HOUSE OF ASSEMBLY

Thursday, 20 February 2025

The SPEAKER (Hon. L.W.K. Bignell) took the chair at 11:00.

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

The SPEAKER read prayers.

Parliamentary Procedure

VISITORS

The SPEAKER: Before we begin today I would like to welcome to parliament members of the Ahmadiyya Muslim Association, Aldinga chapter, which is in a wonderful electorate called Mawson. It is great to have you in here today. Of course, you are the guests of the Minister for Child Protection. On behalf of everyone in parliament, we would like to welcome you here.

I would also like to welcome former Premier Dean Brown. We have just had a little ceremony where we unveiled a wonderful portrait of former Premier Brown, which will hang in the Speaker's corridor. It is the latest in a series of portraits that has been commissioned by the parliament. It was a great pleasure to have you back here, Dean, with so many of your colleagues who were in parliament at the same time. Again, I want to place on the record the South Australian community's thanks for the great work you did as Premier and as a minister. The people in the electorate of Mawson who used to be in your electorate speak very highly of you and fondly of you. As I said in my speech at the ceremony, the greatest accolade you can have is people saying nothing but nice things about you, and that is all I ever hear.

I would also like to welcome two other very special guests. They are sitting next to their grandfather, Dean Brown. Lachlan and Michael, it is great to have you here in parliament. I hope you liked those scones, too, at the morning tea reception. It is great that you are not at school and that you are here, isn't it. You can stay as long as you want. Take the rest of the afternoon off, if you like!

Motions

SCHOOL MEAL PROGRAMS

Ms THOMPSON (Davenport) (11:04): I move:

That the Social Development Committee inquire into, and report on, the prevalence and effectiveness of current programs in preschools and schools to ensure children and young people do not go hungry during the day, with particular reference to:

(a) the proportion of children and young people in South Australia who go to preschool and school without having breakfast and/or bring lunch;

(b) the academic and social impacts of preschool and school hunger;

(c) the effectiveness of the recently expanded public schools breakfast program in 2023 by the South Australian government;

(d) ways to support families to decrease the number of children and young people going to preschool and school hungry;

(e) the operation of other national and international preschool and school meal programs and their effectiveness; and

(f) any other related matters.

Research indicates that approximately one in three South Australian students sometimes or often will skip breakfast, with nearly 10 per cent skipping breakfast every day. This statistic translates to thousands of children starting their day with an empty belly and without a nutritious lunch, and we

know that this impacts their ability to learn effectively. Tired and hungry kids are also more prone to behavioural issues, social difficulties and mental health challenges, and this affects the overall classroom dynamics.

This inquiry will allow us to assess the extent of the issue in our state and explore policy solutions. Consider the story of Emily, a dedicated teacher in the southern suburbs in my electorate of Davenport. She often observes students arriving at school without having eaten, their concentration waning as the day progresses. Emily recalls a particular student who, due to financial hardship at home, frequently attends class without breakfast or lunch. This child's academic performance and social interactions suffer as a result, highlighting the immediate need for intervention.

The ramifications of hunger in educational settings are profound. Children who miss meals are more likely to experience diminished cognitive function, reduced attention spans and lower academic achievement. Socially, these kids can feel isolated or stigmatised, leading to behavioural issues and strained peer relationships. At schools in all of our electorates, teachers are facing these challenges daily.

Many students come to class tired and hungry. Many teachers I know are dipping into their own pockets to provide fresh fruit in their classrooms, knowing that there is a need, and many schools will ask the canteen to prepare a sandwich for a child if they notice that they have come to school with an empty lunchbox. Despite the school's best efforts though, the lack of adequate nutrition remains a significant barrier to student success.

In response to this pressing issue, the South Australian government allocated an additional $6.5 million in 2023 to expand the school breakfast program, aiming to provide over one million additional free breakfast meals to students over four years. This initiative, delivered in partnership with organisations like Foodbank SA and KickStart for Kids, has been a commendable step forward.

However, while the expansion has increased the availability of meals, challenges persist. Ensuring equitable access and encouraging participation among the most vulnerable students remain critical issues. Some children, due to stigma or logistical barriers, may still not benefit from these programs.

Globally, various models have been implemented to combat child hunger. In Finland, for instance, a universal free school lunch program has been in place since 1948, ensuring all students receive a nutritious meal each day. Similarly, the UK's Universal Infant Free School Meals initiative has demonstrated positive impacts on student concentration and academic performance. These international examples underscore the potential benefits of adopting comprehensive meal programs here.

Closer to home, I am particularly interested in the work being done in my original home of Tasmania, where their Healthy School Lunches program is already seeing positive impacts, such as improvements in attendance, behaviour and educational outcomes. Launched in 2022, the program started in 15 schools and has since expanded significantly. In fact, such has been the success of this program that the Tasmanian government has plans to further increase the number of schools offering the Healthy School Lunches program to 60 sites across the state.

