to the moon and to Mars after that. The Albanese government also cancelled a $30 million program designed to support faster access to space flight by Australian companies developing new technology.

This will directly affect South Australian companies that are looking to put their satellites into space and develop space heritage. Without this space heritage, when they look to bid for some of the upcoming defence space programs they will have no proof to show that they can put satellites into space when competing against overseas companies. Also axed was $32½ million allocated to support the development of Australian spaceports. Here in South Australia, we have Southern Launch. I will continue my remarks, but I must say it is disappointing that this funding has been cut.

Time expired.

Mr ODENWALDER (Elizabeth) (12:03): I welcome the motion from the member for Morphett, but I seek to amend it as follows:

That this house—

(a) recognises the significant contribution the space industry makes to our state and our economy;

(b) acknowledges that in an Australian first, the South Australian owned and manufactured satellite Kanyini was successfully launched into space on 17 August 2024;

(c) congratulates the entire Kanyini team that worked over the last three years to ensure the successful deployment of Kanyini, including South Australian companies SmartSat CRC, Inovor Technologies and Myriota, based at Lot Fourteen;

(d) acknowledges that the former Liberal government established Lot Fourteen, located on the old Royal Adelaide Hospital site, into a hub of technology space, innovation and entrepreneurship to encourage projects such as Kanyini;

(e) recognises that Lot Fourteen is host to Australia's national Space Agency;

(f) acknowledges that the Kanyini mission is a giant leap for South Australia's space sector and is an initiative funded by the former Liberal government;

(g) notes that Kanyini will enhance Australia's sovereign capabilities in space by providing critical space data and help inspire South Australians to have a career in the space industry; and

(h) recognises that the South Australian government is committed to the continued development of the space ecosystem and our evolving contribution to our nation's sovereign space capability.

In moving this amendment, I want to emphasise that we are retaining the bipartisan nature of some of this motion that acknowledges that the former Liberal government established Lot Fourteen, located on the old Royal Adelaide Hospital site, into a hub of technology, space innovation and entrepreneurship to encourage projects such as Kanyini, but we amend it largely to reflect the importance of the space industry generally to our state and the South Australian government's commitment to the continued development of the space ecosystem in this state.

The launch of Kanyini is a significant milestone and a pivotal step forward for South Australia's space sector, setting us up for further success on a global stage. We are all on this side of the house excited for Kanyini to unlock more opportunities for research and development of innovative, sovereign Australian space technologies. This project will also inspire talented Australians to pursue a career in the space industry as engineers and future space leaders.

The Kanyini mission is a collaboration between the SA government, the SmartSat Cooperative Research Centre as mission lead, Adelaide-based commercial satellite manufacturer Inovor Technologies, and global provider Myriota. The South Australian government, through the South Australian Space Industry Centre, has contributed $6.575 million over five years, and that funding commenced in March 2021.

The South Australian owned and manufactured satellite successfully launched on 17 August 2024 onboard SpaceX Transporter-11 mission from the United States, the first state government-funded satellite in the nation. Steady communications have been established from launch day, ensuring a command and data handling process that exceeds industry standard. The next step is to officially start the commissioning of the satellite.

Once fully commissioned, Kanyini will deliver critical space data for use by government and research institutions, particularly in the areas of sustainability and climate impacts. The research initiatives to be undertaken by Kanyini include bushfire detection, with technology that can detect fires from space 500 times faster than traditional processing. The satellite will support a program led by the South Australian Department for Environment and Water and Greening Adelaide to sense urban heat islands in the state. In collaboration with the Department for Environment and Water and the Department of Primary Industries and Regions SA, the satellite will provide a project to pilot new approaches to land use in South Australia.

Focusing on Kangaroo Island and the northern pastoral region, Kanyini's hyperspectral imagery combined with AI-based analytics aims to deliver improved understandings of South Australian native vegetation communities and key species important for carbon sequestration. Data collected by Kanyini will also be used to develop robust and trustworthy predictive AI capabilities that can accurately predict natural disaster events such as landslides and flooding, being led by the Queensland University of Technology and the European Space Agency Phi-lab.

The launch of Kanyini, as I said, is a significant milestone and pivotal step forward for South Australia's space sector. The other part of the amendment of the motion points to the space industry generally, and the South Australian government has significant achievements so far. The South

Australian government's funding and support for the space industry amounts to $33 million over four years to support and expand local space industry, helping to attract, grow and retain space companies in South Australia. It includes $6.4 million over the forward estimates to ensure the growth of the space industry, and $20 million towards a space common user facility, which will drive capability and collaboration among local space manufacturers.

This funding has focused on growing startups and SMEs developing products and services involving space technology, providing tailored support, mentoring and access to research networks and resources. Funding is also focused on building a specialised workforce through outreach, educational and inspirational activities, including continued support of the Andy Thomas Space Foundation and working with universities.

Space is an enabler of critical technologies in the national interest, and the South Australian government is committed to investing in programs that develop and grow innovative ideas and space technologies. One of these initiatives is the Space Collaboration and Innovation Fund, which is an investment-focused grant scheme intended to drive the growth of South Australia's space sector through industry ingenuity and international partnerships. The first round 2 grants of up to $100,000 have been awarded. In round 2, which opens on 30 October, one project will receive $320,000, which is a significant boost from the inaugural round.

Other South Australian government support for the space industry includes Plants for Space at the Australian Research Council Centre of Excellence, a project which I believe includes a former government whip from this place, who is doing excellent work at Plants for Space in Lot Fourteen.

For Paladin Space Pty Ltd, the Treasurer's grant of $100,000 pursuant to a grant deed on 6 September contributed to Paladin's development of a minimum viable prototype of a space debris removal container and testing of the physical architecture of the container in a lab demonstration. The project includes producing an algorithm to image, characterise and capture mock space debris.

The space industry, with the support of the current state government, the Malinauskas Labor government, is going ahead in leaps and bounds. The amendment to this motion reflects the fact that the space industry is an industry which we believe is important and will only grow in the future and contribute to our state and national prosperity, and importantly retains the acknowledgement that the former Liberal government set up Lot Fourteen and helped to cement in the space industry in this state. With those words, I commend the amended motion to the house.

Ms PRATT (Frome) (12:10): As is obvious, I rise to speak to this motion and in fact support and endorse the original motion as brought to this chamber by the member for Morphett. I take this initial opportunity to commend him for his own work and advocacy in bringing and maintaining attention on this very important sector, noting that the government is seeking to amend the original motion. I do not disagree with their approach to part (a), noting that this chamber:

(a) recognise the significant contribution the space industry makes to our state and our economy.

I cannot imagine anyone in this chamber does not agree with that sentiment.

In rising to support the motion brought by the member for Morphett, we acknowledge that in an Australian first the South Australian owned and manufactured satellite, Kanyini, was successfully launched into space on 17 August 2024. I note from the member for Chaffey's contribution that 'Kanyini' is in fact a First Nations word that captures the meaning of unconditional love for all creation. I think this expands our imagination to appreciate the enormity of what this satellite's capability is going to see and to be.

Kanyini was successfully launched into space on a SpaceX rocket from Vandenberg Space Force Base in California. This satellite, which was manufactured by SmartSat CRC, Inovor Technologies and Myriota, marks South Australia's growing space capabilities. Kanyini will deliver critical space data for government and research institutions, particularly in sustainability and climate impacts. The satellite will also support a program to sense urban heat islands in the state.

The data that I imagine is going to be captured and reported back, either about those heat islands in our metro areas or data that is going to guide our knowledge about sustainable practices and climate impacts, always has that translation back to our farming sector, our primary industry

sector. The innovation from space and defence and its translation to agtech is a game changer, particularly in a year like this where drought has hit farmers hard. Their comments to me were that '20 years ago we wouldn't have got anything from our paddocks, our soil, but we know so much more now'. I say that is a credit to the agtech and advancements in farming practice.

Data is going to be collected and used to develop predictive AI capabilities for natural disaster events. The launch of Kanyini is seen as a pivotal step forward for South Australia's space sector, paving the way for further success on a global stage. The success of the mission is a testament to the collaborative efforts of the Kanyini team and the South Australian governments.

On 20 March this year I was very fortunate to attend the 2024 Australian Rover Challenge that took place out at Roseworthy campus in my electorate of Frome. I also had the honour of participating on that day in the opening of the EXTERRES Analogue Facility at the Roseworthy campus.

The University of Adelaide and the Andy Thomas Centre for Space Resources hosted the 2024 Australian Rover Challenge and, as I said, we saw the launch of the EXTERRES facility. This very popular annual robotics competition, the Mars rover challenge, led by the ATCSR, involved 14 teams and over 400 students from Australia, India, Poland, Bangladesh and Turkey. The event celebrated the university's 150th anniversary and aimed to foster the next generation in space leaders. University students from across the globe that day battled it out in a full-scale lunar mission, using semi-autonomous rovers that they designed and built themselves.

EXTERRES, as a site, is landscaped to simulate the undulating, crater-marked and rocky outcrop surface of the moon and Mars, and it includes three zones:

- a simulated surface for rover activities and testing of remote sensing technologies;
- a designated site prep area for foundational infrastructure activities; and
- a construction area for post-prep activities, such as building landing pads, roads, structures and other key infrastructure.

On the day, I had the pleasure of meeting with Dr Catherine Grace from Defence SA, Dara Williams from the Australian Space Agency, and Dr Amelia Grieg from Blue Origin. I also had the special pleasure of speaking and meeting with Associate Professor John Culton, who is the Director of the Andy Thomas Centre for Space Resources. What was involved was a walk-through of the facility, both indoor and out. To paint a picture: imagine the university students moving their Mars rover vehicles around and, internally, a multilevel facility that is more of a lab.

By launching EXTERRES—this 4,000 square metre purpose-built facility, complete with a mission control and a rover workshop—it is clear that this multipurpose lab will provide both researchers and industry, across a range of sectors, including space, defence and aquaculture, with a site to conduct activities such as the testing and evaluation of full-scale remote and autonomous technologies.

By now, this chamber, and hopefully South Australians, will be very familiar with the name of Katherine Bennell-Pegg. She is an astronaut and the Director of Space Technology at the Australian Space Agency. Most excitingly for anyone tracking her progress and her stellar career (literally), this year she became the first qualified astronaut under the Australian flag and also the first female Australian astronaut. She is to be commended for those efforts. She is the future of space exploration for our nation and an important figure for young Australians who aspire to work across the breadth of the space sector.

Ongoing investment in the space sector cannot be overstated for sovereign capabilities to deliver authentic, trusted data that, if for no other reason, can support our capacity—our state's capacity—to farm, to improve yield and therefore to feed ourselves. It is essential that we take seriously the advances being made in innovation and entrepreneurship to encourage projects such as Kanyini.

The Kanyini Mission is a giant leap for South Australia's space sector, and it is an initiative funded by the former Liberal government. I commend the motion.

Mr WHETSTONE (Chaffey) (12:18): In conclusion, I want to thank the speakers who have contributed to this very important motion, because it really does highlight where space and low-orbiting satellites will play a role. I think Kanyini's launch signifies a pivotal moment for the South Australian space sector.

Congratulations must go to everyone involved in the entire Kanyini team, which worked over the last three years to ensure the successful deployment of Kanyini: the Kanyini Mission Director from SmartSat Collaborative Research Centre, Peter Nikoloff; South Australian company SmartSat CRC, led by Andy Koronios; Inovor Technologies, led by Matt Tetlow; and Myriota, led by Chief Technology Officer and co-founder, Mr David Haley. Congratulations go also to Nicola Sasanelli and SASIC: they are able to spell out the vision for what a state-designed, state-manufactured and state-funded satellite could provide to South Australia.

Congratulations to former Premier Steven Marshall on backing in this vision and providing the initial $6.5 million of funding for Kanyini. Kanyini has successfully built the capability of the Australian space industry and advanced local expertise within the sector. The low-orbiting satellite industry will change the world as we see it today. Watch this space.

Amendment carried; motion as amended carried.

BIOSECURITY

Mr WHETSTONE (Chaffey) (12:20): I move:

That this house—

(a) notes the imperative importance of world-leading biosecurity measures for food and fibre security in South Australia with trade and exports;

(b) recognises that a whole-of-sector and state approach to biosecurity is crucial to the health and safety of our natural landscape and primary production; and

(c) acknowledges that South Australia's $18.5 billion agriculture, horticulture, fishing and forestry industries are best served by the management and eradication of invasive species.

An $18.5 billion primary industry sector is under attack now, more than ever. We have major biosecurity issues that have threatened South Australian producers, particularly over the last two years, under this current government's watch. We see varroa mite, and we are dealing with Queensland fruit fly, foot-and-mouth disease, avian influenza and tomato virus, most recently. The spring weather is sweeping in, and those threats hit harder and are more difficult to manage.

Primary industries, food and agribusiness exports are worth $8.8 billion, and that accounts for 51 per cent of all South Australian merchandise exports. South Australia is a fierce competitor on the global exports stage, highly regarded for quality, premium export goods, but that reputation is seriously at risk. We currently see the varroa mite, one of the most serious global pests of honey bees. Australia was the only honey bee industry free of varroa mite until it was detected in New South Wales in 2022 and the federal government announced the transition from eradication to management. It is difficult, it is expensive and it has put a serious burden on South Australian beekeepers.

South Australia has more than 2,000 registered beekeepers, an industry worth $1.3 billion to the horticulture sector, and 85 per cent of that horticulture pollination service relies on those bees being disease free. Chaffey, the region I represent, is one of the premium food bowls of South Australia, and the pollination services rely on many of the commodities: citrus, stone fruit, almonds and many vegetables. The native landscape also relies on those pollination services. The almond industry has been dependent on the apiary industry for many, many decades. It is a billion-dollar industry and growing, and the industry is now providing serious buoyancy to the state's economy.

Almond growers pour millions into combating varroa mite and will continue to monitor and manage. Industry hires 60,000 to 70,000 hives at a time, and those pollination services traditionally are being used for pollination to increase crop and the health of that billion-dollar industry. But what I must say is that at $200 a hive it is a $14 million up-front cost before a single almond is picked, before a single tree is pollinated. The varroa mite has been an impending risk since mid-2022, but

the management plan consultation has only opened in August of this year and closed last month. The YourSAy website does not even say that the consultation is under review yet.

The varroa incursion detected in Nangiloc near Mildura earlier this year is only a matter of kilometres from the South Australian border, which could then impact on small or large almond communities. Lindsay Point and much of the Riverland will see that pressure put on their borders. Sadly, I would say that the minister has been very slow to act, and there have been no additional resources and no additional surveillance. It has been painfully slow to consult with the industry and it has taken little action.

What I would call on the government to do now is to get really serious, take responsibility and act. We are approaching the upcoming almond season, and if we do see the varroa mite lock into our industry we will see losses of many, many tens of millions of dollars, and that will put the industry on the line. Far-reaching impacts on pollination-dependent industries, not just almonds, will see a serious decline in the state's economy.

South Australia has had serious pressure put on it through the Queensland fruit fly in the commercial production areas, particularly in the Riverland, but we have also seen Mediterranean fruit fly, which graced our doorsteps in metropolitan Adelaide. Many of the local residents here in Adelaide saw the burden that was put on them, and the responsibility that was put on them, to be responsible tree custodians and fruit tree managers.

What we saw was that people rallied. The government came in behind them and we saw the eradication of the Medfly, but sadly the Qfly, the Queensland fruit fly, is still upon us. It is still in our backyards in the Riverland. It is still in our commercial orchards and that is having a serious impact on that economy.

It is costing growers a significant amount of money not only to eradicate it but also for the impending treatment of that fruit, which reduces quality and shelf life and also reduces our credibility with our reputation of being fruit fly free. I would like everyone to say that in their head very quickly three times: 'fruit fly free'. If you can say it without twisting your tongue, you are doing pretty well.

Sadly, the 54 outbreaks in the Riverland are costing the regional economy dearly. Previously, that zero tolerance was enforced. I, as the minister of the day, put a zero tolerance in place. That was enforcing fines for bringing fruit into South Australia and it really did change the landscape of the many, many tonnes of fruit that were being confiscated at our border points. That has now been significantly reduced.

But we have to continue to work hard. The Queensland fruit fly is one of the world's most invasive pests and it continues to wreak havoc here in South Australia. There are now more outbreaks than ever. It really does show that we have to be vigilant. I am calling on landowners, whether they have a backyard fruit tree or whether they are a commercial fruit grower. We all must combat this together. It is all about not looking over the fence and saying, 'She'll be right. Someone else will do it.' It must be a team effort. It must be a state effort in this eradication program.

These properties being accessed by the liaison and fruit fly officers is starting to test people's patience. I am also asking the minister, whom I have met with on this a number of times, to have a review of the way that we are managing those entry points to properties, into people's backyards, so that we can continue to have a healthy relationship between government officials—those inspectors, those liaison officers—and landowners, so that we do not detract from and lose focus in what should be an all-in assault on Queensland fruit fly.

In the 2024 budget, we did see introduced funding for the continuation of that eradication. That is a welcome measure, but there also needs to be, as I said, a review of the way that the government's representatives are entering properties, so that we do have a healthy relationship and so that people are focused on eradicating fruit fly, not on the secondary impacts or the third time that these people come into backyards and create angst for those landowners.

As I said, it is up to growers, it is up to householders, it is up to every South Australian to play their part. If you are visiting the Riverland do not bring fruit into the Riverland, if you are looking to pick fruit from a backyard tree make sure that what you pick is what you eat, what you cook. It is a risk when you start transporting fruit around South Australia, no matter where you are taking it from,

because there is every chance we could end up like Victoria and parts of New South Wales where there is not a backyard fruit tree that is not infested with larvae.

I have said this in this place a number of times now: there is nothing worse than biting into a peach full of maggots. I have done it. I have been a fruit grower for a lot of my life, and I have encountered what a fruit fly incursion means to my business. I have also experienced what a mouthful of maggots means to my psyche—and it is not good. I call on every South Australian: if you are visiting the Riverland do not take fruit, and if you are in the Riverland do not bring fruit out of the red areas, to make sure that the Riverland becomes fruit fly free once again.

Some of the other threats to biosecurity include avian influenza. The outbreak began in May, earlier this year; to date two million chickens have been euthanised and egg prices have got to an almost unsustainable level. However, the industry has advised that the ongoing risks of free-range poultry and exposure to wild bird populations will pose a risk, and the spring bird migrations pose an even greater threat. So I say to all who have backyard chickens and those who receive gifts from friends and family, please make sure you are using the eggs and chickens that do not pose a threat through avian influenza.

Foot-and-mouth disease is another significant risk to animal health and trade. Our local response systems have been put to the test since 2022, and the incursion in Indonesia has tested our borders. It just shows how unstoppable biosecurity problems can be. The call is that this government cannot do enough in making sure we have effective biosecurity measures in place and making sure they are protecting an $18.5 billion dollar industry from what could potentially continue to manifest itself. Once it is unchecked, once it has been let go, the government will have a significant cost—and that will be funded by taxpayers. So every South Australian must be vigilant with any biosecurity measure.

The minister has promised enhanced biosecurity measures, and since 2022 we have seen 300 livestock from across the state present on any given day at the Royal Adelaide Show. The minister's measure was to go down to Bunnings, buy floor mats, and pour disinfectant on them. That is not good enough. We are calling on the government to be more vigilant, to put more technology into addressing biosecurity measures so that we can actually give it our best shot, and not do some of these gratuitous measures we have seen.

There were sanitation mats at the Adelaide Airport. They have been removed, and why have they been removed? We need to make sure that the government is doing everything in its power to eradicate any form of biosecurity threat.

I must say that the health and safety of our primary production industry and our natural landscapes must be a priority, not just for the government but for every consumer of our primary sector here in South Australia. With 51 per cent of our total merchandise exports sitting within these industries, a whole of sector approach is crucial. We need to bring world-leading biosecurity policies and initiatives into our state so that we can actually address some of the vagaries, the government responses that are used to address the pressures on our borders.

The future of our $18.5 billion ag, horticulture, fishing and forestry industries is all within our hands. It is within the government's remit, it is within the hands of every consumer in South Australia, as I have said. What we must say is that the industries are feeling somewhat underdone. The government have put gratuitous measures in place and, as I said, there is a level of little confidence as to the importance of what biosecurity measures must be put in place.

We do have a role to play. Industry is at the table, the opposition is listening and at the table, and it is time for this government, it is time for industry—it is all about playing a collaborative approach in keeping our state and the Riverland, keeping all of South Australia, as a food producer of premium goods, taking advantage of the green credentials that we have.

It cannot be understated how important South Australia's green, clean credentials are. When exporting food to our global trading partners, they are looking for an advantage over other trading partners. Those trading partners in most cases have fruit, vegetables and products that have been treated and we need to get back to eradication biosecurity measures so that we can put food on the table three times a day, coming out of South Australian farms and industry to feed the world.

Mr ODENWALDER (Elizabeth) (12:35): I rise to support the member for Chaffey's motion:

That this house—

(a) notes the imperative importance of world-leading biosecurity measures for food and fibre security in South Australia with trade and exports;

(b) recognises that a whole-of-sector and state approach to biosecurity is crucial to the health and safety of our natural landscape and primary production; and

(c) acknowledges that South Australia's $18.5 billion agriculture, horticulture, fishing and forestry industries are best served by the management and eradication of invasive species.

As I said, I do want to support this motion. Notwithstanding some of the commentary in the debate, I think biosecurity has generally been a matter of bipartisan support in this place and, as the member for Chaffey rightly pointed out, it is in fact everybody's problem. I want to acknowledge the member for Chaffey's commitment to biosecurity in his own electorate, and in particular his commitment to a fruit fly free South Australia.

The Malinauskas government takes the threat of biosecurity incursions seriously. That is why within the first nine months of coming to government we announced an additional $6.8 million over four years to help South Australia combat the increased risk of emergency animal diseases (EADs), such as foot-and-mouth disease, African swine fever and lumpy skin disease.

We have seen in recent years increased detections in South-East Asia of several EADs, and this has significantly increased the biosecurity risks for Australia, prompting additional measures. The additional funding from the Malinauskas government will ensure that South Australia is prepared for and able to respond to any incursions, including:

- the purchase of mobile laboratory facilities for rural areas;
- training in response activities, such as disposal and decontamination;
- purchase of emergency response units, including equipment for quarantine, sampling and decontamination; and
- additional vets and animal health staff for risk assessment, diagnostic and coordination capacity, particularly with the regional veterinary workforce.

Since July 2022 $85 million has been spent by the biosecurity division within PIRSA, responding to biosecurity threats in our agricultural sector across South Australia. These include fruit fly, lens snail, locust, AVG, tomato virus, wild dogs and foxes, feral deer and feral pigs.

ForestrySA, with support from PIRSA, has continued eradication efforts on various outbreaks of giant pine scale in the north-eastern suburbs of Adelaide. This is a disease which has the potential to significantly impact the forest industry's ability to grow.

It is estimated that an outbreak of foot-and-mouth disease alone would cost the Australian livestock industry in excess of $80 billion. The state government is aware of the challenges and risks associated with invasive species; they continue to challenge our robust biosecurity system.

In recent times the state government has committed an additional $17.1 million to the National Fire Ant Eradication Program, as part of a national funding agreement in the ongoing battle against what is arguably one of the world's most invasive pests, with outbreaks currently being experienced throughout Queensland. In the case of red fire ants, they have the potential to destroy crops and machinery and render yards, parks, reserves and farmland unusable.

The state government stands ready to meet the biosecurity challenges facing our state, and that is evidenced by the significant and ongoing support we are providing as a government to support our agricultural industries. I am happy to support the motion of the member for Chaffey.

Mr PEDERICK (Hammond) (12:39): I rise to support this motion by the member for Chaffey:

That this house—

(a) notes the imperative importance of world-leading biosecurity measures for food and fibre security in South Australia with trade and exports;

(b) recognises that a whole-of-sector and state approach to biosecurity is crucial to the health and safety of our natural landscape and primary production; and

(c) acknowledges that South Australia's $18.5 billion agriculture, horticulture, fishing and forestry industries are best served by the management and eradication of invasive species.

We do spend a lot of money in this state on biosecurity, and we should, to make sure that we can keep our production clean and green, and keep out the invasive species because we see the destruction of what happens when we do have incursions.

I look at the tomato virus issue, which is affecting many hundreds of jobs and affecting much income for producers, in facilities producing tomatoes, and I know that there is some progress now in fast-tracking the testing of the virus. Some of that can now be done here in South Australia, which is helpful, but it has taken a big turnaround in getting those results back when they were getting tested before. With the tomato virus issue it just shows that you need to respond quickly to get on top of it. It affects not only local sales but certainly those sales into other states around Australia.

We certainly have an issue with varroa mite, which is edging ever closer to South Australia; it is not that far away in Victoria. Our bees do a marvellous job in making sure that we have production, not just in dryland agriculture but in almond crops and other permanent plantations to make sure that we get the production with pollination and that kind of thing, and obviously even though the crops are very well down in the dryland areas, bees are crucial for that pollination of canola crops, bean crops and other crops.

I think I have mentioned here before about the damage that has happened to our crops, and I know there is a lot of canola that is being cut for hay, just to do something with the plant. Obviously, you have a fairly woody plant, and you either cut it for hay if you do not think it is going yield much, or you have to harvest the little bit that you think it might produce, notwithstanding the frost damage and the damage from the drought and dry conditions. That is having a significant impact on our farmers, who have to work under strict guidelines.

We see different things happening with production, where farms are inspected for the use of chemicals and other practices in regard to how they manage their cropping because, as has been mentioned, people overseas take notice of where our produce goes, where it is grown, and it is true paddock to plate. People like getting on their device and going 'click', and they can work out sometimes—if the full paddock to plate concept is taken on—where that beef was grown and where it was processed, and the full line-up of transport issues and whatever to get that onto the plate, into the restaurant or onto the supermarket shelves.

Our producers are always on the ball doing what they can to get things right, and I know it has been mentioned by the member for Chaffey about the fruit fly incursions in the Riverland. Certainly, we have had this in Hammond as well where we used to have not so much an incursion but we have been checking on the risk of fruit fly because we used to be a very major producer, especially of stone fruits, apricots, oranges and other fruits at Mypolonga. There is barely anything grown there anymore but we are certainly part of the program to making sure that we keep this state safe so that we can export our produce appropriately and still have that ability to export produce.

I note there has been tens and tens of millions of dollars spent in the Riverland. That has had to be done to make sure that we get the right outcomes because there can be issues with backyard trees or commercial operations and we just need to keep up the fight. We just cannot walk away and be like other states and say, 'Fruit fly is endemic.' I notice the sterile insect scheme, which has had a bipartisan approach, and that does great work in combating the threat of fruit fly. But we must keep up the flight—not the flight, the fight.

Talking about flight, we must keep up the fight against avian flu as well. We have seen what can happen interstate, with over two million chickens having to be euthanised. We started to see rationing of eggs and obviously the price of eggs go up. But the industry has reacted pretty well and I have not seen the shelves cleaned out completely. That has been extremely good for customers that at least you can purchase eggs. That is one that is very tough to beat because of, obviously, incursions of wild birds, and it is happening around the world where there are real issues with that, so you cannot take your foot off the pedal.

Another one is foot-and-mouth disease. It is not that far from us, to the north of our country. I am certainly well aware, when there was heightened risk only a couple of years ago in 2022 and we were concerned about the risk of that coming in from Indonesia. I actually did go to Bali for a few days that year, so it was front of mind, certainly as a politician.

Mr Whetstone: Bali belly.

Mr PEDERICK: No, I did not get Bali belly, but it was certainly front of mind. It was a good education on seeing how well—and they did do a great job—the Indonesians addressed the situation, the signage at the airport and other signage around the place that stressed that this is a major issue. It was in your face, and they inspected our bags before leaving the country. Certainly, I saw the issue of the mats firsthand, the mats that were there to assist in the program at Adelaide Airport. We were questioned on our way back, but I made sure that the team I was with on that trip were there literally cleaning the soles of boots and shoes, anything we had worn, with water and a toothbrush and some antiseptic to make sure that we did not bring anything home.

We must just be vigilant and keep up the vigilance because we have primary industries that are suffering this year because of the dry. We have property identification codes to assist people in identifying where stock come from. Now we have the introduction of the electronic eartags, which is extremely expensive as far as sheep are concerned. I think about $3 a head is the price touted for those eartags. Some people have suggested that perhaps there could be relief from that price if the government take up the bill while we hopefully ease out of this drought situation at the minute.

Industry does take this very seriously and certainly at our borders. I used to have a border at Pinnaroo in my electorate and certainly know what goes on there with the border controls with fruit fly. Having imported farm machinery from Western Australia, I am well aware of the clean-up requirements for getting especially harvesters through the border crossing into South Australia. It is something we can never rest from. We must be vigilant and make sure that this state can still grow its clean and green food and fibre to profit into the future.

Mr WHETSTONE (Chaffey) (12:49): In closing, thank you to those who have made a contribution. The member for Elizabeth I am sure has a peach tree or an orange tree in his backyard in Adelaide, but I know the member for Hammond obviously has a wealth of experience in a regional setting and represents people with food producing activities right around the electorate of Hammond.

Just touching on some of the areas of real concern, planting material coming into the country has put pressure on many industries. Obviously in South Australia we have a proud reputation for being phylloxera-free. That is a disease or a nematode that attacks the root system of vines. We make some of the world's best wines in South Australia and so that has been a concern.

Greening in citrus is wiping out large orchards right around the world and is something we need to combat. Seed stock has sadly reared its head with the tomato virus at Two Wells in recent times. The pollination services, particularly with varroa mite, is something that we need to be very vigilant about, and imported foods, particularly meat and smallgoods and fish products, particularly the fresh product coming into our country, and livestock has also seen pressure put on our borders like never before. Forestry is another one with our timber products and pine scale has been mentioned. Coming into South Australia, the movement of machinery has also been of paramount importance. We need to bring clean machines and prickle-free tyres into South Australia.

However, what I do want to touch upon is border security. There has never been more pressure on our borders in the history of this country. We are now seeing more products, more equipment, more people coming into South Australia and into Australia who are putting on more and more pressure. It is a collaboration with industry and government and, as an industry, as a state, as a nation, we all have a role to play. I commend the motion to the house.

Motion carried.

DIWALI FESTIVAL

Mr FULBROOK (Playford) (12:52): It is my pleasure to rise and move:

That this house—

(a) recognises that Deepavali/Diwali is a significant time of thanksgiving for Hindus around the world, but is more broadly celebrated by many faiths and cultures;

(b) acknowledges the significant contribution to our society and economy made by South Australia's Indian community, as one of our largest migrant communities; and

(c) wishes those who celebrate, a safe and peaceful time with their loved ones.

As each year progresses, the prominence of Diwali as both an event and celebration in South Australia takes on greater meaning, and so it is with great honour that I have been given the opportunity to bring this motion to the chamber.

In putting this together, I would like to thank my very good friends at BAPS Green Fields, or to say in full (just once) Bochasanwasi Akshar Purushottam Swaminarayan Sanstha. From that effort, while I speak with the best intentions, I do ask in advance for forgiveness for my Anglo tongue.

While the five-day celebration means a lot more to people than sheer numbers alone, it cannot be ignored that the Indian community is growing significantly in South Australia. According to the 2021 census, 44,881 people born in India live here, up from 27,592 recorded in the previous census of 2016, and now account for 2.5 per cent of the state's population. Today, this is the second most common overseas country of birth behind England at 5.3 per cent.

In pointing out these significant numbers, just because someone is born in India it is not necessarily a sign that they will be observing Diwali. It should also be noted that the festival is not just observed by those of Hindu faith. The Jains and Sikhs also observe their own version of this celebration, and the Newar Buddhists celebrate Diwali by worshipping Lakshmi, while I understand that Hindus of Eastern India and Bangladesh generally celebrate Diwali by worshipping the goddess Kali.

Irrespective, the celebrations represent the same symbolic victory of light over darkness, knowledge over ignorance and good over evil. While this festival has deep religious roots, its significance beyond these in South Australia is on the rise. I can recall first joining in the celebrations back in 2014, when my good neighbour Raj Sing invited me to his house to share in the occasion. This is not a unique story, but I mention it to help underline how generous these faiths have been in sharing what they cherish with a growing number of South Australians from outside the faiths, keen also to join in.

For those still unfamiliar, Diwali is also known as the Festival of Lights, celebrated on Aso Vad Amas, as per the Hindu calendar, and signifies the victory of good over evil. I understand that Hindu families begin preparing for Goddess Lakshmi's arrival weeks in advance by decorating their porches with colourful designs or rangoli, preparing special dishes and lighting up lamps known as diyas.

On the night before Diwali, devotees light their diyas, symbolically asking Bhagwan to expel their ignorance and enlighten their souls. Lights, candles and fireworks play an integral part of the decor and festivities. The festival starts on Dhan Teras, when devotees pray to the Goddess Laxmi for ethical economical prosperity and success in their careers. The festivities then continue, with Sharda Pujan, when businessmen and students purify their accounting ledgers and academic books.

To touch on a few other elements, aspects of the celebration may include house cleaning, wearing new clothes, visiting friends and loved ones, exchanging gifts, decorating houses and much feasting. I should seize upon the fireworks and point out that the show held by BAPS in Green Fields is spectacular. The good thing is that you do not just have to take my word for it, as this will be on full display tomorrow. Last year Michael Brown, the member for Florey, and I celebrated with thousands of locals and Hindus, all from across Adelaide, further reinforcing the significance and meaning Diwali takes to the broader community.

It is something that the BAPS community is keen to share with everyone and I am also pleased that, work permitting, we will be joined by the Premier for part of the evening. In the meantime, today in parliament we are being treated to a reception hosted by Zoe Bettison, the Minister for Multicultural Affairs, to celebrate Diwali and Annakut. This is now the second time our parliament has held this significant event, and it has been made possible with the support of BAPS and the Hindu Organisations, Temples and Associations (HOTA) forum.

It should also be mentioned that the event heralds the Annakut, which is the day after Diwali, Kartak Sud 1 (New Year's Day as per the Hindu calendar), and marks the beginning of the new year. On this day an annakut or a mountain of food is offered to Bhagwan as a symbol of appreciation and gratitude, where devotees lovingly prepare delicacies and offer them while singing the devotional song known as thal.

While we are privileged to enjoy to enjoy annakut within parliament, back within my community in Green Fields this is something I love to partake in, having supplied carrots and zucchinis from my garden in previous years. At one point I was worried that I would be bereft of an offering, but I am pleased to say there is some healthy lettuce growing in my garden, and I am keen that I do not break the habit.

While some positive circumstances have lured me to BAPS in the heart of my electorate, their celebrations alone are just some of the offerings across South Australia as Diwali is celebrated. On 12 October the Desi Swag Association hosted a record-breaking 10,000 people at the multicultural Adelaide Diwali Mela in Woodville North. A week later at the Wayville Showgrounds we saw the Hindu Council hosting their annual Diwali Mela, which not only brought the Hindu community together for the event but also made it an opportunity for all South Australians to come and take part in their celebrations.

While I know that I am only scratching the surface on major Diwali events across Adelaide, I am pleased to share with colleagues that these two events were proudly held with the assistance of the Malinauskas government. In bringing this motion to the chamber it is also an opportunity to acknowledge the significant contribution made to our society and economy by South Australia's Indian community.

While it has seen significant growth in recent years, the first known Indian migrants arrived in South Australia in the 1830s and have been making a profound contribution ever since. As the colony grew and the community around it, South Australians of Indian origin made their presence felt in industries such mining and the pastoral sector. It should also be noted that Indians were amongst the original Afghan camel men, who came to Australia in the 19th century to support transport supplies. This was a slightly loose and inaccurate term applied by authorities to describe those working on inland transport routes and, while many were Afghan, history should not—sir, I seek leave to continue my remarks.

The DEPUTY SPEAKER: It is automatic, I have just been told.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

Parliamentary Procedure

ANSWERS TABLED

The SPEAKER: I direct that the written answers to questions be distributed and printed in *Hansard*.

VISITORS

The SPEAKER: I would like to take this opportunity to welcome students from Tyndale Christian School at Salisbury East, who are guests of the member for King. Welcome to parliament today. I hope you enjoy your time in here.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr ODENWALDER (Elizabeth) (14:02): I bring up the 53rd report of the committee.

Report received.

Question Time

NATIONAL HOUSING ACCORD

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:03): My question is to the Premier. Does the Premier have a target for how many new homes should be built in South Australia over the next five years and, if so, what is that target? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: The chief executive of the Department of Housing and Urban Development advised the Budget and Finance Committee on 19 August that 'We don't have specific targets' in relation to the federal government's 1.2 million National Housing Accord target.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:03): I thank the Leader of the Opposition for this question in particular because, as I am sure most people would be aware, housing policy generally has occupied an awful amount of the government's time as we have seen a housing supply shortage across the country present a range of challenges that really we certainly have been immune to in South Australia for some time.

It is true that, with the relatively strong performance of the South Australian economy, we are seeing demand for housing stock unlike what we have seen in the past. That, combined with some structural challenge within the housing market, has required very substantial government intervention.

In June, the state government announced its Housing Roadmap, which went into a lot of detail about the significance of those interventions. Not all of those interventions are supported by everybody. There are interventions that this government is making that are opposed by the opposition, which, of course, is their prerogative, and there are other interventions that we are making that enjoy the opposition's support, but we are pursuing those because we simply need to increase the supply of housing in the state of South Australia.

One of the most significant interventions this government is making is a record investment in new water infrastructure. We are making a long-term decision to put trunk water infrastructure at locations where we see there being a capacity for growth, particularly the northern suburbs of Adelaide—not exclusively, but in particular.