One of the key benefits of this program is that it offers healthy cooked lunches to students for a voluntary gold coin donation. This is helping families save up to $950 a year, relieving pressure on household budgets at a time when every cent counts. It is a program that is making it easier for families to ensure their children are eating well, without the added stress of preparing or paying for a lunch every day. Perhaps more importantly, it is also supporting families that may not have the resources to provide their kids with nutritious and filling meals each day as they head off to school.

Teachers have seen positive changes in Tasmania as well. Students are attending school more regularly, showing better behaviour and achieving improved academic outcomes. Moreover, they are trying new foods and developing healthy eating habits that will benefit them long term. I would like to acknowledge the Hon. Emily Bourke from the other place for the work that she has already done in this space. One initiative that she has been involved in is a trial currently underway in Murray Bridge South Primary and Fraser Park Primary. It is an initiative that is underway for term 1

of this school year, so it would be ideal timing for the committee to consider the results of this trial along with exploring what else is happening around the world and across the nation.

This work goes so much further than setting up our kids for the best chance at school. It is also a preventative health measure. Australia has the second highest obesity rate in the world. We have an opportunity here to educate kids and change bad habits. Ensuring that our children have access to nutritious meals is not merely a matter of policy, it is a moral imperative. The stories from our schools highlight the tangible impact of hunger on education and wellbeing. By conducting a thorough inquiry into this issue, we can develop informed, effective strategies to eradicate hunger in our preschools and our schools, and give young South Australians the best opportunity at success. I commend this motion.

The Hon. G.G. BROCK (Stuart) (11:11): I certainly support the motion. There is a lot of misunderstanding out there about young kids going to school, and things like that. I can talk from past experience. Coming from a less fortunate family, quite often we would go to school without lunches and also without breakfast. That was just the way it was in those days; and we had to walk two and a half to three kilometres to actually go to the school.

One thing I have found out from having grandchildren at school is that it is amazing the number of children who do go to school without breakfast and nutrition. Our schools in Port Pirie—Pirie West Primary School, Solomontown Primary School, and also the Risdon Park Primary School and Airdale—they all have these little groups. They have breakfast there for those children and also at the preschool, and I commend the volunteers who go there. I certainly support this motion for the Social Development Committee to inquire into and report on these issues.

Ms THOMPSON (Davenport) (11:12): I would like to thank the member for Stuart for his contribution to the debate and I also acknowledge the many volunteers across schools in South Australia who keep an eye out for hungry kids in our state each day. I commend the motion.

Motion carried.

Parliamentary Committees

PUBLIC WORKS COMMITTEE: ONKAPARINGA VALLEY/NAIRNE/JUNCTION ROADS INTERSECTION UPGRADE

Ms HOOD (Adelaide) (11:14): On behalf of the member for Florey, I move:

That the 112th report of the committee, titled Onkaparinga Valley Road, Nairne Road and Junction Road Intersection Upgrade, be noted.

The proposed works are part of a wider $150 million commitment from the Australian and South Australian governments on an 80:20 ratio to upgrade key corridors and intersections as part of the Adelaide Hills Productivity and Road Safety Program. By upgrading key strategic roads through the Adelaide Hills area, the program will support economic growth, improve road safety and increase fire resilience throughout the region.

The proposed works will construct a roundabout at the intersection of Onkaparinga Valley Road, Nairne Road and Junction Road to improve safety and traffic flow, as well as make improvements to associated pedestrian facilities. The intersection is located in the centre of the township of Balhannah, approximately 30 kilometres south-east of Adelaide's central business district.

Currently, the junction is a four-way intersection, with Give Way signs on Junction Road and Nairne Road. This section of Onkaparinga Valley Road experiences an average annual daily traffic count of approximately 9,300 vehicles to the east of Junction Road and a further 8,600 to the west. Junction Road experiences 3,300 and Nairne Road close to 1,000 vehicles. Five accidents have been reported at the intersection between 2019 and 2023, including one resulting in serious injury.

The project aims to deliver key outcomes, including improving safety and driving conditions for all road users, reducing the risk and severity of crashes, improving route reliability and road network resilience, reducing travel time and delays and improving pedestrian facilities at the intersection.

The project is expected to cost $9.7 million, drawn from the Adelaide Hills Productivity and Road Safety Package. Onkaparinga Valley Road and Junction Road are both under the care and control of the Commissioner of Highways, while Nairne Road is under the care, control and management of the Adelaide Hills Council.

Preliminary investigations have identified the need for partial land acquisition from the St Thomas' Anglican Church and cemetery and specific details will be determined during the design phase of the upgrade. The department will ensure that land acquisition has minimal impact and that it will be undertaken in accordance with the Land Acquisition Act.