One of the big changes in policy is to go from spending $150 million on new water infrastructure to spending over $1.5 billion on new water infrastructure. Over the current regulatory period, we are going to see a tenfold increase from the Labor government on spending on new trunk water infrastructure to get more homes out of the ground versus what is one-tenth of that expenditure from those opposite.

If that is an area of contested policy, then presumably the Leader of the Opposition, or presumably the Liberal Party of South Australia, will go to the next election and say, 'Our commitment to the people of South Australia is to decrease new trunk water infrastructure expenditure by 90 per cent, or over 1,000 per cent.' If that is your policy, that's fine.

Members interjecting:

The SPEAKER: Members on my left will listen to the Premier in silence.

The Hon. P.B. MALINAUSKAS: Other big interventions this state government is making beyond big investments in water infrastructure is purchasing sites to get property or land to market quickly. Take, for example, the West End Brewery site. I think there was criticism from those opposite in that regard. Another big step that this government has taken is a reform, particularly driven by the Treasurer, to his credit, to abolish a tax—abolish a tax—not temporarily remove it, not reduce it, but we are abolishing a whole tax. We are abolishing a tax—

The Hon. V.A. Tarzia interjecting:

The Hon. P.B. MALINAUSKAS: The Leader of the Opposition just interjected saying that abolishing a tax is socialist policy. My word, they are all over the place on that side of the house. You

really don't know who you are talking to at any given moment. On this side of the house, as a result of strong budget management, delivering services, we have been able to abolish a tax for first-home buyers in the state of South Australia. Whether it be infrastructure, reducing tax—

Members interjecting:

The SPEAKER: Member for Unley!

The Hon. P.B. MALINAUSKAS: —whether it be planning reform, whether it be acquisition of sites to get them to market sooner, we are delivering the big changes to get more housing supply onto the market as quickly as possible.

The Hon. D.G. Pisoni interjecting:

The SPEAKER: Now, now, member for Unley, quieten it down a little bit. Can you be a little bit more like the member for Finniss? We don't hear boo out of him—very, very well behaved. Maybe a little bit of that could rub off on you, I think. The leader.

NATIONAL HOUSING ACCORD

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:07): My question again is to the Premier. How many of the 1.2 million Housing Accord homes will be built in South Australia?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:08): Our objective is very clear: we are seeking to build as many homes as is humanly possible that can be achieved in the time in government.

NATIONAL HOUSING ACCORD

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:08): My question again is to the Premier. Does the Premier have a target for the skilled workforce required in South Australia to build the required number of new homes and, if not, why not? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: At the Economic and Finance Committee meeting of 12 September representatives from the Department of State Development revealed that there are no targets for the number of skilled construction workers.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:08): Again, the government has just committed to coming up with arbitrary numbers. I remember a government in the past that committed to a range of targets that didn't result in much actual policy effort or endeavour. What we are delivering—

Members interjecting:

The SPEAKER: Leader, quiet! And the member for Flinders!

The Hon. P.B. MALINAUSKAS: What we are committed to is actual policy endeavour to make a difference. Let me speak to some of those reforms that this government is making. The first one, of course, is what we are doing around technical colleges. This government is building five technical colleges. The Minister for Education, Training and Skills has already overseen—

The Hon. D.G. Pisoni: They've gone backwards! What number?

The SPEAKER: Member for Unley! Final warning.

The Hon. P.B. MALINAUSKAS: The Minister for Education, Training and Skills has already opened up one of those technical colleges—

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

The SPEAKER: The deputy leader will come to order.

The Hon. P.B. MALINAUSKAS: Then, of course, there is the provision of fee-free TAFE here in South Australia, which has seen a massive increase in the number of people getting access to our public training provider, because we believe in the public training provider. Then, of course,

we have worked closely with the Master Builders Association to provide them assistance and support through their group training provider. We have also worked on other programs that are allocating funds and resources, like the Born to Build program, which has us working in conjunction with the Master Builders Association to be out in schools and explaining the virtues of young people being able to choose a career in construction trades. So whether it be through TAFE, whether it be through GTOs, whether it be through efforts that we provide in schools or whether it be us actually building—

The Hon. J.A.W. Gardner: What's the target though? How many?

The SPEAKER: Deputy leader! One more peep and you are out until the end of question time. You have interrupted four or five times in the past minute when I have called you to order.

The Hon. P.B. MALINAUSKAS: These are serious policy efforts that are being funded by the budget to actually increase the number of people who are doing the work on the ground that is required to build more homes. We stand ready to not just recite all the policy that we have already introduced but we are continuously, as a government, looking for options about how we can stimulate the supply of houses. We have the demand and we want to make sure that supply increases.

One of the big pieces of work that the government is now working on, because it is a sustained and ongoing effort, is the Greater Adelaide Regional Plan that the Minister for Housing is working on. The minister has released the Greater Adelaide Regional Plan out for public consultation and an enormous effort has been put into making sure that we recalibrate the policy to reflect the growth that we are seeing in South Australia. We have changed the policy that is orientating all the effort exclusively on infill to actually accommodate the fact that we do believe urban growth has a role to play.

We believe that people, particularly young South Australians, should be afforded a choice: being able to choose to live in a high or medium-density environment, or being able to choose to live in a home with a backyard in a community that has access to services to be able to enjoy a decent standard of living. We are all about providing choice to first-home buyers. We are about making sure that we are planning for the long term, including on infrastructure questions—which the GARP effort very much goes to—because the one ideology that we are approaching this with, above all others, is giving young people a chance of owning a home, to be able to realise their aspirations and do it at an affordable price point in a timely manner, and we will not stop until we believe the work is done.

NATIONAL HOUSING ACCORD

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:12): My question is again to the Premier. Will South Australia have enough skilled workers to meet demand for housing and, if so, how? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: The BuildSkills Australia October 2024 labour market projections project supply to be almost 20,000 workers short in South Australia in 2025; by 2035, they project the shortfall to be some 47,000 workers.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:13): Let me speak plainly about this: I think that the nation's—and, of course, this is a housing supply crisis across the nation—prospects of being able to realise our collective ambitions, regardless of our politics, to increase housing supply will be compromised if we have a retrograde, introspective, ill-informed debate on migration at the federal level of politics. What I think we need to see in this country is to stop seeing an insular debate on migration numbers and instead have an informed debate, an informed discussion and an informed policy development effort around migration, particularly skilled migration. What we see in the federal parliament is the federal Leader of the Opposition, Peter Dutton, banging the drum of a migration debate—

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

The SPEAKER: The deputy leader can leave until the end of question time.

The honourable member for Morialta having withdrawn from the chamber:

The Hon. P.B. MALINAUSKAS: He is banging the drum of fear and the like, rather than actually having a serious debate about the interests and the future of the country. On this side of the house, we believe that migration has an important role to play if done in a calibrated way to be able to grow our economy and actually have it contribute to a better standard of living rather than compromising it. It needs to be done in a nuanced and a thoughtful way. To the extent that the state Leader of the Opposition would join this government in a call for a thoughtful discussion in that regard, we would welcome it.

The interjections we heard earlier were seeming to suggest that somehow this government is reticent to have that discussion, when the opposite is true. We have been on the record; both myself and the Deputy Premier have made it very clear that this government is willing to stand up to the federal government, albeit from the same political persuasion, on the issue of international students.

The Hon. S.E. Close: That's right; successfully too.

The Hon. P.B. MALINAUSKAS: Indeed. International students have an important role to play in the net skills position of the country and the state writ large. Every time we diminish the number of international students coming into the state, we actually diminish the skills base rather than increase it in the long term. We are willing to advocate our position and stand up to the commonwealth. We are happy to tell a federal Labor government when they have got it wrong. I would like to see the state opposition tell a federal Liberal Party when they have got it wrong too.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the member for Stuart, I would like to welcome to parliament today—if the member could just sit down for a little while, because the people I want to talk about are right behind you, member for Stuart—two great South Australians, Vince and Helen Monterola. They are the guests today of the member for Heysen. Congratulations, firstly, on your 60 years of marriage.

Many people in here will know the great work that Vince did as the chief of the Country Fire Service in South Australia, then as the architect of SAFECOM and the first leader of SAFECOM. My period of time when I worked closely with Vince was in Port Lincoln after the Wangary fires of 2005, where you put your life on hold and went over there and got the people of Eyre Peninsula back on their feet. We owe you a great deal of debt for that. Vince is also the patron of the CFS Foundation. He is an AM and one of those truly great South Australians—a selfless contribution to our state—and it is great to have you both here today.

Question Time

CONCESSIONSSA

The Hon. G.G. BROCK (Stuart) (14:17): I second your comments regarding this young couple behind me. My question is to the Minister for Human Services. Can the minister let my constituents know about the ConcessionsSA hotline response times to calls for assistance? With your leave, sir, and that of the house, I will elaborate a bit further.

Leave granted.

The Hon. G.G. BROCK: My office has had on several occasions assisted elderly members of my community who have come into my electorate office after their calls have not been answered in a timely fashion, being placed on hold with the ConcessionsSA hotline.

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services, Minister for Seniors and Ageing Well) (14:17): I thank the member for the question. We have discussed this matter before. I am happy to provide an update on behalf of the ConcessionsSA hotline team to your constituents, member. The clear advice, first up, needs to be: how do we help people to search for their concessions payment in their bank account? I often say to my staff on a Friday, 'I have just finished the check-your-bank-account Friday pile,' because most of the time it is in respect of people being unable to find the payment in their bank account.

We have had lots and lots of correspondence over the past couple of years in respect of this problem of being able to locate the payment. Obviously, we have had additional payments, and the payment amounts have changed, but there has also been quite a lot of publicity, which is great. We have deliberately done that because we want people to know that we are listening and providing them with additional money into their account.

People do contact us claiming that they haven't received their payment. It usually ends up that the money is already in there but they have missed that or are not looking for the right description. In the first instance, look for the description 'Concessions COLC'—the concessions part in upper and lowercase and COLC in capitals.

The second most common reason we are contacted is because the bank account details haven't been changed so the funds have not been able to be deposited into the account. That can be corrected quickly. Sometimes the payment can be sent to a different account. ConcessionsSA can track and redirect that, but it might have been held up due to an inactive or closed account, which can be a problem. The third reason is that often the recipients are unaware that the Cost of Living Concession is a household payment, not an individual payment. There is only one payment per household.

Wait times do fluctuate significantly due to a number of factors, including the time of the year and any concessions-related announcements and media that have occurred, which might increase the traffic. Between July and December it is typically busier due to the annual payment and the accompanying application period, and over recent years this period has coincided with different budget announcements as well.

The average wait time for calls during July to September this year was 24 minutes and 26 seconds. That compares with seven minutes and 13 seconds during the January to March quarter, so there is a significant spike. In the most recent week of 21 to 25 October, the average was 11 minutes and eight seconds. Within the average wait times there can be specific periods when the wait times obviously go past that average, but then also some are quicker.

ConcessionsSA do endeavour to increase resources and have a lot of casual staff available to put on when the workload does go up, but with 210,000 people receiving concessions who aren't always able to track those payment details down and are seeking help via the phone, you can imagine it is very difficult to meet that demand.

During the period 1 August to 29 October, 74 per cent of calls were answered in less than 30 minutes and 50 per cent were answered in less than 20 minutes. To date, 216,000 households have received those concessions. We have flexed staff up to try to accommodate and help with that, but we are very happy to hear if there are delays. Thank you for the question.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the member for Newland, I would like to also welcome to parliament today the family of the Minister for Education. It is great to have you in here, girls. I have to say: your dad is always amongst the best behaved in here, as you would expect nothing less from him.

Question Time

STATE ECONOMY

Ms SAVVAS (Newland) (14:22): My question is to the Treasurer. Can the Treasurer update the house on the South Australian economy?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries) (14:22): I am very pleased to receive the question from the member for Newland, because there has been further good news during the course of this week on the performance of the state's economy. While we see the nation's economy respond to the challenges of high interest rates and higher prices, South Australian households and businesses are still demonstrating a capacity to invest and grow and support high levels of economic activity.

Today the ABS released its consumer price index (CPI) or inflation figures for the most recent September quarter. Pleasingly, the inflation rate in Adelaide has dropped to 3.2 per cent, only fractionally above the target band of the Reserve Bank and a significant drop from 4.5 per cent recorded as the through-the-year inflation rate from the previous quarter.

That is very good news, because it aligns with a significant reduction in the national inflation figures that we see today: a drop to 2.8 per cent, just within the Reserve Bank's target band. That will come as significant relief for the nation's economy, particularly for households and for small businesses that have been struggling under the burden of high inflation coming off the back, of course, of COVID and the more than $0.5 trillion of fiscal and monetary stimulus that was unleashed into the national economy in 2020 and 2021.

While this will raise expectations of changes to interest rates I am not sure we are in a position to be predicting that for Melbourne Cup Day, but we are hoping that this gives the Reserve Bank the confidence, in the coming months, to consider finally moving down the cash rate and providing some welcome relief to households and small businesses across the country.

With regard to the state's inflation figures, they continue to be driven by very high insurance costs. Anyone who has received an insurance renewal notice for their motor vehicle or home or business premises will be acutely aware of the escalating cost of insurance in the current market, as well as housing costs, and we have just heard from the Premier about the absolute necessity for this government to invest unprecedented amounts of public spending to get more houses built across the community.

Of course, earlier this week we had the latest CommSec State of the States report where, for the previous three quarters, South Australia had been rated the best performing economy in the nation. The good news is that we are still up there. We are not number one but we are number two, just pipped at the post by Western Australia, of course, which not only has the benefit of their—

The Hon. V.A. Tarzia interjecting:

The Hon. S.C. MULLIGHAN: Right. You're talking to us about being a runner-up, are you? Really? That's the best one you've got, is it? Get back in the limo and keep practising, would be my advice.

So, a strong performing economy, second only to Western Australia—which enjoys not only the benefit of a resources industry but also the remainder of the nation's additional GST—which is really good news for the state's economy. We should not pretend that the next 12 months will be plain sailing for the national economy, and the South Australian economy will not be immune from these national pressures, but we are performing very well and we enter those challenges from a very strong base.

CONSTRUCTION MATERIALS

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:26): My question is again to—actually, let's swap it up—the Minister for Housing. Will South Australia have enough construction materials for major government projects and residential housing? If so, how? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: Cement Concrete & Aggregates Australia, in its case for developing a South Australian heavy construction materials plan document, said that South Australia does not have a plan for the very building blocks needed to develop housing, infrastructure and state building projects.

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:27): One of the things we want to do in housing is build in supply. Supply is critical. Previous governments have ignored supply, and we understand that we have been left with a very big deficit.

Members interjecting:

The Hon. N.D. CHAMPION: Actually, supply is critical. I know you don't think so.

Members interjecting:

The SPEAKER: Members on both sides will listen to the minister in silence.

The Hon. N.D. CHAMPION: We believe that the answer to the national housing crisis is a supply-side solution. That is what we believe, so we have been plugging in supply at every level we can: at the market level, market sale, for affordable rental, public housing. We believe that the most critical thing you can do to resolve the housing crisis is to answer the supply question. When you do that, industry has confidence about the future.

You heard the Premier talk about our infrastructure build. We are putting in the infrastructure of two governments in one term, because we are having to do your infrastructure on water—and you know it. We are putting in water pipes and sewer pipes and capacity in that industry that should have been put in in the previous term.

If you look at it in terms of planning, our land releases in Concordia, in Hackham, in Sellicks Beach, in Dry Creek, all of that supply could have been initiated by previous governments—it wasn't, and it is important to do. What does that supply give? It gives industry certainty and confidence to invest in the future.

What are we doing with our Renewal-led projects? If you go out to the new allotments at Playford Alive: 282 allotments out there. If you go down there you can see all of the civil works going on. If you go down to Prospect Corner, you can see all of the civil works going on. What does that do? It gives industry confidence. And what does industry do when they have confidence? They invest. And that is what meets supply. Supply equals investment, and that is why we are doing the Greater Adelaide Regional Plan, which is looking even further out and, as the Premier says, doesn't have some sort of arbitrary target on infill or greenfield, which the previous government and the one before that had.

What we are doing is setting ourselves up for growth because we know we've got a good economy. And what do good economies do? They drag in people and they drag in investment and so it's a supply-side answer. All of the nitpicking by those opposite about this is because they don't have a substantive record to fall back on and they don't have a substantive policy to look forward to, so what they are left with is the sort of nitpicking that goes on. It is extraordinary.

The Premier talked about the federal Liberal Party. Let me tell you about what the former member for Boothby, Nicolle Flint, is doing at the moment. She is out there campaigning against a housing program at Morphettville. Who initiated that code amendment? Who initiated it, who signed off on it? It was about the only thing you did in housing. The only thing the Marshall government did in housing was a code amendment in Morphettville and now the federal Liberals oppose it.

HOMELESSNESS RATE

Mr TELFER (Flinders) (14:31): My question is to the Minister for Human Services. How many people in South Australia are currently experiencing homelessness?

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services, Minister for Seniors and Ageing Well) (14:31): Thank you for the question. The number does vary. The last number we had was that there were approximately 7,000 people on the list that would fit the criteria of homelessness, which is either rough sleeping, feeling at risk, or in a situation where they may become homeless because of an end of tenancy, or they might be in insecure housing, such as couch surfing or moving from one house to another.

HOUSING TRUST PROPERTIES

Mr TELFER (Flinders) (14:32): My question is for the Minister for Housing. How many SA Housing Trust homes are currently vacant and how many of them are tenantable?

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:32): The latest figures, as of 30 September 2024, in the vacant offerable category are 293; in the vacant non-offerable, the figure is 1,596; in the other vacant category it is 38; and the total number of vacant properties is about 1,927.

To give you an idea of a point in the past which we can make a comparison to, just for the member's information, if you take 30 June 2020, in the vacant offerable there was a significantly higher number of 703, but in the non-offerable it was just 1,000. Those numbers bounce around a bit. In the non-offerable category are buildings that are either not fit for habitation or need maintenance work, or are scheduled for demolition. There are a number of reasons why properties may be vacant. We don't want any property vacant for any longer than it absolutely needs to be.

Clearly there have been issues with the maintenance contracts for some time; that is one of the reasons we had a review into the maintenance of public housing and the Housing Trust. What we want to do over time is put in place policies that will reduce the number of vacant offerables to a normal vacancy rate and obviously be in a position where we can put as many people of need into public housing as we can.

KOPPAMURRA MINING LICENCE

Mr McBRIDE (MacKillop) (14:34): My question is to the Minister for Infrastructure and Transport. Will the government grant a mining licence for Australian Rare Earths to mine in the Koppamurra region in South Australia. With your leave, Mr Speaker, and the leave of the house, I will explain.

Leave granted.

Mr McBRIDE: Extensive exploratory drilling by AR3 has been undertaken in the region. Local farmers are concerned about the impacts that this mining will have on their water resources and the high-value agricultural land.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:34): This is the eternal question that regional members have with the conflict of farming and of course mining. Rare earths are particularly valuable for our national sovereignty and our national defence. The rare earths that are mined in Australia add to our allies' sovereign capability, a sovereign capability that is held by other nations that are involved in the largest military build-up since World War II. They have almost a monopoly on these rare earths.

I am not going to stand here today and rule out or rule in any mining licence. It will be assessed independently, a recommendation will be made to me and I will make a decision on the basis of the facts given to me by my agency. What I will not do is I will not—and I mean this with the utmost respect—just simply rule out an area on the basis of local opposition or local support. It will be based on whether or not multiple land-use frameworks can be implemented, the value of the resource to the state, the value of the resource to the nation and the value of the resource to our allies.

Rare earths is something that this government is committed to for a national capability of doing all we can to exploit, because we have been endowed with remarkable resources in this state, whether it be copper (which I consider to be a critical mineral), whether it be gold and silver or iron ore. Of course, we get down the value chain to much more exotic rare earths that are important for night vision, for aeronautical purposes, for strategic purposes and for military purposes.

Our adversaries in the region are working very hard to exploit their natural resources and get hold of these rare earths; if we have them, we should too. If that means making a decision in the national interest, this government will.

GOLDEN GROVE INTERSECTION UPGRADES

Mrs PEARCE (King) (14:37): My question is to the Minister for Infrastructure and Transport. How is the Malinauskas Labor government undertaking works to improve motorist and pedestrian safety in Golden Grove?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:37): The member for King is a pretty fierce advocate, and I've got to say I am getting a bit sick and tired of her bothering me constantly about Golden Grove and about all the works. I should issue this apology in advance: you are going to be seeing a lot of DIT employees and a lot of contractors doing a lot of work in Golden Grove, and that is because of the advocacy of the member for King.

Works have begun to install turn right arrows for motorists—I hope I am not mispronouncing this—from Aeolian and Atlantis drives onto The Grove Way to improve safety and the ease of movement at a very busy intersection. The upgrade is much needed and the member for King has put in extraordinary levels of advocacy to the government. There was an unfortunate fatality that occurred at this intersection earlier this year, which has led to a lot of advocacy by the member for King on behalf of her community, and the government has listened.

I have got to say, even the former member for King wrote to me about this intersection. Let's compare what both governments have done. In the previous four years, that community was not given these upgrades. The current member for King got elected and within two years we are going a step further. The government is also upgrading other intersections as a result of the advocacy. I have got to say, it is a credit to her and the work that she is doing for her local community.

The government is upgrading the intersection of The Grove Way and The Golden Way to create an additional right turn lane from The Grove Way to The Golden Way for traffic heading west. As of today, works have started on yet another of the member for King's election commitments in Golden Grove. To improve safety and accessibility in the local area, works are being undertaken to upgrade pedestrian facilities at the junction of The Grove Way and The Grove Shopping Centre entrance—a local member of parliament who actually listens to their constituents and can get results, unlike the previous member.

To improve safety and accessibility in the local area, the works are being undertaken to upgrade pedestrian facilities at the junction—maintaining our commitment of connectivity for local communities—of The Grove Way and The Grove Shopping Centre. Not only will these upgrades help residents walking to and from the shops but they will also improve the safety of many students who cross this road at this location, including students at Gleeson College, Golden Grove High School and Pedare Christian College.

These works are being delivered as I speak. These aren't promises, these aren't commitments, this is work that the member for King is actually getting done because she is a hardworking local member of parliament who is, quite frankly, belligerent to ministers and I will be glad to get this done. I have to say the advocacy has been pretty intense. The local community is working very hard to make sure that the local MP is given the information she needs to feed up to government and the government is listening.

It is important to note that infrastructure is a great way of keeping communities connected, keeping communities moving and keeping communities safe. This government is committed to all of those things, whether it is the north-south corridor or working on pedestrian-activated crossings and intersection upgrades in Golden Grove. We are looking at infrastructure holistically across our entire state. It is not based on votes, it is based on me. What is important here is that finally the people of Golden Grove have an advocate who actually cares and gets results.

EMERGENCY ACCOMMODATION

Mr TELFER (Flinders) (14:41): My question is to the Minister for Housing. Will the minister conduct an audit of the requirements placed on homeless people living in emergency accommodation? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: It was reported as part of *The Advertiser*'s Be Their Champion campaign that Cas Richardson, who has been living in emergency accommodation since July, has been rejected from hundreds of rental properties and the debilitating requirements are having a devastating impact on her mental health. She said:

> They need to know pretty much where we are at all times of the day and if we don't do what they ask, they try to kick us out. We are living with that constant threat every single day. I feel so judged. All of our mental health has just plummeted.

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:41): I thank the member for the question. I do thank *The Advertiser* for their campaign. I think their campaign does give the

community a window into the sometimes very desperate circumstances that occur in the community that people obviously accessing this program experience.

We don't want to go into individual cases because I don't think that's fair to individuals and I don't think that's helpful to the policy debate. The important thing is that I got a briefing on this from the Housing Trust to satisfy myself in terms of the way we conduct the program, and obviously it crosses over two portfolios because the Alliance does the service provision bit of it but it's contracted via the Housing Trust.

I am satisfied that the mutual obligation principles that are put in place are bespoke to individuals and are necessary to keep the program running. The reason is this: we want to make sure that this is a temporary experience for people, that they access the program and then they leave for more secure accommodation, whether it be with family, into private rental, into public housing or into some other provider of emergency services. This is a temporary program. It is not designed to be a permanent solution. It is designed to be of assistance at a critical time to access housing.

We all understand the pressure on the rental market at the moment. This government is putting in place a number of builds in a number of places to make sure that we are pumping in supply of public housing and affordable rental to help ease up the rental vacancy rate as well.

Again, this is in part a matter of looking at existing government programs and they have been running under governments of all persuasions for a long time. Mutual obligation is important. It is important because we want to see these people, these individuals placed into more secure housing and, of course, it's important because we want to make sure that the resources are going into building new homes, new public homes, into building new affordable rental supply and into making sure that the whole of the community can access housing.

EMERGENCY ACCOMMODATION

Mr TELFER (Flinders) (14:44): I have a supplementary on that if you will allow it. Has the minister visited Ms Richardson and others at their emergency accommodation or just received a briefing, as he indicated?

The SPEAKER: That is not a supplementary, it's a separate question.

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:44): As I said before, these are very tragic cases and they need to be handled carefully. All cases need to be handled carefully and they need to be handled by people who are trained to do it, trained to help people access stable housing, and access accommodation outside of this program. For that reason, it needs to be done by individuals who are trained for it, and it needs to be done with an individual's privacy in mind.

I don't think it is helpful to anybody to have ministers conducting tours in response to media campaigns, however well meaning and justified those media campaigns are. I think that it is better that we look carefully at the policy and that we consider policy, and you do that by getting briefings, and that, particularly in my portfolio, we are focused on supply. That's why we are building more public housing than has been done in decades. That's why we are pushing forward on things like Tucker Street, which is housing for over 55-year-old women who have suffered homelessness. That's why we are building in supply, because it is only supply in the end that can help individuals to access housing.

HOMELESSNESS

Mr TELFER (Flinders) (14:46): My question is to the Minister for Housing. What actions, if any, is the minister taking to address SA Housing Trust criteria around couch surfing? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: It was reported as part of *The Advertiser's* Be Their Champion campaign that the SA Housing Trust required a father who was couch surfing with his disabled son to show that the pair were at risk of imminent homelessness in order to access public housing.

The Hon. N.D. CHAMPION (Taylor—Minister for Trade and Investment, Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:46): I take the member's point and, as we understand it, couch surfing is a form of homelessness and no-one is trying to hide from that, it is insecure housing and everybody understands that. There may have been some miscommunication in this case to an individual, or a misunderstanding in this case to an individual and, obviously, we don't want that. We want to be clear that people who are couch surfing can be registered for category 1 in the Housing Trust categories.

I understand, as I said before, that I think *The Advertiser* is acting in the public interest, giving individuals the right to be heard, and we need people who are suffering homelessness to be seen, but I think it's also important that we very carefully go through the facts in these cases. The facts are if you are couch surfing you are categorised as homeless, and you can access all the services of both Human Services and the Housing Trust.

QUARRY SITES

Mr McBRIDE (MacKillop) (14:48): My question is to the Minister for Infrastructure and Transport. Can the minister inform the house about the importance of using the highest quality road-making material on our network? Mr Speaker, with your leave and that of the house, I will explain.

Leave granted.

Mr McBRIDE: Road metal needs to meet national standards for the longevity of our road network and for insurance purposes. There are quarries in my electorate that have high-quality material available that are not being used.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:48): I thank the honourable member for his question and his persistence on behalf of his constituents. Given the member's explanation, I suppose what he's saying is that there are unused quarries within his community, and it's a follow-up really from yesterday's question where I think I did not satisfy his inquiry. It's a matter that goes not only across my agency of infrastructure and transport but also energy and mining, and I did undertake some advice.

To Mount Monster, the understanding I have is that DIT used materials from this quarry in the seventies and eighties. Energy and mining has advised that there is a mineral claim in place over Mount Monster, and that it met the applicant in June of this year to discuss scoping requirements to inform possible lease applications. I am told—this is the advice I have—that the location faces environmental challenges, including a commonwealth EPBC referral, as there are listed flora and fauna species within and around the mineral area claim. The site is also located within the Mount Monster Conservation Park, and any decision to grant a lease will require dual-minister approval.

A letter was issued to the applicant in September of this year, which advised of the process to progress a lease application. None of this is to say that there's any gap or impediment, but there are hurdles that this applicant will have to overcome, which is appropriate. I am happy to facilitate further meetings between my department and the proponent, and the local member, about the process of obtaining lease applications but, obviously, it would be done through an independent and rigorous process.

In relation to the other quarry, Papineau Rocks quarry, it's a fully permitted hard-rock quarry. I am advised, based on production records, it is a small campaign-based operation, which has not yet had any reported production for the last two years. Should this site look to recommence a larger production area, I am advised that the 2005 PEPR, which is in place—which is essentially the program of approved works—needs to be updated.

So we are not going to accept a 20-year-old PEPR and allow that to be the basis of a brand-new operation, which I think makes sense because we have to maintain social licence across the entire quarrying sector. If you start having carve-outs for one group or another because of the fierce advocacy of their local MP, as opposed to others, that would be unfair. As influential as you are, I just don't think that would be appropriate.

Again, I am happy to assist but the proponent would need to meet the independent requirements of my agency before it makes a recommendation to me. Once it has obtained that PEPR, it will then undertake another independent process with Infrastructure and Transport to become prequalified. There is no mechanism, and I would not participate in any mechanism where I bypassed any of these processes to give this organisation any favourable treatment. So I think that's appropriate, and that is the method, I think, which is best serving the state to monitor and administer these quarries.

WOMEN IN SPORT

Ms THOMPSON (Davenport) (14:52): My question is to the Minister for Recreation, Sport and Racing. How is the government empowering regional women to participate equally and actively in sport?

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence, Minister for Recreation, Sport and Racing) (14:52): Thank you very much to the member for her question and her ongoing commitment to advancing inclusion and gender equality in sport and beyond. We know that empowering women to participate equally and actively in sport, and to be celebrated for their strength, their skill and talent, is really powerful. It can help to shift attitudes about women and the roles that they can play on and off their particular playing field.

Last week, our government's commitment to elevating the role of women in sport, and using sport's power for really positive change, was further expanded into regional communities through the inaugural regional edition of The Power of Her event series, celebrating and empowering women in sport, being held in Murray Bridge. The event, funded by the state government and Integrated Murraylands Physical Activity Committee, brought together really impactful voices, visionary leaders and innovators for a day of education, connection and growth.

The first Power of Her symposium, held during the 2023 FIFA Women's World Cup, was an enormous success attended by over 1,000 people, inspiring them to connect with sport in their community and empowering them with skills and confidence to advance our collective endeavour towards gender equality. We are ensuring that this message reaches into regional South Australia, with the Murraylands the first destination.

Furthering this whole-of-community conversation absolutely helps to inspire girls and women to know that whether they want to lead, play, officiate, commentate or administer sport, or to take up any other role in our community, they can. Held at the magnificent Bridges Event Centre at the Murray Bridge Racing Club, the 200-strong crowd heard from inspirational women in sport, including Olympian Dr Amber Halliday, Proud 2 Play CEO Christine Granger, and Play Like a Girl Australia founder Holly Bailey.

Attendees were also treated to really inspiring addresses from Kirsty Mead, from The Embrace Collective program, and Eloise Hall, co-founder of Taboo Period Products. What really resonated with me was the impact this event had on those who attended who may not have really understood the significant challenges faced by women in sport and on those who may not have previously realised how sport can help to drive change.

I had a variety of participants come to me to enthusiastically express how they wanted to become champions for change in their space—mayors, club presidents, club members. I really believe this is what The Power of Her is achieving. We are reaching people who would normally not turn their mind to this extraordinary opportunity. This inaugural event will be followed by the Limestone Coast addition this year and a further event being planned for Port Lincoln.

We know that these conversations are only part of the work needed to advance equality in sport. Our state government's $18 million Power of Her grants program, dedicated to investments in female sporting facilities and projects that encourage female participation, will absolutely help to send the message that girls and women are welcome to equally and actively participate in the sport they love. The grant program is now open for applications, and I really look forward to the way this investment will increase the participation of girls and women and see them playing in the facilities they deserve.

HOUSING TRUST

Mr TELFER (Flinders) (14:57): My question is to the Minister for Housing. Will the minister release the review into the maintenance contracts under the SA Housing Trust and, if so, when?

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:57): The good news is the review is in and it was done by the respective chairs of the Housing Trust, Renewal SA, SA Water, and given secretarial services through my department. It's an important review to do because maintenance is a critical issue for the trust. We have 33,000-odd properties, but the average age of those properties is 44 years old. We have an ageing stock, and that's why we need renewal.

This is the first government to actually be adding to public housing by building new public homes. The Minister for Human Services was critical in our election commitment, and when we got into government we increased those numbers; so it's important to do that. We know there's incredible demand out there, and we know that maintenance is critical to two things: making sure we have more vacant homes that are offerable to people and making sure we've got homes fit for human habitation, so those two things. It is understandable that the honourable member demands immediate action out of us, even though they spent four years selling public homes.

Mr Telfer interjecting:

The Hon. N.D. CHAMPION: While *The Advertiser* is entitled to strong public advocacy on this matter, I don't think the opposition's record gives them the credibility to be screaming across the chamber at me.

Mr Telfer interjecting:

The SPEAKER: The member for Flinders, you asked the question, listen in silence to the answer.

The Hon. N.D. CHAMPION: We will consider the maintenance review in due course, as governments do, and we will think very carefully about what our policy response is. We want to get things right in public housing. Public housing is a big part of the solution to the national housing crisis, because we know we have people on fixed incomes who can't find a place in a private rental. We know that the affordable rental category that is mainly done by community housing providers—that is, 75 per cent of market rate—is also a very important tool in providing at least a stable rental that is affordable in communities. So we want to make sure we get the maintenance contracts right. We want to make sure we are putting in place the right solutions to fix the issues that were raised, and we—

Mr Telfer: So release the review. Just come in and table it so everyone knows.

The SPEAKER: The member for Flinders can leave the chamber until the end of question time.

The honourable member for Flinders having withdrawn from the chamber:

The Hon. N.D. CHAMPION: I speak as something of an expert on this: he got what he wanted, which was to be ejected from the chamber. We will properly consider the maintenance review, and when the government is ready to respond, we will.

SOUTH AUSTRALIA POLICE RESOURCES

Mr BATTY (Bragg) (15:00): My question is to the Minister for Police. Does the minister recommend that South Australia Police officers buy their own dash cams for their police cars? With your leave, sir, and that of the house, I will explain.

The Hon. A. KOUTSANTONIS: Point of order, sir: there is a long-established principle in Westminster that you do not ask ministers their opinions.

The SPEAKER: I will give the member for Bragg the opportunity to rephrase the question.

Mr BATTY: Thank you, sir. Will the government fund dash cams for South Australia Police?

The Hon. D.R. CREGAN (Kavel—Minister for Police, Emergency Services and Correctional Services, Special Minister of State) (15:00): I appreciate the question from the shadow minister. The equipment that is provided to South Australia Police, of course, is provided ordinarily out of the South Australia Police overall budget. In terms of additional requests of government, there has not been a request to government with respect to this particular type of technology.

I understand that the shadow minister has made some commentary in *The Advertiser*, the newspaper of record. I always take what is published in *The Advertiser* very seriously and I follow the journal of record in great detail. As I say, there has not been a specific request. I understand, nevertheless, that there are some difficulties with implementing this type of technology. Some of the difficulties include the mode and method of storage; the policies and procedures around how to receive that information as evidence, if it were later to be used as evidence; who would store information of this type and where; and how it would be incorporated into overall police procedure. Those are some of the matters that have been raised or mentioned to me by way of advice to me as the minister.

But I cannot emphasise enough: there has not been a specific request to this government in relation to this particular technology. What I can reassure the shadow minister is that this is a government that is determined to make very substantial additional investments in South Australia Police, and those investments—

Members interjecting:

The SPEAKER: The member for Florey, you can leave for the next 10 seconds of question time. You have been doing it all day.

The honourable member for Florey having withdrawn from the chamber:

The Hon. D.R. CREGAN: As I was saying, we are making very substantial investments, many of which were covered in question time yesterday.

Grievance Debate

ENERGY PRICES

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (15:03): Today, I rise to talk a little bit about power prices and, of course, the rising cost of living under this Labor government. We know that more cost-of-living pain is on the way, unfortunately, for South Australian families and South Australian businesses as well, with the Australian Energy Regulator revealing that South Australia's wholesale power prices are again, unfortunately, the highest in the nation by some 40 per cent in some cases. The average price of electricity in South Australia is up 76 per cent from the same time last year when—wait, you guessed it—we were also the highest in the nation. The average household retail bill is $2,621 per year. Between July and September this year, we saw a 35 per cent increase in wholesale power prices.

How are small businesses supposed to absorb these skyrocketing costs? It is beyond me. We know that South Australian families and South Australian businesses are going backwards under Labor. We have seen that stamp duty is up by $8,250, water bills are going up by $90 per year, yet revenue from state government fees and charges is up some 30 per cent. This government has wasted over $100 million on taxpayer-funded advertising.

The Malinauskas Labor government has no plan to ease cost-of-living pressures on South Australians. We know that this Premier and his government are receiving record revenue from the pockets of South Australians, but when we asked him to put a freeze on fees, he left us out in the cold, and he left South Australians out in the cold as well. When we asked the Premier and his government to reinstate the Home Battery Scheme, what happened? They snubbed the people of Black, who day after day are telling us about how the skyrocketing cost of power, the skyrocketing cost of doing business, is crippling them.