The works will build a new roundabout, construct and upgrade kerb, gutter and drainage infrastructure to manage natural stormwater through the project site, upgrade street lighting to improve visibility and enhance night-time road safety, install energy absorbing pole buffers near Stobie poles, and create and upgrade footpaths and pedestrian crossings.

The work will also require the clearance of a combination of native and amenity vegetation, as well as some regulated and significant trees with any required offsets made. The department states that the removal of vegetation will be minimised where possible and approvals will be sought in accordance with the relevant guidelines and legislation. The department will deliver the project through separate design and construction contracts. The planning and detailed design contract was awarded in December 2022, with the detailed design currently being developed and expected to be completed imminently.

A construction-only contract will be awarded through a competitive tender process with aims for the main construction works to commence in the second quarter of this year subject to the necessary approvals. Works are anticipated to be complete and the intersection fully operational by the middle of 2026. All procurement will be undertaken in accordance with the state government's procurement management framework and will comply with the relevant government procurement guidelines. The department will be responsible for project management in accordance with its project frameworks and guidelines and contract management procedures.

The project team maintains ongoing risk management and has identified the following risks and mitigation strategies:

- concerns for the community, for which the department will remain in communication and engagement with local residents and businesses;
- potential construction delays due to service relocations, for which the department has identified and engaged the relevant service suppliers;
- potential disruption of power and telecommunication services, for which communication strategies will engage affected properties ahead of time; and
- impacts on the road network, for which the department will work in collaboration with the local council, the department's traffic management centre and other affected stakeholders to minimise interruptions and delays where possible.

The department has prepared a report outlining sustainability objectives, principles and opportunities for the project and includes consideration of climate change, green infrastructure, water, noise, air quality, contamination and greenhouse gas emissions. The selected contractor will be required to develop and implement a contractor's environmental management plan that addresses key environmental and heritage aspects of the project.

The project site is located within the Kaurna people's native title claim area, but native title has been extinguished on the parcels of land affected by the works. The Register of Aboriginal Sites and Objects indicates no registered or reported Aboriginal sites, objects or ancestral remains within the project area, with a risk assessment indicating a low risk of encountering unrecorded Aboriginal heritage.

The department states that protocols are in place should a discovery be made. A non-Aboriginal heritage assessment indicates there is the potential for archaeologically significant historic structures and subsurface features in the area, as well as potential early burials associated with the nearby St Thomas' Anglican Church. The department notes that the detailed design will work

to minimise impacts to this property, and a construction noise and vibration management plan will be implemented to preserve any state and local heritage places near the project site.

A community and stakeholder management plan has been prepared, providing an overview of communication strategies to ensure relevant stakeholders, local residents, property owners and businesses are consulted. This includes the Adelaide Hills Council, traditional owners, landowners, industry bodies and utility service providers. Consultation will be ongoing throughout the life cycle of the project to manage, minimise and mitigate construction impacts where possible.

The committee examined written and oral evidence in relation to the Onkaparinga Valley Road, Nairne Road and Junction Road intersection upgrade. Witnesses who appeared before the committee were Andrew Excell, Executive Director, Transport Strategy and Planning, Department for Infrastructure and Transport, and Craig Eckermann, Delivery Manager Projects, Department for Infrastructure and Transport. I thank the witnesses for their time. I would also like to thank the member for Kavel for his written statement regarding this project in his electorate.

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

Motion carried.

PUBLIC WORKS COMMITTEE: EYRE PENINSULA DESALINATION PLANT

Ms HOOD (Adelaide) (11:21): On behalf of the member for Florey, I move:

That the 113th report of the committee, entitled Eyre Peninsula Desalination Plant Project, be noted.

Presently, SA Water draws 75 per cent of its water supply for Eyre Peninsula from the Uley South groundwater basin. The basin has gradually depleted towards historic low levels and, due to an ongoing decline of health, cannot sustain long-term groundwater extraction rates. The Eyre Peninsula Landscape Board, supported by the Department for Environment and Water, is currently performing a water allocation review, and a new allocation plan is anticipated to come into effect next year. The plan is expected to include a significant decrease to SA Water's allocated groundwater extraction limits from the basin, affecting water supply security for residents, agriculture and industry in the region.

An independent economic assessment of water restriction scenarios, based on the water allocation review, identified that the potential negative impacts of phased water restrictions could amount to more than $100 million per year, posing significant risk to local industries. To overcome this, the agency examined several solutions. The first option would augment water supply from alternative groundwater sources, which was dismissed as no suitable resources are able to meet this demand.

The second option would augment supply with surface water options, which again was dismissed as no suitable rivers or lakes exist in the region. The third option investigated supply from the River Murray. This option was dismissed due to excessive costs as well as the increased pressure it would exert on a climate-dependent resource. The final and preferred option augments supply through building a seawater reverse osmosis desalination plant, providing a suitable long-term solution to provide climate-independent water security while reducing groundwater dependency.

Based on preliminary designs, SA Water has allocated $330 million for this project and will aim to deliver the plant by the middle of next year to minimise the potential negative economic impacts from the anticipated future water restrictions. The proposed works will construct a new 5.3 gigalitres per annum reverse osmosis desalination plant, as well as the necessary associated infrastructure, including:

- a drinking water transfer pipeline to the nearby North Side Hill tank site, where it will connect with the existing SA Water distribution network;
- the plant's associated marine works and infrastructure, including the seawater intake and saline discharge outfall pipelines; and

- an overhead electricity connection.

Ultimately, this project will provide a climate-independent water supply to SA Water's Eyre Peninsula customers, improving water quality and supporting economic growth in the region for residential, primary production and industry customers.

The proposed location for the plant is at Billy Lights Point near Port Lincoln, and the seawater and outfall pump station will be located within the existing Port Lincoln Wastewater Treatment Plant. The majority of the electricity connection and drinking water pipeline will be constructed in existing road corridors; however, some sections will pass through easements within privately owned land.

Construction is anticipated to commence within the first quarter of this year, with the aim for the works to be practically complete in the third quarter of 2026. The project will be delivered through a series of work packages overseen by an integrated team comprising SA Water employees and appropriate specialists. Design, engineering and construct contracts are being awarded via tender processes and the agency is working with SA Power Networks to design and construct the electricity connection lines.

The project is being managed in accordance with SA Water's corporate project management methodology. The oversight team is responsible for the development and delivery of the project, including seeking the necessary approvals and managing the selected contractors. The agency utilises a business management policy and framework, which is used to identify and mitigate risk. Key risks identified include:

- operational impact to the wastewater treatment during construction, for which there will be close coordination to minimise impacts to ongoing operations;
- pressure for works to be complete next year, for which the agency will implement strategies to maximise constructability and minimise construction times; and
- the potential for contractor costs to exceed budget, for which an independent estimator has been appointed and value engineering has been undertaken.

SA Water has embedded sustainability into construction and operation processes since project commencement. A preliminary environmental management plan has been prepared to ensure the project is delivered in compliance with relevant regulations, identifying risk, governing legislation, and specific management controls.

Initiatives include: commitment to a circular economy, maximisation of recycled and recyclable material, consideration of the durability of materials and components, design contractors working towards carbon neutrality, goals for 100 per cent green power for site office facilities, ensuring provisions for solar power, use of wastewater treatment and optimisation of rainwater harvesting, sustainable procurement practices, maximisation of plant operations efficiency, and a modular design to prepare for climate change adaptation. The contractor will also be required to establish an environmental management plan prior to the commencement of works.

The project is within the Barngarla determination area, but native title has been extinguished on land affected by the proposed works and does not exist in the relevant marine areas. The agency has conducted a desktop Aboriginal heritage assessment, including a search of the Register of Aboriginal Sites and Objects, which identified a number of sites near the wastewater treatment plant where associated works will require cultural heritage surveys. Assessment also identified a medium to moderate risk of encountering Aboriginal heritage, and the agency will follow its standard Aboriginal heritage management procedures.

The project will develop a cultural heritage management plan. Should any Aboriginal sites or items be found, work on the location will cease immediately and the SA Water Aboriginal Heritage and Engagement Advisor be contacted. The agency's environment and heritage advisers have noted there are six State Heritage Places, as well as one potential shipwreck, within two kilometres of the project sites, but the proposed works are not expected to impact any state heritage items.

A project reference group of local community, government and industry representatives was formed in 2023 to provide feedback to the agency concerning the progression of the project. The agency has also established a project information centre, website and dedicated point of contact to

inform and update the wider community. The submission has been reviewed by relevant government departments and agencies, and feedback indicates support for the project subject to the necessary approvals.

The committee examined written and oral evidence in relation to the Eyre Peninsula Desalination Plant Project. Witnesses who appeared before the committee were Amanda Lewry, General Manager, Sustainable Infrastructure, SA Water, and Peter Seltsikas, Senior Manager, Capital Delivery, SA Water. I thank the witnesses for their time.

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

Mr TELFER (Flinders) (11:28): I rise to speak on this Public Works Committee report on the Eyre Peninsula desalination plant and listened with interest to the words that were spoken. I think probably just as much of interest to me and my community is what was not said within the report on the Eyre Peninsula desalination plant. What was not said was that there continues to be significant community concern and opposition to the proposed location of this plant at Billy Lights Point.