Let me ask: what is this government doing with its record revenues that it is taking from hardworking South Australians and hardworking South Australian businesses? We know one thing they are doing is they are spending. Who knows; is it going to be $600 million, $700 million, is it going

to be $1 billion? Time will tell. They will spend millions and millions of dollars, possibly over a billion dollars, on an experimental hydrogen plant—an experimental hydrogen plant experiment. As we know, this government has no modelling—can you believe it—to suggest that it will bring down power prices for struggling small businesses and struggling families as well.

Only last week, we learnt that the Premier's signature hydrogen experiment is in disarray. It is in complete disarray after it was revealed again by the opposition—myself and also the very hardworking member for Morphett—that the government has put out a tender to truck in significant amounts of gas for up to two years. That doesn't sound very green to me. Diesel-powered B-doubles—dirty diesel—will be taking this gas up and down. It is like the generators all over again. This is the best case of greenwashing I have ever seen.

We know that this is a debacle. I will tell you why it is a debacle: when I was supposed to debate the Premier on this, he went running, and he sent his mate, the member for West Torrens. There you go. What more do you have to know? It is great for the Premier to look at positive media examples when it is good news, but as soon as it is bad news, he sends out the bad guy to do the dirty work. Does the Premier know something that maybe Twiggy Forrest does not know? Does the Premier know something that maybe Origin Energy does not know? Maybe he does, because, do not forget, he is that smart that he could have been a banker. Do not forget that. Remember he loves telling us that.

Is the Premier's vision of green energy using diesel-powered B-double trucks to bring gas in? He told us the turbines would run on 100 per cent hydrogen. Then he said, 'We only need gas to start it.' Now we find that they need gas four hours a day—four hours of gas a day, minimum—for two years: the great hydrogen hoax. It is no wonder we pay the highest power bills in the nation. It is time for Labor to get its head out of its hydrogen cloud and focus on bringing down power prices for South Australians.

MELALEUCA PARK PRIMARY SCHOOL

Mr BELL (Mount Gambier) (15:08): Earlier this year, I spoke in this place about a remarkable group of students from Melaleuca Park Primary School.

Ms Pratt: Hear, hear!

Mr BELL: I think we might have a previous teacher in the house as well. Year 6 students, Evelyn, Taylor, Jack, Lacey and Brax, had invited me to tour their school and learn about their facilities.

During a school camp in Adelaide, they had the opportunity to visit Westbourne Park Primary School, to explore their facilities and learn about the learner agency program Westbourne Park students were participating in. Learner agency empowers students to develop a sense of identity and responsibility as they engage with their school community and play an active role in shaping their learning experiences.

Whilst touring Westbourne Park Primary School, the students noticed the toilet facilities and, as one student put it, 'Their toilets were outstanding—nice, private, and clean—nothing like ours.' Inspired by this, Evelyn, Taylor, Jack, Lacey, Brax and their fellow year 5 and 6 peers began a campaign to improve their own school's toilet facilities.

These students reached out to me. As part of my Future Mount Gambier 2.0 research, which included all public schools in our area, I went and visited their toilet facilities and the wider Melaleuca Park Primary School grounds. I have to say that their facilities were very ordinary. It looked like they had last been renovated in the 1970s, probably when they were built, and not much else had happened. The students took me through some of the issues, including privacy concerns, no frosting on windows, being able to step on the cistern and look over the partitions, no hand wash facilities and no hand dryers—basically a pretty ordinary state of affairs.

These students reached out not only to me but to the minister, Clare Scriven, and Mount Gambier education director, Adam Box. After my meeting with them, I took it on board to take their concerns to Minister Blair Boyer. After a number of scheduled meetings and delays, we also had the

Deputy Chief Executive of the Department for Education, Ben Temperly, meet and videotape that meeting in my office, which the students played at their school.

Recently, I was thrilled to hear two pieces of good news. Firstly, the aforementioned students had been awarded the 2024 Governor's Civics Award for Schools for their tireless efforts advocating for better facilities at Melaleuca Park Primary School. The Governor's Civics Awards for Schools is a cross-sector initiative aimed at fostering students' skills and awareness as active, informed citizens in our multicultural and democratic society.

It is wonderful to see these students recognised for their dedication, leadership and commitment to improving their own school facilities. Their advocacy demonstrated not only their sense of responsibility but also the power of student voice in creating positive change.

This leads me to the second piece of good news. Last week I was informed that Melaleuca Park Primary School was one of three successful recipients of over $1 million in funding that was allocated to Mount Gambier schools as part of the government's school maintenance boost. This funding has been allocated for improvements to the toilet facilities, which I spoke about before, that these students had advocated so hard for. This is fantastic and an example of what students can accomplish when they take initiative, work together for positive change and engage the wider community.

Other recipients were Glenburnie Primary School, which will receive much-needed funding for disability access to their toilet facilities, and Gordon Education Centre, which will fund an outdoor facility for students with disabilities. All three of these were in the Future Mount Gambier 2.0 document and I really do want to thank both the deputy chief executive and the minister for not only the meeting but engaging actively with these students to show them that their voice really does matter.

WORLD TEACHERS' DAY

Ms PRATT (Frome) (15:13): The only thing I love more than talking about my local community of Frome is the teachers who are in it, but I want to first pick up on the delightful grieve we have just heard from the member for Mount Gambier reflecting on my school, Melaleuca Park Primary School. I spent 11 years working there and am delighted to hear that probably 24 years on they are seeing a return on investment in significant capital projects.

I was proud to contribute quite a lot to the culture of student voice at that school. I know, as we reflect on World Teachers' Day being 25 October, that many teachers are dedicated to developing student voice. However, at that particular school, under the leadership of principal John McCade from 2000 to 2007, Melaleuca Park saw significant renovations and investment at that site. Surprisingly, 24 years on we look to further investment being made in schools.

Where the member for Mount Gambier speaks of money being invested in toilet blocks—which might sound, to others, as a fairly mundane and unexciting investment—I would hope to see the current government release similar funds to schools in my electorate, particularly Two Wells Primary School and Manoora. I will start on Manoora, because it is a town without mains water, a town in country SA without mains water.

Of particular concern for me is the school site, where they rely on bore or rainwater tanks or carting in a drought. This is a school that has to cart in its own water. If that is not bad enough, when the power is out, when there is a brownout, the toilets do not flush and the drinking fountains do not work. So to the teachers at the Manoora Primary School, and particularly the parents and friends, the governing council, led ably by Sonia Nelson as the principal, I give them a big shout-out for the dedication they show to this tiny school that packs a punch.

For World Teachers' Day, with the time I have left I want to celebrate and recognise a number of teachers around the electorate, not in any order but perhaps of some significance, those who are being recognised for their service. Karen Bromley, from Kapunda High School, was nominated for the 2024 Public Education Awards and was also a finalist for the Innovation in Teaching and Learning category. Her commitment to providing the most innovative and highest of quality teaching at this high school continues to impress.

The Kapunda town is really lucky to have such a significant high school. We know they have been through another setback with the fire, but the students and the school curriculum are winning awards for their trade in restoration of the Eringa Homestead. However, it is the agtech and agricultural education curriculum that comes up time and time again, and how important it is for our students, particularly in country SA but even in the metropolitan area, to learn more about the importance of our agricultural industry. We see the benefits stemming from space and defence innovation and how that translates back to farming practices.

To zip over to Balaklava High School, I want to give a mention to Ms Sally Cowan and congratulate her on her 50 years of service as a teacher. She has dedicated her entire career to that school. Balaklava is another big country community that is well served by its primary school and its public high school as well as the Christian Horizon School. This is an opportunity for me to farewell principal Michael Clisby, who has serviced that school community for a long time. We wish him well, and look forward to his replacement.

Just over the hill, through the Halbury Pass, is the campus in Clare, ably led by the head of the school, Mr Bill Greenslade. I also give a shout-out to Mrs Sonya Ottens and Sam Wundke, who do fantastic things at that site with their leadership and pastoral care.

I also want to recognise Ms Courtney Adams, the principal of Wasleys Primary School, which marks its 150th anniversary. I attended that event with the member for Light, and I think everyone in this chamber would share in recognising how fantastic our teachers are.

COUNTRY SHOWS

Mr McBRIDE (MacKillop) (15:18): I rise to speak about the importance of country shows to regional communities. As those in the chamber may know, the show season is upon us. It is time for those in the country to celebrate the unique lifestyle, traditions and achievements of regional Australia.

These agricultural shows are more than just great days out. They are essential gatherings that provide the opportunity to connect, share and support one another, especially in times that feel challenging for many of us. These events remind us of our collective resilience and highlight the strength of our community bonds.

Over the past month I have had the privilege of travelling throughout my electorate attending as many of these wonderful shows as possible. From Pinnaroo to Kingston, Naracoorte to Coonalpyn, and with Penola, Millicent and Bordertown still to come, each show demonstrates the passion and dedication of volunteers and participants.

A couple of highlights that I saw on my travels were in Naracoorte. I was met by a local there who is part of a four-wheel drive club. He raised concerns with me regarding four-wheel driving between Nora Creina and Beachport. He has a strong club emphasis there around Naracoorte, but, not only that, he knows the area and they do pick up other visitors, and we see a lot of Victorians coming over into South Australia, particularly during the summer months, and we do welcome our Victorian counterparts because they actually bring money and spend money and enjoy everything that the Limestone Coast has to offer. His main concern is around the access, the tracks, the four-wheel driving and, most importantly, looking after this precious terrain that needs to be cared for.

One of the highlights around the shows recently was at Kingston where I was able to see the Kingston Speed Shear. We saw some very, very impressive shearers getting down to the mid-20 seconds to shear a sheep and take away a couple of thousand dollars' worth of money. It was well competed, well run on the day, and was very, very effective and quite a spectacle.

The other thing that I would just say about the Kingston Show was that they have a big wool presentation, a fleece-judging event there which is well supported. I think there were over 100 fleeces there—if there wasn't it was close. The proceeds have been going to either the pavilion where they are showing, but the rest—it may even be the majority—has been going towards the Kingston hospital, because the wool is donated. We saw some fleeces there getting very close to $100 in what is a really, really tough time for wool right now. We are seeing that it is really bouncing along the

bottom and in real money terms it is nearly close to bottom-dwelling-type prices, with the costs and so forth.

The other show that I want to tell you about is the Pinnaroo Show. I was up there in the northern part of my electorate. This season and the last season have been very, very tough seasonally-wise, and one big operator between Pinnaroo and Lameroo said, 'Nick, I can handle the dry and we could have still got a crop with the dry but it's the frost that wiped us out.' I said, 'So what are you going to do?' and he said, 'I'm going to try a bit of hay cutting,' and he said he hasn't done that before, that he hasn't got any of the equipment, and that he is going to rely on a contractor. The contractor said he was coming on Wednesday, but failed to tell him which Wednesday he was coming on and he is still waiting, I think. It is because of the demand and it's tough out there and there are massive areas to cut for hay if people want to do that.

In particular I want to extend a huge congratulations to the Naracoorte Show and committee, who this year celebrated their 160th annual show, a milestone that speaks volumes about the lasting significance of these events. The president, Andrew Lock, along with his wife and show secretary, Amanda Lock, worked tirelessly to ensure its success and their efforts were rewarded with a tremendous turnout, around 2,600 visitors, the highest in years. With high participation across sections like pigeons, cookery, Lego, wool and, of course, the hotly-contested men's chocolate cake—which I managed the second prize—it was truly a show to remember.

Agricultural shows like these are an integral part of regional Australia's identity. They are steeped in tradition, but they offer so much more than celebration of our agricultural heritage. They create real economic and social benefits for our communities. They support local businesses, farmers and agriculture, and artists, craftspeople and performers. The influx of visitors and attention brings economic viability to our towns, which has a lasting positive impact on local industries.

Beyond economic benefits, these shows strengthen social bonds in a world that feels increasingly digital and sometimes isolating. These events offer a much-needed opportunity to come together face-to-face. There are places where people can reconnect with neighbours, friends and family, exchanging stories, sharing in successes and offering support in challenging times. They help us remember that, no matter what we face, we are part of a community that is there to lift each other up.

The benefits extend even further. Agricultural shows have a proven impact on wellbeing. They build social capital and foster a sense of belonging, which studies show contribute to increased happiness and overall mental health. To everyone involved, volunteers, organisers, sponsors and attendees, you have created not just a fun day but an invaluable experience that uplifts our entire community. These shows represent the heart of regional Australia, a place where tradition meets resilience, where together we can grow stronger. I hope we continue to support these events and celebrate what makes communities so special.

EYRE PENINSULA SPRING SHOWS

Mr TELFER (Flinders) (15:24): I also want to rise in this place and acknowledge the spring show season on Eyre Peninsula. It is drawing to a close, and if you have been following my social media you would have seen the full array. Every weekend—and sometimes multiple events in a week—there are events that are put on by volunteers throughout our community and across Eyre Peninsula. It started on 11 August at Port Lincoln. The president of the Port Lincoln Show, Semi Skoljarev and his whole team of volunteers produced a fantastic day. It always is the way that the Port Lincoln Show starts the spring season for us. There was a great display of dog obedience training and Sophie Thomson came over. As has already been mentioned, the amount of effort that goes into putting these community events on is so special, and it is so special for each one of these communities.

Following on from the Port Lincoln Show was the 98th annual Wudinna show on 14 September. I congratulate the president, Kylie Bartley, and her whole team on what was a really special day. These shows put on something for everyone. There are activities for young and old. There was a great car show on display at the Wudinna Show. The shearing is always very hotly contested in what really is a central point for wool growing, especially merino wool growing, on Eyre

Peninsula. The show at Wudinna was a special day. For me, the horse riding is always a great attraction.

The following weekend we followed it up by going on the 21 September to the 96th annual Kimba Show. I congratulate the president, Terry Lidis, on a special event on the town oval. The Kimba Show is always well known for the art presentation and competition. This year, the show was opened by the soon retiring member for Grey, Rowan Ramsey, who could wax lyrical about not just the shows that he had been to at Kimba but all around our community.

On 7 October, we went on to the 109th Yallunda Flat Show, a tradition for the Monday of the long weekend. The president, Damian Redden, put on an incredible show. It is the show that is closest to me geographically, so I have been going there for my entire life. It was such a pleasure to be able to be there and present the life membership to Liz Mickan and Steve and Val Briese, three people who have put so much effort into that Yallunda Flat Show throughout the years.

It was also a pleasure to be able to present a certificate of appreciation to Mr Brian Smith. Those of you who have been to any Eyre Peninsula show would know Brian as the voice of EP shows. He is the man who is on the microphone, tucked away in his car in the middle of the arena usually, but his dulcet tones are well recognised. We showed appreciation for decades and decades of not just Brian but his father as well for such a generational contribution to the community.

We followed that up the next Saturday with the 113th Cummins Show with the president, Michael Traeger. The Traeger name is a name that is well known within horse circles in particular. His grandparents Keith and Helen, and father Gavin, have been contributors and volunteers to their community, especially at shows, for such a long time. The Cummins Show is well renowned for the Ray Fauser pigeon and poultry shed. It is always high-quality competition at the Cummins Show.

The following weekend on 19 October was the 115th Cleve Annual Show. Once again, it was a pleasure to be able to be there with Mr Brian Smith, who originally came from Cleve. He reflected on a few of the stories of shows not just at Cleve but from around the Eyre Peninsula. President Lyndon Crosby, along with his volunteers, put on a very special day, and he received his life membership that day.

At these shows there are activities, there are horses, there is shearing and there are pavilions, which are totally based on the efforts of volunteers within our community. In amongst all of that was the Oysterfest at Ceduna on 5 and 6 October, which is something that every South Australian should go to. Well done to Jo Skinner and her group of volunteers. There are hundreds and hundreds of dozens of oysters consumed, and I did my bit as a contributor to that effort.

In amongst all of that as well was the Eyre Peninsula Field Days, a three-day agricultural event. President Rex Crosby and his group of volunteers put on a very special day. Another event was the Streaky Bay Rodeo by the Sea. These are all events within our community that are put on by volunteers who contribute so much in each one of our small communities, and I wanted to take the time today to recognise that effort.

The SPEAKER: I would like to give a shout-out to the Kingscote Show, which is on Saturday. I will be there, but my dog, Dusty, and I are not entering the show this year. A few years ago he won the blue ribbon for the dog most like his owner. We were both drinking beers—Dusty Draughts of course, but we are not entering the competition this year. We will give someone else a crack.

GAWLER SHOW

The Hon. A. PICCOLO (Light) (15:29): Like the members for MacKillop and Flinders, I would like to acknowledge the contribution made by my local show, which is the second biggest show in South Australia, just behind the Royal Adelaide Show.

I would like to congratulate Isaiah Tesselaar, the president, and the members of the committee who put on a very wonderful event. It is a two-day show and it attracts up to 30,000 people over the two days, subject to weather conditions.

This is an important year for the Gawler Show Society because it celebrates its 170th birthday. In the few minutes I have today I would like to briefly travel through the show's history to provide a few key themes that emerge and some of the controversies that appear from time to time. The show

has reflected the highs and lows of the town itself but has also been a source of innovation. The show itself did not start without controversy, with two community and volunteer committees vying to run the very first show.

In 1851, a committee chaired by Mr Sparshott was formed to establish a society for produce farmers, but was not proceeded with. A second attempt was made on 2 October 1854—which was successful and that is why this year we celebrate the 170th birthday of the Gawler Show Society—when Dr Otto Schomburgk chaired a special public meeting convened at the Globe Hotel, which is now the Kingsford, when the Gawler Agricultural and Horticultural Society was formed.

In October 1855, Dr Schomburgk was re-elected president at the show society's first AGM. James Martin was elected as a committee member and the stage was set for the first Gawler Show. On 19 February 1856, the show society held its first show under the grand title of Gawler Agricultural and Horticultural Society's First Annual Exhibition. The South Australian Register records the event as follows:

> Considering the recent date of the Society's establishment and, considering that this was the first attempt at a produce show, we think the members have every reason to congratulate themselves upon its complete success.
>
> We never remember having seen so large a company, including so many ladies of respectability.

And so the Gawler Show was born.

On 10 February 1859, the show was held in James Martin's corn store in Murray Street. In the first major reform, on 10 July 1860, a new show society was formed to represent broader agricultural and horticultural interests, and on 27 February 1861 a larger and more varied annual exhibition was held in the parklands in a large and tastefully decorated pavilion. But the show was not always well received and the 1865 show was poorly attended. Rumours began to circulate that it might be the last show, but they were proven wrong and the 1867 show was an outstanding success.

As other speakers indicated, the show has always relied on the support of volunteers. Without the volunteers the show cannot go on. It was in February 1869 that the show society faced an uncertain future as Gawler residents did not come forward to assist in the organisation of the show.

The second major reform was in January 1870, which saw the commencement of the tradition of holding the Gawler Show a week prior to the Adelaide show. It has been quite a while since we have actually had the show in August of each year.

In 1871, the show was held at the newly erected Martin & Co workshop on Calton Road, where it was reported that the building was 'scarcely second to the exhibition building in Adelaide.' At this particular show fine cheeses and bacon were exhibited for the first time, but it was also lamented that some 'rough youths' brought down the tone of the day. Sounds familiar.

In 1873, the show had a number of innovations. Soap was exhibited for the first time and it was no coincidence that shortly thereafter it was reported that an emerging new soap industry was evident in the town. James Martin exhibited agricultural implements and also, in 1876, what is today called the eggplant was first exhibited at the Gawler Show. All these years I was thinking it was Italians who introduced eggplants to Australia.

In 1877 the show was a huge success with visitors pouring into the main street. During its 170 years the show has had highs and lows, its challenges and successes, but a few things have remained the same: the importance of volunteers, a driver for innovation and the premier event in the town's calendar. Happy 170th birthday, the Gawler Show Society.

Parliamentary Procedure

VISITORS

The ACTING SPEAKER (Mr Brown): Before I call on personal statements I would like to recognise the presence in the gallery of Dr Nguyen Tran Kien, Dr Nguyen Thi Tuyet Nhung and Dr Rod Pearce, who are guests of the member for Narungga.

Private Members' Statements

PRIVATE MEMBERS' STATEMENTS

Mr PEDERICK (Hammond) (15:35): I rise today to acknowledge what has been done in local communities and communities being self-supporting with the frost and drought impact, and also the support coming externally. I want to acknowledge the barbecue that was held at Daniel and Emily Morgan's place at Peake recently where around 200 family members and farmers were there to talk to each other and have conversations that everyone is in it together as far as getting through these drought and frost-affected crops. It was a great night. It was pleasing to see Mayor Paul Simmons from the Coorong District Council there and everyone supporting each other.

We also have the Aussie Hay Runners coming over from Ararat on Saturday. They are going to meet up at the Ampol service station. The Lions Club of Tailem Bend will be cooking the lunch and Murray Bridge Meats will be supplying the meat for the barbecue. Due to extreme requests for assistance, the Hay Runners have advised that they now have 33 trucks to carry 1,056 bales of hay valued at $100,320. Some of these trucks have already arrived. Three of the trucks have already delivered loads to the most urgent need for feed, and they are having a very big discussion about having another run for a lengthy waiting list of recipients. I just want to commend not only the people helping themselves but those external people, like the Aussie Hay Runners, who are helping communities in the Mallee.

Mrs PEARCE (King) (15:37): I am really pleased to share with the house that we are building better, safer roads in my local electorate of King. I am really excited that this month we have commenced an upgrade to the intersection of Aeolian Drive, Atlantis Drive and The Grove Way in Golden Grove. It is something that I made a commitment to doing knowing how unsafe this intersection has been over many, many years.

For those who do not know it, there are no green turning lights on Atlantis and Aeolian drives, and it can be really tricky to be able to turn right onto The Grove Way, particularly in peak traffic when the lights are hitting the road at particular times of the day and also at the end of netball when we know it is very busy on a Monday night, Friday night, Saturday and even on training nights when there is a lot more traffic occurring in those areas.

It is something that people have been asking for for quite some time. That is why I made a commitment to upgrade that space, and I am really happy that we are getting those works done. We have not stopped there, though. We want to improve congestion in that area and we have expanded the commitment to also have a right-hand turning lane just around the corner on The Grove Way to be able to get onto The Golden Way, which I know lots of people are going to be excited to see. We are also improving pedestrian accessibility on The Golden Way to make it even safer for residents to get to school, the rec centre and local childcare centres in the electorate as well.

Mr TELFER (Flinders) (15:38): I rise today to acknowledge 100 years of the District Council of Kimba and to recognise the extraordinary celebrations that were had over the last weekend, and especially culminating last Saturday night with the recognition dinner and commemoration dinner at the Soldiers' Memorial Hall at Kimba.

It was great to be able to join with Mayor Dean Johnson, Deputy Mayor Megan Lienert, elected members both past and present, as well as CEO Deb Larwood, to be able to recognise the efforts of 100 years of the council in Kimba. It is one of the younger councils, really, when it comes to the arrangements here in South Australia, but it is one which is nonetheless very passionate.

It was great to join with Her Excellency the Governor, the Honourable Frances Adamson, as well as the Local Government Association's CEO, Clinton Jury, to be able to commemorate that 100 years of history of the Kimba district council and to hear some of the stories shared on the night, especially from former Mayor John Schaefer, and to join with the five mayors who are still living to be able to cut the hundred-year cake. It was a real special moment, and can I once again commemorate the efforts of that council.

We reflected on some of the incredible investment that has been made in their hall, in their aerodrome, in their camping area and in their stormwater, and long may that council and that

community continue to be one that comes together and plays a significant part in the role of their community.

The Hon. A. PICCOLO (Light) (15:40): Last week, more than 60 people—along with a number of numerous walk-ins—were all aboard the Try Before You Ride event at the Gawler Railway Station. The initiative of Feros Care, and Keolis Downer with Adelaide Metro, aimed to familiarise community members with the public transport system to ensure a smoother and more confident travel experience for all. It was great to see staff from the public transport system take time to walk everyone through all aspects of public transport. It gave those who are unsure about catching public transport a chance to get a feel for the environment and to understand not only the processes for passengers but also how public transport operates.

Participants had the chance to explore various aspects of the railway system, including ticketing, boarding procedures and accessibility features. The hands-on experience provided valuable insights and practical knowledge, while staff were on hand to answer questions and provide guidance making future journeys more seamless. Public transport is a vital part of our community, and it is essential that everyone feels confident and are capable of using it. Last week's event was a great success in achieving that goal, and I have heard positive feedback from participants. I even learnt a few things about how trains work.

As a government, we are committed to making public transport accessible and user-friendly for all residents, and I look forward to seeing more events like this in the future as we continue to support our public transport services.

Time expired.

Bills

CHILDREN AND YOUNG PEOPLE (SAFETY AND SUPPORT) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 October 2024.)

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence, Minister for Recreation, Sport and Racing) (15:42): In closing this second reading debate, I wholeheartedly thank the members who contributed and for sharing their thoughts on this significant step forward in our journey to fundamentally reform the child protection and family support system in ways that help improve children's lives. I thank the shadow minister, the member for Dunstan and member for Elder, who spoke to the range of changes this bill progresses and why this bill is so important.

The member for Dunstan rightly reflected on just how heartbreaking abuse and neglect of children is, how devastating it is that this has happened in our community for decades, and really courageously spoke about the impact of harm on children and how it never leaves you. The member reflected on how our community wants us to do the best we can to prevent the harm of children and to be there for kids when things go wrong. Thank you so much to the member for Dunstan for her insight and wisdom.

The member for Elder also spoke to important parts of the bill, particularly highlighting how crucial it is to empower Aboriginal people in decision-making and to elevate the voices of children: to hear from them about what they want, what they feel comfortable with, what works for them and to really, really listen to them. The member for Elder also beautifully spoke about being a carer and about the absolute love she has for her foster-daughter, describing her experience as the best thing she has ever done in her life—absolutely beautiful words and so encouraging of others to consider this journey, too.

Importantly, the member for Elder also thanked the remarkable workers in our system, who unfailingly want to make a difference. The shadow minister spoke about the comprehensive review of the bill and the feedback he has received, and the member spoke about the briefing we held with him. I thank him for the time to talk about this very important bill. I really look forward to engaging

with the shadow minister in committee on the matters he has flagged, including on the empowerment of Aboriginal families and communities in decision-making about their children and about the national approach all states have signed up to in relation to the genuine empowerment of Aboriginal people in decision-making. We know Aboriginal children will do better when decisions about their lives are led by Aboriginal people and communities, and this legislation provides a pathway to a sector in which Aboriginal people lead decisions for Aboriginal children and their families.

As I did in my second reading speech, I thank the many community members, partners, workers, stakeholders and young people themselves for their engagement with this bill and the review process. The depth of feedback received from across the sector and community has been enormous and speaks to our shared commitment to children and young people. The review provided a really important opportunity to rigorously examine and improve this central legislative framework through which South Australia's system operates. This significant bill speaks to our determination to progress improvements that give young people in our state the best opportunity to be safe, well, loved and enabled to thrive, and it sets a foundation and a framework for transformational change to do so.

There are children and families in South Australia facing profound challenges that many people do not ever have to contemplate. This legislation acknowledges this, will help respond to these challenges and is a crucial part of the foundation to drive real change in the lives of children who most need support. As we have said publicly in the lead-up to commencement, there will be significant opportunities throughout the implementation phase to work closely with community across government and with all stakeholders to ensure supporting policies and processes are designed and implemented in ways which empower children and young people to thrive, which enable people and organisations to help shape the way forward.

Again, our government is utterly determined to do what we can to help tackle the complex challenges children and their families face and to help children thrive. This bill is a really important step forward. Again, I thank those who I mentioned in the Department for Child Protection in my second reading speech and I also thank the incredible team in our ministerial office, particularly Matthew Pearce and Ruth Sibley, who have played a crucial role in bringing this bill to the parliament. I am so pleased to again commend this bill to the house.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr TEAGUE: I rise again noting the second reading debate and in particular the issues flagged along the way. I just confirm my particular interest in those matters. I will aim to invite the government to provide any broadranging indications about part 4, in particular, and then address those discrete matters that I raised in the course of the second reading debate. I say that by way of introduction at clause 1.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

Mr TEAGUE: At clause 4, we see there defined a significant change that is then applied, ultimately, at part 7—the meaning of harm and significant harm for the purposes of part 7, in particular. I guess the question is: how did the government go about, first, establishing that the new threshold was appropriate and then, having done so, how did the criteria for that threshold of significant harm then come into being? How has the threshold been set, more particularly?

The Hon. K.A. HILDYARD: Broadly, first of all, we know that getting the threshold right for reporting on and then responding to children at risk of or experiencing harm is a really critical part of keeping children safe, which is why this particular threshold formed the basis of a central question in our review process.

What I can say is that in the review process—which, as I spoke about in my second reading speech, engaged around 1,000 people—overwhelmingly, the majority of those stakeholders who participated in the review indicated that the threshold should be higher, so that is certainly one factor that we have taken into consideration. Many of those stakeholders agreed that a threshold of 'at risk of significant harm', which is what we have reflected in this bill, would also create consistency with interstate models. We know from research and from undertaking comparisons with other jurisdictions that, arguably, our jurisdiction currently has the lowest threshold.

Through that analysis and also through the rigorous review process and the feedback that we received, and considering the volume of notifications that we receive as a result of that low threshold when compared to other jurisdictions and the issues that that creates in terms of ensuring that we are focusing on those children most at risk, they were the factors that we considered in terms of arriving at this particular view.

I would say the two really pressing factors were that comparison between other jurisdictions, with South Australia arguably currently being the lowest, and also that very strong feedback in the review from a range of stakeholders, individuals, communities—the range of community organisations that are well known to the member that work in this space and the various other bodies that operate in this space. That feedback was very strong, and the vast majority of people in that review process provided that we needed to change the threshold to get it right and that doing so would generally align with the community expectation about responding to those children at risk of harm.

Mr TEAGUE: I appreciate the answer. Perhaps the answer might be described as circumstances for a policy objective and therefore for the implementation of a new test. The definition of 'significant harm' now includes a variety of measures—use of the words 'serious' and 'significant' within the definition of 'significant harm'. It is a double-barrelled question, and I am content if it is questions 2 and 3: to what extent is the definition novel, and to what extent has the government considered any legal uncertainty about what is a multifaceted test?

The broader question for now and going forward, should this be implemented, is: to what extent is the government satisfied that those who will be having to interpret and respond to the new test will be able to do so with confidence and, as it were, so as to avoid a status quo scenario, where people just err on the side of comprehensiveness and just report as they have been anyway?

The Hon. K.A. HILDYARD: There are probably a few answers to your question. We did test that definition pretty extensively with government partners but also with non-government partners through inviting feedback on the bill. There has not really been any feedback at all that is negative about that definition.

In terms of other jurisdictions, other jurisdictions, as I have said, have had the higher threshold for some time, and they have not included the more detailed definition of what significant harm is, as we have. We actually feel that including that detail is a better approach in terms of promoting the understanding of those who will work with this definition in terms of making notifications.

I would also say two other things. Firstly, I spoke in the second reading speech about wanting to have a pretty significant period of implementation to make sure that we are with the sector, with cross-government partners, with community, really developing a strong understanding of the bill.

Progress reported; committee to sit again.

Auditor-General's Report

AUDITOR-GENERAL'S REPORT

In committee.

(Continued from 29 October 2024.)

The CHAIR: I declare the examination of the Report of the Auditor-General 2023-24 open. I remind members that the committee is in normal session. Any questions have to be asked by members on their feet and all questions must be directly referenced to the Auditor-General's 2023-24

Report and Agency Statements for the year ending 2023-24, as published on the Auditor-General's website, and the Update to the Annual Report, as tabled in this house on 15 October. I welcome the Minister for Transport and Infrastructure (and a few other things) and the member for Flinders. I call for questions.

Mr TELFER: In Part A: Executive Summary, chapter 5, page 29, the Auditor-General speaks a bit about emerging issues and areas of future interest and major infrastructure projects. One in particular I want to start with a few questions around is the Northern Water project. Can the minister give me an indication of the estimated cost and timeline for completion for Northern Water?

The Hon. A. KOUTSANTONIS: That is a question for question time. This is the audit process for the last financial year, and in the last financial year the Office of Northern Water Delivery was not assigned to me or DIT.

Mr TELFER: This is purely around the commentary from the Auditor-General around the emerging issues and areas of future interest.

The CHAIR: That is correct and, as the minister has indicated, the Auditor-General's Report refers to the financial year 2023-24. You are seeking some information for 2024-25. You need to ask the minister—

Mr TELFER: The examination yesterday, as you would remember, got directed to the attention of the minister we are now examining.

The CHAIR: I do not recall that, and I was in the chair, but anyway.

Mr TELFER: Remember when I was questioning the Treasurer and he said this was the responsibility of the Minister for Infrastructure and Transport?

The CHAIR: The Treasurer might have been incorrect; it does not mean I have to stand by what he said. Does the minister wish to answer? You do not want to set a precedent on this.

The Hon. A. KOUTSANTONIS: I am in a difficult position because I am required by the parliament to answer questions on the audit. I am not being asked questions on the audit; I am being asked general questions. This is the process. The process is that the project is out for EOI then RFP next year. We will have appropriate costs and estimates back after that is completed.

Of course, the issue here is that this is not a piece of state infrastructure that is of use for a state requirement; this is a piece of infrastructure that is being built for the issue and requirements of the private sector. In terms of the debt and the cost and any agreement or offtake, that would be on a cost-recovery basis, which was the method of the previous government.

What we have undertaken to do with BHP, with the commonwealth government, with the state government and with other partners is to conduct a feed process of $230 million which will establish an EOI RFP tender process which will give us costs of infrastructure. On the basis of those costs there will be an offtake offer. If the offtake offer is accepted and the cost recovers the cost of the capital, then it will be built.

This is not your typical infrastructure program that the government would build for SA Water or for the consumption of SA citizens or any SA government business. This is purely to incentivise the unlocking of our mineral resources in our state's north, and the major proponent who was looking at this—but not the sole proponent—is BHP.

Mr TELFER: Can I get an indication then, minister, on what has been the expenditure so far on the Northern Water project?

The Hon. A. KOUTSANTONIS: I cannot give you that number because it is not part of the audit process, but I can say that the budget for this is $230 million.

Mr TELFER: In the emerging issues—and whether or not this is an emerging issue or an area of future interest—the Auditor-General highlighted that the Northern Water project does not have a fixed estimated cost or timeline at this early stage. To try to get some clarification, I guess, for the people of South Australia around this project, in particular, is the area of focus at the moment

from the government, from Northern Water, still committed to Cape Hardy as the preferred location for the project?

The Hon. A. KOUTSANTONIS: No; there are two locations considered in the business case, Mullaquana and Cape Hardy, and both are being examined. Cape Hardy is over 600 kilometres from the final destination of the pipelines and Mullaquana is 200 kilometres closer. Both sites are being looked at, both sites are being examined for the EOI and the RFP. We have made that clear and public.

Mr TELFER: Following on from that then, the multicriteria analysis outcomes in the statement were about aligning with what many community members said, that the multicriteria analysis put that further studies for Northern Water will now focus on the Cape Hardy site option at the time. Why has this changed? Why is it now multilocation work that is being done?

The Hon. A. KOUTSANTONIS: It was always that. I know that the local member would like it very much to be in his electorate, despite the shadow transport minister's opposition to the project. I now notice that the shadow treasurer is arguing very strongly that only Cape Hardy be considered.

Mr Telfer: No, the question is about the process, that is all.

The Hon. A. KOUTSANTONIS: Sure; it is pretty obvious. We will choose the best site. Mullaquana was always considered as part of the analysis. Mullaquana, on my understanding, was never excluded, cabinet never made a decision to exclude Mullaquana. Both sites are under consideration—as they should be.

Mr TELFER: Which part of the multicriteria analysis is void or incorrect to now include the emerging issues and the areas of future interest?

The Hon. A. KOUTSANTONIS: Where is that mentioned here?

Mr TELFER: I am talking about the project that has been highlighted by the Auditor-General about an area of future interest or an emerging issue.

The Hon. A. KOUTSANTONIS: I say to the shadow treasurer, this is the Auditor-General's analysis. In question time get up and ask any question you like. I am here to answer your questions about the Auditor-General's Report. You seem quite anxious about there being other sites being considered. Is it because you want this built in your electorate?

Mr Telfer interjecting:

The CHAIR: Member for Flinders, you have asked the question. The minister will respond.

The Hon. A. KOUTSANTONIS: We now have two positions of the opposition. The shadow transport minister criticises this project full stop, and now the shadow treasurer is saying, 'Why are you considering any site other than the one in my electorate?' The reason we are doing it is because we have always included, throughout the entire process, that there would be two sites considered, Mullaquana and Cape Hardy.

Mr TELFER: I will continue on. Part A of the Auditor-General's Report talks a bit around asset valuation on page 20. The Auditor-General raises concern with infrastructure projects, stating:

- building costs have increased significantly in recent years, with inflationary impacts on the costs of raw materials and labour.

Can I get insight, minister, into what is the percentage increase of building costs that the Auditor-General refers to?

The Hon. A. KOUTSANTONIS: You would have to ask the Auditor-General that, because it is his report and if you are asking me to make an assumption about what he is saying here, I think he is talking in generalities about escalation. I think it is pretty common sense that there has been an escalation across the country, across the globe, and it has simply been reflected in his asset valuation.

Mr TELFER: So, for clarification, your department did not provide any information data to the Auditor-General for his statement around the increase? This is obviously a statement he would

not make flippantly. I am just trying to work out how much building costs have increased for infrastructure projects—a percentage of increase, for clarification.

The Hon. A. KOUTSANTONIS: We supplied the Auditor-General with every piece of information he asked for.