For those who do not know the geography of Port Lincoln and the Boston Bay, and wider bay area around Port Lincoln, Billy Lights Point is right at the intersection between Boston Bay and Proper Bay. It is an area where there is very little water movement and it is an area where there is a close relationship between those waters and the existing aquaculture and fishing industries. This is why there has been continued concern from my community, from industry—both the aquaculture and fishing industry—about putting a desalination plant within an area of the bay at Port Lincoln which has very little water movement and has very little opportunity for that water to be refreshed and flushed out, and they have been strident in their concerns for a number of years.

None of this has been mentioned within the Public Works Committee report, but I do want to encourage anyone who is actually considering this project to read the report from the select committee inquiry into the Eyre Peninsula water supply, which was presented to this place, I believe this week. It covers aspects of the desalination plant project and also refers to other constraints around supply and distribution of water on Eyre Peninsula. You cannot look at water on EP just in the short period of time around this project in particular. You have to look at it as a whole and, once you have done your homework and done all your research, you realise that there is a high level of scepticism around what is said by government, and particularly by SA Water, on the part of the people of Eyre Peninsula, because they have been failed many times before.

Another thing this project does not really speak about is the concerns that have been raised around the interaction between this proposed project and the existing aquaculture industries within the bay area. Those who know this area know there is a fine environmental balance within the bay area due to the constraints that I have already mentioned around the lack of water movement. Indeed, when tuna farming was first established in the area there was a significant investment and there was an environmental incident which caused significant deaths of the tuna within those farms and nearly wiped out the industry, because of the lack of movement and the aggregation of nutrients and the like within the water. That caused that industry to have to change a lot of the arrangements and locations. It is with this in mind that the community of Eyre Peninsula are always very aware of that environmental balance within the bay area.

This is a $330 million project. If it goes ahead at this dollar figure it will be the equivalent biggest capital investment into the southern Eyre Peninsula in history. There are still so many questions that are unanswered for my community. As part of the report that was just presented to us they did briefly discuss the Barngarla corporation and the indigenous heritage aspect of this project. What it does not say in this report is that, indeed, the Barngarla corporation wrote to the Premier near on a year and a half ago and they said under no circumstances would they come to an Aboriginal heritage agreement with the government on this site—under no circumstances. This was ventilated 18 months ago.

A few of the words that were put in here really do highlight the hypocrisy of the way the government has dealt with this, particularly when you look at it compared to other projects where they have heeded the knowledge of the Barngarla people. With the recently shelved project at Kimba,

for instance, the Premier in the media, in public, stated categorically that he believed if the Barngarla people say it should not happen here, it should not happen here. But then in this project they say it should not happen at Billy Lights Point and this government is continuing to push on with it.

There is nothing in this report that actually highlights any risks around what potential legal challenges there could be to construction of a desalination plant at Billy Lights Point. Indeed, in the committee I asked SA Water what they had factored in as far as additional challenges to delivery timeframes for any potential legal challenges. They decided that they could not talk about hypotheticals so they would not put these sorts of calculations into what they are doing.'

But this is a $330 million project. If you do not take into account what I believe is a high risk of there being a legal challenge and what impact that could have on the amount that you have to spend and the timeframes that you have to deliver this project, you are not doing your due diligence. Only time will tell whether there will be a challenge to these. As I have already mooted, nearly 18 months ago the Barngarla corporation wrote to the Premier with their concerns, and time will tell what their response to this project continuing on will be.

There is no doubt that there is a significant and immediate need for appropriate planning of water supply and distribution on Eyre Peninsula. The select committee report was actually published unanimously. The government, opposition and crossbench members all agreed after listening to all the submissions that came into that committee. In the comprehensive report that they put together, they all agreed on the same points. As I said, I would encourage people to reflect on that because the risk for Eyre Peninsula, after this report has highlighted some of those supply challenges, is that there are delays and other challenges that go with this project.

For the people on Eyre Peninsula, there is no immediate alternative because SA Water have not put any efforts into trying to work out what plan B or plan C might be. In late 2023, I wrote to the Premier directly with my concerns as the local MP about what I saw as the challenges, the roadblocks, the hurdles for this project, including the community concerns, the concerns of industry, aquaculture and fishing and the concerns of the Indigenous community about this location.

As SA Water have gone through this process, there have been a lot of times when they had the opportunity to be able to reflect on the location of this project. There was a site selection committee that was put together with industry, local government and community leaders that had Billy Lights Point as its least preferred location for this project. Those concerns were ignored. There were opportunities through the community consultation process, and I use that term very lightly because there have been seemingly no changes to the project based on that community consultation.

With a $330 million project, you would hope that the experts that are delivering this project would have insight into some of the basics of what this might be. In the committee, I asked, 'How far away is the intake pipe for the desalination plant from the wastewater outfall from Port Lincoln?' It is something you would think is pretty basic. My community has said that if this project is going ahead at Billy Lights Point to please make the outfall further out into flowing water and make sure the intake does not impact aquaculture.