Mr TELFER: Just continuing on from that then, in the statements from the Auditor-General there are two different aspects: costs of raw materials and labour. How much of the increase which the Auditor-General talks about as an area of concern is because of raw materials and how much of it is because of labour? What component breakdown can the people of South Australia expect?

The Hon. A. KOUTSANTONIS: I will quote you what he says, 'Building costs have increased significantly in recent years and have had inflationary impacts on the cost of raw materials and labour.'

Mr TELFER: Thank you for the quote, minister. I am trying to get insight. Obviously there is work that the department have needed to do and to inform the Auditor-General's Report. How much, as a percentage, have these building costs gone up? Has the department not done that work when it comes to investigating the additional costs for infrastructure projects?

The Hon. A. KOUTSANTONIS: That was not the request the Auditor-General made of the agency.

Mr TELFER: Has the department done the work to ascertain the percentage increase of infrastructure projects that is to be expected?

The Hon. A. KOUTSANTONIS: We monitor all of our infrastructure programs and we report regularly on any escalation of costs to the cabinet, as we should.

Mr TELFER: With that statement from the Auditor-General in mind, on page 20, does the minister have concerns that the $593 million costs for the hydrogen plant will increase significantly with the concerns the Auditor-General has made about building costs, especially with raw materials and labour?

The Hon. A. KOUTSANTONIS: I love all my children equally, sir, and they are all subject to inflationary pressures, but the good news is, of course, inflation is coming down. I look forward to—

The Hon. D.G. Pisoni: That doesn't mean prices are coming down.

The Hon. A. KOUTSANTONIS: Sorry?

The Hon. D.G. Pisoni: It doesn't mean prices are coming down, that inflation is coming down. It just means they are not going up as fast. That's what that means, Tom. It doesn't mean they are going down.

The CHAIR: Member for Unley, yes, you are correct, but I don't think we need your economic analysis at this point in time, thank you.

The Hon. A. KOUTSANTONIS: Ultimately we are in a procurement process with the Hydrogen Jobs Plan, and it is subject to the same pressures every infrastructure program is subject to. I have said so publicly on radio and in this parliament, the Premier has, and once we have completed the procurement process, we will go through the normal processes to announce costs, to announce completion, to announce the schedule as we promised.

Mr TELFER: Has the department done the work to ascertain, with the concerns of the Auditor-General in mind, how much the potential increase for a project with that sort of magnitude will be, a $593 million hydrogen plant?

The Hon. A. KOUTSANTONIS: We do regular assessments on all of our projects and I report to cabinet on a regular basis.

Mr TELFER: On page 30 of Part A, the Auditor-General raises concerns with infrastructure projects saying:

> The State is still responsible for the financial management of these projects and the risks associated with them.

He further states:

> There are risks with these projects individually relating to timelines and costs.

He also states:

> We will need timely access to information to support our work on each of these projects.

Will the minister provide the Auditor-General with all of the required documentation to undertake a full and proper analysis of the financials of the Whyalla hydrogen plant?

The Hon. A. KOUTSANTONIS: We give the Auditor-General every piece of information the cabinet thinks is necessary for him to conduct an appropriate audit.

Mr TELFER: I will cast the minister's attention to the Office of Hydrogen Power SA financial statements. It is a separate document of the Auditor-General as part of the suite of documentations. On page 16, with the cash and cash equivalents aspect, can the minister—

The Hon. A. Koutsantonis interjecting:

Mr TELFER: Sorry, the Office of Hydrogen Power SA financial statements document.

The Hon. A. KOUTSANTONIS: Part C?

Mr TELFER: No, you would well know the suite of documents that are included within the Auditor-General's Report and the subsequent individual—

The CHAIR: These ones are on the website.

Mr TELFER: Yes, those individual different ones on page 16, which I hope your staff have got access to when it comes to my references. Page 16 of that speaks about the cash and cash equivalents. Can the minister please outline the updated expenditure schedule shared with the commonwealth?

The Hon. A. KOUTSANTONIS: You are asking for information that we keep confidential between the commonwealth and the state. That is normal practice between agencies and the state and commonwealth, and we are not prepared to break that now.

Mr TELFER: The Office of Hydrogen Power SA has appropriated $160 million; however, it has retained the $99 million in deposits with the Treasurer. This is on page 16 continuing. Of the $61 million spent, how much was on capital purchases as of 30 June?

The Hon. A. KOUTSANTONIS: $63.4 million.

Mr TELFER: That was the total amount on capital purchases?

The Hon. A. KOUTSANTONIS: Yes.

Mr TELFER: Of the $63.4 million on capital purchases, what were those capital purchases for this project in particular?

The Hon. A. KOUTSANTONIS: We do not break down that by individual programs. I am just letting you know that the costs were for early contractor involvement, procuring turbines and of course associated use, and a motor vehicle.

Mr TELFER: So the turbines have been procured through that process, that $63.4 million?

The Hon. A. KOUTSANTONIS: That was part of it, yes.

Mr TELFER: Of the $99 million left, what was the $99 million intended to be spent on that has not been spent as of 30 June?

The Hon. A. KOUTSANTONIS: That money has not been expended so that will be reported in the next Auditor-General's Report in the coming eight to nine months.

Mr TELFER: I am purely asking, of that, obviously when there was the budget there was a budgeted amount that was expected to be expended on something. What was not purchased or what was the $99 million not spent on that you can share with the committee?

The Hon. A. KOUTSANTONIS: I refer to my previous answer.

Mr TELFER: Has an order been made for electrolysers by 30 June as part of that budget allocation?

The Hon. A. KOUTSANTONIS: We are in procurement, so I will not be making any public comments about any orders or otherwise.

Mr TELFER: With the process only at the procurement stage at the moment, as opposed to any purchases being made, are you expecting any other cost or timeline blowouts from what was expected when the allocation in the budget was first made, when it comes to the electrolysers in particular?

The Hon. A. KOUTSANTONIS: I certainly hope not. I am working towards making sure this comes in on budget but, as I said earlier, we are concerned about escalation and we are concerned about time pressures, but we are working towards that.

Mr TELFER: Can the minister furnish me with a little bit of hope that the electrolysers will be in operation by December 2025 as put before?

The Hon. A. KOUTSANTONIS: It is certainly our aspiration, but as I said earlier, there is a context here and that context is escalation and international time pressures. The economy is very robust and we are doing everything we possibly can to meet those timelines.

Mr TELFER: On page 22 it speaks a bit about the expenses of supplies and services. Is the money being paid to BOC, Linde, ATCO and Epic Energy for the early contractor involvement at the Whyalla Hydrogen Plant included in the supplies and services?

The Hon. A. KOUTSANTONIS: Is that included in the supplies and services of $10.8 million? Payments have been made to a number of consultants, projects and work being done towards the hydrogen project. I will come back to you with an answer about how much information I can provide you.

Mr TELFER: On that same page 22, the Office of Hydrogen Power SA spent $4.6 million on contractors. Could the minister please advise who these contractors were?

The Hon. A. KOUTSANTONIS: They were essential contractors for the assistance of procuring and delivering the project.

Mr TELFER: Can you give me advice as to who those contractors are?

The Hon. A. KOUTSANTONIS: My understanding is that we have Ocean Infinity, PQ Services and Ernst and Young.

Mr TELFER: Can you advise what services those contractors provided for the Office of Hydrogen Power?

The Hon. A. KOUTSANTONIS: They are contractors and they are doing work to help deliver the hydrogen Upper Spencer Gulf outcomes for the Hydrogen Jobs Plan and the Port Bonython Hydrogen Hub.

Mr TELFER: So you cannot specify the actual work that they are doing, they are just working on the project?

The Hon. A. KOUTSANTONIS: They are doing work delivering for the hydrogen hub and the Hydrogen Jobs Plan.

Mr TELFER: Continuing on that same page, there was a $420,000 amount spent on consultants. Could the minister please advise who those consultants were?

The Hon. A. KOUTSANTONIS: They were provided for probity services by BDO, GPA, Nelson Consulting, Barratt Mollison Consulting, and Tactic for event management in Whyalla.

Mr TELFER: You spoke about the probity services and the event management, can you give me a breakdown of those numbers? Obviously, probity is very different from event management and the consultant work that was done as referenced in that $420,000.

The Hon. A. KOUTSANTONIS: The total spent on those was $420,000.

Mr TELFER: Can you provide a breakdown for me on those numbers? No? Why not?

The Hon. A. KOUTSANTONIS: I do not have them.

Mr TELFER: Can you take it on notice to provide them?

The Hon. A. KOUTSANTONIS: I will check.

Mr TELFER: Thank you. Continuing on, the Office of Hydrogen Power SA spent $4.2 million on legal fees. Could the minister please advise who provided these legal services and what the services were?

The Hon. A. KOUTSANTONIS: External legal advice and Crown Solicitor's Office advice towards the Hydrogen Jobs Plan.

Mr TELFER: Where was the external legal advice procured from?

The Hon. A. KOUTSANTONIS: I do not have that. I will undertake to try and get that for you.

Mr TELFER: You spoke pertaining to the project, what were the actual legal services that were provided, the scope of those works?

The Hon. A. KOUTSANTONIS: I would imagine that it would be contract advice, it would be procurement advice, it would be probity advice, it would be about contracts with contractors, contracts for purchasing land, making sure that the state is in a secure position when we do enter into contracts.

When we are dealing with private contractors and commercial contractors it is good to get external advice especially from people who have more connection with commercial negotiations. The Crown is very good at giving us statutory legal advice but sometimes we need commercial lawyers to give us commercial advice. It is appropriate that we get external advice, and I think that is a good thing, but in terms of the legal advice we were given obviously we claim privilege for all of that and I would not go into details about what it was.

Mr TELFER: Thank you, I was not asking for the actual advice, I was trying to get an idea about who was providing those services and what those services actually were. Continuing on that page, there is $718,000 on travel and related expenses. Could the minister please advise what this travel was for, where it was to, and who attended?

The Hon. A. KOUTSANTONIS: It's all proactively disclosed and appears on OHPSA's website.

Mr TELFER: The entire $718,000 has all been proactively disclosed?

The Hon. A. KOUTSANTONIS: That is the advice I have. The advice I have is that travel and related expenditure of $700,000 includes travel, which is detailed on the Office of Hydrogen Power South Australia's website as per appropriate disclosure requirements, and domestic travel costs.

Mr TELFER: Continuing on that page, there is a $449,000 expenditure on marketing. Can the minister please provide a breakdown on those marketing costs?

The Hon. A. KOUTSANTONIS: They are educational, they are visualisation, they are, of course, to community engagement forums across the state. In Whyalla it is about making sure that the people of Whyalla and the people of South Australia know how we are spending their money and what the government's plans are for decarbonising the Upper Spencer Gulf, especially our Green Iron strategy, which is the centrepiece of the Hydrogen Jobs Plan.

There are vast resources of magnetite on the Eyre Peninsula. That is a little known fact for many people. Magnetite, as opposed to haematite, has a high Fe content and can be a lot more beneficial for the beneficiation into green iron using hydrogen, and stepping down from coke and coal to gas.

We also want to inform South Australians about the benefits of what decarbonisation can do for them in terms of going up the value chain in our mineral sector. Exporting minerals is complex work and difficult work, and can be profitable work, but this government aims to add complexity to our economy by going up the value chain of our minerals.

There were some very good decisions made by a previous Tonkin government that ensured that, when Olympic Dam was given approval to be mined, they also smelted copper, and that pushed us up the complexity level. That was a very good move by then Minister Roger Goldsworthy, and something that I continually applaud him on when I see him. We aim to do the same thing with our other minerals.

Why export iron ore as a raw material when we can beneficiate it here using our sun and wind to manufacture hydrogen, and use that hydrogen or our natural gas in the Cooper Basin to decarbonise ironmaking, and then ultimately steelmaking, and export that commodity to around the world. So I view these educational programs and these marketing programs that the member is asking about as invaluable for community engagement. I think it is very, very important and, quite frankly, I think it is a little bit light.

Mr TELFER: So the $449,000 on marketing is for statewide public consultation, or some of the community meetings that we have seen about the prosperity plan. Is that what the $449,000 is funding?

The Hon. A. KOUTSANTONIS: I have attended all of these with the Premier when we have gone to not only regional communities but metropolitan communities because, obviously, they have a big say in this as well. We have conducted them in Whyalla, I think we have conducted them in Port Augusta, I think we have conducted them in Port Pirie, we have conducted them throughout metropolitan Adelaide and they continue to be conducted.

These are important forums where people come along and see the Premier and myself and the relevant ministers present what the government's aspirations are for green iron and the prosperity plan—which incorporates the Hydrogen Jobs Plan—talk about Northern Water, talk about electrolysers, talk about the generator, talk about direct iron reduction, talk about the copper clay in Roxby Downs and talk about Port Pirie's multimetal smelter because the focus for us on this, of course, is working hard to maintain and grow the three smelters we have in our Upper Spencer Gulf: Whyalla, Port Pirie and, most importantly, Roxby Downs.

The CHAIR: Time has expired for the examination of the Auditor-General's Report. We will go to the Minister for Arts and Minister for Consumer and Business Affairs. I remind members that the committee is in normal session. Any questions have to be asked by members on their feet and all questions must be directly referenced to the Auditor-General's 2023-24 Report and Agency Statements for the year ending 2023-24, as published on the Auditor-General's website, and the Update to the Annual Report, as tabled in this house on 15 October. I welcome the Minister for Small and Family Business, Minister for Consumer and Business Affairs and Minister for Arts. Member for Morialta, the floor is yours.

The Hon. J.A.W. GARDNER: If we might start with the audited financial report for the Adelaide Festival Corporation which, of course, comprises part of the document, although it is on the website. On page 7 of that audited financial report, dot point 2.2 identifies that the box office for last year's Adelaide Festival was substantially down from $5.3 million to $4.5 million, a drop of $850,000. Is the minister able to advise why the box office revenue was lower than expected when other comparable arts festivals have reported increases?

The Hon. A. MICHAELS: Yes, I can. There are a number of festivals around the country that, the member would be aware, are suffering with a cost-of-living crisis. For some of those higher end festivals, we have also seen music festivals cancelled and all sorts of things. I would say it is a combination of that, but also there was a very strong focus on free performances and events. The

major events committee contributed $2.3 million in funding for the opera, and this year we had Little Amal come, which was fantastic. She moved around the city, crossing the bridge with the Port Adelaide fans, as I crossed with her. She was around the place, in Rundle Mall, and I went to that as well. That was a very good free program that engaged many thousands of families and young people who probably would not otherwise engage in the Adelaide Festival.

We also had *Whale*, which was free for people. *Whale*'s first appearance was down at Glenelg. I think there were a lot of shocked people, quite emotional people, when you see the newsfeeds with people they were interviewing, not realising it was a fake whale. There was *Whale*, Little Amal and there were other free performances. There was a free performance celebrating Adelaide University's 150th, so it was a combination. Actual attendances at the Adelaide Festival for the year were record-breaking. The most successful in terms of audience numbers was 457,505. In terms of people engaging in the Adelaide Festival, it was very successful, but the combination of cost-of-living pressures and so much free component to it I think obviously impacted ticket sales.

Revenue was slightly higher, thanks to the additional state government funding. In terms of the overall result for the Adelaide Festival, it was probably more impacted by the increasing costs of running a festival rather than the impact on the ticket sales on the revenue side.

The Hon. J.A.W. GARDNER: Did the Adelaide Festival Board submit a budget for the festival with anticipated box office and other expenses and income? If so, how does that budget compare to the actual financial results?

The Hon. A. MICHAELS: The annual report that was presented to me does have budget figures. I do not have the actual budget they submitted last year; I assume the numbers are the same. The 2023-24 budget on income was $21,490,000. The actual total income received was $21,514,000, so it was $24,000 over budget. Again, it was largely contributed to by the additional funding from the state government. The budgeted figure for expenses was $21,490,000. The actual expenses for 2023-24 came in at $22,339,000, so that was $849,000 over budget.

The year prior, 2022-23, actual for expenses was $20,147,000. I think you can see the increases in expenses in putting on such a festival. Staging, artists' fees, particularly the international component, has substantially increased in the last year or so. Bringing in artists from overseas has become a lot more expensive, staging has become a lot more expensive, and we are seeing that impact on their expenses.

The Hon. J.A.W. GARDNER: To be clear, the minister just said that in the previous year the expenses were $21.15 million, that there was a budget of $21.5 million this year, and the expenses were $22.3 million, which was $849,000 over budget. Notwithstanding that there were some decisions made, funded by major events, for some expensive shows, we are still talking about $850,000 over budget, by the minister's last answer. My question is: when was the minister advised of the discrepancy between that budget and the expense, the $850,000 cost overrun that she has just described?

The Hon. A. MICHAELS: This was signed off—as in, the annual report that was presented to me—by the chief executive, Kath Mainland, on 27 September. I think I received it probably a few days after that. I can get the exact date in terms of when I knew of the quantum of the deficit. Of course, they have a substantial reserve that has covered that; I can find the reserve figure for you. They had cash reserves of $630,000 at 30 June 2023, so that has covered the negative result of $569,000. The difference between the $825,000 and the $569,000 takes into account depreciation—so, I guess, the non-cash aspects of it.

The Hon. J.A.W. GARDNER: In relation to this same line, other than at the final annual report stage on 27 September, were there earlier marks through which the minister was kept informed of any variances between the budget and the actual for the 2024 Adelaide Festival planning and execution?

The Hon. A. MICHAELS: Certainly, once the festival was finished. I think we had discussions and actually probably had a press conference about attendance numbers, and it was obvious then that paid ticket sales were down even though attendances were up, so that was probably the first indication. Then, obviously, with discussions along the way, they certainly informed

me that they were expecting some loss, but the quantum of the loss specifically was not known to me and would not have been known to them until they finalised their accounts.

The Hon. J.A.W. GARDNER: The minister earlier described the $2.3 million allocation from the Major Events Fund, and there is a reference under income on page 6 to that. The minister, I think, described the opera and *Little Amal* as both being funded from the Major Events Fund, from that $2.3 million. Were any of the other aspects of the Festival also funded specifically by that Major Events Fund, or was it just for those two, the opera and *Little Amal*?

The Hon. A. MICHAELS: I am advised that for the 2024 Festival, this year's Festival, that funding was used for *Little Amal* and the opera, but it also covers, I think, 2025 and 2026 operas as well.

The Hon. J.A.W. GARDNER: So the $2.3 million is over the three years and there are still the 2025 and 2026 operas which come out of that. Is it anticipated that, given what has already been spent, what is remaining of that $2.3 million is sufficient to cover those other two events still to come?

The Hon. A. MICHAELS: Yes, as I understand it, that is sufficient to cover those events. The program for 2025 has been finalised by Brett Sheehy. That is a very good program of very high quality international performances and, certainly, a stronger focus on ticket sales for 2025, which would support the Adelaide Festival in making sure it comes in on budget for 2025.

The Hon. J.A.W. GARDNER: Can the minister advise how much of that $2.3 million was expended in the first year, the year covered by this year's accounts?

The Hon. A. MICHAELS: I will have to take that on notice. I do not have that figure with me.

The Hon. J.A.W. GARDNER: Going to page 7, under 2.3 other income, there is a line that is described as sundry which was $727,000 in 2023 and $1.7 million in 2024, which is an increase of $1 million through this sundry income stream. It is described below that as:

> Sundry income includes co-presented fees that are recognised as income once the applicable show has been performed.

I do not know if the minister has a direct translation into common language of what that means, but can the minister explain: what is that sundry line of $1.7 million and why has it increased by $1 million from the previous year? Where have we got that $1 million from?

The Hon. A. MICHAELS: I do not have that information at the moment. I will take it on notice.

The Hon. J.A.W. GARDNER: On the same page, line 2.4 talks about sponsorship. It identifies that in 2023 there was $1.229 million that came in in sponsorship. This year there was $1.137 million in sponsorship, a drop of about $100,000 from last year's festival. Is the minister able to advise why that drop in sponsorship has happened?

The Hon. A. MICHAELS: I cannot identify the difference in the cash sponsorship, but it might be, for example, corporates and others who are feeling the pinch have provided more in-kind sponsorship, and we can see that the in-kind sponsorship has substantially increased. Overall, in terms of sponsorships, the organisation was about $200,000 better off. I suspect that is probably pressures on corporates and others in terms of providing cash sponsorships and therefore potentially a shift towards more in-kind sponsorship.

The Hon. J.A.W. GARDNER: On page 8, the next dot point is the Foundation Adelaide Festival Distribution, which provided $1.7 million last year but only $1.2 million this year, a $500,000 drop in income. Can the minister provide any information for that drop in income?

The Hon. A. MICHAELS: We might be able to find out specifics for you, but again my presumption is around cost-of-living pressures, people tightening their belts slightly. But the foundation does an incredible job for Adelaide Festival, and they do have very generous philanthropists who support the Adelaide Festival, both local and interstate philanthropists. I am very grateful for that support, and the Festival is certainly very grateful for that support, but we can take that on notice.

The Hon. J.A.W. GARDNER: Can the minister advise if she has access to the original budget for each of these line items described in the notes under 2.1, 2.2, 2.3, 2.4 and 2.5? What was the initial budget, and when was she advised that the Festival would not be meeting its budget targets in each of these areas?

The Hon. A. MICHAELS: I thank the member for that question. All I have in front of me, which was in their annual report that they provided to me, is the budgeted total and total expenses. Further on, in the profit and loss and balance sheet there are only 2022-23 actuals and 2023-24 actuals, so I do not have budgets, but I can take that on notice and find out what those budgeted figures were and if there was a reason for any of the variances that I can provide to you.

The Hon. J.A.W. GARDNER: That is greatly appreciated; thank you. On page 9 at note 3.3 of the report there is a reference to employee remuneration. The number of employees whose remuneration received or receivable fell within bands of over $160,000 has increased from two to three. The total remuneration for those employees has increased from $525,000 last year to nearly $850,000 this year, a fairly substantial increase. Can the minister explain: who are the three employees, or at least what are their jobs and the roles that have had such an increase? Is there an explanation for the substantial increase from two at $525,000 up to three at $850,000 in this environment?

The Hon. A. MICHAELS: I am advised I am not sure I can actually answer that question because we do not identify beyond chief executive level salary and who that is attached to. I am not sure I am even able to take that on notice to provide that information for you. That is the advice I have received.

The Hon. J.A.W. GARDNER: Can the minister explain why the executive remuneration staff band for the Adelaide Festival during a cost-of-living crisis has increased from $500,000 to $850,000, including a 50 per cent increase in the number of staff?

The Hon. A. MICHAELS: Sorry, can the member just repeat that? I am not clear on where those figures come from.

The Hon. J.A.W. GARDNER: At the bottom of page 9 of the report it is identified that there is an increase in total remuneration for employees at higher staff bands from $525,000 to $850,000, which is a $325,000 increase—a fairly dramatic increase—and the number of employees that the Adelaide Festival has taken on in these bands has increased from two to three. Is the minister able to explain why?

The Hon. A. MICHAELS: We can provide a high-level breakdown, I am advised. What I think is one of the issues there is potentially previously having one of the senior leadership potentially be on a contract rather than be an employee. There was a period of time when Rachel Healy and Neil left and there was an acting position before Ruth. I suspect that was a contract position, not an employee position, and that is possibly what the difference is, but I will probably be able to provide at least high-level information on that.

The Hon. J.A.W. GARDNER: Can I confirm that the minister will at least try to provide some level of information and has taken that question on notice?

The Hon. A. MICHAELS: Yes, on notice.

The Hon. J.A.W. GARDNER: Thank you very much. In relation to this, I cannot recall whether the new artistic director, Brett Sheehy, commenced the role during the period covered in this report or whether it was later. Maybe the minister can help us out. If the minister is able to advise whether the new artistic director is covered in this period of time, that would be helpful.

The Hon. A. MICHAELS: I am advised that Brett Sheehy's commencement was in the 2024-25 financial year. I can get an exact start date for you if you would like.

The Hon. J.A.W. GARDNER: I go to the Museum Board audited financial report.

The CHAIR: And the reference is?

The Hon. J.A.W. GARDNER: It is the audited financial report for the Museum Board. We have just been doing the Adelaide Festival audited financial—

The CHAIR: I understand that. There is a separate report, is there, for this audit?

The Hon. J.A.W. GARDNER: It forms part of the document. It is directly linkable online for those following. Let's start at page 7, perhaps. This is the general income line. It appears, from page 7, that this disaggregates the income for the Museum Board as opposed to the foundation, and highlights that there is a drop in income for the Museum Board from 2023 of $17.667 million to 2024 where it is $15.655 million. There is a $1 million drop in grant income for example, and some drops in donations and intragovernment transfers. Is the minister able to provide any advice to the house as to the nature of this $2.1 million drop in income for the board?

The Hon. A. MICHAELS: The major variance in the grant, based on their financial report, is what is referred to as a commonwealth source grant, which was $277,000 in 2024 but $1.128 million in 2023. I can also inform you that the commonwealth government provided funding for the purposes of the Science Engagement Program, inspiring South Australia's National Science Week, BushBlitz, the National Parks Indigenous Repatriation Program through the Department of Infrastructure, Transport and Regional Development, and taxonomy and systematic grants through the Australian Biological Resources Study. There was a change in one or more of those, and I can get the details for you of what that drop was. That was the major drop, actually, a commonwealth grant decrease.

The Hon. J.A.W. GARDNER: That was a drop of about $900,000 that the minister has just described, but the overall drop in income for the board is $2.1 million. I am keen if she has insight as to why some of the other drops have happened.

Specifically, on page 10 one of the drops that is described is a drop in sponsorship from $240,000 in 2023 to $125,000 in 2024, and a drop in membership from $142,000 in 2023 to $61,000 in 2024. Is the minister able to provide any insight on either of those drops, or other reasons why the Museum Board's income has dropped so dramatically?

The Hon. A. MICHAELS: Again, I suspect that a large part of that is a cost-of-living issue; fewer people being able to afford to buy membership, and potentially corporates also feeling the pressure of the increasing costs of doing business. I suspect that is probably a substantial reflection of that.

I do understand that there was also about a $384,000 reduction in donations of heritage assets, which I understand is obviously not a cash impact. It is reflected in financial statements but it is actually reflecting a donation in heritage assets that has gone down by $384,000 as well.

The Hon. J.A.W. GARDNER: I refer to page 9, the grant income disaggregation, the state government underlying grant. Is the minister able to advise of that recurrent operating grant that is $10.795 million this year, $10.784 million last year. Is that what would be described as the state government's base grant to the Museum, or is that an aggregate of a number of state government grants to the Museum.

The Hon. A. MICHAELS: The $10.795 million was the operating grant for the Museum for the year 2023-24. Does that answer your question?

The Hon. J.A.W. GARDNER: I understand the government has announced what I think was described as a $4 million package of funding to the Museum to support its next stages, but specifically to this budget paper, does that $4.1 million announcement include any money that was already expended to support the Museum in the 2023-24 financial year, but has been included in that government announcement, that collection of contributions that added up to $4.1 million?

The Hon. A. MICHAELS: No, the $4.1 million that has been referred to is all this financial year and future. None of that relates to the 2023-24 financial year.

The Hon. J.A.W. GARDNER: In relation to the expenses on page 7, it is a total of $18.441 million broken down into various aspects. Was any of that expense utilised to support the Premier's review into the Museum, which concluded a couple of months ago?

The Hon. A. MICHAELS: No, the Premier's review panel costs were absorbed by DPC. It does not relate to the expenses shown in the Museum's annual report.

The Hon. J.A.W. GARDNER: I just briefly want to touch on the Art Gallery Board and similarly the statement, the audited financial report. Page 7 refers to recurrent operating grants of $8.5 million in 2024, which is down from $9.4 million in 2023 and, for what it is worth, it was $11.6 million in 2022 and $12.5 million in 2021. I also note a drop in state government grants listed at the top there from $1.1. million last year to $400,000 this year. Can the minister advise, with those significant reductions, in the order of well over $1 million across the recurrent operating grants and the state government grants from last year to this year, what impact has this reduction in funding had on the Art Gallery and its operations?

The Hon. A. MICHAELS: I can advise that those reductions started from the 2018-19 state budget. If I bring that forward—

The Hon. J.A.W. GARDNER: The 2017-18 Mid Year Budget Review.

The Hon. A. MICHAELS: I don't have those details. I have a 2018-19 budget, which it brings it forward into the 2023-24 year, of a reduction of $496,000. We then have in the 2019-20 state budget a further reduction, which in the 2023-24 financial year, I am advised, equates to $446,000. Then in the 2022-23 state budget there were savings that in the 2023-24 year are equivalent to $238,000 and, of course, no further savings from the 2023-24 or the 2024-25 budget.

The ACTING CHAIR (Mr Odenwalder): I declare the examination of the Minister for Arts, in accordance with Auditor-General's Report, complete and I call on the Minister for Education to appear. I declare the examination of the Report of the Auditor-General 2023-24 open. I remind members that the committee is in normal session. Any questions have to be asked by members on their feet and all questions must be directly referenced to the Auditor-General's Report 2024-24 and the Agency Statements for the year ending 2023-24, as published on the Auditor-General's website, and the Update to the Annual Report, as tabled in this house on 15 October. I welcome the minister and the member for Morialta, who I assume is leading the questions, and I call for questions.

The Hon. J.A.W. GARDNER: Can I acknowledge the wonderful people in the gallery. I encourage them to enjoy this session. I am going to start at the back of the big, thick book on page 433. The last aspect talks about the Roadmap for the Future of TAFE SA. It states:

> TAFE SA started delivering the actions in 2023-24, and has reflected them in its strategic plan.

Is the minister able to identify what work was done in that time on legislation to change the way that TAFE SA operates? And if he is able to provide information to the house on when we are going to see that legislation and consider it that would be greatly appreciated.

The Hon. B.I. BOYER: I am happy to give you an update on the Roadmap for the Future, which was a piece of work, as you said, undertaken by Jeannie Rea. A significant amount of work has been done already to progress what were 96 recommended actions that came from the road map. We have been considering all of those.

I can give you an update on those recommendations that are currently being actioned and, as you foreshadowed in your question, they include consulting or changing the TAFE SA Act. TAFE SA and Skills SA are working collaboratively to consult across government and progress a proposal to me ultimately for consideration by cabinet, so I do not foresee that that will be a long way away. I am hoping we have that quite soon for consideration and then, depending on what happens through that process, I hope to have something in this place around changing the TAFE SA Act and hopefully bringing to life some of the recommendations that Ms Rea made in her roadmap report.

TAFE is in the final stages of the Innovate Reconciliation Action Plan (RAP) with Reconciliation Australia. There is shared use of TAFE SA campuses to benefit local communities, which was a recommendation I was pleased to receive. TAFE SA continues to engage with the Mount Barker District Council to negotiate the terms of a service level agreement over the management of the campus grounds.

Engagement continues with the city of Noarlunga to negotiate the terms of leases for office space and the community library. A regional university study hub at Victor Harbor is being developed—I am told it has now been launched, which is good—with Regional Development

Australia (RDA) for the Adelaide Hills, Fleurieu and Kangaroo Island. Yes, the hub was due to open and did open on 19 September this year.

There are student engagement hubs, the physical ones. The lead professional services contractors engaged by Ventia have completed Berri, Tonsley and Victor Harbor in July of this year, with Port Pirie due for completion in September this year. I am not sure if that has been done or not—not to our knowledge. Whyalla is due for completion this month. A student engagement hub at Mount Gambier is currently in the planning phase with internal design requests being considered. No due date has currently been set for the completion of a student engagement hub at Mount Gambier.

The government delivered on its commitment to increase regional delivery by establishing the Regional Skills Development Fund in January of this year. In support of the delivery, there are an additional 41 courses in regional SA as of 23 May. Without that funding, it is estimated by TAFE that only 18 regional courses would have been offered over this time, so a pretty significant increase of 23 additional courses being offered at TAFE campuses in regional SA thanks to that RSDF funding that flowed from the budget in 2023, I think it was.

TAFE SA has consulted with TAFE SA's Regional Skills Advisory Committees to inform regional course delivery. TAFE SA is also continuing to grow opportunities for regional engagement in 2024-25. I will not go on. There are more updates that, if you would like, I am happy to provide you.

The Hon. J.A.W. GARDNER: Specifically just on the legislation that the minister mentioned was going to be considered by cabinet, is it anticipated that it will be going to cabinet for approval to go more broadly for consultation or has the minister's consultation, presumably directed consultation, already happened and the assumption is then it will go from cabinet straight to the parliament?

The Hon. B.I. BOYER: Yes, I just had a chat with the chief executive about that. My anticipation as minister is that once it gets to cabinet and depending on what happens through that process, there will be further consultation and public consultation after that as well.

The Hon. J.A.W. GARDNER: My last question on this matter: when is TAFE or the minister anticipating that public consultation will take place and therefore its introduction into parliament?

The Hon. B.I. BOYER: I think the fastest that we would have it out for public consultation would be this year. It may more likely be the start of next year, but not far away.

The Hon. J.A.W. GARDNER: The same page, above the road map, refers to the bolder future but it also refers to the fee-free courses which commenced in January 2023. There has been some media speculation around completion rates on those courses. There was a newspaper article I am aware of which I think referred to the national program and I believe that there was a TAFE SA representative on the local radio who provided a different figure.

Presuming that the completion rate depends on which courses are included and whether they are due to have completed, is the minister able to provide whatever the most up-to-date information is on what are the completion rates for those courses for which we can identify a completion rate under the fee-free TAFE program?

The Hon. B.I. BOYER: I am aware of the article, which I have read, and you are right that a representative from TAFE appeared on, I think, David Bevan's program, and answered some questions around that article. I am not entirely clear how the data that appeared in that national article was found or released because it is very different from the data that we obviously keep locally in TAFE. I am happy to take you through what I am advised by TAFE.

In terms of the fee-free TAFE cohort, the completion rate that we have currently is about 45 per cent and that is above, I think, the completion rate in TAFE outside of fee-free TAFE, which is 40 per cent. The current withdrawal rate for the fee-free TAFE cohort in South Australia is 12.5 per cent compared to 22.5 per cent for non-FFT, fee-free TAFE, subsidised students over the same period, so it is higher for both in fee-free TAFE, which I am of course very pleased about.

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

The Hon. B.I. BOYER: Yes, the FFTs, that is right. Of course, that 40 per cent figure for completions of TAFE students outside the fee-free TAFE cohort has come up—and I do not have it in front of me, unless the chief executive does. It has come up in the last few years I think from as low as 32 per cent upwards to now 40 per cent, which is really pleasing to see, because I have made many, many public comments about the need for us to improve the completion rate and I was glad to see in the most recent NCVER data we had showed a 2.9 per cent increase for South Australia, which is good. We are seeing that in TAFE, outside fee-free TAFE as well.

Given the levels of disadvantage amongst students who go to TAFE generally, which is quite high from the data that I have seen, it would suggest that the levels of disadvantage based on where students in South Australia are accessing it, where they live, when they go to access fee-free TAFE are also very high. The fact that so far we are getting 45 per cent, which is above TAFE's 40 per cent and a dropout of just 12.5 per cent below the 22.5 per cent, I think is a very promising sign.

Obviously, it is relatively early days because it takes time for the throughput for those who commenced to get through and complete, so I am not going to hop on a helicopter and land on an aircraft carrier with 'mission accomplished' hats just yet. There is a lot more to go but at least at this stage—I know that does not work—there are promising signs.

The Hon. J.A.W. GARDNER: Can the minister provide the aggregate data, the numbers that sit behind that 45 per cent figure that he has just cited and perhaps whatever the other numbers are in relation to those for whom we do not yet have completion rates? I am happy for it to be taken on notice if he wishes.

The Hon. B.I. BOYER: I am happy to take that on notice and come back with as much of that detail as we can put together for you.

The Hon. J.A.W. GARDNER: Thank you. I will move to a different page and we will keep moving. On page 426, at the beginning of the TAFE run, it is identified by the Auditor-General that land and buildings were revalued upwards by $316 million—which must have been a very exciting development for whoever pays council rates in the TAFE SA organisation—and that this was TAFE SA's first revaluation of land and buildings since 2019. I assume you do pay council rates. We will have to find that out.

I am wondering if it is possible to disaggregate where those increases were found. In relation to the hundreds of millions of dollars worth of property that TAFE SA owns, is it possible to disaggregate how much each of those various campuses that TAFE SA owns has been valued at?

The Hon. B.I. BOYER: We will come back to you with as much detail as we can—happy to do that. The advice that I have on that though is that, as you pointed out, the valuation which was the first since 2019 resulted in an increase in land and building values by $316 million, which is obviously a lot. I think it was over 24 separate properties. This would probably not come as a surprise to the member for Morialta, but the advice I have is that it was market conditions which largely contributed to the large cost in the valuation. Nonetheless, we will try to disaggregate that as best we can across the 24 separate properties that were part of that valuation and provide that data to you if we can.

The Hon. J.A.W. GARDNER: In the line after it says, 'Funding from the Department for Education increased to $243 million.' Would I be right to assume that that is from Skills SA, which would now be under DSD, but under the financial year in question was the Department for Education?

The Hon. B.I. BOYER: I am told that is correct.

The Hon. J.A.W. GARDNER: Thank you; that makes sense. On page 429, the Auditor makes note that there were 54 hourly paid instructors who started work without having a signed contract, compared to 26 over 10 months in the 2022-23 year—so a significant increase then. The Auditor has recommended that TAFE SA, amongst other things, implement controls to prevent HPIs starting work before a valid contract is in place with a particular focus on business units with higher noncompliance rates. There are two questions, I guess: which are the business units that have higher noncompliance rates, and is the minister going to be able to bring down this number that is so significantly increased over the previous year?

The Hon. B.I. BOYER: I thank the member for Morialta for the question and, yes, you are right. There has been a longstanding issue around the commencement of hourly paid instructors without contracts. After a number of years of improvements in terms of the percentage of HPIs commencing with a contract in place, we saw a deterioration in that compliance, which is an issue that I have discussed at great length with the team from TAFE. Part of it, of course, is due to the fact that TAFE is growing for the first time in quite a long time in terms of enrolments. That means more staff are needed and some growing pains come along with that. Nonetheless, I am not making an excuse for us not being compliant.

The chief executive informs me that a new process has been put in place post the data published in the Auditor-General's Report. Of the contracts that have been processed since that, we are at 100 per cent. So we are confident that the new process that has been put in place should rectify the noncompliance issue and so far, since that process has been put in place, we are seeing promising signs.

In terms of the second part of your question around finding out specifically which business units of TAFE are the least compliant, we will see what we can do and come back to you with that data if we can. But I feel more confident now that we have something in place, which I hope will put to bed those compliance issues that we have seen.

The Hon. J.A.W. GARDNER: I move to education. I will ask a relatively general question. Page 71 talks about the National School Reform Agreement. I note that the Auditor-General highlights that there was a 12-month extension of the National School Reform Agreement that we signed in 2019 to allow time for a comprehensive review. Can the minister provide us with an update on those negotiations with the commonwealth?

The Hon. B.I. BOYER: Yes, thank you, member for Morialta. I remain very confident that South Australia will be successful in signing an agreement with this federal government. I remain confident that we will do that before whenever the federal election is, which is obviously something we need to do because it has been made fairly clear by the alternative federal government that, should they form government, the discussions around extra money towards 100 per cent are not a thing they are interested in having.

I do not have any more updates for the member for Morialta in terms of exactly how close we are because, of course, as I am sure you know as a former cabinet minister, the Premier, the Prime Minister and other premiers and chief ministers are negotiating a whole range of national agreements, and the National School Reform Agreement is one of those. The best update I think I can give you is that, regardless of what the funding is to get to that 5 per cent we need to get public schools to up to 100 per cent, I am confident that will get to the 100 per cent and that South Australia is committed to signing an agreement with the federal government. But negotiations are still ongoing. I have no further update for the member for Morialta beyond that.

The Hon. J.A.W. GARDNER: All of the figures on page 70 would be relevant for this, but I refer to the period 2023-24 and the identification of how much funding the public school system should have spent on it, according to the Gonski agreement, commonwealth allocation and state allocation combined. My understanding is that we have to acquit that expenditure to a body to ensure that we have spent the right amount of money within a very narrow band. Can the minister confirm whether that acquittal has taken place for the immediate past financial year? Were we within that band or under it or over it?

The Hon. B.I. BOYER: As the member for Morialta is probably aware, it is calculated by school year and not financial year. Mr Bernardi advises me that we are currently acquitting 2023. We are not late in any way in our acquittal. That work has been done. Current projections show that we are within the band.

The Hon. J.A.W. GARDNER: On page 70 it talks about the 18 staff transferring to the Office for Early Childhood Development. Is the minister able to identify whether any of that cost is aquittable towards our Gonski spend, or does that fall entirely outside the National School Reform Agreement?

The Hon. B.I. BOYER: As per the longstanding Gonski arrangements around the spending of money needing to be in primary and secondary schools and not in early year settings, I am advised that the value of the transition of the 18 staff cannot be counted towards Gonski expenditure either.

The Hon. J.A.W. GARDNER: Two dot points higher, it refers to $83 million in back pay which was provided, I assume, once the EB agreement was signed. That included a back pay component. Can the minister confirm if that $83 million was acquitted, at least the component up to 31 December, in the 2023 Gonski spend; or, because it is paid in the 2024 calendar year, is that all in the coming year's Gonski acquittal?

The Hon. B.I. BOYER: I am advised that the EB component that relates to schools can be acquitted as part of the Gonski acquittal process, but those EB costs that went towards early years staff cannot.

The Hon. J.A.W. GARDNER: I have two questions that arise directly from that answer. Is the minister able to disaggregate how much of the $83 million would apply to school staff and, therefore, be Gonski-able, for want of a better word?

The Hon. B.I. BOYER: We will try to do that if we can. I asked Mr Bernardi and he said we will go back and have a look at whether we can disaggregate that figure.

The Hon. J.A.W. GARDNER: Noting that the vast majority of the staff in the education department are school staff, one imagines that it would be a significant proportion of that $83 million. Can the minister confirm, then: does that component, that $83 million or a bit less, being paid in the 2024 calendar year—noting that it is in the financial year 2023-24, so eligible for questioning now—count towards our 2024 Gonski acquittal and therefore reduce the requirement on the education department to otherwise provide new funding for public schooling in this calendar year?

The Hon. B.I. BOYER: I am informed there are timing differences in the acquittal, but we will go away and take it on notice and come back to you with a more detailed answer.

The Hon. J.A.W. GARDNER: On page 70, it highlights the assets—and, indeed, that includes the substantial number of public school and preschool sites—being 894. Over the last couple of years, the minister has been good enough to provide updates in relation to the proposals to expand that number at Mount Barker and the northern suburbs of Adelaide. Is the minister able to identify what projects are within an Infrastructure SA pipeline at the moment?

The Hon. B.I. BOYER: Member for Morialta, I am advised, aside from the projects that you listed, which have already been through the Infrastructure SA process, we do not have any further projects at this stage that are going through the Infrastructure SA process.

The Hon. J.A.W. GARDNER: Can the minister advise, in relation to the 20-year infrastructure plan, which is referenced on other pages but all captured under this point, I would argue, is there a list of school projects and upgrades that are awaiting consideration by cabinet as part of a budget process, or is there a different approach that is being taken?

The Hon. B.I. BOYER: I do not at this stage have advice from the department regarding future infrastructure budget bids. In terms of other lists, we have the asset condition list, of course, but that would not have all 894 of those sites on them for projects of different size and quantity. But in terms of a list for a budget submission or cabinet consideration, Mr Temperly has advised me that I do not currently have any advice from the department on that.

The ACTING CHAIR (Mr Odenwalder): I declare the examination of the Minister for Education, in accordance with the Auditor-General's Report, complete.

Progress reported; committee to sit again.

Bills

CHILDREN AND YOUNG PEOPLE (SAFETY AND SUPPORT) BILL

Committee Stage

In committee (resumed on motion).

Clause 4.

The ACTING CHAIR (Mr Odenwalder): I understand we were drawing to the close of the debate, but please continue.

The Hon. K.A. HILDYARD: Just to recap in relation to the member's question in terms of developing the understanding of significant harm, as I said, there will be an implementation period and part of that implementation period will include education for mandatory notifiers and indeed more broadly across the sector and community. I also mentioned that we did test that definition and there had not been any particular concerns raised.

The other two things I would just mention are that I think it is important that in terms of considering the threshold and the impact for people who are mandatory notifiers, when you consider this particular provision in conjunction with the provision around the development of a state strategy, through the development of that state strategy, given that around 75 per cent of notifications have historically come from people working across government, we would hope to work through that state strategy in a collaborative way to make sure we are providing those very early interventions through each person who has particular contact with children and young people in our community.

The last thing I would say—as I spoke about, I think, in my second reading speech—is that this is of course the threshold for mandatory notifications. Nothing precludes any person from continuing to notify wherever there is a concern, and of course the chief executive will still have to assess each of the notifications that are presented to the department.

The ACTING CHAIR (Mr Odenwalder): Member for Heysen, do you have any further questions on clause 4?

Mr TEAGUE: I think I might be done; I have done my three.

The CHAIR: I am happy to allow another question.

Mr TEAGUE: I will continue at clause 5.

Clause passed.

Clause 5.

Mr TEAGUE: Continuing on, then, with this question about the new definition, creating a threshold as it does, I appreciate the government's response in relation to practical programs in terms of the implementation of this for mandatory reporters. I am concerned with the certainty of the description and the certainty, therefore, of the definition and how that is likely to work in practice.

Clause 5 of course takes the assessment that step further in terms of identifying a risk, but in so doing further particularises itself what significant harm is, for example. By setting out in subclauses (2)(a) to (2)(e) and in the further context that is provided for in the others, we see a whole range of circumstances that are particularised in a way that the definition of 'significant harm' does not. The definition of 'significant harm' talks about three kinds of harm:

(a) harm that endangers a child or young person's life;

(b) harm that consists of, or results in, serious impairment of the physical or psychological wellbeing of a child or young person;

(c) harm that results in, or is reasonably likely to result in, a significant adverse impact on the safety or wellbeing of a child or young person.

If one compares that with subclauses (2)(a) to (2)(e), there are then examples of what will constitute that in the context of the risk of it occurring—including, for example, those circumstances that are set out in subclauses (2)(c)(i), (2)(c)(ii) and (2)(c)(iii).

I guess the question is: what work is the further particularisation of risk of such harm doing, and am I right in interpreting those examples therefore as concrete examples of significant harm for the purposes of the definition itself in clause 4?

The Hon. K.A. HILDYARD: If I understand the question correctly, and building on the information I provided in relation to clause 4 about how we canvassed that particular definition, etc.,

clause 5 is designed to set out in what circumstances a child or young person will be taken to be at risk of harm; and yes, you are correct in terms of the particular examples you pointed to.

Mr TEAGUE: As a matter of construction, if we are searching around for examples, to go back to clause 4(2)(b) and (c) in particular, with the use of the words 'serious' and 'significant' but without particularisation, is it just a matter of convenient construction that we find examples of the risk of significant harm giving us some guidance of specific examples of harm that has such serious or significantly adverse impacts on children?

If so, why are such examples not set out, for example, by reference in a schedule for the purposes of clause 4? For the record, is it sufficiently clear in clause 5 that these are sufficiently serious or prevalent examples of risk that, for drafting purposes, have been deemed to be desirable to set these out and that they are non-exhaustive?

The Hon. K.A. HILDYARD: Basically what this clause does is define at risk of harm and what is important to note is that part of the definition at clause 5(2)(c), (d) and (e) already exists in current legislation and is actually very well understood, and there is that definition in the current legislation, so basically this clause is about defining at risk of harm.

There are two other things that this clause also does. There is a new addition at clause 5(3) in relation to a child or young person not being taken to be at risk of harm merely because a parent or guardian of the child has a disability. The other substantive change is at clause 5(5), which is a new provision that has been repeatedly called for, and also the subject of examination in a number of research papers, a number of inquiries, and that is the concept of cumulative harm. The addition here at clause 5(5) is to make sure that, when we are determining whether a child or young person is at significant risk of harm, we do not just look at the current circumstances of that child or young person but also at the impact that cumulative harm would be likely to have on the child or young person.

Mr TEAGUE: I note the reference to cumulative harm at subclause (5) and the carve out for a parent or guardian living with a disability at subclause (3), and I understand the minister's answer to be referring there to a definition that is otherwise legislated. If I look at it in the broad, the risks are the first two in (2)(b), which is the tautologist's general catching of clause 4. It says, risk of significant harm…is a likelihood that the child or young person will suffer significant harm', so that is understood. It is (c) and (d) that are going into this; there are two extra categories. One is taking the child out of the state for doing something that would be illegal within the state, and there are three examples of that, and then the second special area is to do with parents and parents being unable or unwilling to care for the child. To be clear, that constitutes itself a risk of significant harm. Then in paragraph (e) you have the opportunity to prescribe other circumstances by regulation.

My question remains why those particulars do not just constitute part of the definition of significant harm in clause 4(2) and therefore all you need in clause 5 is paragraph (b): risk of significant harm is everything that is caught within the definition of significant harm in clause 4. Why the need to set out those categories only in clause 5?

The Hon. K.A. HILDYARD: My advice is that clause 4 is looking at the definition of 'harm' and clause 5, particularly in that section that you referred to in terms of FGM, etc., is looking at what is deemed to be something that would place a child or young person 'at risk of harm'.

Clause passed.

Clauses 6 and 7 passed.

Clause 8.

Mr TEAGUE: In the interests of brevity or getting straight to it, the first point that I might refer to specifically—and I might do this a number of times by reference to various submissions that have been provided to me—is that I have received, but only recently, a submission from the Aboriginal Legal Rights Movement (ALRM) on the then draft bill that is dated 13 September 2024. That might be just for the purpose of reference to the document that I am looking at. It will not necessarily speak to the entirety of the bill as it currently stands.

The particular concern that the ALRM raises, I am not certain there is a need for it. It may be that the minister can provide some comfort in this regard. The ALRM submission repeatedly refers to a necessity to deal with the contents of part 4 within part 2. I seek leave to continue my question.

The Hon. K.A. HILDYARD: We have made an amendment to deal with that issue that I think the member is going to ask about, so I would be happy to elucidate.

Progress reported; committee to sit again.

Sitting suspended from 18:00 to 19:30.

TOBACCO AND E-CIGARETTE PRODUCTS (E-CIGARETTE AND OTHER REFORMS) 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 39, page 32, after line 15 [clause 39, inserted section 69A]—After the definition of *controlled purchase operation* insert:

designated person means a child who is of or above the age of 16 years;

No. 2. Clause 39, page 32, line 20 [clause 39, inserted section 69B(1)]—Delete 'a person who is under the age of 18 years' and substitute:

, subject to subsection (1a), a designated person

No. 3. Clause 39, page 32, after line 21 [clause 39, inserted section 69B]—After subsection (1) insert:

(1a) The Minister must not authorise a designated person to be a controlled purchase officer unless the parent or legal guardian of the person has consented in writing to the proposed authorisation.

No. 4. Clause 39, page 32, after line 37 [clause 39, inserted section 69C]—After subsection (1) insert:

(1a) An authorised officer responsible for supervising a controlled purchase operation involving a designated person must undertake an assessment of the operation and must ensure that appropriate measures are in place to ensure the safety of the designated person during the operation.

No. 5. Clause 39, page 32, line 38 [clause 39, inserted section 69C(2)]—Delete 'under the age of 18 years' and substitute:

a designated person

Consideration in committee.

The Hon. C.J. PICTON: I move:

That the Legislative Council's amendments be agreed to.

Ms PRATT: I take the opportunity to speak to the amendments that have come back to us from the upper house. I do not need to labour the point too much, but it would be remiss of me to miss an opportunity to reflect on the conversations we last had in this chamber where the opposition declared early its support for any bill that would seek to protect young people from having access to toxic and illegal substances.

The minister may recall that I took the opportunity to spend some time seeking clarification and putting questions during my second reading speech on the controlled purchase officer provision within the bill because it appeared to the opposition that it was silent on some more detailed instructions.

At the time, the minister took it upon himself to again ridicule the questions that the opposition were putting forward about the age at which a person might become recruited by the government as a controlled purchase officer, that the bill spoke to 18 years or under. It was legitimate at the time for us to not speculate but sincerely question what was the minimum age, how young might a young person be recruited to this role.

The legislation was silent on how that person might be found, how they may be remunerated, what consent would be required, and what safety provisions were there for them? While I took it upon myself to suggest that a nine or 10 year old, according to the amendment bill, could be recruited, the minister scoffed at the suggestion. I understand why he might have taken that position, but the point of raising it in this chamber was to draw attention to the fact that the bill was silent in its instruction to future interpretation.

So here we are, again being rushed by the government. It has been sitting in the upper house for a while. We are here to consider amendments that do the very thing that I drew attention to in my second reading speech, amendments that now declare a designated person means a child who is above the age of 16 years. I welcome the clarification that there will be a deletion of the clause that suggests a person who is under the age of 18 years, without further information, that that clause is going to be deleted. It is clause 39 and I will read it in full:

> The Minister must not authorise a designated person to be a controlled purchase officer unless the parent or legal guardian of the person has consented…

This is the very point that we were getting to, and I am disappointed that questions asked in earnest when last this bill was here were ridiculed when we have had to go through the process of being rushed to consider amendments that have been put forward and filed by the Hon. Robert Simms in the other house. The final clause that I want to speak to is clause 39, page 32, inserted after line 37:

> (1a) An authorised officer responsible for supervising a controlled purchase operation involving a designated person must undertake an assessment of the operation and must ensure that appropriate measures are in place to ensure the safety of the designated person during the operation.

These are the legitimate questions that were being put to the government at the time. There were questions about safety, there were questions about what support mechanisms might be made available to a young person who found themselves in a very risky situation in the employ of the government effectively. So, for the sake of this argument, I read back into *Hansard*, or from *Hansard*, through the committee process:

> How is the government going to recruit?...Will these young people under the age of 18 be paid and how much?...Who is going to give consent for this young person to participate in this role? Can…young people under the guardianship of the CEO…apply or be considered?

I continued at length to push the minister and the government to consider what protections might be in place for these young people.

Would they qualify for legal representation by the Crown if anything went wrong during that covert operation? It is significant to stand here, back in committee, where the very questions that were being put to the government, again late on a sitting night, where we had opportunities to reflect on the bill, where legitimate questions were being put to the government, where the opposition in earnest were signalling support for a bill that would add to the protections to prevent young people accessing toxic substances like e-cigarettes and illegal tobacco, has come full circle via the upper house where the Hon. Robert Simms had drawn attention to this very provision early on and where we saw the government comment in the media but was silent in their own legislation about the purpose of the designated person. I welcome the amendment that the Hon. Robert Simms brings to the parliament because it addresses the gap—the loophole—that the opposition felt existed in the bill.

As the only speaker for the opposition it was important to restate our concerns that, where there seemed not to be any legislative precedent of a provision like this existing elsewhere in South Australian legislation, the minister's tone was to patronise and sneer at the suggestion I was making that questions should be asked about that clause, that we wanted reassurance, that young people being recruited to COVID operation in a kindergarten-type of way needed a floor, needed an age minimum, and we have it in front of us: it is 16 years of age. With those comments, I am happy to conclude my remarks and signal that we will be supporting all the amendments en bloc.

The CHAIR: Minister, would you like to respond?

The Hon. C.J. PICTON: I definitely would. I was going to allow this to go past, and we would move on to the next business of the house, but that commentary from the member for Frome needs

some response. The member for Frome is correct in that she did raise concerns about this, and the Hon. Robert Simms in the other place raised concerns about this. The government was very clear on our position, that we believed there was no need for concern in regard to that. But what a contrast between the approach from the 'say no to everything' Liberal Party and the actually constructive Hon. Robert Simms because what the member for Frome did in this place was seek to knock out the clause completely.

That would have meant that our enforcement officers, who are out there trying to enforce this law, would have had no ability to undertake these operations whatsoever. They would have struck it completely off as opposed to what we saw from the Hon. Robert Simms, which was an approach to amend the legislation, to work with the government to address his concerns in a constructive way that is going to allow the policy intent to occur that the government had in place. If we had accepted the advice of the member for Frome in this parliament, none of those operations would have occurred—

Members interjecting:

The Hon. C.J. PICTON: —they would not be happening, and people out there selling tobacco, selling vapes to young people—

The CHAIR: Members for Bragg and Frome, you were heard in silence, right? Do the same.

The Hon. C.J. PICTON: With people out there selling tobacco and selling vapes to minors, the government would not have had the ability to enforce that law whatsoever. That is what would have happened if we had listened to the member for Frome. Thank goodness we did not listen to the member for Frome, thank goodness we actually have some constructive members of the Legislative Council who are willing to work with the government to achieve things.

I really appreciate that the member for Bragg is here as well, because the member for Bragg went out on this bill to put out a media release saying, 'Why hasn't the Legislative Council dealt with this legislation? How dare the Legislative Council not be dealing with this legislation last week?' What was the Legislative Council doing in the last sitting week of this parliament while the right-wing extremists in the Liberal Party were bringing abortion legislation through the upper house in late-night sittings that completely distracted from the important policy work that this government is trying to undertake.

What we saw, of course, was one of the most deplorable scenes that we have ever seen in the Legislative Council, with the breaking of a pair for a member of the Liberal Party who is getting cancer treatment. So that is what was going on, member for Bragg, in the upper house last sitting week. We are glad that this has got through the upper house this week, we are glad that members not of the Liberal Party have been willing to work constructively with this government and we are glad that these increased penalties will now be in place and there are increased provisions to take action which would not have been there if we had listened to the member for Frome and the Liberal Party's constant naysaying on everything.

Motion carried.

Resolutions

VETERINARY INDUSTRY

The Legislative Council passed the following resolution to which it desires the concurrence of the House of Assembly:

1. That in the opinion of this council a joint committee be appointed to inquire into and report on the effects of long hours, financial strain, high workload and high pressure on the poor mental health and wellbeing of veterinarians in South Australia, with particular reference to—

   (a) quantifying the significant economic, social, and emotional benefits that veterinary industry brings to society and having this acknowledged by government and industry;

   (b) measures that can be taken to improve veterinarian retention rates, including incentives for working in rural and regional areas;

   (c) working conditions, including remuneration, unpaid hours, safe workplace culture and client conduct standards;

(d) measuring and identifying initiatives to prevent the high rates of suicide and burnout among veterinarians, particularly in regional and rural areas;

(e) the role played by veterinarians in providing care to lost, stray, and homeless animals and injured wildlife, dealing with emergency situations, and the financial burden incurred by veterinarians in these circumstances;

(f) reviewing the roles and responsibilities of veterinary nurses with a view to relieving pressure on veterinarians, as well as the training of veterinary nurses and the related workforce;

(g) regulation of veterinary practices, including compliance with psychosocial legislation for the workplace, maximum work hours and after-hours practices;

(h) strategies to improve access to veterinary care during a cost-of-living crisis, including pricing transparency, pet insurance, and other support for disadvantaged animal owners;

(i) the role of universities in preparing veterinarians for practice and the transition to the workforce; and

(j) any other related matter.

2. That, in the event of a joint committee being appointed, the Legislative Council be represented thereon by three members, of whom two shall form a quorum of council members necessary to be present at all sittings of the committee.

3. That members of the committee may participate in the proceedings by way of telephone or video conference or other electronic means and shall be deemed to be present and counted for purposes of a quorum, subject to such means of participation remaining effective and not disadvantaging any member.

4. That this council permits the joint committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the council.

Bills

FAIR WORK (REGISTERED ASSOCIATIONS) AMENDMENT BILL

Second Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Local Government, Minister for Veterans Affairs) (19:46): I move:

That this bill be now read a second time.

I am pleased to introduce the Fair Work (Registered Associations) Amendment Bill 2024 to the house. The Malinauskas government has strongly supported the federal Labor government's decision to place the CFMEU into administration following disturbing reports of criminal misconduct within the Construction and General Division. Using the force of the law to place an organisation into administration is an extraordinary act, and not one that we wish necessarily to become more common.

However, the need for decisive action in relation to the Construction and General Division has been reinforced by Geoffrey Watson SC's independent investigation into the activities of the Victorian branch. Mr Watson was initially engaged to conduct the investigation by CFMEU National Secretary Zach Smith, and that investigation has continued under the appointed administration of Mark Irving KC. Mr Watson has found that the Victorian branch is 'caught in a cycle of lawlessness where violence was an accepted part of the culture,' and has been infiltrated by bikie and organised crime figures.

The state government is not aware of any evidence that these criminal links have extended to the Construction and General Division's operations here in South Australia, and that is supported by the findings of the Commissioner of South Australia Police following his own look at this matter. However, as long as the South Australian branch remains under the functional control of Victoria, it is untenable for South Australia to be excluded from the current federal administration.

Building and construction is one of the most dangerous industries in Australia and, just like every other worker in our society, construction workers deserve to have access to a strong trade union that stands up for their health and safety and advocates for fair wages and conditions.

However, Victorian control over the SA branch has been a failed experiment. South Australian construction workers have not been well served by the influence of people like John Setka, who embodies the most irresponsible elements of our union movement.

Those workers deserve a union that is free of corruption and violence, and which is not associated with the criminal behaviour of any outlaw motorcycle gang. That kind of behaviour has not only been condemned across the political spectrum, it has been condemned by the mainstream Australian trade union movement. Figures like the ACTU Secretary, Sally McManus, have been firm that there is no place for corruption or criminality in the organisations workers rely on to protect their interests.

Our South Australian government has been very clear that we want to see the SA branch of the CFMEU returned to responsible local South Australian leadership and free of Victorian control. Once that occurs, we hope to see the SA branch back on its own two feet and released from administration as soon as is appropriate. South Australian workers and businesses alike have been well served by the harmony we have seen in our state's industrial landscape. The return of the South Australian branch of the CFMEU to local leadership is the best outcome to support that balance.

Turning to the substance of this bill, following the passage of the federal administration legislation the federal government has recommended that jurisdictions with their own registered counterparts of the CFMEU take complementary action to ensure the administration of the Construction and General Division is effective. This is necessary to safeguard against two avenues by which elements of the CFMEU may attempt to evade federal administration.

The first is by shifting assets and personnel from the federally registered union to its state-registered counterpart, out of reach of the federal administrator. The second is for officials of the union to attempt to operate in an entirely unregulated capacity outside of the established legal framework of the industrial relations system.

Legislation has already been introduced in Queensland, New South Wales and Victoria in relation to their state-registered counterparts. This bill will make similar amendments to ensure the integrity of the federal administration in South Australia.

In South Australia, there is a counterpart to the CFMEU registered under our state industrial relations system, known as the Australian Building and Construction Workers' Federation (ABCWF). The bill inserts part 3A of the Fair Work Act 1994 to enable the federal administration of the CFMEU to be extended to the ABCWF if that is necessary. These provisions permit the federal administrator to apply to the minister to place the ABCWF into administration—for example, if evidence comes to light that there has been an improper transfer of assets or personnel to the organisation. The minister must place the union into administration if requested by publishing a notice in the *Gazette*.

The federal administrator is then automatically appointed as the administrator of the ABCWF and is conferred with the same functions and powers in respect of the ABCWF as they have in respect of the administration of the CFMEU under the federal act. Importantly, the administrator is required to act in the best interests of the members of the ABCWF when exercising their functions and powers. If necessary, regulations can be made to supplement or modify those functions and powers inherited from the federal scheme. The minister may also appoint a different person as the administrator if necessary—for example, if there is a conflict between the federal administrator's duties to members of the ABCWF and their duties to members of the CFMEU.

The bill provides for a maximum penalty of $100,000 for persons who engage in conduct without reasonable excuse that prevents the effective administration of the ABCWF. These provisions only apply to the extent the Construction and General Division of the CFMEU is in administration under the commonwealth Fair Work (Registered Organisations) Act 2009 in respect of its operations in South Australia.

This means that if the South Australian branch of the CFMEU is released from administration, no application for administration of the ABCWF can be made and any administration in effect at that time will cease. This is consistent with the government's support for the South Australian branch to be detached from Victorian control and returned to local leadership so it can be released from administration as soon as appropriate.

The bill also amends the Fair Work Act 1994 to encourage representation by registered associations and to prevent unregistered associations and their officials from purporting to exercise the functions and powers of registered trade unions. This provides an important safeguard against officers or employees of the CFMEU or the ABCWF attempting to evade administration by operating in an unregistered capacity outside the reach of industrial law.

The bill inserts a new object of the act to encourage representation by registered associations. The bill clarifies that various functions and powers of industrial associations under the act may only be exercised by associations that are registered and therefore subject to the obligations which come with registration, including transparency requirements, supervision by the South Australian Employment Tribunal, and potential deregistration for improper or oppressive conduct. This includes functions and powers such as rights of entry, the right to commence legal proceedings in the SAET on behalf of members, and the right to act as a representative of a party in proceedings before the SAET as a non-legally qualified union official.

The bill also inserts part 3B of the act to enable SAET to make orders in relation to unregistered associations. These include orders to restrain an association from holding out membership on the basis of representing workers in matters before SAET or from acting as a representative of a person or group of persons in proceedings before SAET. Part 3B also includes penalties for unregistered associations that make false or misleading representations about their right to represent the industrial interests of employees under the act. This will strengthen SAET's capacity to uphold the integrity of the registration scheme under the act by preventing unregistered associations from evading or undermining that scheme by purporting to exercise the functions and powers of a registered association.

The bill also makes amendments to the process for federally based associations, which are already registered under the commonwealth Fair Work (Registered Organisations) Act 2009 to be recognised as a registered association in the state industrial relations system. There are several associations of this kind, which have been active representing members—in the public sector, for example—for many years and whose current exercise of functions and powers under this act would otherwise be affected by the amendments in this bill.

The bill streamlines the registration process for existing federally registered associations, acknowledging they have already gone through an extensive process to become registered under the Fair Work (Registered Organisations) Act 2009 and are already subject to strict reporting and compliance conditions in the federal system. These amendments will encourage federally registered associations with members in the state system to register under the act without the need to relitigate the registration process that has already occurred federally. Registration will mean those associations will be subject to the same obligations as other state-registered associations, including supervision by the SAET and, importantly, the potential for deregistration.

The bill also includes several technical provisions to deal with demarcation disputes between state and federally registered counterparts of the same association and to ensure that existing federally registered associations can only seek state registrations if they are entitled under their rules to represent South Australian workers. A consequential amendment is made to the South Australian Employment Tribunal Act 2014 to clarify that only officers and employees of registered associations may act as representatives in the SAET without requiring leave of the tribunal.

The bill also amends the maximum term of an enterprise agreement in the state industrial relations system to four years. This brings South Australia into line with the maximum term of an agreement in most jurisdictions around the country, including the national industrial relations system covering private sector employers as well as the systems that apply to the commonwealth, Queensland, Victoria, ACT and Northern Territory governments. The four-year period represents a maximum term only, and the length of enterprise agreement is ultimately a matter for negotiation between an employer and their employees during the enterprise bargaining process.

I note in the Legislative Council an amendment to the bill was successfully moved by the Hon. Tammy Franks and not opposed by the government, providing for a review of these amendments by the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation after three years of operation. That review will provide an appropriate opportunity to

consider the effectiveness of these amendments and whether any further reform is necessary. I conclude by commending the bill to the house and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Fair Work Act 1994*

3—Amendment of section 3—Objects of Act

This clause inserts a new object of the Act that states: 'to encourage representation of employees and employers by registered associations'.

4—Amendment of section 4—Interpretation

This clause amends section 4 of the principal Act to provide for a definition of *unregistered association*.

5—Amendment of section 18—Advertisement of applications

This clause amends section 18 of the principal Act to ensure that SAET is satisfied that reasonable notice of an application involving a demarcation dispute between associations representing employees has been given.

6—Amendment of section 25—Representation

This clause amends section 25 of the Act to substitute references to an industrial association with references to a registered association. The proposed amendment also provides that the Tribunal must not give leave for a person to appear as a representative in proceedings before the Tribunal if the grant of leave would be contrary to an order made under section 136H or an order made in settlement of an industrial dispute.

7—Amendment of section 32—Who may make a claim

This clause amends section 32 of the principal Act to substitute a reference to an association with a reference to a registered association.

8—Amendment of section 77—Form and content of enterprise agreement

This clause amends section 77 of the principal Act to substitute a reference to an association with a reference to a registered association.

9—Amendment of section 83—Duration of enterprise agreement

This clause amends section 83 of the principal Act to change the maximum term of an enterprise agreement from 3 years to 4 years.

10—Amendment of section 120—Application for registration

This clause amends the notice requirements in respect of an application for registration.

11—Substitution of section 131

This clause substitutes section 131.

131—Eligibility for registration

This clause provides for the eligibility of associations to be registered.

12—Amendment of section 132—Application for registration

This clause amends the notice requirements in respect of an application for registration.

13—Amendment of section 134—Registration

This clause makes changes to section 134 of the principal Act so that SAET must register an association if satisfied of certain matters.

14—Insertion of Chapter 4 Parts 3A and 3B

This clause inserts new Chapter 4 Parts 3A and 3B into the principal Act.

Part 3A—Extension of Federal administration of CFMEU

136A—Interpretation

The proposed section inserts definitions.

136B—Application by Federal administrator of CFMEU

The proposed section facilitates the placing of ABCWF into administration.

136C—Effect of administration of ABCWF

The proposed section sets out the effect of placing ABCWF into administration.

136D—Administrator not liable in civil proceedings

The proposed section provides for a civil liability provision for the benefit of an administrator, or person acting under the direction of an administrator.

136E—Regulations under this Part

The proposed section provides for the power to make regulations.

136F—Cessation of administration

The proposed section provides for the cessation of the administration of ABCWF.

136G—Anti-avoidance

The proposed section creates an offence provision where a person, without reasonable excuse, engages in conduct or a course of conduct and as a result of that conduct or course of conduct, another person or body is prevented from taking action under an administration or the administrator is prevented from effectively administering ABCWF.

Part 3B—Orders in relation to unregistered associations

136H—Power for SAET to make orders in relation to unregistered associations

The proposed section provides that SAET (constituted as the industrial relations commission) may make certain orders to encourage representation of employees and employers by registered associations.

136I—Misrepresentations by unregistered associations and agents

The proposed section provides for offence provisions where an unregistered association or an officer, employee or agent of an unregistered association make false or misleading representations about the right of the individual or the association to represent the industrial interests of employees under the principal Act.

15—Amendment of section 140—Powers of officials of employee associations

This clause amends section 140 of the principal Act to substitute a reference to an association with a reference to a registered association.

16—Insertion of section 144A

This clause inserts proposed section 144A into the principal Act.

144A—Demarcation agreements etc

The proposed section provides for the effect of a demarcation agreement operating between associations. It also provides that SAET must give preference to the right of a locally based association to represent the industrial interests of employees if there is a demarcation dispute between a locally based association and a Federally based association that is a Federal counterpart of the locally based association.

17—Amendment of section 147—Exercise of powers of SAET

This clause amends section 147 of the principal Act to exclude Parts 3A and 3B (as inserted by clause 14) of Chapter 4 of the principal Act from the statement that the powers of SAET under Chapter 4 will be exercised by the Registrar.

18—Review of Act

This clause inserts a provision to provide for a review of the operation and impact of the amendments to the *Fair Work Act 1994* made by the *Fair Work (Registered Associations) Amendment Act 2024*. The review and a report on the outcome of the review is to be conducted by the Parliamentary Committee on Occupational Safety Rehabilitation and Compensation.

Schedule 1—Related amendment and transitional provision

Part 1—Related amendment to the *South Australian Employment Tribunal Act 2014*

1—Amendment of section 51—Representation

This clause makes a related amendment to the *South Australian Employment Tribunal Act 2014* to apply limits around the right to represent employees in proceedings before SAET where the representative is not from a registered association.

Part 2—Transitional provision

2—Registration of associations under Chapter 4 Part 3 to continue

This clause provides for transitional arrangements in relation to the registration of associations.

Mr TEAGUE (Heysen) (19:59): I rise to indicate that I am the lead speaker for the opposition and will address my remarks primarily to those aspects of the bill that are rather so understated that they suit the atmosphere in the chamber in this almost dead of night on the occasion that the government has decided to come on through from the introduction of this bill last thing on the last day of sitting in the previous week in another place to all of a sudden finding its way here late in the night, this Wednesday night sitting of the parliament.

We have put aside other work in progress, including a body of work on the Children and Young People (Safety and Support) Bill, a long-awaited piece of legislation, so that this can take priority and proceed now in a matter of short sitting days from introduction in one place to passage and then introduction and passage in another—that is the government's approach.

We know clearly what the headline purpose of the act is, and it occupied the bulk of the speech of the Attorney in addressing it in another place. We have just had the opportunity to hear that rehearsed here and, I acknowledge, with the addition of the insertion of a review clause since the debate in the other place and the bill finding its way here.

The bill deals in broad terms with three matters: first, the headline issue dealing with the CFMEU all the belligerence and allegedly criminal conduct of a whole variety of kinds that has been so unacceptable as to motivate the federal government to move the CFMEU into administration. We have found that the state act does not have quite the same statutory capacity to deal with the CFMEU's activities in the state, so, while there might be criticisms about due process, the insertion of those powers by those relevant provisions in this bill is supported by this side of the house. It will enable the South Australian operations of the CFMEU and its equivalent South Australian body, the ABCWF, to be caught up in the administration. That is aspect number one.

Then we see the two other aspects that meet the suitability for this dead of night aspect of it all. I think the government has more or less admitted, if not owned, that it is possible to draw some sort of connection about an opportunity to deal with these aspects, but they are completely unrelated to the process of dealing with the CFMEU. First is the extension of the maximum term for an enterprise bargaining agreement—that is very straightforward, it is just the change of one numeral to extend the length of an enterprise bargaining agreement. The government has put its case in terms of the debate that is on the public record.

From all that I can see and gather, there has not been a process of consideration and consultation about whether this is a good idea, and this is something that has always been on the government's mind and it has not taken anybody by surprise. On the contrary, it appears to have the character of an opportunistic add-on to a bill that has this headline imperative to it. It is a straightforward change.

The case is made that there are advantages for the government to have a maximum length of an enterprise bargaining agreement that might have the effect of it going over the course of an electoral cycle, and it is a maximum only so there might be very little change, and so on. But we are all left a bit mystified as to how this has arisen and why it has been regarded as desirable, let alone necessary, to include it in this bill. I flag that there is concern, and it is concern expressed not just by me and by this side of the house as to its genesis but by others who are affected by this process. So that is under-the-radar aspect No. 1, the second aspect of this bill.

The third aspect of the bill—and this is something that has been dealt with in almost Orwellian language in the course of the debate by the government—is the process of, while dealing with the CFMEU administration, somehow regarding it as an opportune moment—to use the words of the government now in both places, but I draw on the words of the minister just now—to 'streamline' the

registration process for existing federally registered associations. It has taken, I think, everyone who has been interested in following this by surprise, so I have endeavoured to work through the reasons why this would occur.