We did not even get an answer on the day. They did not even have that with them. We eventually got it back on notice. There is a separation distance of approximately 550 metres between the intake of the desalination plant and the outfall of the wastewater plant at Port Lincoln—550 metres only. This is an area of very little water movement. Then I asked about the outfalls of the two sites. There is only 750 metres between the desalination plant outfall and the wastewater treatment plant outfall.

In the bay of Port Lincoln, where there is very little water movement, you can see why my community is concerned about what the long-term environmental and economic impacts are going to be if SA Water do not adjust to try to make sure that they are listening to the concerns of my community when it comes to this project that is being put forward in this report.

Motion carried.

CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE: OMBUDSMAN INQUIRY

Ms THOMPSON (Davenport) (11:39): I move:

That the eighth report of the committee, entitled Inquiry into the Performance of Functions and Exercise of Powers by the Ombudsman, be noted.

On 16 February 2024, the Crime and Public Integrity Policy Committee resolved to commence an inquiry, which it is required to do, to consider the performance of functions and exercise of powers by the Ombudsman under the act. Primary functions of the Ombudsman include:

- the receipt, assessment and investigation of complaints made or referred to the Ombudsman about public administration;
- the receipt, assessment and investigation of reports made or referred to the Ombudsman about potential matters of misconduct or maladministration in public administration;
- assisting agencies to identify and deal with inappropriate or improper administrative acts;
- to give directions or guidance to public authorities in dealing with misconduct and maladministration in public administration, as the Ombudsman considers appropriate;
- evaluating the practices, policies and procedures of public authorities, with a view to advancing comprehensive and effective systems for preventing or minimising misconduct and maladministration in public administration; and
- conducting or facilitating the conduct of educational programs, or the publication or distribution of educational materials that are designed to prevent or minimise misconduct and maladministration in public administration.

The Ombudsman also performs functions conferred by other acts which include the Freedom of Information Act, Return to Work Act, Public Interest Disclosure Act, Criminal Law (Forensic Procedures) Act, Local Government Act, Ageing and Adult Safeguarding Act, Health and Community Services Complaints Act, Children and Young People (Oversight and Advocacy Bodies) Act, and the Child Sex Offenders Registration Act. For the purposes of an investigation, the Ombudsman is granted the powers of a commission as defined in the Royal Commissions Act 1917.

The submissions and evidence received by the inquiry addressed a number of issues, including:

- the need for review of the resources available to the Ombudsman to provide for the performance of functions and exercise of powers;
- a proposal to subsume the functions of the Office for Public Integrity (OPI) into the office of the Ombudsman;
- the impact of the performance of the Ombudsman's functions and exercise of powers in respect of the local government sector; and
- the impact of the performance of Ombudsman functions and exercise of powers in respect of the care and protection of children and young people, particularly regarding foster and kinship carers.

Proposals to amend the act included the following:

- the definition of misconduct in public administration (amended in accordance with the enactment of the Independent Commissioner Against Corruption (CPIPC Recommendations) Amendment Act 2021;
- provisions recognising the operation of parliamentary privilege;
- provisions providing for assessment of complaints and their purpose;
- provisions providing for directions or guidelines to be issued, requiring public authorities or officers to report a reasonable suspicion of misconduct or maladministration in public administration;

- provisions conferring investigation powers in the Ombudsman directly, without reference to the Royal Commissions Act;
- to clarify the operation of the secrecy provisions in respect of legal advice received by public authorities;
- to reinstate section 25(1) which refers to the matters that the Ombudsman may find as a result of an investigation;
- the operation of provisions conferring authority in the Ombudsman to report on a failure to give effect to an Ombudsman recommendation;
- the basis upon which the Ombudsman may refer a matter involving misconduct or maladministration in public administration to a public authority;
- the basis upon which reviews may be undertaken by the Inspector of the Independent Commission Against Corruption, Ombudsman and the Office for Public Integrity;
- the operation of confidentiality provisions;
- to require that a public authority must provide the Ombudsman with any assistance necessary to undertake an evaluation of the authority's practices, policies or procedures; and
- to clarify the scope of reviews that may be undertaken by the Ombudsman in respect of agencies providing services in the realm of the care and protection of children and young people.

That was about the most times I have said 'Ombudsman' in one day.

A number of submissions also referred to the recommendations of the report of the Independent Inquiry into Foster and Kinship Care, published in November 2022. The report, prepared by Dr Fiona Arney, recommended the establishment of an external independent quality assurance unit which would respond to complaints in respect of the Department for Child Protection that allege bullying, discrimination, harassment or other matters that cannot be reviewed through the presently available external complaints mechanism.

The Ombudsman highlighted a number of changes to the practices of the Ombudsman's office, including the implementation of conciliation and increased use of negotiated settlement to expedite the resolution of matters. The committee supported such initiatives; however, its first recommendation has been with respect to concerns regarding the resources available to the Ombudsman to perform functions and exercise powers in accordance with the Ombudsman Act.

The committee also noted that the Inspector's 2023-24 annual report was tabled in each house of parliament. The Acting Inspector reported satisfaction that the Ombudsman's practices and procedures were, on the whole, effective and efficient during the reporting period. The Inspector was satisfied that the Ombudsman's functions were carried out in a manner likely to assist the proper exercise of administrative powers in the state and that the powers of the Ombudsman were, on the whole, exercised in an appropriate manner during the reporting period. The Inspector found no evidence of undue prejudice being caused to the reputation of any person by the Ombudsman or employees of the Ombudsman.

The key issues raised in the submissions and evidence are discussed at section 3 of the report. Proposals to amend the Ombudsman Act are discussed at section 4 of the report. The committee's findings and recommendations conclude the report.

On behalf of the committee, I would like to thank its recently appointed secretary, Shannon Riggs, and its research officer, Ben Cranwell, each of whom very ably supported the conduct of this inquiry. I would also like to thank the other members of the committee for their contributions to the inquiry: firstly, the Presiding Member, the Hon. Justin Hanson; secondly, the other members of the house—the member for Heysen, the member for Playford and former committee member, the member for Elizabeth—and, finally, from the other place I also note the contributions of the Hon. Frank Pangallo and the Hon. Laura Henderson. I commend this report to the house.

Motion carried.

Motions

AGE-FRIENDLY COMMUNITIES

Mr DIGHTON (Black) (11:46): I move:

That the Social Development Committee inquire into and report on options to develop and sustain age-friendly communities and cities across South Australia, with reference to:

(a) current and forecast demographic changes—noting South Australia has the oldest and most rapidly ageing population on mainland Australia;

(b) the responsiveness of commercial, state government and local government services to the needs of older people;

(c) the suitability of services for people experiencing the intersectionality of age, Aboriginality, language, culture, gender, sexuality, neurodivergence and other forms of diversity;

(d) best practice approaches to housing, infrastructure, transport, health, employment, technology and social inclusion for an ageing population;

(e) opportunities for change to boost and maintain social and economic participation amongst older members of the community, including through the use of existing, expanded or new community hubs with a focus on ageing well; and

(f) commonwealth programs and policy including social security, superannuation and aged care and the commonwealth's intergenerational report.

Our community has undergone huge demographic changes over the past century from the impacts of wars, migration, the baby boom, longer life spans and more recent trends towards smaller families and households. At different times, this has meant big increases in single-parent households, changes in the balance between young and old and the size of families.

Apart from changes in the number and distribution of our population, changes in social attitudes and laws have had massive impacts on how we operate as a community. Just one example of this is the change in women's participation in the economy. Just a few decades ago, many women were prevented from taking up various occupations or were forced to leave the workforce when they married.

Since then, the increase in women's economic participation has been one of the key drivers of our economic prosperity. We unlocked and started to realise the massive untapped potential and talent of over half our population. It was only at the last election we saw seven new female MPs elected to just one side of the house of parliament in just one day, including the member for Adelaide. I think it took around 90 years after the law that allowed women to be elected in 1894 to have that number elected across all parties in both chambers.

I want to pay tribute to and recognise one of my constituents, Molly Byrne. Molly Byrne was the first ALP woman elected to the South Australian House of Assembly. She was elected to represent the seat of Barossa, and later the seats of Todd and Tea Tree Gully, until 1979. She was the first woman member of the South Australian parliament to sit in your chair, Mr Speaker, in an official capacity, on 13 September 1972, when she was Acting Deputy Speaker. I received a very lovely letter of affirmation from Molly after the election, congratulating me. It was very nice to receive, and I am very proud to be the member of parliament representing such a trailblazer of our community.

This change in women's roles in society and the economy also meant that we had to think about a range of other changes. These include flexible working arrangements, social expansions around unpaid and informal care, along with different government programs to support people in making choices that work best for their family and the wider community.

The big change that has been working its way through our community in recent decades, the impacts of which we will continue to feel for decades to come, is the increase in the number and proportion of older people in our community. At the 2021 census, around 40 per cent of South Australians were aged 50 years and over, with the share of this group continuing to climb. The biggest proportional increases are expected in the older cohorts within this group, thanks to changing lifestyles and better medical care, amongst other factors.

When the commonwealth introduced the age pension back in 1909, you qualified at age 65 but the average life expectancy was around 58. Life expectancy is now in the 80s for many of us, although I note that longevity is not evenly spread. This is why we have clear targets around things like Closing the Gap, to make sure the benefits are enjoyed by more Australians, particularly First Nations communities.