I understand that a proposition has been put that you might connect the CFMEU administration process with what has been a longstanding set of circumstances in South Australia where bodies that are not registered as unions, for a whole variety of reasons, operate as unregistered associations and have representative capacities of various discrete kinds in the state, the case being made that it might be desirable at this time to say, 'We are dealing with the CFMEU. We wouldn't want the CFMEU to come in and somehow start operating in an unregistered way in the state. Therefore, we will make these arrangements to require more universal registration of bodies that are representing workers.'

I hear all that, and I acknowledge, albeit in recent days, the opportunity afforded to me by the government for briefing on the bill. I acknowledge the capacity of those involved in that I have been afforded the opportunity to walk through the provisions of the bill. I am grateful for that assistance and I think I have hopefully made it tolerably clear that I have remained troubled by the proposition that this third aspect of the bill is somehow intrinsically necessary, before even getting to whether it is desirable.

I think I have come to the view that what is really happening here is something that looks as though it might apply as a matter of general application, adopting a principle that registration, generally, is a good thing and that while dealing with the administration of the CFMEU, it now might be a good idea, to use the government's word, to streamline the local registration of federally registered entities that are within a particular class—that is, already federally registered and already operating here in some capacity—and to basically give them a direct run straight through to registration.

But you look at it more closely and then you find out that while that can be described in the general term, there are actually only two of them—that is, the Professionals federally registered union and then there is the HSU, a federally registered union that happens to be based in Victoria. It has that in common with the CFMEU. Members will recall that the CFMEU was another organisation based in Victoria that came over and took over in South Australia and we know where that led and I think the minister has referred to the fact that that was a regrettable state of affairs to have allowed that to occur in the first place a couple of years ago. I think plenty of us have been telling the government that from the get-go.

It is ironic that this bill would say, 'Look over here, look over here. We're acting to support the federal government's action against the CFMEU. We ought to be doing that and the bill needs to be supported,' but, at the same time, guess what? We have Victorian takeover number two coming along—streamlined. I might just unpack that characterisation.

We boil it down to really being essentially a special purpose piece of legislation that will be utilised in all expectation by only one entity—this federally registered Victorian-based HSU—that, apart from the merits and apart from its current activities, has a particularly chequered history all of its own. If we were going to line up unions in the rogues' gallery, then you have certainly got the CFMEU playing a starring role, but no-one could argue that the HSU is not far behind in terms of its chequered history. The HSU has long been operated out of Victoria and its special brand of misconduct and misadventure is in the area of financial matters and financially fraudulent behaviour by those who have lead that particular union over the last many years.

So you might say that the effect of your special purpose legislation in this regard also happens to be targeting itself at another one of these Victorian unions with an unusually sort of chequered history and tarnished reputation, but the bill, the very bill that is for the purpose of wielding the big stick on the CFMEU, is bringing in a brand new. Who knows? In two years' time, are we going to have the same conversation about the HSU and for no need?

The bill unnecessarily, in addition to dealing with the CFMEU, deals with this EBA extension and then rolls out the streamline for the HSU to come over from Victoria and be registered as a union in South Australia. I am really just coming up to speed on this and I defer to the minister who knows much better than I do about how the internals of the union movement work locally and across the

board and to the bulk of those on the government side who are far closer to the union movement than I am.

But what I am satisfied about is that sections 131 and 134 of the act as they presently stand set out what are decades-long criteria that establish the basic case for an entity to go to the SAET and to apply to be registered as a local union in South Australia and they are not really all that complicated.

Firstly, that there is a sufficient degree of autonomy in South Australia that that body exercises. As presently stands, have a look at the HSU and we can see straightaway that the HSU fails that test. So, as presently standing, as is presently advised, vis-a-vis the HSU, it fails that test. It does not have the requisite, or any, as far as I understand, autonomy in South Australia such as would meet that test criteria. It has an operating address in Adelaide. It might have a post-office box equivalent. It shares its address with, I think, SA Unions. It certainly does not have much of a standalone address or presence in South Australia. That is autonomy. So it seems to fail the test on that score.

Then the other big one, the other criterion—and I get out the sort of statement of principle of the SDA, for example, and I am sure they are not alone, and it might be convenient to sort of set out the words of section 134(c)—is that there is no other association registered under the act to which members of the applicant organisation or branch might conveniently belong. That is the second of the longstanding criteria.

Again, I would like to think those opposite would be proud of me for reciting some of these articles of faith that have applied for a long period of time in terms of the union movement, that, if you are going to have a South Australian union, it ought to be South Australian and it ought to be an association that is unique in the sense that there is no other such organisation that members of the applicant branch might conveniently belong.

Just to draw out the SDA's article of faith in that regard, that is with the laudable objective that workers in a particular field are going to benefit from being represented by a single union and from the solidarity involved in all that—the common interest, the common purpose—and there will therefore not be any dilution contradiction that is in the interests of workers to operate that way.

We can have a conversation on the side, particularly on this side of the house, about general principles of competition and diversity and all the rest of it, but the longstanding criteria—which I do not see anyone in the union movement, affiliated or not, looking to move away from as a matter of general application—are that if you want to be a South Australian union registered here then you better have SA autonomy and you had also better be unique and serving workers in that regard.

The retort that will come will be, 'Well, hang on, the HSU has been operating in South Australia for years and represents workers and all the rest of it.' That is true and it has status, as I understand it. It has status as a bargaining agent and it has status as a registered agent and it can do a whole range of things in that regard. In fact, it can do all that it needs to do within those two capacities. So one is left to wrestle with the question: why the imperative to streamline the registration of this foreign union in South Australia? Why the imperative to say, 'Right, you can remain a Victorian union, federally registered, with no administrative presence control in South Australia, but now you can be a South Australian registered union'?

I will just dwell for a moment more on the particulars of the doing away with the criteria, because the government has not argued that these criteria are no longer useful. The government has not argued for some sort of new competition policy with regard to unions in South Australia or, indeed, across the country. Section 131(3) as it presently stands, as I have indicated, requires, in terms of setting out the criteria for eligibility for registration, that:

> A branch of an organisation is eligible for registration under this Part if the rules of the organisation confer on the branch a reasonable degree of autonomy in the administration and control of South Australian assets and in the determination of questions affecting solely or principally members resident in this State.

That is what we are all here to ensure as well. Clause 11 of the bill deletes that and instead substitutes a provision that is instantly grandfathered and provides that those bodies that are registered at the time that the bill passes, and only those, can be registered as a union, regardless of that requirement.

I am at a loss as to what cause in principal, let alone any justification, exists for that change. There is not even any requirement for those organisations to satisfy anyone that they are going to conduct themselves any differently, so they may as well remain completely as they are, operating out of Victoria, and those eligibility for registration provisions are just deleted.

The second one that almost completes the duo is first in clause 13 where we see the role of SAET is now changed from its longstanding discretionary role and purpose when it comes to registration and deregistration. We see a change from a discretion providing that SAET may, after considering a range of things—objections to registration duly made and the receiving of evidence in that regard—exercise that discretion if it is satisfied that the body seeking that registration has satisfied the criteria, including the uniqueness criteria I described earlier.

We see that clause 13 does away, first of all, with that discretion in SAET, again for no apparent reason, and we do not hear that really talked about too much by the government. We have a new compulsion on the tribunal: 'This is the way it will go, SAET.' Then the second part of clause 13 just deletes those criteria altogether.

What we are left with is that the amendment to section 131 has done away with the autonomy criteria and has identified the HSU effectively as the one body that is going to take advantage of this provision, and then the amendment to section 134 has rendered SAET compelled to register the newly eligible HSU. That seems to be the simple effect of those changes.

So here we are, in the dead of night, not talking about all the uncontroversial matters—making sure that the CFMEU is appropriately administered—but instead puzzling over why the government has seen fit then to jettison all these longstanding criteria for union registration in the state of South Australia and do it only once in the interests of this one Victorian organisation.

People watching will be tempted to think, 'Hang on, is the government at it again?' The government has not learnt the lesson. They have seen the CFMEU sweep in from Victoria and that has ended very, very badly. Now, in the bill that we are having to debate that deals with that whole train wreck, they are streamlining, rolling out the red carpet to another Victorian takeover in South Australia.

It seems to be really as simple as that. It has been put to me, 'Well, we've got this uncertain environment around how we deal with those entities that have representative capacity that are not registered.' It is always good to take opportunities to make legislation clearer and, where it is possible, to improve the way that we define and identify different organisations that are operating, particularly on behalf of workers in the state. Great, let's do that. But this is not such a case, it seems to me.

The risk that the CFMEU might seek to come into South Australia and operate unregistered is able to be thwarted in a whole range of ways, it seems to me, and I hazard to say it is a risk that has not been really identified as anything realistic in the first place. The whole question of why this is here must remain a matter of concern and of some scrutiny.

What else might be a reason for the red carpet treatment for the HSU from Victoria? Well, apart from the HSU's chequered history, which has seen changes in the administration and various sanctions that have been applied along the way and so on, as we on this side understand it the HSU is an affiliated union that has had a history of being affiliated and associated with the left of the Labor Party, and that has played out nationally.

Recently, we understand that the HSU has seen fit to change its affiliation, its factional allegiance, within the Labor Party, and guess what? The HSU is no longer aligned to the left, but it has now recently joined the Premier's faction within the Labor Party. That is called the Unity faction on the ALP right. They have joined the Unity faction.

Again, it would be one less cloud over the whole situation if we were seeing an unaffiliated organisation that was conveniently able to improve their services if they were to be treated differently somehow, but we are not. We are not in that category. We are dealing with an organisation that operates wholly and solely out of Victoria. It has recognition to do what it does in South Australia. It has done so without complaint for a long period of time. It has also been associated with the left of the Labor Party and, curiously, right about now has changed over and now is associated with the Premier's Unity right faction.

Again, the minister might be able to enlighten the house better than I can about what that means in terms of power structure within the Labor Party. We have that to contend with when we are searching for a rationale for making this change at this time. Let's be clear: the HSU has never been registered in the South Australian state jurisdiction and it has never been able to meet the criteria that I have described, those long-settled criteria, which have been in place for the decades. It has never met them.

If the HSU were serious about registering in South Australia—especially in circumstances where it is associated with the Premier's faction and it might be a cause of some embarrassment, let alone a need for some sort of declaration or explanation from the Premier and those in the government that might be so aligned as well—then it might have actually taken some steps—

The SPEAKER: Member for Heysen, you have been going on for a long time now. Can I ask you to stick to the substance of the debate. You talked before 8 o'clock about us being here in the dead of night. It is not the dead of night, it is just after the dinner break, but we will be here for the dead of night if you do not stick to the point. This has been a fairly rambly sort of contribution and I do not think the faction that the Premier has belonged to has got much to do with what we are discussing in here tonight.

Mr TEAGUE: Speaker, I beg to differ. It will certainly be a feature of the committee stage of the debate, and I have flagged that loud and clear in the course of my second reading contribution. It may well be that there are important matters that the Premier needs to address. I am simply seeking to explore that matter. I am not an expert on that aspect of this union's operations, let alone its affiliation and so on.

What is clear is that clauses 11 and 13 of the bill are specifically directed to the facilitation of the registration of that union in this state against the background of the criteria that are set out in the act presently prior to the amendments.

The SPEAKER: The minister.

The Hon. J.K. SZAKACS: I raise a point of order. You have brought to the member's attention your remarks on his contribution, particularly in respect of sticking to the substance of his contribution. If the member seeks to either explicitly or implicitly raise improper motive of the Premier, there is a mechanism by which he can do that. Alternatively, and in the absence of that, through you, I urge you to bring him back to the substance of the matter.

The SPEAKER: Thank you, minister. Member for Heysen, please stick to the subject matter.

Mr TEAGUE: Thank you for your guidance, Speaker. If I was to dissent from a ruling, certainly I would make that clear; I do not intend to do that. In responding to your guidance in that regard, I am really seeking to make it clear as to where I am directing my remarks vis-a-vis their application to the bill and where I am likely to direct my interest at the committee stage.

On the point of order, I do not characterise my contribution vis-a-vis the Premier in that regard. Those are matters for the Premier and for the government. I am seeking to understand a rationale for clauses 11 and 13 of the bill, nothing more and nothing less, but this is my understanding of the circumstances.

If any federally registered body presently was minded to seek registration in the state of South Australia then the criteria for doing so are straightforward. They would go to section 134, the section of the act that is amended by clause 13, and they would present their case to the SAET in the time-honoured tradition, they would establish the criteria, they would give an opportunity for those who might be wanting to object to do so, and SAET would consider that matter and then exercise a discretion. This bill takes away all of that in one fell swoop.

The government describes it as 'streamlining', I have described it as 'streamlining' as well and I have added to that 'rolling out the red carpet.' The extent to which the red carpet has been rolled out and the reasons why are very much central to what I have described as provisions that are not in the least bit connected to the important work that the bill does in other respects to ensure that the federal administration of the CFMEU is effective including in terms of how it applies in South Australia.

If that constitutes rambling, I apologise. I am not an expert on the intricacies of the union movement, let alone factional allegiances and affiliations to the Labor Party. I am looking for a rationale for the inclusion of clauses 11 and 13, and clause 15 is in that mix as well, the moving away from the operations of an unregistered association in the interests of workers in this state and the claimed virtue in clause 15 of moving towards a sort of set of circumstances where registration is the order of the day.

The proposition I am putting in the course of this second reading debate is that that is actually no more than cover for the facilitation of a single union, a single federally registered entity, to become registered in South Australia as a union despite the fact that it does not meet any of the time-honoured criteria. Any bill that might deal with this that wanted to say 'Welcome to South Australia' would do away with those criteria holus-bolus.

The fact that it is sort of attached to the CFMEU administration process and it is an opportunity to deal with definitions and make things operate in a generally registered environment is not a compelling argument at all, it is not necessary, it ought to be done away with. We could do away with this whole matter in a short moment or two if the government was willing to just jettison it from the bill.

The SPEAKER: We can only pray that it will be in a short matter because this is unbelievable. It is an hour of largely rambling when you are posing questions that you can ask during the process.

Mr TEAGUE: I am certainly flagging that is the nature of the questions that will be asked. I do not have that opportunity now. I will have the opportunity in the committee. These are views that are sincerely held by those who are committed to workers' rights and the union movement in South Australia. I know that because I have heard it from them direct.

For example, the United Firefighters Union has been moved to share with me the letter that it wrote to the Attorney-General in this regard. That is a letter dated 11 October this year, just a short couple of weeks ago. The reason for that is that this is a bill that has had a very short gestation indeed. It has gone through a whole number of iterations. It has moved very swiftly from genesis to introduction.

The SPEAKER: Sorry, member for Heysen. Member for Bragg, when we have students in here and they play with the microphone, I tell them off. You are being quite violent with it and it is very expensive equipment. I ask you to leave it alone, thanks.

Mr TEAGUE: I am with you in that regard, Speaker. It is the first thing I say to the school children. I say, 'I will be in even more trouble than I am in already if you do that', so they do not. They step back.

The SPEAKER: Step away from the microphone.

Mr TEAGUE: I am with you. I am with you completely. So what did the United Firefighters Union say to me and by this letter to the Attorney? Again, I am really interested. The minister has provided the government's speech, but we have a lot more to learn from the minister than what we have heard in the course of the second reading debate. I say again, I defer to the minister's eminently greater experience in this regard than mine.

If the minister can provide some compelling rationale for the inclusion in this bill of clauses 11, 13 and 15, then let's hear it. But we have not heard that, what we have heard is the rehearsal of the government speech which I read after last Thursday in another place which had little sort of voce references to this kind of apparent virtue of using the CFMEU administration to kind of give the HSU the red carpet from Victoria into South Australia, so I am trying to keep up.

What does the United Firefighters Union say to the Attorney-General by its letter dated 11 October 2024? First of all, it was not entirely satisfied with the sort of due process applied to the CFMEU but everyone knows the CFMEU has got it coming, so they sort of say, 'Alright, we will suffer that.' They are not too happy about the length of the enterprise agreements being changed unilaterally for no reason, and they say that to the Attorney as well.

Then they get to registration of federal associations, and they get a bit rambly as well, because we are all a bit troubled by it. By the way, this is a letter from the union secretary, Max Adlam, who will be well known to members in this place. The United Firefighters Union said to the Attorney:

> We do not support the changes which are proposed to be made to the long-standing arrangements for registration of employee associations in South Australia.

Max Adlam goes on:

> As you know, Fair Work Act 1994 (SA) currently confers eligibility for registration under that Act for the purposes of operating in the South Australian industrial relations system upon organisations which are state based, and also which are registered under the Commonwealth (Registered Organisations) Act which applies to the Federal industrial relations system.
>
> Although we fit within the former category, this letter is primarily concerned with the criteria applied to registration of the latter. Those organisations can apply for registration, and if they are successful can be treated as a registered employee associations in the South Australian industrial relations system under the Fair Work Act 1994 and obtain the rights, privileges, and responsibilities that flow from that.
>
> The tests to be applied to whether a Federally Registered employee association can be registered in the South Australian system are straight forward, and have obvious public policy bases, in particular:
>
> 1. If the rules of the Federal Association provides for a South Australian branch, the organisation is not eligible unless its rules confer on it a reasonable degree of autonomy in the administration and control of South Australian assets and in the determination of questions affecting solely or principally members resident in the state; and
>
> 2. Registration may be granted if the organisational branch is eligible for registration, the registration would be consistent with the provisions and objects of this Act, and if there is no other association registered under this Act to which members of the applicant organisation or branch might conveniently belong.

Max Adlam goes on at some length, and for the convenience of members I would be glad to table the contents. It is not the practice of the house to do that but I commend the balance of the letter to all members for the purpose of this debate.

Suffice to say that there is not a union that I have heard from that—let me put it this way: the view expressed there by the United Firefighters Union is not a view that I have heard contradicted by any organisation registered in this state committed to workers' rights affiliated or otherwise. My understanding is that the United Firefighters Union is an affiliated union.

I have heard also from the PSA. The PSA represents, as I understand it, 40,000 public sector workers in South Australia. It might be regarded, at least as far as I am concerned, as a particularly credible voice in this debate because it happens not to be affiliated, and its commitment is to the best interests of workers in this state. It is not concerned with any of these questions about affiliation, let alone factional allegiance, and I can say that the PSA is up in arms about this.

It is basically saying that for no good reason and at no notice the government has come along and it has decided that it is going to jettison 30 years or more of these longstanding criteria that have provided for harmony and capacity in terms of the representation of workers in South Australia. All this comes along at a time when the government ought to be in learn-your-lessons mode.

The government ought to be coming along and saying, 'Right, we are doing what we are doing to make sure that the CFMEU is in administration, we are toeing the line, we have got the message, we are going to do the right thing as best we can, and we are going to look to apply what is going on federally because we really made a big error here. First of all, we accepted $125,000 from this union, and that helped us get elected, and then we kind of got dragged kicking and screaming, several months after the election, to give the money back, and then the union has proved to be everything that we were told that it might be both on this side of the house and from the poor folks out there in the real world who have to live under the increasingly belligerent cloud of the CFMEU.

Yet, when they come to bring a bill into this place that deals with the CFMEU finally, what do they do? They cause a whole new set of drama by providing inexplicably for the streamlining, as they

say, of the registration in South Australia—mandatory registration in South Australia, so far as SAET is concerned—and the jettisoning of the longstanding criteria, solely, it would appear for practical purposes, in the interests of one entity alone. It is a mystery and is not satisfactory. It is not supported by this side of the house.

I say all that with an open mind. If someone wants to come along and persuade me—and I know that there are many able minds devoted to the task of reform in this area—that I have somehow got any aspect of that completely dead wrong, then please come and do so. I recognise the fact that the bill has only really been in existence for a little over a week and no-one has really had very long to take it in, but that is yet to occur.

So I flag that all those matters that I have just addressed—I apologise to the extent that they might have been characterised by the Speaker as rambly—might be addressed in the course of the committee process. Subject to that, this side of the house cannot support those particular provisions and I welcome the opportunity to explore them further in the course of the committee process.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Local Government, Minister for Veterans Affairs) (20:53): As always, I thank the member for his long-considered contribution. There was an invitation by the member in his remarks to inform him if there were a view that he was dead wrong. Well, let me take this opportunity to inform the member that he is dead wrong. Not only is he dead wrong in fact but he is dead wrong at law.

As the member has said, there will be a committee stage at which he will seek to interrogate, but let me take this opportunity to strongly indicate on a number of fronts just how wrong the member is. He is right to graciously suggest that I have a bit more experience with the internal governance of trade unions than he does; that is correct. In the same vein, the member has an esteemed career in the law that I do not have, which makes it even more perplexing that he can make such incorrect attestations regarding the application of South Australian law in respect of registration.

Notwithstanding that, there are two important matters—should they not have the opportunity to come up in committee—that I think are important to note, contrary to the member's remarks. The first is a suggestion that the Health Services Union SA/NT branch is run out of Victoria or, more importantly, is run out of a post office box. It is just wrong. The Health Services Union is a union that is run here, its secretary is from South Australia and, in fact, its governance is entirely from hardworking individuals based right here in South Australia.

Let me take the opportunity, because the member did get this so wrong, to let him know where some of those members are based. The governance of the Health Services Union pulls together workers from a variety of public and private sector employers in South Australia, from pathology to allied health to phlebotomists to associated industries, all of which are based here in South Australia. Certainly, and quite importantly, they are not based out of a post office box, as the member has so incorrectly put.

In the member's remarks he also sought, I think, to hedge his bets—possibly because he knew that he was on a hiding to nothing on this one—that there may be some illumination as to reasoning or illumination as to clarity on this matter, I think, in his words, about: should this not be about one union that is not affiliated to the Labor Party? Well, one union that will also be subject to this new scheme is a union that is presently the subject of binding signatories to enterprise agreements on behalf of their members and a union that has extensively negotiated with both this government and the cabinet of which the member was a former member, and that is Professionals Australia, a union that is not affiliated to the Labor Party.

Notwithstanding the fact that those on this side proudly look to our history of the Labor Party as being the organised political voice for working people, there is a wide variety of unions in this state. In fact, by total membership, about half or a bit less than half are not affiliated to the Labor Party, Professionals Australia being one of them. The member has made the suggestion, as tenuous as it might be, that there is improper motive to introduce a scheme to seek to work off federal registration of unions to impose state obligations upon them, but the tenuous link is the improper motive that he has suggested upon those on this side.

I am not certain what tenuous link the member would seek to draw to a non-affiliated union like Professionals Australia. For the member, seeing he did not mention them once—I am not certain whether that is because he just conveniently forgot about them or, through his lack of understanding, did not even know they existed—this union is a South Australian-led union, a South Australian-organised union, a South Australian-based union with members from a variety, again, of public sector, private sector employers, from pharmacists and pharmacy assistants in National Pharmacies, engineers in the Department for Infrastructure and Transport (DIT), members across local government and other public and private sector memberships. Again, this is a union, under the member's own reasoning, that does not fit his mould of implying improper motive yet conveniently skates past.

I understand that it will be the will of members to enter committee. I will not hold out all hope, but I am not certain that I or others will be able to persuade the member on this, as he has invited us to do so. Of course, persuasion is always in our endeavour, but it is also tricky when we are seeking to persuade from a position entered into without great reasoning, rationale or fundamental understanding of existing schemes.

In saying that, I will again thank the member. He has also raised within the other two pillars of this important bill the length of enterprise agreements as well as the broad application of unregistered unions operating here in South Australia. I take it from the first pillar, which is the action taken to seek to apply administration to the state-registered body of the CFMEU that there is support from those opposite. I note that.

I also note in the member's remarks there was some degree of critique about the speed and efficiency with which our government has sought to bring this before the parliament, pursue it through the Legislative Council and now consider it before the house this evening. I am not sure if, in doing that, the member is asking us to slow it down or is asking us not to proceed with great urgency the significant, important piece of work in front of us, being ensuring that the CFMEU has no legal opportunity to act outside of federal administration.

Certainly in this government's engagement with business, we are hearing from them that this needs to move forward for certainty. In fact, as I have mentioned in my second reading speech, this is also a path of action that is being strongly supported by the vast majority of our proud, outstanding trade union movement here in this country, led in no better way than by the Secretary of the ACTU, Sally McManus, and the President of the ACTU as well.

Effective, well-organised, strong democratic trade unions are essential to our democracy. Those on this side of the house know that. Certainly, those on this side of the house know that even though we are the organised political voice of working people, there comes with that the rightful place of trade unions to operate independently, to operate in the interests of their membership and regularly, and at their discretion, to take positions contrary to the Labor Party.

There is a strength in that and there is a proud approach which many of us on this side, myself included, have exercised in our professional careers. But to suggest that we should not take decisive action when necessary to clamp down on behaviours, influences and actions within that movement that undermine the rest of it is quite a sorry state of affairs.

The average union member in this country is a middle-aged woman who works in health care or personal care: a nurse comes to mind. The largest trade union in this country is a nurses' union. That nurses' union has the same obligations imposed upon it under the federal system as the CFMEU. That nurses' union has the same obligations imposed upon it as the Health Services Union.

The member, again in some misguided reasoning, has sought to oppose sections of this bill on the basis of a historical impropriety on behalf of a number of leaders of health services unions in other states. What I need to break to the member is that the whole reason—the sole reason—that harsh, remedial action could be taken against both those individuals as well as that union is by virtue of them being federally registered. Registration is not a ticket to a holiday park and a carousel at Christmas. Federal registration means that you have imposed upon you serious obligations and, in breach of those serious obligations, significant penalties.

I would think that the Liberal Party—who, unlike those on our side, have historically proven that they do not see a reasonable, considered or material place for trade unions in our economy—would argue, just like we are arguing, that the capacity for penalties and the capacity for deregistration on a union is a good thing. We do not want to see it; we do not want it to happen. We wish that this had never happened from the CFMEU. But through the abject failure of leadership in the CFMEU, they have now put at risk the democracy of their union in an industry that is the most dangerous in our country.

There is a really good reason why construction workers are well paid. There is a really good reason why union density in the construction industry across the country, and frankly across the world, is high. It is because they deserve and demand good, strong unions. We believe that we get to good, strong unions through registration, through the imposition of obligations and, more importantly, in circumstances where fit, the capacity to either impose administration or potentially deregister. I commend this bill to the house, and I hope that in doing so I have plugged some of those holes that the member for Heysen asked me to.

Bill read a second time.

Committee Stage

Clause 1.

Mr TEAGUE: I take the opportunity at clause 1 to indicate a couple of things. I appreciate the minister's closing remarks in the second reading debate. I did, as the record will show, mention Professionals Australia as the second of the two federally registered associations and, if there are more, I am happy for those to be described.

My understanding is that Professionals Australia applied once for South Australian registration as a union, about 25 years ago, and they failed because they did not meet the criteria, and that Professionals Australia is not interested in registration, even under these circumstances. I might stand to be corrected on that, but hence my focus in the bulk of my remarks to the HSU only.

The second general aspect is that I welcome the minister's more free-ranging remarks drawn from the minister's experience and expertise in then indicating that I had somehow got it wrong or got the wrong end of the stick entirely. I did not hear in that an explanation as to why, so I remain troubled by the effective removal of the criteria for eligibility for registration presently the subject of sections 131 and 134. They constitute the thrust, therefore, of my inquiry in the course of the committee.

I reiterate, if I did not make it sufficiently clear in the course of the second reading debate, that there is support on this side of the house, as there has been for years, for appropriate action to be taken to prevent union belligerence so far as the CFMEU is concerned. It is welcome that that is to take place in terms of these administration provisions the subject of the bill, but for these super-added matters the bill would have passed the parliament within a short compass of debate.

I say that, notwithstanding the fact that the provisions for the administration of the CFMEU, as everyone knows, are to some extent circumventing due process—that criticism might be levelled. That is something that, in the circumstances, is justified so far as this side of the house is concerned and that is supported, so let us be super clear about that. I did not hear the minister make very much of that particular proposition, but to the extent it was trailed out I certainly reject that.

The concern here is that by means of this bill we are seeing the passage of a process that would do away with the criteria for registration. I mentioned that Professionals Australia, on my understanding, applied once many years ago.

The question that will arise at the relevant stage will be: if the HSU is somehow limited in its capacity to operate in South Australia now or in the years past, why has it not sought registration in the past? If indeed its South Australian personnel are more than simply fly-ins from Victoria that would not meet the criteria, then why has it not availed itself of the time-honoured process to meet the criteria and make the application and so on?

My understanding is the answer to that is a combination of fear that it might not achieve registration and, secondly, it does not need to because it is a bargaining agent, it is a registered

agent. So the status quo is perfectly suitable, which leaves a mystery as to why the jettisoning of the criteria for this particular purpose applies now. To the extent that is a flagging of my interest, I deal with that by way of comment at clause 1.

The Hon. J.K. SZAKACS: I am just going to use this opportunity, as the member has, to seek to put a couple of matters on the record in respect to his question, but also I think there are two important matters in direct response to his question, which I think was regarding why a union has not sought registration or why a union has not subsequently sought to exercise matters under the state act. That is obviously a matter entirely for them. If the member seeks that question, I would direct him to ask that union that question.

Also—and I do not mean this as an accusation, please—if there has been any suggestion that I have made that has given the member an understanding that I have sought to put on the record that there has been an attempt by the CFMEU to circumvent current laws, it is not. I do note that there has been nothing available to the government that gives us any information that there has been any attempt to date.

Mr Teague interjecting:

The Hon. J.K. SZAKACS: No, I appreciate it. As a matter of principle, the member proffers a proposition, 'Is the status quo sufficient?' or he puts that the status quo in respect to registration is sufficient. It is firmly the position of the government that it is not, and the reason it is not is that if the position of the opposition is supported by the government—that is, not to change the system or the scheme in respect to the status quo for registration—it would allow, it would permit, it may even give a welcome mat to, a cohort of officials banned from working for a union that has been placed under administration to set up in South Australia to operate and exercise functions in South Australia without any reach of the South Australian law.

So, a suggestion from the opposition that the status quo is okay is not just perplexing but is firmly opposed by the government. We do not want to see a system where we effectively provide a legal framework for a lawless disregard for federal administration to exist. In saying that, there is a flow-on that if we as a government say, as we are, that we seek not to allow a legal framework or a legal hide-out for those cohorts that would seek to operate outside of federal administration here in South Australia, in doing so we say, 'If you are going to exercise the powers, the rights, the privileges of a trade union, then you should be a union registered here in South Australia.'

The natural consequence of that is that, in doing so, if we do not permit a scheme that leverages off the incredibly rigorous federal framework for registration—incredibly rigorous; in fact, so rigorous that it has been routinely criticised by trade unions for being too rigorous and too onerous. So what we are seeking to do is to leverage off that, so that workers who work in pathology, who work in engineering, who work in personal care, who work in our hospitals, and who provide allied health care into our schools are not disenfranchised from exercising their collective power as workers with the stroke of a pen, because under the proposition put by the opposition that is precisely what would happen.

We do not believe in a cascading series of priorities that the CFMEU, or any other union, should be able to set up and exercise here outside the law, first. The second thing is we believe that union should be registered here in our state. It affords them obligations, it affords them rights and privileges, but we believe that that is, as part of a modern industrial framework, critical. In doing so we will not be part of a suggestion that thousands of workers overnight should be without collective representation.

Mr TEAGUE: I appreciate that contribution from the minister, and in that context I am drawn to what would be the new part 3B, introduced later in the bill, so far as the overarching objective of the government is concerned. It is the subject of clause 14, and it starts with the introduction of the new part 3A dealing with the CFMEU, that is fine. The new part 3B empowers SAET to deal with, in the appropriate circumstances, precisely such conduct, it seems to me.

If the CFMEU sought to get around the administration by operating as an unregistered entity, then isn't that what the new part 3B is capable of answering, insofar as the new section 136H would empower SAET to make orders in relation to unregistered associations? It would need to be

approached by an applicant-registered association, or an employer, and it would need to be 'satisfied it is appropriate and consistent with the object of this Act to encourage representation of employees and employers by registered associations' and could make a whole range of different orders to sanction such conduct.

So far from there being any evidence that the CFMEU is going to act that way, and sure, you need to circumvent it, or any evidence that the HSU is presently interested or eligible for registration in the ordinary course to depart from the status quo—then why isn't the regime in part 3B perfectly suitable to deal with such activity by an unregistered association? I just draw particular attention to that. I realise we are dealing with the overarching aspects at clause 1.

The Hon. J.K. SZAKACS: A very fundamental difference is that if the proposition of the opposition became law then these rogue operators who would seek to have the capacity to operate outside of the legal framework of federal administration could get a foothold in South Australia. The door would be open for them. They could operate, they could exercise effectively as a de facto union and it would then be incumbent upon a party to bring an application for them to seek redress. The position of our government is quite clear, we do not want to have the door open; in fact, we are going to slam the door shut, lock it, padlock it, and not let them in in the first place.

Clause passed.

Clauses 2 to 8 passed.

Clause 9.

Mr TEAGUE: So we get to that rather straightforward point about the change of the term of the EBA. I am interested to know why this particular change finds a home in this bill?

The Hon. J.K. SZAKACS: The position of the government is that we are using the opportunity whilst the act is open to, in our view, find consistency across jurisdictions. The overwhelming majority of employers and workers in the country are covered by a scheme that provides for a maximum of four-year agreements under the commonwealth industrial laws. Commonwealth employees themselves and I understand the Northern Territory—and correct me if I am wrong, I did refer to them in my second reading speech—and the majority of states, the majority of jurisdictional governments and the overwhelming majority of workers and employers who are covered by enterprise agreements are covered by this similar timeframe.

So it is a view of the government that it is for both consistency and also for budgetary cycles. You know as well as I do, member for Heysen, that we work through four-year forward estimates. It is a view of the government that we see fit to find consistency, as well as a better frame for future economic considerations through forward estimates.

Mr TEAGUE: I understand all of that. The question was directed to: why this bill? Why now? It is not a miscellaneous bill. There is no greater reason? It just happens to find its way in now as a matter of convenience?

The Hon. J.K. SZAKACS: I directly answered that question as part of my first response.

Clause passed.

Clause 10 passed.

Clause 11.

Mr TEAGUE: The first of the trifecta that do away with the longstanding criteria for registration and instead provide for this grandfather process. Perhaps I might start by asking then in relation to clause 11, and there might be a good answer for this: why the instant grandfathering? Why not leave the door open through this regime, if it is so worthy as a means of providing for registration for federally registered organisations, for future such federally registered organisations?

The Hon. J.K. SZAKACS: Again, I will refer the member to my answer in respect to some of the more broad-based questions that he had for me in clause 1. It is both clear and fundamentally why we have chosen this approach and that is that we do not see it being either equitable, right or just that we implement a scheme that requires greater regulation and greater onerous approaches

for unions in our state whilst simultaneously overnight disenfranchising members of unions who are subject to longstanding collective agreements with the government that we hold and, in that period of which the member was a member of the Marshall government cabinet, agreements collectively negotiated and executed as well.

It is a matter of principle, and we do not believe that it is proper to disenfranchise thousands of workers in South Australia just at the expense of shutting out potential rogue elements of a federally administered union.

Mr TEAGUE: With respect, that does not seem to be a rationale for the action that is the subject of the bill or an answer to the question as to why the door is not left open if this is so virtuous. I will put the question this way: the new section 131 will, as I have characterised it, be instantly grandfathered—so it will be instantly redundant but for those federally registered associations that are caught by it now. Once they are registered, if they choose to under this new mandatory process, then that is the end of 131, and effectively the same goes for 134, which is the SAET obligation to register them, because they are eligible, they go together. I am seeing some frowning, but I think that is right.

The Hon. J.K. Szakacs interjecting:

Mr TEAGUE: No, I think that is right, though. So 131 and 134 become a special purpose—I think I described them in my contribution to the second reading. They effectively become special-purpose provisions for those two federally registered associations, and I have put the emphasis on one of them that is more likely to be the target of it.

So questions remain. The first question is: if that is so virtuous, why grandfather it instantly? The second question is: is the government therefore content—and it would appear the government is—to do away with the criteria for all time for any future registrant? Maybe the answer is that it is vanishingly unlikely that there would be any such future applicant. Is this entirely a matter of, from the government's point of view, mopping up these anomalous entities, and in future we are going to see all the applications come through the section 119 process? Is that what is envisaged by this kind of doing away with 131 and 134 for future purposes?

The Hon. J.K. SZAKACS: I am advised that, on balance, the way the clause has been constructed is for three reasons. One is that it was widely consulted on with the union movement, and the second is that the clause both preserves, as the member has it, those transitional, grandfathering matters and also contemplates, should there be radical changes to the federal scheme in the future, that there is not then an automatic flowthrough for registration into South Australia.

Thirdly, there is the futureproofing. It is a statement of fact, borne out by decades of lived history, that new unions now just do not pop up from the ground—in fact, quite to the contrary. There are mergers. It is directly to the question from the member that I can provide some advice to him on futureproofing. It is mergers and it is demergers, of which a couple have been widely reported on for some time now in the public discourse. One of these of course is again a consequence of the allegations of really appalling behaviour out of the CFMEU and seeing workers like textile workers, who are largely female and largely a migrant workforce, seeking to decouple themselves from that union. That is the likely—that is almost the guaranteed—proposition by which new entities are formed; it is mergers or demergers, and the construction of the clause, as I am advised, contemplates that futureproofing.

Mr TEAGUE: I appreciate that, and I think the example the minister has given is certainly practical. It seems the minister is also comfortable with the characterisation that this is otherwise it. So I just remind ourselves, mainly me, that presently section 131 confers eligibility for registration on, in subsection (1):

> An association that is an organisation registered under the Commonwealth (Registered Organisations) Act…

That is eligible for registration, and then you see subsections (2) and (3) that impose some criteria, the key one being subsection (3), that we have addressed along the way.

So if you are an organisation registered under the Commonwealth (Registered Organisations) Act then you are eligible. So if in future there is a new one and it gets registered, then presently the act will talk to it—and I hear the government saying, 'That's not what occurs; what's happening is likely to be a demerger of some sort—'

The Hon. J.K. Szakacs interjecting:

Mr TEAGUE: —or merger. If we go to the substituted section 131, apart from what I have described as the instantly grandfathered aspect of it, we see now that:

> …an association that is an organisation or branch of an organisation registered under the Fair Work (Registered Organisations) Act 2009 of the Commonwealth is eligible for registration under this Part.

Okay, but it is subject to this section, and subsection (2), now, says:

> An association that is an employee association is only eligible for registration if—
>
> (a) immediately before the commencement day, the association was entitled under its rules to represent the industrial interests of employees in South Australia; or
>
> (b) the association—
>
> (i) has, in accordance with the 2009 [act]…amalgamated with or withdrawn from amalgamation with, an organisation or branch…that was, immediately before the commencement…

It is only covering those circumstances the minister has just described. So even if we were to extend beyond the automatic grandfathering to apply only to these two presently, the only things that it is then contemplating beyond that in the future are, prior to demerger or merger, enjoying that status presently. You have to be in the game in some regard presently, whereas there is no such criteria as presently set out in the act.

If that is intended the question really becomes: are we now just dealing once and for all with these federally registered associations, even if the jettisoning of the merits criteria is regarded as a good thing?

The Hon. J.K. SZAKACS: Largely, within a series of questions the member has just asked, yes, we are dealing with this once and for all. It is also correct that an entirely new union that has not existed previously—that has not merged, that has not demerged, that has not previously operated in the state system—will not be able to seek that registration into the state system.

Also the point the member made early in his remarks in that question was to seek to put that I or the government are comfortable with his or the opposition's remarks when I do not respond to all of them. That is an entirely unfair characterisation of my failure to respond or otherwise. The member has made a 1½-hour contribution tonight. I will not seek to respond to all of it, but for the sake of the record, no, it is not a correct characterisation to say that I am otherwise comfortable with the member's proportion of facts.

The committee divided on the clause:

Ayes 24
Noes.....14
Majority 10

AYES

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

NOES

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

PAIRS

Malinauskas, P.B.	Hurn, A.M.	Mullighan, S.C.
Tarzia, V.A.	Stinson, J.M.	Patterson, S.J.R.

Clause thus passed.

Clause 12 passed.

Clause 13.

Mr TEAGUE: Clause 13 is the second of the trifecta.

Members interjecting:

The CHAIR: I have asked members to either keep quiet or leave the chamber; you cannot do both.

Mr TEAGUE: As I said, clause 13 is the second of the trifecta, the third being clause 15, as I referred to along the way. In clause 13 we see, first, the removal of SAET's discretion, so we now have SAET compelled to act in accordance with what is otherwise there, but then we proceed further and not only does SAET have a discretion to register, according to criteria, but those criteria are deleted altogether. The only thing that remains as a modicum of criteria is section 134:

(a) that the organisation or branch is eligible for registration under this Division…

The new section 134 would effectively read as follows:

SAET must, after considering objections to registration duly made in accordance with the rules, register an organisation, or a branch of an organisation, under this Division if satisfied—

(a) that the organisation or branch is eligible for registration under this Division;

That eligibility will be obviously according to the new section 131, which is the instantly grandfathered (almost) provision that deals with those two federally registered associations. So section 131 becomes almost as perfunctory as it can be. My question to the government is: has the government obtained advice and is it satisfied that section134 really has any work to do in terms of the judicial operation insofar as, for all intents and purposes, the tribunal has its discretion entirely removed. Has the government obtained advice? Is it satisfied that that will continue to stack up as a matter of law? I will get to the single proviso in a moment.

The Hon. J.K. SZAKACS: Yes, the SAET will still have work before it. If a union that is to be registered under this clause fails under the legislative framework—for example, its rules do not allow it to cover or represent workers in South Australia—it is then for another union or another registered association to object. In direct response to the member's question, yes, there remains a body of work and, more importantly, the exercise of judicial discretion or decision-making under the act before the SAET.

Mr TEAGUE: That is a marginally surprising answer from the minister, and I appreciate it. The question there is: why not therefore leave the discretion expressly there—'SAET may register'?

The other words that are left there in the body of the provision are that SAET implicitly is required to consider objections to registration duly made in accordance with the rules, but that is all. It has to consider the objections, but if the organisation or branch is eligible for registration under the division, unless the objection goes to that—

The Hon. J.K. Szakacs interjecting:

Mr TEAGUE: It goes to the eligibility.

The Hon. J.K. Szakacs interjecting:

Mr TEAGUE: Yes, that is true. Unless it goes to the eligibility, then the objection does not have any work to do.

The Hon. J.K. Szakacs interjecting:

Mr TEAGUE: It is a good point, with respect, that the minister makes.

The CHAIR: You should not be responding to interjections.

Mr TEAGUE: I stand corrected, Chair. I appreciate your guidance just at this moment of elucidation because objections did have work to do or do presently have work to do under the expanded criteria, because an objection certainly goes to the strict question of are they or are they not an association registered under the commonwealth registered organisations act, but presently such an objection might go to the merits that are otherwise contained in subsection (2) and subsection (3) of section 131, but they are gone.

It might be anticipated that an objection to registration might be duly made in accordance with the rules and it might be an objection that goes far more than the minister suggests than to the vibe but goes to the traditional criteria and an objector, a good old bona fide sincere union, wants to come along to the SAET and say, 'Hey, we object. We object because this applicant does not meet the criteria to be able to act in the interests of South Australian workers'—the longstanding, decades-long criteria. SAET might be required to consider such an objection because it would be duly made, but SAET would have nowhere to go but to consider the only remaining test, that being in (a) which is that the organisational branch is eligible for registration under division.

You have section 131 constraining the eligibility process and section 134 constraining the SAET application of that process of registration. You have a double up. The question is, and it speaks directly to what the minister's concern is, if you have an objector who is capable of coming along and duly making their objection, what is SAET to do with that?

The minister has posited that SAET retains a necessary modicum of discretion. What is SAET to do with that? Is SAET to turn around and go, 'Well, yes, thanks, I hear that. I have to refer to the minister's words in the course of the committee debate and for present purposes that amounts to nothing more than the vibe. I am sorry. It's all over. The organisation or branch is eligible for registration under the division so SAET must get on with it'?

The Hon. J.K. SZAKACS: I think it is important that within the member's attempt to construct the scheme, or his interpretation of the scheme, is the failure to recognise that the SAET can only exercise its statutory obligation to grant registration, whether it be 'may' or 'must', if that registered association meets the criteria. If they do not meet the criteria they cannot be registered, and if the objection is brought against one of those criteria not being met, of course, the SAET will exercise their discretion and not grant registration. If, as the member has put it, an objection is brought on the vibe, then there either will not be standing or the matter will not be heard, or the SAET will exercise discretion to grant the application if the criteria under the act are met.

Mr TEAGUE: I say again, the 'vibe' is the minister's word not mine. I am concerned that SAET is going to turn around and have to let the poor old objector down by reference to that. I am concerned that the registration process—it may as well do away with the objection process altogether, it seems to me. I cannot see what the purpose of an objection might be. It might say that SAET must satisfy itself that the applicant is an organisation or branch eligible for registration. Sure, it might say that, but the purpose of retaining the capacity for objection seems to be somewhat barren where there is nothing else to address.

The Hon. J.K. SZAKACS: Again, I think that the member is becoming unnecessarily preoccupied by the capacity to object when the fundamentals of the section are unchanged, being the criteria or, in fact, some of the disqualifying criteria that need to be applied for that registration. For example, if a union has previously been deregistered then that objection can be forthcoming. Again, I just refer to my previous answers. I reiterate now that the matter of the objections is almost

immaterial to the construction of this section because the construction of this section remains that registration will occur—must occur, in this wording—only if criteria are met.

Mr TEAGUE: Very briefly, for the sake of the record, I concede sub (7) but, again, that is just a matter of fact and it should not be necessary for an objector to roll up and satisfy SAET of that. It is just a matter of fact. It might be put that SAET needs to be satisfied as to these matters, but the very purpose of an objector is to go to the sorts of merits criteria that are to be jettisoned, it seems to me.

The Hon. J.K. SZAKACS: I am being very kind, giving the member a question, and I think it is important that I respond. It is not the case that an objection needs to be brought for the SAET to not approve if criteria are not met. If criteria are not met, then the SAET will not approve. That is a statement of fact, and the member, again, seeks to conflate either various matters or a degree of sort of fundamental misunderstanding of the way that the registration system is. But, again, I place firmly on the record that it need not be that an objection be brought for the SAET to or not to apply the criteria correctly.

The committee divided on the clause:

Ayes 23
Noes.....14
Majority 9

AYES

Andrews, S.E.	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I.	Brown, M.E.	Champion, N.D.
Clancy, N.P.	Cook, N.F.	Fulbrook, J.P.
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.
Picton, C.J.	Savvas, O.M.	Szakacs, J.K.
Thompson, E.L.	Wortley, D.J.	

NOES

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

PAIRS

Malinauskas, P.B.	Hurn, A.M.	Stinson, J.M.
Patterson, S.J.R.	Mullighan, S.C.	Tarzia, V.A.

Clause thus passed.

Clause 14.

Mr TEAGUE: Part 3B got a mention in the course of the second reading, and I am grateful to the minister for the treatment of it at clause 1. At clause 14, we have the insertion of the new parts 3A and 3B, and they are welcome. At part 3B, there is the capacity for orders to be made in relation to unregistered associations. The first question, and a quite straightforward question: what, if anything, is the defect or gap in SAET's power that is not provided for there in the new part 3B, in that we have heard a lot about dealing with, and I think we dealt with this a bit at clause 1, the actions of unregistered associations?

We have talked about the actions of unregistered associations, and I think the minister—and I do not mean to misrepresent the expression—has talked about the government's resolve to lock the door ahead of time. So the question might be asked another way: if the door is locked so effectively ahead of time, why is there need for SAET to have powers to deal with unregistered organisations, and if the capacity is still there for unregistered organisations to operate in such a way that might be so objectionable that a registered association or an employer comes along to SAET and says, 'Hang on, they're doing the wrong thing,' why can all the work that has been so controversial in this bill not be dealt with at part 3B?

The Hon. J.K. SZAKACS: The rationale is precisely, if I can use a different example of which the member would be also very aware, is that it is like saying, 'We don't need to have a penalty attached for murder because murder is illegal.' Because we are having a scheme which prohibits, we also must have a scheme which seeks to penalise and act as a disincentive or persuasion not to offend, in the same way the criminal justice system provides for very strict penalties even in the event that the behaviour is illegal in the first place.

Mr TEAGUE: I get that; I understand. But a lot has been put about how it is not just the spectre of the CFMEU kind of phoenixing itself into operation in an unregistered way but that it is somehow necessary for presently unregistered associations, the federally registered unions—and particularly those two—to become registered, as the government describes, in this streamlined way. What is wrong? Put it this way: where is the submission from the HSU or from Professionals Australia that says, 'We need to be instantly registered so as not to get caught up in the risk of the unregistered operations of a new CFMEU offshoot'?

Why is it that those who are operating now, the federally registered associations, cannot continue to do so in the present capacity: HSU, bargaining agent, registered agent, continue to do what you do, represent your South Australian workers? If they do so in a way that is objectionable, they are exposed under part 3B, but there is no need to close the door because they are here already. Why the rush to provide for instant registration, jettison the whole scheme that is longstanding for anyone else who might come in, and then have part 3B come along? As I said at the outset, I am in praise of part 3B—yes, you want to guard against bad actors who are unregistered—but why not status quo plus part 3B, everything is solved and we get on with sanctioning the CFMEU?

The Hon. J.K. SZAKACS: Fundamentally, under the opposition's construction, that would mean that if a union was operating in the state jurisdiction unregistered, under the government's construction of the scheme we would have no ability for SAET to place them under administration or, under particularly significant circumstances, deregister them. What that would do is provide this perpetual legal opportunity for a federally registered union to be administered or deregistered under serious circumstances and then phoenixed across states. That is where it is correct for the member to use my phrasing about us shutting the door, locking it, bolting it and throwing away the key. But, in doing so, there has to be an equitable approach and an equitable application at law, and that is fundamental to the commitment that we as a government have to having a state system that operates that can under very serious circumstances administer or deregister a union.

Mr TEAGUE: Yes, I understand all that. I do not see why part 3B is not suitable for precisely that purpose. Let me spell it out.

The Hon. J.K. Szakacs: You have. It is alright. We have recognised that question now.

Mr TEAGUE: Let me be clear: SAET—

The Hon. J.K. Szakacs interjecting:

Mr TEAGUE: Let me clear: I am welcoming new 136H. That will empower SAET to do a whole range of things: to make orders prohibiting an unregistered association from representing a person or group, among many other things. There might be this mingling of objectives that is going on. If we can talk on the one hand about what I have described as a lack of imperative to change the status of the federally registered organisations and then, on the other hand, to look at the adequacy of the measures that are available in terms of sanction to the SAET to deal with unregistered associations.

Much has been put by this government in this whole debate about the merits of registering everybody so that they can be appropriately sanctioned when they do the wrong thing. They can be deregistered, for example, but if we have this regime in place that will deal with the actions of unregistered associations, then why not satisfy ourselves with that? Why also have this, again, as the government describes it, streamlining process, jettisoning of the ordinary criteria, for those federally registered associations? The minister might be right: that might be repeating a point that has been made several times.

The Hon. J.K. SZAKACS: As I have previously responded to the member's questions, this acts in conjunction with the pathway to registration which the bill provides. If that did not operate, or, as the member puts, there was to be a construction of the section that looks at or that allows for one cohort of unregistered unions to operate here, another to operate here, and one to have penalties apply and the other not to, this section, in the member's construction, would seek to immediately impose sanction on the two unions currently operating in South Australia doing the right thing, doing an outstanding job for their members, operating democratically and justly. It would apply to them and it would impose sanctions upon them for doing nothing else but operating as they have now for many, many years in South Australia.

Mr TEAGUE: I just have to contradict that.

The CHAIR: You are using this question to contradict it?

Mr TEAGUE: Yes. I just have to contradict that. On the contrary, it certainly would not do that. It would render their activities liable to be the subject of an application by a registered association or an employer. Why not by others? I would be open to consideration of that as well. The point is they are vulnerable to an application, and if they are doing the wrong thing, if SAET are satisfied they are doing the wrong thing, then SAET can sanction them, but no-one is suggesting that. No-one is suggesting that they are doing anything other than what they are appropriately doing.

We are talking about two organisations that have been operating perfectly happily in South Australia for many years and, as the minister says, representing all sorts of people according to their capacities: HSU, bargaining agent, registered agent—perfectly happy as far as everyone is concerned.

Yes, they would be potentially subject to these provisions; that is welcome. But they are certainly not immediately on the receiving end of sanctions. On the contrary, they would have to be doing the wrong thing. They would have to be a registered association that would apply to SAET and provide good reasons why something heretofore unknown, and a complete red herring to this whole process, was somehow satisfying SAET that they ought to be the subject of any of these sanctions that are here below.

I appreciate that part 3B might be intended to direct itself only to CFMEU or such phoenix operations and be ready there for that purpose. If so, it might have been even more explicit to say, 'CFMEU shall not phoenix and operate as an unregistered association, and if it does this is what can happen.' But really and truly, why not have a process such as part 3B applying, as it does on the face of it, generally? I make no suggestion whatsoever that either of those two federally registered associations would be somehow immediately liable to sanction under it; I just talk about the sufficiency of part 3B for the purposes of the bill.

The Hon. J.K. SZAKACS: I think the only other thing I can add on this member's questions, which I have sought to answer quite extensively and also through the second reading speech, is that the application of part 3B, and particularly the decision of the SAET on application, is subject to the consideration being consistent with the objects of the act, which is to encourage representation of employees and employers by registered associations.

Clause passed.

Clause 15.

Mr TEAGUE: Clause 15 is the third in the trifecta. It provides for this new process of the anticipation of, as I understand it, the CFMEU phoenixing and then operating as an unregistered

association. Does the minister put this in the category of closing the gate and bolting it and locking it and all the rest of it?

The Hon. J.K. SZAKACS: What I do put it in—just for the member's benefit, because I would be somewhat surprised, if not shocked, if he would be arguing to the contrary—is this section will ensure that an official must be part of or employed by a registered association to exercise right of entry privileges.

Mr TEAGUE: Let me be clear: I am getting to grips with the work that the clause is doing in the context of streamlining the registration of HSU and, to the extent that they want to, I do not want to leave Professionals Australia out of this. It is basically now saying that because everybody who we now regard as bona fide representatives of anybody in the state of South Australia is going to be registered, we are therefore comfortable to move away from this looser, broader definition and then say it is only registered associations that will be allowed. In a way, it is a sort of backwards justification for registering them in the first place.

I concede it might be a subsidiary point that the guts of the principle is dealt with vis-a-vis clause 11 and clause 13—what are the criteria for registration in the first place, the 131, 134 criteria. Here we are saying that we now need to talk about a registered association because we have now drawn everybody into that frame. Is that a fair characterisation?

The Hon. J.K. SZAKACS: I have given up on trying to deduce whether it is a fair characterisation, because I probably lost the member about five minutes ago in that question. The simple answer is, yes, it is the government's view that only registered associations should be afforded the rights and privileges of right of entry.

Mr TEAGUE: So we are now going to be in a regime—is this right—for better or worse where any unregistered association that would purport to represent workers (it is a corollary to this whole process) will be excluded from the powers subject of division 2? If they want those powers they are going to need to get registered, and that applies to the local operations that will need to apply under section 119 or those that are in that future merger/demerger environment that will be the subject of the new 131. To the extent that we move away from the federally registered associations and talk to the 119 process, you are going to need to be registered if you want section 140 powers?

The Hon. J.K. SZAKACS: I have sought to be very clear, and I have been asked the same question three times: yes, to exercise right of entry powers to be afforded the privileges under section 140, that will be afforded only to registered associations.

Clause passed.

Remaining clauses (16 to 18), schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Veterans Affairs, Minister for Local Government) (22:23): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (22:23): I move:

That the time allotted for completion of the following bills:

Return to Work (Employment and Progressive Injuries) Amendment,

Children and Young People (Safety and Support)

be until 11.30pm today.

The house divided on the motion:

Ayes 23
Noes.....14
Majority 9

AYES

Andrews, S.E.	Bettison, Z.L.	Boyer, B.I.
Brown, M.E.	Champion, N.D.	Clancy, N.P.
Cook, N.F.	Fulbrook, J.P.	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.	Bell, T.S.
Brock, G.G.	Cowdrey, M.J.	Ellis, F.J.
Gardner, J.A.W.	McBride, P.N.	Pederick, A.S.
Pisoni, D.G. (teller)	Pratt, P.K.	Teague, J.B.
Telfer, S.J.	Whetstone, T.J.	

PAIRS

Malinauskas, P.B.	Hurn, A.M.	Stinson, J.M.
Patterson, S.J.R.	Mullighan, S.C.	Tarzia, V.A.

Motion thus carried.

Bills

RETURN TO WORK (EMPLOYMENT AND PROGRESSIVE INJURIES) AMENDMENT BILL

Second Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Local Government, Minister for Veterans Affairs) (22:31): I move:

That this bill be now read a second time.

I am pleased to introduce the Return to Work (Employment and Progressive Injuries) Amendment Bill 2024. This bill reflects commitments made by the government during the debate over the Return to Work (Scheme Sustainability) Amendment Bill 2022, to ensure that our workers compensation scheme continues to operate as fairly as possible in the interests of injured workers.

This bill makes important reforms to improve the operation of the duty to provide suitable employment following a workplace injury and to remedy any potential unfairness currently faced by victims of dust diseases and terminal illnesses in accessing compensation under the act.

I will not seek to repeat the extensive technical explanation of the provisions of this bill provided by the Minister for Industrial Relations and Public Sector in the Legislative Council, but suffice to say the drafting of the bill reflects a wideranging consultation over many months with stakeholders, including ReturnToWorkSA, trade unions, the legal profession and peak business, as well as self-insured bodies.

I am pleased that the bill was supported unanimously and note that it was supported unanimously in the Legislative Council. That reflects both the considered drafting of the bill and the

general support of this parliament for a workers compensation scheme that operates fairly and helps to return injured workers to their employment as soon as possible following an injury.

I foreshadow that I will move a small number of government amendments which have been distributed to members and are responsive to a small number of matters raised over the winter break.

Most of these amendments are largely technical in nature and are intended to clarify minor drafting issues, as well as to address the transitional issue which has been raised with the government by the Law Society and the working group currently consulting on the third edition of the Impairment Assessment Guidelines. One amendment is also proposed to provide certainty that workers are entitled to reasonable medical privacy and that representatives of their employer, or the Return to Work Corporation, cannot attend the worker's medical treatment without obtaining the worker's express consent.

I take this opportunity to thank the many stakeholders who have contributed to this bill. I commend the bill to the house and seek leave to have the remainder of my second reading speech and the explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

[Section 18 – Introduction]

Section 18 of the Act deals with an employer's duty to provide suitable employment to an injured worker once the worker can return to work. It also provides an independent process where the South Australian Employment Tribunal can resolve return to work disputes.

It is important to reflect on why this duty exists. It is about making sure the Act does what it says on the tin: return injured workers to work.

Over the past 15 years, this Parliament has had to make difficult decisions about the financial benefits available under our workers compensation system, to ensure that it remains financially viable, and can continue to support injured workers, long into the future.

In doing so we have moved from a scheme under the 1986 Act where an injured worker was entitled to income support for the duration of their incapacity, to a scheme under the 2014 Act where income support for the overwhelming majority of workers ceases after 2 years.

In that context the duty to provide suitable employment makes clear that, regardless of the duration of an injured worker's income support, their employer has both a moral and a legal obligation to help the worker return to work insofar as that is reasonably practicable.

That duty operates in the interest of the entire community. A scheme which supports injured workers achieving an early return to work delivers better outcomes for the worker – but it also delivers better outcomes for employers by getting workers back into the workplace, reducing income support payments, and creating downward pressure on premiums.

That duty is also vitally important in supporting those workers who may not reach the 'seriously injured' threshold, but nonetheless continue to experience a partial incapacity for work after their income support period comes to an end. It means those workers cannot simply be cast aside, and employers must consider suitable employment options having regard to the nature of the worker's ongoing incapacity.

For these reasons the duty to provide suitable employment is not merely an accessory to a successful workers compensation scheme; it is an essential element of the 2014 Act and a core component to any scheme that operates fairly and in the interests of injured workers.

Many stakeholders have expressed concern that the duty is not currently operating as effectively as it could be, particularly due to issues including overly technical dispute resolution requirements and an absence of effective remedies for noncompliance.

This Bill seeks to address those shortcomings.

[Procedure]

The Bill amends the procedural requirements before a section 18 dispute can be commenced, to encourage parties to fully communicate about suitable employment options at an early stage.

This is intended to promote the parties reaching a negotiated outcome, however where a dispute does occur, it means parties will be in a better position to expeditiously progress proceedings before the Tribunal.

Subsections 18(3) through (4c) require the worker to advise their employer in writing of their request for suitable employment, including the type of employment the worker considers they are capable of performing.

They must also provide evidence of their medical capacity for work. There is no prescribed form of evidence and this is not intended to be a high bar; it could include things like a work capacity certificate or letter from their doctor outlining their work restrictions.

The employer then has 1 month to consider the request and advise the worker in writing whether they will provide suitable employment; either of the kind requested by the worker, or any other kind of employment the employer is willing to provide. The employer must give reasons for any refusal to provide suitable employment, or why it considers alternative employment options to be suitable.

If the worker and employer cannot agree on suitable employment following that exchange, the worker then has 1 month to make an application to the Tribunal to deal with the dispute. That gives some further time for negotiation between the worker and employer to see if a resolution can be reached.

[Backpay orders]

A section 18 dispute may take many months to work its way through the Tribunal from an initial application, through conciliation and mediation, to a final hearing and judgment.

If the Tribunal ultimately finds that an injured worker should have been provided suitable employment, orders made by the Tribunal only apply prospectively. No compensation is available for the loss the worker has endured over the time the dispute has awaited determination.

This Bill inserts a new subsection 18(5e), which gives the Tribunal the power, when making a section 18 order, to also order that the employer make a payment to the injured worker for the wages or salary they would have received if the suitable employment had been provided.

Subsection 18(5f) and (5g) provide additional guidance to the Tribunal on how the calculation of this backpay order should be approached, emphasizing that the purpose of the order is to place the worker in the financial position they would have been if the suitable employment ordered by the Tribunal had been provided from the outset.

That means, where the worker has been in receipt of weekly payments while the dispute is on foot, the Tribunal can effectively order payment of an amount to 'top up' the remuneration the worker actually received to the amount they would have received if the suitable employment had been provided.

Where the worker was not entitled to weekly payments during the period of the dispute, the Tribunal can order payment of an amount to reflect the wages or salary the worker would have earned from the suitable employment during the dispute.

To avoid 'double dipping', the Tribunal must have regard to any remuneration the worker received from other employment or work during the period. This ensures the worker cannot walk away better off than they would have been if the suitable employment had been provided.

The Tribunal also has a broad discretion under subsection 18(5h) to reduce the amount of the payment having regard to the particular circumstances of the case.

This would allow the Tribunal to take into account matters such as any unreasonable delay in the conduct of the proceedings by the worker, or evidence that the worker only reached the medical capacity to undertake suitable employment at some date midway through the proceedings after the original request for employment was made.

[Self-insured employers]

While most employers under the Return to Work Scheme are registered and insured by ReturnToWorkSA, the Act also allows for the registration of group self-insured employers who are responsible for the management of their own work injury claims.

These self-insured employers include, for example, the State Government and large corporate groups such as BHP, Hungry Jacks, Coles, and Woolworths.

The Bill inserts subsection 18(16d) to confirm that where a worker is injured working for a group self-insured employer, the duty to provide suitable employment applies across that self-insured group and is not siloed to the pre-injury employer alone.

This means, for example, that a worker who is injured while working at a Coles warehouse could be provided with suitable employment at a Coles supermarket instead. Similarly, a worker injured in one government department could be redeployed to a different government department having regard to the nature of their restrictions following their injury.

The Bill inserts subsection 18(5c) to enable the Tribunal, when making a section 18 order, to determine where a worker should be provided suitable employment within a self-insured group.

The Bill also inserts subsection 18(5d) to create a clear expectation that any section 18 order should require that employment be provided by the pre-injury employer unless there are good reasons for it to be provided by a different member of the self-insured group.

This ensures the dispute process cannot be used as an opportunity to simply 'shop around' for different employment options if suitable employment can reasonably be provided by the pre-injury employer.

It is important to note these amendments only apply to group self-insured employers comprised of related bodies corporate, because those groups have a common management structure which can coordinate the employment of injured workers across the group.

These amendments do not apply, for example, to local government entitles which form part of the Local Government Association Workers Compensation Scheme, as these are not related bodies corporate and do not have a common management structure.

[Host employers / labour hire]

Some of the worst return to work outcomes under our scheme are seen in sectors with a high use of labour hire employment.

That is, at least in part, because labour hire providers are often dependent on host employers to cooperate in returning injured workers to work following an injury. Without the cooperation of the host employer, there is often no suitable employment that can reasonably be provided.

The Bill remedies this by inserting provisions, based on a similar obligation in the Victorian workers compensation legislation, to require host employers to cooperate with labour hire providers in relation to return to work matters.

Subsection 18(16a) requires host employers to cooperate with labour hire providers by communicating about suitable employment options, participating in return to work planning, and providing access to the workplace for the performance of duties by the injured worker.

The Bill also inserts subsection 18(5b) to allow the Tribunal to make orders about the extent of this cooperation in a section 18 dispute.

A host employer is not required to cooperate if it is not reasonably practicable to do so. This is the same principle which applies to section 18 orders more broadly, and allows the Tribunal to take into account the unique circumstances of the labour hire provider and host employer in determining any orders about the cooperation required.

Subsection 18(16b) makes clear nothing in the Bill requires a host employer to directly employ a labour hire worker following a work injury. For the purpose of these cooperation obligations, it is expected that the injured worker will remain employed by the pre-injury labour hire provider.

[Recovery/return to work plans]

Consequential amendments are made to section 25 of the Act, which concerns recovery and return to work plans.

These amendments enable a recovery or return to work plan to include obligations on a host employer or another member of a self-insured group to whom the duty to provide suitable employment applies under section 18.

This is particularly important to help facilitate return to work planning in circumstances where there may be no substantive dispute about the provision of suitable employment, but there are matters of detail which are appropriate to include in a recovery or return to work plan.

No order is required from the Tribunal under section 18 before a recovery or return to work plan can be made. However, a host employer or self-insured group member does have standing to dispute any plan they disagree with using existing dispute processes.

The amendments to section 25 also provide that a recovery or return to work plan cannot change a worker's return to work goal, to abandon attempts to return to the worker to their pre-injury employer, without the agreement of the worker.

[Serious and wilful misconduct / costs]

Amongst the amendments to improve the operation of the section 18, there are also some significant benefits for employers.

The Bill amends subsection 18(2) to make clear that an employer's duty to provide suitable employment ceases if the worker's employment has been properly terminated on the basis of serious and wilful misconduct.

This ensures employers are not required to continue providing suitable employment where an injured worker has fundamentally breached their employment obligations, such as through a deliberate fraud or theft.

It is important to be clear an employer cannot evade the section 18 duty simply by making an allegation of misconduct. If there is a dispute, then it is ultimately for the Tribunal to fully examine the circumstances of a dismissal and determine whether the worker has in fact engaged in serious and wilful misconduct.

The Bill also modifies the costs regime for section 18 disputes, so that employers are entitled to have their costs paid in the same way as workers are under general compensation disputes. This means that the legal costs of

all parties to the dispute will generally be paid by the compensating authority, up to prescribed limits, and subject to exceptions where a party has acted unreasonably or vexatiously.

This amendment provides a level playing field for all parties in section 18 disputes, and is consistent with the cost rules that apply throughout the rest of the Act.

[Technical issues]

The Bill also deals with several issues of a technical nature.

[Current incapacity]

The Tribunal has held that the Act currently requires that a worker must have a current incapacity for work at the time a section 18 order is made in order for the Tribunal to exercise its jurisdiction.

This creates difficulty where a worker's injury lends itself to a binary incapacity: that is, where the worker is either totally incapacitated for work, or totally fit for work. This may commonly occur with psychiatric injuries or where the worker undergoes a surgery to restore their capacity following a physical injury.

For these workers, they may be either totally incapacitated, in which case, any request for suitable employment is redundant, or they are totally fit for work, in which case there is no jurisdiction to make an order.

This overlooks the common grey area where a worker may, as an ultimate question of fact, be fit to return to work but there is nonetheless a medical dispute between the worker and the employer about the extent of their capacity; these disputes often involve competing expert medical evidence which needs to be resolved by the Tribunal.

It also overlooks situations where a worker may make a section 18 application while suffering an incapacity, but then recover from their injury midway through the proceedings. In those circumstances the Tribunal would lose its jurisdiction to make an order, even if the employer continued to refuse to return the worker to work.

The solution provided in this Bill is subsection 18(4e), which creates a time limited period in which a dispute is preserved after a worker has ceased to be incapacitated. If the worker has requested suitable employment before they ceased to be incapacitated, or within 6-months of ceasing to be incapacitated, the Tribunal will continue to have jurisdiction to resolve the dispute.

An amendment to subsection 18(1) is made to operate in conjunction with the 6-month time limit imposed under subsection 18(4e).

If a dispute arises between the worker and their employer after that 6-month period, the worker cannot make a section 18 application but may rely on other remedies available under general employment law to resolve the dispute, such as an unfair dismissal application.

The issue of when a worker ceases to be incapacitated is ultimately a question of fact, but typically this would be informed by medical evidence from the worker's treating doctor based on their examination of the worker. Our clear expectation is that a worker would be advised if their doctor considers they have ceased to be incapacitated, so that the worker can consider the application of the 6-month time-limit.

[Specificity of orders]

The Bill also inserts subsection 18(5a) to clarify that in making a section 18 order the Tribunal may specify certain aspects of the suitable employment to be provided, including the nature and range of duties, any adjustments to be made to enable the worker to perform those duties, and the number of hours to be worked.

There may be situations where it is unnecessary for the Tribunal to go into that level of detail, in which case subsection 18(5a) also allows the Tribunal to make those matters subject to a recovery/return to work plan to provide additional flexibility to the parties in structuring the suitable employment in accordance with a section 18 order.

[Concurrent disputes]

Every stakeholder agrees that if an injured worker is going to return to the workplace following a section 18 dispute, then that should happen as quickly as possible. The longer the worker is away, the harder it is to reintegrate them into the workforce.

The Bill inserts subsection 18(7c) to confirm that the Tribunal can hear and determine a section 18 dispute concurrently with other proceedings under the Act, and can also determine the compensability of an injury in the context of a section 18 dispute alone.

These amendments will support section 18 disputes being resolved expeditiously, rather than having to await the outcome of other legal proceedings and delay any certainty for the parties in their return to work obligations.

[Evidence to be considered]

The Bill also inserts subsection 18(7d) to make clear that the Tribunal is not artificially limited to considering the situation that existed when the worker first requested suitable employment, and may have regard to medical and factual developments that arise during litigation.

It is well known that workers compensation disputes ebb and flow over time and it is important that the Tribunal can take a practical approach to the current evidence before it, including in relation to the worker's medical capacity and the available suitable employment options.

[Monetary orders]

The Bill also inserts section 19A, which gives the Tribunal jurisdiction to determine monetary claims for wages or salary payable under section 19 when a worker is undertaking alternative or modified duties.

This amendment is made for the avoidance of doubt and to remove any uncertainty about whether the determination of such disputes is fully captured by the existing monetary claim jurisdiction of the Tribunal.

[Dust diseases/terminal illnesses]

I now turn to the amendments relating to dust diseases and terminal illnesses.

[Statutory clarity as to when an injury has stabilized]

A key principle in the Act is that a work injury must have 'stabilised' before a permanent impairment assessment can be undertaken by an Accredited Impairment Assessor.

A permanent impairment assessment determines the injured worker's degree of whole person impairment. This is then factored into the calculations which determine the worker's entitlement to lump sum compensation and access to other benefits, such as serious injury status and common law.

This Bill includes a clear and concise definition of 'stabilised', which provides statutory clarity regarding when a worker may seek a permanent impairment assessment.

The definition is consistent with personal injury law principles that a worker cannot be forced to undergo medical treatment. It is also consistent with the Impairment Assessment Guidelines, which make clear that a choice by a worker not to pursue additional or alternative medical treatment that has been offered, does not preclude the worker's condition from being taken as stable for the purposes of a permanent impairment assessment.

[Exceptions to the 'stabilised' requirement]

The vast majority of work injuries will stabilise within the meaning of the statutory definition in this Bill.

However, in addition to defining stabilised, the Bill also includes exceptions to this requirement for injured workers with terminal illnesses and prescribed conditions. These exceptions ensure those workers can undergo an assessment even though their condition may continue to deteriorate.

[Terminal conditions exception to the stabilised requirement]

The Bill defines that a terminal condition is a work injury that is incurable and will, in the opinion of a medical practitioner, cause death. The determination of this criteria is a matter for a medical practitioner, and ideally, the worker's treating specialist.

To be clear, the terminal condition exception means a worker who has a work injury that is a terminal condition will not need to establish that the injury has stabilised for it to be assessed. This change provides certainty for workers with a terminal illness that they have access to a permanent impairment assessment and the entitlements that can flow from that assessment.

[Prescribed conditions exception to the stabilised requirement]

The prescribed condition exception to the stabilised requirement is intended for work injuries that are of a progressive nature. Conditions that might fall into this category are ones that are not necessarily terminal, but may not stabilise within the meaning of the statutory definition, for example some dust diseases.

The regulations will govern what is considered a 'prescribed condition'. The Minister is required to meet certain requirements before he can prescribe a condition for the purposes of this provision. At a minimum, the Minister must consult with certain stakeholders including the AMA (SA), the Minister's Advisory Committee and the Corporation. In addition, the Minister must be satisfied that the condition is serious and potentially life threatening, and extremely likely to cause an ongoing deterioration, such that the degree of impairment resulting from the condition is unlikely to stabilise for a significant period.

Determination of these factors by the Minister is supported and guided by the required consultation that the Minister must undertake.

[Fairer income support outcomes for injured workers with prescribed dust diseases]

The draft Bill achieves fairer outcomes for workers through amendments to section 5 of the Act, which provides the framework for setting a worker's average weekly earnings which forms the basis of that worker's entitlement to weekly payments of income support.

A worker's average weekly earnings rate is set by reference to the worker's 'relevant employment', which is the employment from which the injury arose. For the purposes of dust diseases, the relevant employment is the employment at the time in which the worker was exposed to hazardous dust that caused the prescribed dust disease.

In some circumstances, a worker may be exposed to hazardous dust decades before they are incapacitated for work by their injury, and the worker's earnings may be significantly less than their earnings at the time the injury manifests. The case of Rantanen v ReturnToWorkSA is one example that has exposed the unfairness which can result from the application of these provisions.

Conversely, in other cases, the average weekly earnings attached to the worker's employment at the time in which they were exposed to hazardous dust may be more than their average weekly earnings at the date they are diagnosed with a dust disease.

These amendments allow a worker with a prescribed dust disease to elect which employment is used for the purposes of calculating their average weekly earnings. Workers will have a choice between setting their average weekly earnings by reference to either their employment at the time they were exposed to the hazardous dust that caused the prescribed dust disease, or at the time they are diagnosed with a prescribed dust disease.

In other words, to achieve fairer outcomes with respect to income support entitlements, workers with prescribed dust diseases can choose whichever option provides them the higher amount.

Relevant dust diseases are prescribed by way of regulation and the process is informed and guided by legislated consultation requirements. For example, the Minister must consult with stakeholders including the AMA (SA), the Minister's Advisory Committee and the Corporation before making a recommendation to prescribe a disease linked to this provision.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Return to Work Act 2014*

3—Amendment of section 4—Interpretation

This clause inserts interpretative provisions to support the measure.

4—Amendment of section 5—Average weekly earnings

This clause amends section 5 of the principal Act to further expand categories of relevant employment.

5—Amendment of section 18—Employer's duty to provide work

This clause amends section 18 of the principal Act to make additional provision for an employer's duty to provide work.

The clause provides that a worker who has been incapacitated for work in consequence of a work injury who seeks employment with the pre-injury employer may give written notice to the employer seeking a return to work. The clause further provides that the pre-injury employer may offer suitable employment (either of a kind requested in the worker's section 3 notice or some other suitable employment) and sets out the procedures that may be followed if no offer of suitable employment is made. The clause provides that a worker may apply for an order by the Tribunal under subsection (5) if the pre-injury employer refuses or otherwise fails to provide suitable employment, or the worker considers that any employment offered by the pre-injury employer is not suitable.

The clause inserts proposed subsection (5a) to expand the Tribunal's capacity to make orders relating to the provision of suitable work by an employer to an injured worker.

The clause provides for the payment of costs.

The clause also amends section 18 of the principal Act to set out the obligations of both host employers and labour hire employers to provide work to injured workers.

6—Amendment of section 19—Payment of wages for alternative or modified duties

This clause amends section 19 of the principal Act to remove the capacity for the Corporation to determine that the requirement to pay wages under section 19 does not apply.

7—Insertion of section 19A

This clause inserts section 19A into the principal Act.

19A—Jurisdiction to determine monetary claims

This clause provides that the Tribunal (constituted as the South Australian Employment Court) has jurisdiction to hear and determine monetary claims for wages or salary payable under section 19.

8—Amendment of section 22—Assessment of permanent impairment

This clause amends section 22 of the principal Act to make further provision for when an injury has stabilised to include an injury that is a prescribed condition and an injury that is a terminal condition.

9—Amendment of section 25—Recovery/return to work plans

This clause amends section 25 of the principal Act to provide for references to 'the host employer' in addition to existing references to the Corporation and the employer.

10—Amendment of section 42—Federal minimum wage safety net

This clause amends section 42 of the principal Act so that the reference to the relevant date applying in relation to the worker is a reference to the relevant date in proposed section 5(16)(a).

11—Amendment of section 48—Reduction or discontinuance of weekly payments

This clause amends section 48 of the principal Act so that the existing reference to a worker's dismissal from employment is substituted with a reference to the worker's employment being properly terminated as a basis for discontinuing weekly payments for an injured worker.

12—Amendment of section 122—Powers and procedures on a referral

This clause amends section 122 of the principal Act to ensure that consideration of what constitutes injury stabilisation mirror the proposed changes to section 22.

13—Amendment of section 129—Self-insured employers

This clause amends section 129 of the principal Act to provide that the Corporation must publish, on a website determined by the Minister, the name of the employer nominated in any application for registration referred to in section 129(12) and that employer's phone number and address.

Schedule 1—Transitional provisions

1—Interpretation

2—Average weekly earnings

3—Employer's duty to provide work

4—Monetary claims

5—Amendment of Impairment Assessment Guidelines

This Schedule provides for transitional arrangements to support the measure.

Mr TEAGUE (Heysen) (22:34): I rise to indicate that I am the lead speaker for the opposition and indicate the opposition's support for the bill. Indeed, I concur with the minister in respect of the unanimous support received in another place and that is reflected also here in the opposition's support for the bill.

I will not refer to debates in another place, but the minister's second reading speech has been the subject of leave, and we will see that recorded in the *Hansard* of this place shortly. I do have the benefit of the contribution of the minister in the other place and so, without referring to it, I note that I anticipate that we will soon be able to refer to that particular explanation shortly in terms of the record of the house.

I also note that I am grateful to the member for Colton for his work in his then capacity in relation to this bill, which has been on the agenda of the parliament now for some several months, if not on the *Notice Paper* of this place for a somewhat shorter period of time. It was introduced in the other place by the Attorney in April this year.

As I understand the minister, there are amendments that are on file and are yet to be moved in this place. I understand that those are technical in nature and I just foreshadow that I am not, as I stand here, completely across them and that is not to reflect any notice or lack thereof. I look forward to that being dealt with as efficiently as it can be in the committee stage.

The government, as I understand it, following its indication, has sought to address concerns raised about disadvantages experienced by workers with work-related dust diseases and terminal illnesses and that has resulted in the bill we have seen. If we reflect on the relevant passage of the

act, section 18 of the Return to Work Act deals with an employer's duty to provide suitable employment to an injured worker once the worker can return to work. It also provides an independent process where the SAET can resolve disputes about return-to-work obligations.

If the SAET ultimately finds that the injured worker should have been provided with suitable employment, orders made by the tribunal only apply prospectively and no compensation is available for the loss the injured worker has endured over what might be a considerable period of time. It might be many months during which the dispute awaited determination.

So the bill inserts a new subsection 18(5e), which will empower the tribunal when making that section 18 order to also order that the employer make a payment to the injured worker for wages or salary that they would have received if the suitable employment had been provided.

As has been observed, the bill inserts a new subsection 18(16d) at clause 5 to confirm that where a worker is injured while working for a group of self-insured employers the duty to provide suitable employment applies across that self-insured group and is not simply siloed to the pre-injury employer alone. That is contained in a range of amendments that are the subject of clause 5 of the bill and make provision, in various ways, for the employer's duty to provide work, but in that way notably. The bill also inserts a new subsection 18(5c) to enable SAET, when making a section 18 order, to determine where a worker should be provided suitable employment within a self-insured group.

I will address the matter of dust diseases and terminal illnesses. In the Return to Work Act, a work injury must have 'stabilised' before a permanent impairment assessment can be undertaken by an accredited impairment assessor. A permanent impairment assessment determines the injured worker's degree of whole-person impairment, and this is then factored into the calculations that determine the worker's entitlement to lump sum compensation and access to other benefits. The bill inserts a new definition of 'stabilised':

> …a work injury has stabilised if the worker's condition is unlikely to change substantially in the next 12 months with or without medical treatment (regardless of any temporary fluctuations in the condition that might occur).

The bill also provides amendments to allow a worker with a prescribed dust disease to elect which employment is used for the purposes of calculating their averagely weekly earnings.

I note that the government has provided a briefing that has been of assistance, and the opposition has also had the benefit of its consultation with industry bodies, including the SA Business Chamber and the MTA, which I note with appreciation. I would perhaps note more specifically that officials from ReturnToWork have provided an indication, in the course of a briefing, that there would be no impact on the scheme's sustainability or rate as the result of the implementation of the amendments that are the subject of the bill. With those observations, I again indicate the opposition's support for the bill and commend it to the house.

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Local Government, Minister for Veterans Affairs) (22:44): I thank the member for his contribution and his support for the bill. I note that, with a small number of government amendments that I will seek to introduce and that have been circulated, we will enter into a brief committee stage, if it is the will of the house.

Bill read a second time.

Committee Stage

In committee.

The CHAIR: Member for Heysen, which clause do you wish to start off with? Surprise me.

Mr TEAGUE: I think the committee on this occasion is for the purpose of the government amendments. I again indicate the opposition's support for the bill and am interested to dispose of the amendments as efficiently as can be, so welcome the best way to proceed with that.

The Hon. J.K. SZAKACS: If I may assist, if it may be the will of the house that I may move government amendments Nos 1 through 5 en bloc and take the opportunity—I cannot do that?

The CHAIR: They are in different clauses.

Clauses 1 to 4 passed.

New clause 4A.

The Hon. J.K. SZAKACS: I move:

Amendment No 1 [TradeInvest–1]—

Page 4, after line 17—Insert:

4A—Insertion of section 17A

After section 17 insert:

17A—Employer and Corporation not to be present at examination or treatment of worker without consent

(1) Subject to this section, a worker's employer or the Corporation must not be present while a worker is—

(a) being physically or clinically examined, or treated, by a health practitioner; or

(b) undergoing any diagnostic examination or test required for the purposes of the worker's treatment by a health practitioner.

(2) A worker's employer or the Corporation may be present while the worker is at an examination, treatment or testing referred to in subsection (1)(a) or (b)—

(a) if the worker gives written agreement to their presence in the designated form; or

(b) in circumstances prescribed by the regulations.

(3) Nothing in this section prevents a worker's employer or the Corporation from being present during a consultation involving the worker and a health practitioner for the purposes of discussing the worker's recovery and return to work.

This amendment prohibits employers and the corporation, which includes its claims agents, from being present while an injured worker is being physically or clinically examined, treated or tested by the workers' treating health practitioner. This adopts a provision similar to one that was recently introduced into WA's workers' compensation legislative scheme. Exceptions are provided for where the worker gives express written consent for the employer or the corporation to be present or where circumstances prescribed by regulations are met.

Mr TEAGUE: I appreciate the Chair's guidance in terms of what is possible. I was amenable to dealing with the amendments all in one go, particularly if that was to assist to explain them. I might just ask the minister to put on the record the genesis of the block of amendments and how long they have been in existence and how that came about.

The CHAIR: I am happy for the minister to address the various amendments in his answer, if he likes, and therefore that might satisfy your inquiries, and then we can just move through them without necessarily breaking each time.

The Hon. J.K. SZAKACS: Yes, sure. At a macro level, as I referred to in my second reading speech—and subsequent matters have been dealt with in my second reading speech which I sought to include without my reading it—it is largely administrative and largely had arisen from feedback and consultation that has occurred in the winter break since the unanimous passage of this bill in the Legislative Council, the other place.

At the guidance of the Chair, so that we can with some administrative ease seek to deal with these other amendments, government amendment No. 2 proposes to insert into the act provisions relevant to the transition from an existing set of impairment guidelines to an amended or substituted set of guidelines. It is intended that transitional provisions governing the guidelines will sit entirely within the act. This will provide clear, standardised transitional provisions applicable to all future circumstances where the guidelines are amended or substituted.

The provisions will make clear when an existing set of guidelines will be preserved for the purposes of an assessment of a permanent impairment of a worker's injury. Broadly speaking, the transitional clause establishes that the guidelines that will apply to the worker are the guidelines in

force at the time the injuries have stabilised or they meet one of the exceptions provided by this bill and they attend their first appointment for assessment of permanent impairment.

Government amendment No. 3, which I will seek to move in due course, is an amendment that provides statutory clarity that backpay orders made following a section 18 dispute will not constitute designated weekly earnings and therefore will not unfairly impact determination of a worker's weekly payments entitlement.

Government amendment No. 4, which I will seek to move in due course, is an amendment that deletes an unintended duplicate clause in schedule 1, clause 5 of the bill. The final government amendment, amendment No. 5, that I will seek to move will seek to insert a new clause. This clause has arisen from the Law Society raising concerns that previous permanent impairment assessment reports would be invalidated following changes to the impairment assessment guidelines made by this bill.

Specifically, the Law Society considers that references to maximum medical improvement, or MMI as it is referred to in previous reports, would cause those reports to be invalidated under the amended guidelines. Under my proposed amendment No. 5, a reference to MMI in a previous report is to be taken to be a reference to the injury being stabilised. This avoids any doubt around the validity of reports prepared in accordance with the applicable guidelines.

Mr TEAGUE: I appreciate that mode being then adopted. In respect of the amendments, as a matter of formality I just indicate that the opposition might reserve its position between the houses, but I appreciate the minister's explanation of the amendments and how they hold together, particularly in relation to the provisions that deal with MMI as opposed to stabilisation. I do indicate that the opposition reserves its position between the houses, with a view, I expect, to being able to indicate that view in the other place.

New clause inserted.

Clauses 5 to 7 passed.

Clause 8.

The Hon. J.K. SZAKACS: I move:

Amendment No 2 [TradeInvest–1]—

Page 10, after line 34—Insert:

(a1) Section 22(6a)—delete 'If' and substitute:

Subject to subsection (6b), if

(a2) Section 22—after subsection (6a) insert:

(6b) If the Impairment Assessment Guidelines are amended or substituted, the guidelines in operation immediately before the commencement date of the amendment or substitution will continue to apply in relation to the assessment of permanent impairment of a worker's injury if, before that commencement date—

(a) the worker's injury satisfies the requirements of section 22(7)(a) of the Act; and

(b) the worker attended an appointment with an accredited medical practitioner selected in accordance with the Impairment Assessment Guidelines for the purposes of an assessment of permanent impairment of that injury.

Amendment carried; clause as amended passed.

Clause 9 passed.

New clause 9A.

The Hon. J.K. SZAKACS: I move:

Amendment No 3 [TradeInvest–1]—

Page 12, after line 30—Insert:

9A—Amendment of section 37—Prescribed benefits

Section 37—after paragraph (b) insert:

(ba) any prescribed amount ordered by the Tribunal to be paid to the worker by the employer under section 18(5e);

New clause inserted.

Clauses 10 to 13 passed.

Schedule 1.

The Hon. J.K. SZAKACS: I move:

Amendment No 4 [TradeInvest–1]—

Clause 5, page 15, lines 1 to 3 [Schedule 1, clause 5(4)]—Delete subclause (4)

Amendment No 5 [TradeInvest–1]—

Clause 5, page 15, after line 24—Insert:

(12) To avoid doubt, a reference to an injury being at MMI in a report prepared (whether before or after the commencement of this clause) for the purposes of an assessment of permanent impairment is to be taken to be a reference to the injury being stabilised.

Amendments carried; schedule as amended passed.

Long title passed.

Bill reported with amendment.

Third Reading

The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Local Government, Minister for Veterans Affairs) (22:56): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Parliamentary Procedure

STANDING ORDERS SUSPENSION

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (22:56): I move without notice:

That standing orders be so far suspended as to enable a motion for the rescission of the order for completion of the Children and Young People (Safety and Support) Bill by 11.30pm.

The CHAIR: An absolute majority being required, ring the bells.

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

Motion carried.

The Hon. A. KOUTSANTONIS: I move:

Pursuant to order that the order for completion of the Children and Young People (Safety and Support) Bill by 11.30pm be rescinded.

Motion carried.

Bills

CHILDREN AND YOUNG PEOPLE (SAFETY AND SUPPORT) BILL

Committee Stage

In committee (resumed on motion).

Clause 8.

The CHAIR: Where do you wish to start?

Mr TEAGUE: I am just conferring with the minister. I think the minister was, if not underway—

The CHAIR: That is right. The last time you asked a question. Do you wish to repeat the question?

Mr TEAGUE: If necessary; perhaps for the sake of the record at this point. I had addressed the submission in mid-September of the ALRM, which at that point at least was raising what might have been a concern grounded in some ambiguity about the provision in part 2 for the mandatory consideration of certain matters. I understand that the bill was amended following that feedback. It is anyway, I think, perhaps an opportunity to address what might be a broader residual submission at least from the ALRM—one that I do not necessarily share—about the need to ensure that those provisions the subject of part 4 are just as imperative as those matters that are addressed in part 2.

The Hon. K.A. HILDYARD: At 8(1)(b) we insert (1)(b) to reinforce that when performing functions in relation to an Aboriginal or Torres Strait Islander child or young person regard must be given to part 4 division 3, those additional guiding principles for Aboriginal and Torres Strait Islander children and young people.

The CHAIR: That clarifies that one.

Mr TEAGUE: Indeed at 8(1)(b) there is specific provision for the mandatory imperative to apply in relation to matters the subject of part 2 and in the case relating to an Aboriginal or Torres Strait Islander child or young person part 4 division 3. I share the view of the minister that that ought to deal with the specific concern.

Insofar as 8(1)(b) refers to an Aboriginal or Torres Strait Islander child or young person, I might have jumped over the point at clause 3 where the definition is set out and I just make the observation that the definition of an Aboriginal or Torres Strait Islander child or young person—and this is not, at least as far as I am aware, a matter the subject of concern from the ALRM—is really properly directed to clause 3 where the definition is found but it is used, I think, perhaps for the first time at clause 8. It is what might be described as the native title definition. It is a definition that is well understood, and it is widely accepted and used in a whole range of ways but has its origins in terms of establishing, first of all, eligibility for native title.

Given that we are here talking about Aboriginal and Torres Strait Islander children in that identified therapeutic environment, has the government given consideration to the use of that definition and its appropriateness in these circumstances; that is, including the necessity for a person to be accepted by a particular group?

Perhaps by extension, the identification is also part of the definition where, in these therapeutic circumstances, we are dealing with children who as a matter of fact or not are Aboriginal or Torres Strait Islander. They may not necessarily identify as such and they may not be accepted or otherwise. I just query what the utility of therefore that form of definition is, and has the government given consideration to how that might work and the avoidance of unnecessary hurdles in that regard?

The Hon. K.A. HILDYARD: The short answer is yes.

The CHAIR: Any further questions on clause 8, member for Heysen?

Mr TEAGUE: I might then foreshadow a further reference to the Aboriginal Legal Rights Movement's observations about the importance of those provisions in part 4. I know the government has ordered the bill with a view to giving prominence to part 4, but is there any better or more comprehensive an answer to that ALRM concern that clause 8 and provisions thereafter could be inclusive of the part 4 provisions? Is it just that it is a more convenient statutory drafting structure to separate it all out and to put it further down the track?

The Hon. K.A. HILDYARD: It is structural because part 2 applies to all children and young people, and part 4 specifically applies to Aboriginal and Torres Strait Islander children and young people.

Clause passed.

Clause 9.

Mr TEAGUE: I am just looking to compare as we go with the equivalent in the 2017 act, as far as possible. In the 2017 act at section 4 we see the present parliamentary declaration, and in terms of the consideration of the 2024 bill there is an expansion of what is now called the parliamentary recognition. In terms of the work that has been done to extend that declaration, is there anything in particular that has guided it? How has that arisen?

The Hon. K.A. HILDYARD: As part of the consultation process, a really broad and diverse range of stakeholders agreed that the review was an opportunity to revisit the principles in place in the legislation to better reflect community expectation and the core role of the child protection and family support sector in keeping children and young people at the centre of our work.

As the member has said, this section effectively updates the parliamentary recognition of children to incorporate explicit recognition around a range of matters that various stakeholders demonstrated support for: firstly, that the responsibility for keeping children and young people safe and well extends to all members of our community. It was expanded to also say that the child protection statutory framework also plays an important role—but a small role in some ways—in keeping children and young people safe, in the way that community members and governments discharge their duties to safeguard children, and that the provision of services to address the underlying risk factors that contribute to child abuse and neglect are critical in our efforts to prevent children and young people from contact with the child protection and family support system.

Crucially, and perhaps most importantly in this clause, the bill also now includes that the parliament recognises the impact of past laws and policies of previous governments, particularly in relation to the stolen generations and the continuing impact of that on Aboriginal children and young people and their families.

Mr TEAGUE: I note also that there is explicit recognition of the UN Convention on the Rights of the—

The Hon. K.A. Hildyard interjecting:

Mr TEAGUE: I do not demur from the minister's question of paramountcy and so on, but there is specific reference to recognition of the UN Convention on the Rights of the Child and the UN Declaration on the Rights of Indigenous Peoples as documents that inform the administration and the operation of this act. Apart from recognising the importance of that addition, in terms of that relevant informing of the administration and operation of the act, has the government advice, has the government given consideration and is the government satisfied that the recognition of that is going to sound in practical ways and, if so, what are those?

The Hon. K.A. HILDYARD: First of all, just as a general comment, these particular inclusions of the two UN declarations that you have spoken about have been long called for by various stakeholders and advocates for children and young people. Without giving a comprehensive list but, rather, a couple of examples that go to your question, examples of specific articles in those conventions which absolutely will inform the administration and operation of the bill include article 3, which provides that the best interests of the child should be a key consideration in actions concerning children, including that the child is protected and cared for to ensure their wellbeing.

As we have already spoken about, the best interests principle, whilst not paramount, is certainly elevated. It requires that that is considered in terms of any decisions that are made about children, again, whilst not paramount. Article 5 provides that governments should respect the responsibilities, rights and duties of parents or, where applicable, members of the extended family or community as provided for by local custom to provide appropriate direction and guidance in the exercise by the child of their rights. Of particular note here, of course, is part 4 of the bill, which introduces a comprehensive range of provisions that absolutely recognise the need and the right for Aboriginal children and young people to be connected to culture, family, community and country.

Article 7 states that children have the right to know and be cared for by their parents. This is addressed, I think, in the factors that can be considered as part of that best interests principle that we have already spoken about. Article 9 also goes to the issue around best interests. Those are just a few examples. Not every single article is explicitly dealt with in the bill, but certainly those examples

I have just articulated will guide the way that we operate and administer the objectives of the various provisions of the act.

Mr TEAGUE: It is with that in mind, particularly starting at article 3, as the minister quite rightly says—it does not need me to say—that calls have been made by many others over a long period of time as guiding principles. It is article 3 that talks about the best interests and then various further references to the best interests of the child and, as the minister says, article 5 in relation to family that really highlight that best interests principle.

I do not think we see there expressed—and I do not mean to put it as a contradiction—any support for the paramountcy of safety in the UN conventions. There is plenty of reference to circumstances in which the best interests of the child and then related matters ought to be adhered to. If the UN Convention on the Rights the Child to start with was to be the document informing the administration and operation of the act, then it might be concluded that the best interests principle is starting to trump all else, and that might be a foretaste of where we are at for clause 10. I just wonder whether that then leans us even more clearly into territory where the best interests of the child is where the matter needs to head.

The Hon. K.A. HILDYARD: I think you raise a really important point, and it is a point that we very actively considered in developing this bill. I do acknowledge that many have advocated really strongly that best interests indeed be the paramount principle in child protection and family support decision-making. We did consider those different views; however, we think that the position taken in this bill to retain safety as the paramount principle does not undermine that importance of the best interests principle. Best interests has been elevated as a complimentary principle alongside, rightly, a range of newly proposed principles considered critical to child protection and family support work in our context here in Australia.

What I would say, really importantly, is that the two principles are not incompatible. I would challenge anyone who suggests that we should not endeavour to keep a child safe from harm. I say that not to be disparaging but rather to make the point that keeping a child safe is always in the child's best interests, if that makes sense. Also, conversely, if a child is not safe then that child does deserve our protection through various interventions.

In proposing that safety is retained as the paramount principle I also acknowledge article 3, as I just have, which provides that the best interests of the child should be a primary consideration alongside a range of other considerations. I think it is really important to distinguish this from being the paramount consideration as is often quoted when this discussion has gone on.

What I would say as well is that across jurisdictions, yes, there are different ways that different jurisdictions contemplate safety and best interests, but in most jurisdictions there is some balancing between the two. Here in South Australia, of course, it was very firmly recommended in the coronial recommendations following the tragic death of Chloe Valentine that we do maintain safety as that paramount principle. That is a very clear direction.

Also, we have had this ongoing advocacy around best interests becoming paramount, but we think that we have actually landed in the right place, taking into account the range of views that we have heard and taking into account that not only are we elevating best interests as a guiding principle but also other principles, rightly, including the Aboriginal and Torres Strait Islander Child Placement Principle.

I understand your question. I think it is a really important one and it is one that we have grappled with. I suspect that our community will continue to grapple with that particular question about what should be paramount, but I think we have landed in the right place.

Clause passed.

Clause 10.

Mr TEAGUE: Clause 10 is indeed, as I think I flagged in my second reading contribution, among the most important clauses characterising the bill. As the minister has just pointed out, it has been the subject of quite sustained and thoughtful debate, including prior to the 2017 act and at all times since.

The provision in clause 10 retains as a paramount principle safety of children and young people and, more particularly, the paramount principle is to ensure that children and young people are safe and protected from harm. No other principles or requirements that are in the act displaces or can be used to justify the displacement of the paramount principle. It is pretty categorical and remains so. As the minister has addressed just now, that might have had its genesis more particularly in South Australia in the Rau consideration prior to the 2017 bill and formed by coronial inquiries into terrible events.

The Nyland royal commission was undertaken in that timeframe as well. The minister has adverted to other jurisdictions that might wrestle with imbalance notions of safety alongside best interests. Is there any more elucidation more particularly that the minister might refer to in terms of consideration in other jurisdictions—Scotland and elsewhere—where safety and protection, given that they are both specifically particularised in clause 10, have quite as distinct a role as they do here in clause 10?

The Hon. K.A. HILDYARD: Without going into detail, I have notes here on every jurisdiction, but I don't want to go through every single one. I think we can probably share that analysis with you. As an example, in New South Wales the paramount consideration is safety, welfare and wellbeing. The other thing I wanted to provide to the member, which I meant to provide in my previous example, is that the UN Convention on the Rights of the Child also includes article 19, which states:

> …Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Mr TEAGUE: I appreciate those two references. Having mentioned Scotland myself, if we were to cherrypick one stand-out, I just note, if I am right, the Children and Young People (Scotland) Act in part 1, when talking about the duties of Scottish ministers in relation to the rights of the child, appears to me wholly focussed on the UN Convention. If that might beg a further question, in consideration of the transition from 17 to 24, is one matter that is under consideration—and given the treatment in article 19 and the overall picture—to move to a Scottish position, jettison the rest and be guided by the UN Convention in all respects, rather than retain the paramountcy of our own test of safety and protection?

The Hon. K.A. HILDYARD: I think you are asking a question about what we might consider into the future?

Mr Teague: No, for these purposes.

The Hon. K.A. HILDYARD: I think there is probably a very lengthy discussion we could have and we could have with many people in our community about this particular issue, and it is a debate that has gone on for a very long time. As I said, we have landed, taking into account the coronial recommendations, taking into account the development of our new part 4, which absolutely brings into focus the Aboriginal and Torres Strait Islander Child Placement Principle as another guiding principle for Aboriginal children and young people, and the elevation of best interests as a guiding principle.

We have carefully considered that we have landed at the right place, again taking into account the various advocacy on this particular clause, and the journey, as you have spoken about, that our state is on. I think South Australia does have a particular context that we must, of course, take into account. With all of those factors, this is where we have landed.

Mr TEAGUE: I respect the answer and respect that it is a matter of seriousness and it is informed by our own particular experience; all of the above. I think it would be remiss of me not to highlight, however—and this might lead to an explanation as to how these matters might be ameliorated in part 4—that the ALRM draws special reference to its concern that the best interests of the child are not the paramount consideration in decision-making.

I refer to its submission again. At page 3—and I say it in the particular context of the ALRM, because it goes further to highlight that concern in the context of what is in the best interests

particularly of Aboriginal and Torres Strait Islander young people—it makes the following observation:

> The Bill does not make the best interests of the children the paramount consideration. Best interests include a child's safety, but is broad and holistic about a child's needs.
>
> Making best interests subservient to the narrowness of what safety means is not in a child's best interests and is in direct contravention of the Convention of the Rights of the Child (Article 3) and of Recommendation 47 of the Bringing them Home Report.
>
> It is not in line with Family Law nor Child Protection legislation in other states of Australia.

That is the ALRM's stated view at that time, so I highlight that. I also do not think I am putting words in the mouths of stakeholders, including SACOSS and UnitingCare and the peak body, Connecting Foster and Kinship Carers, in all expressing one way or another a view that there is this important work to be done in departing from safety as a paramount guide.

As I say, I singled out the ALRM because it is advocating in particular for what might be all the more imperative for Aboriginal and Torres Strait Islander children and young people, but in respect of each of those groups, if the minister has anything further to add about what perhaps I would describe as that high-watermark expression from the ALRM, I invite the minister's response.

The Hon. K.A. HILDYARD: Again, I think we are sort of agreeing on this. I suspect that this deliberation in our state about safety as the paramount principle, and the proposition put forward by a number of people that that should actually be best interests, will continue. I have outlined why we have landed in the particular place that we have in this legislation.

I think in regard to the first part of your question—and I suspect there will be a further opportunity to explore this when we get to part 4—there are additional considerations relating to the best interests, in particular, of Aboriginal and Torres Strait Islander children and young people. Clause 48 provides particular discrete provisions around exactly what matters should be taken into consideration when determining whether particular steps are in the best interests of Aboriginal and Torres Strait Islander children and they are additional to those that are identified in respect of all children at clause 11 of the bill.

The need for additional matters specific to Aboriginal children to be listed recognises the importance of ensuring culturally safe and relevant considerations being embedded in the legislation, consistent with the broader commitment to fully embed the Aboriginal and Torres Strait Islander Child Placement Principle to the standard of active efforts, and those additional matters recognise the unacceptable over-representation of Aboriginal children and young people in care and that provisions which recognise the particular needs of Aboriginal in children are a critical element of any legislative framework which seeks to support the broader transformation of the system and Aboriginal people's engagement with child protection and family support services.

Clause passed.

Clause 11.

Mr TEAGUE: The corollary to the debate that we have just been having—clause 11 indeed now addresses the importance of the best interests principle. At this point I just make particular reference to the considered view of SACOSS again—not to put particular words in its mouth—but again the emphasis of the UN convention in all its aspects, emphasising the best interests of children and young people. We have talked about the importance of ensuring that actions are taken to avoid the worst of outcomes.

I just highlight the positive benefit of the best interests principle, in that it moves the focus inevitably away from one which is, from a starting point, risk averse to a place of looking at the picture as a whole under the UN convention. There is a potential blossoming out of the capacity to think about the child that is permitted, if the best interests of the child are indeed given paramountcy. To reflect that SACOSS view, is the government giving consideration to any aspect that is lost in making that best interests principle subservient to the ongoing paramount principle of safety and protection?

The Hon. K.A. HILDYARD: I think I have said this in a previous answer, but importantly those two propositions are not incompatible and, of course, in making safety the paramount principle

we want to be really clear to child protection officers that their focus is absolutely clearly on the safety of the child.

We want to make sure that that message is very clear, but the two propositions are absolutely not incompatible. However, if a child is not safe then that child does deserve our protection. However, again, and I think I also said this before, keeping a child safe is always in their best interests and that is why I say these two propositions are not incompatible and in proposing that safety is retained I also refer again, as I did before, to article 3 of the UN convention, which does say that the best interests should be a primary consideration alongside a range of other considerations. It is important to distinguish those words in that article from being the paramount consideration as is often quoted.

Mr TEAGUE: I thank the minister for that answer, and I think it is clear that there is a range of views about that, and I think it is valuable to have the government's view on the record in that regard.

I just turn then specifically to clause 11(2)(e). I think that is really where it is most clearly referred, and the concern raised by the ALRM about the emphasis on the making of decisions and taking actions in a timely manner and I do so to be faithful to the ALRM's concern in that regard. It may be something that has been given some careful consideration. As the government is aware, it is on the face of the ALRM's submission. The ALRM expresses concern for the need for ongoing consideration of reunification and therefore, in its view, the removal of 'timely' from the process of decision-making.

My question is: without then rehearsing the balance of the ALRM's submission in that regard, to what extent has the government considered that concern specifically in relation to Aboriginal and Torres Strait Islander young people and is there an answer to the concern that ought to be a source of satisfaction to the ALRM and others?

The Hon. K.A. HILDYARD: If I am hearing the question correctly, I think probably the most important thing to note in relation to the shadow minister's question is that embedded in the requirement that the Aboriginal and Torres Strait Islander Child Placement Principle be embedded to the standard of active efforts is a requirement about timeliness in terms of active effort, so I think that would allay the concern you are raising.

Mr TEAGUE: I might emphasise, unusually in this regard, that I am raising the concern because it is raised by the ALRM. I appreciate the minister's answer, but I am seeking to elucidate both the nature of the concern and whether it is capable of being answered. I stress here that the ALRM maintains that its concerns all ought to be best expressed within part 2 and, perhaps more particularly, within clause 11.

Much of that concern is directed to the inclusion of these things in clause 11, where the answer might be, 'Well, it's there in the placement principle,' or, 'It's there in part 4.' I would just note, because it is emphasised, that the ALRM is making particular reference to the benefit for Aboriginal children of placement with siblings, and it seeks that specific reference be made to it in clause 11. In that regard, I would again invite the minister's response as to how that is best expressed in the clause, if not in the bill.

The Hon. K.A. HILDYARD: What I can say is that we have absolutely included in the bill provisions to strengthen the rights of children and young people to be connected to their siblings, and that clause came directly from engagement with children and young people themselves, who spoke about how important that was. What I can say is that clause 11(2)(k)(i) provides that, in considering a child or young person's best interests, regard should be given to the desirability of case planning that places a child or young person with a member of family, including the child or young person's siblings—and the clause goes on.

Clause passed.

Clauses 12 to 14 passed.

Clause 15.

Mr TEAGUE: I want to be clear on the nature of any relevant change at this point. Can the minister indicate the nature of any change to the chief executive's obligations at this point and the reasons for that?

The Hon. K.A. HILDYARD: The purpose of this clause is to bring to life the commitment we made to make sure that the voices of children are at the centre of our efforts through this legislation and indeed in everything we do. It is also to make it clear that the child protection and family support system has a responsibility to make sure that children and young people are empowered to participate, as far as possible, in decision-making that impacts them.

This inclusion introduces a statutory obligation on the chief executive to provide a copy of the charter of rights to all children and young people in care as well as information about the role and contact details of the Office of the Guardian for Children and Young People to bring those two factors that I just spoke about to life. I should note that it is to all children who are capable of understanding it, noting that if you are six months old or one year old you probably cannot read a charter of rights.

Clause passed.

Clauses 16 to 18 passed.

Clause 19.

Mr TEAGUE: At clause 19, as I flagged in my second reading contribution, I note that at subclause (1) the minister is empowered in a new way—I think so. It boils down to the minister being empowered, with the prior consultation of the relevant other ministers, to direct chief executives to meet and consider matters that ought to be given interagency consideration. I suppose considering the balance of clause 19 there is a recognition there, I guess, about both the desirability of an interagency approach and the limitations of ministerial power beyond portfolio. Is there any indication as to the consideration the government has given to the scope and capacity of the provision and how it might be worked out in practice?

The Hon. K.A. HILDYARD: I think the really important thing to note about this particular power is that it needs to be considered in conjunction with the public health approach that we are very deliberately setting out in this bill—the fact that we are introducing, rightly, the concept of effective intervention, which is about ensuring that we meet a child or family where they are at. When I say 'we', it is across government that we meet that child or family where they are at.

It introduces the concept of a state strategy so that all of those government agencies and indeed others involved in child protection and family support can look at all of their roles and responsibilities across the system and work together to make sure that we are doing the very best that we can in an aligned way to make a positive difference in the lives of children and young people.

As I said, this clause has to be read in conjunction with those provisions and also read in a way that means that through this power to direct particular chief executives to meet we are bringing to life that desire to make sure we are working across government with children at the centre to drive change.

Progress reported; committee to sit again.

At 23:55 the house adjourned until Thursday 31 October 2024 at 11:00.

Answers to Questions

SOUTH AUSTRALIAN MUSEUM

In reply to **the Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition)** (28 August 2024).

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts): I have been advised:

The total amount received by the Museum from bequests and donations for 2024-25 will be known after the end of the financial year.

The Museum is continuing to work with donors and partners on existing projects.

SOUTH AUSTRALIAN MUSEUM

In reply to **the Hon. J.A.W. GARDNER (Morialta—Deputy Leader of the Opposition)** (28 August 2024).

The Hon. A. MICHAELS (Enfield—Minister for Small and Family Business, Minister for Consumer and Business Affairs, Minister for Arts): I have been advised:

The minimum academic qualification required will be an undergraduate science degree, majoring in a relevant discipline.

The successful applicant will need relevant mineralogical experience and knowledge of best practices in mineral collection care. The position is anticipated to be advertised for recruitment during 2024.

FROST DAMAGE

In reply to **Mr WHETSTONE (Chaffey)** (26 September 2024).

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries): I have been advised by the Minister for Primary Industries and Regional Development:

- The exact impacts of the September frost event are not yet able to be quantified as the full extent of the damage won't show for some weeks. PIRSA continues to work closely with industry bodies to gather information on impacts as they are known.
- Viticulture and grain industries have endured the most significant impacts, particularly in the areas of the Barossa Valley, Riverland, Mid North and Eyre Peninsula.
- To quantify frost impacts in the wine industry, PIRSA is currently utilising satellite imagery analysis to map the extent of frost impacts to the wine industry. This will be coordinated with work commissioned by Riverland Wine and is based on successful analysis undertaken earlier in the year for a frost event that occurred in the Clare Valley.
- Frost impacts to grains and pastures are captured by PIRSA in the Crop and Pasture report.
- PIRSA is liaising with various industry groups who are supporting affected growers through the provision of clear, practical advice to best allow frost-impacted primary producers to mitigate the worst impacts and try to achieve the best possible outcome for the season ahead.
- As this is a stressful time for frost-impacted primary producers, wellbeing and financial counselling support is being provided through the PIRSA Family and Business Support Program which includes FaB Mentors and Rural Financial Counselling.
- In partnership with industry bodies and community groups, PIRSA continues to monitor conditions and identify additional support required.