At the same time as many people are living longer, we have seen a big drop in families with three, four, five or even more children, and a move towards smaller households. With many people in our population being born overseas, we have fewer households with close access to biological aunties, uncles and grandparents. Having said that, of course modern technology allows you to talk to an overseas parent in Asia, Europe or Africa more easily than you could 40 years ago.

All of this has huge ramifications for how we work, socialise and care for each other. The commonwealth recognises this through its intergenerational report into the future with a big focus on ageing. We have also seen some great work done in South Australia over a long period of time. The world-renowned expert Alexandre Kalache was a Thinker in Residence here more than a decade ago, with a focus on ageing.

One of his various legacies are the timers on pedestrian crossings like the one on North Terrace outside Parliament House, which goes for a lot longer than some others. He observed when he was here that anyone moving slowly—an older person, a person with a disability or a parent with a pram—would only be halfway across when the lights turned green for the cars to move. He made the point that age-friendly communities are friendly to everyone, because they take into account so much diversity in our interests and capacities.

At a state level, agencies like the Office for Ageing Well and the Adult Safeguarding Unit, along with mainstream services like health and public transport, provide critical supports for older people. A great example of the support is public education. Last year, I had the pleasure of meeting and getting to know Hallett Cove local Rilla McEvoy.

Rilla is a retired high school teacher who has provided dedicated service to our community over many decades. She is an avid user of public transport to get out and be part of our community. She is a great example of why providing free transport to Seniors Card holders is so important, to give back to those who have dedicated their lives to our community. I know the 9,000 Seniors Card holders in my electorate very much appreciate the ability to use public transport to help ensure that they stay connected in our community.

We have peak bodies like COTA (Council on the Ageing) advocating for positive policy changes, and various NGOs now operating intergenerational programs that link retirees and young people. I am sure you may have seen it, but I have watched the ABC program of *Old People's Home for 4 Year Olds*—and there was an *Old People's Home for Teenagers*—and it showcases the benefits of intergenerational relationships.

Last year, I witnessed an excellent example of an intergenerational program between Meals on Wheels South Australia and Sacred Heart College and Mary MacKillop College, and the program involved year 9 students. The first program I saw was for year 9 boys, and there were great benefits for these year 9 boys pairing with older participants from Meals on Wheels, so Meals on Wheels customers, workers, old scholars or community members. They started with writing letters to each other and then had face-to-face meetings.

The benefits of the program were really clear—very obvious—firstly, in breaking down stereotypes, building connection and wellbeing and, for the students in particular, helping them to improve their communication. I would say that unfortunately year 9s have a long way to go in learning how to write a letter, and a program like this helped them. Providing those social connections for older participants as well was fantastic to see. They had a lunch at the West Adelaide Football Club, and it was terrific to observe these amazing interactions between them. These are the types of intergenerational programs that we need.

Community centres have seen big growth under the Malinauskas Labor government and, as I mentioned in my maiden speech, my mum spent a long time coordinating community centres. They provide fantastic support for our community.

The Malinauskas government made changes to the National Construction Code so that homes are more accessible and adaptable. It passed changes to the Retirement Villages Act while the commonwealth, at almost exactly the same time, passed big reforms to aged-care services. With the demographic changes continuing to flow through, and so many moving parts on policy and programs, now is the time for parliament to take stock of where we are and where we are going.

The Social Development Committee has a great opportunity to consider how we can ensure communities be more productive and more inclusive by being more age friendly. I commend the motion to the house.

Motion carried.

Parliamentary Committees

PUBLIC WORKS COMMITTEE: GAWLER TANK PROJECT

Ms HOOD (Adelaide) (11:57): I move:

That the 114th report of the committee, entitled Gawler Tank Project, be noted.

The Gawler Tank Project is located within the Gawler council, approximately 40 kilometres north of the Adelaide central business district. Built in 1907, it has reached the end of its design life and needs replacing to ensure continued baseline water service capability, which currently stands at approximately 6,200 consumers.

Additionally, due to anticipated network growth, the current size will be unable to sustain the necessary backup water storage required for the expected future demand of the water supply network in the region. The project proposed by SA Water, the agency, will construct a new three-megalitre tank, which will support the long-term viability of services and ensure ongoing regulated standards of water services for the region now and into the future.

During concept development, the agency conducted investigations into several upgrade options considering technical and financial components, risk assessment and net present value. The first option examined rehabilitating the existing concrete tank, which was deemed unfeasible due to the structural issues and the lack of capacity to support future network growth. The second option explored building a new three-megalitre concrete tank in a new location, which avoids the disruption of existing services but incurs significant extra cost due to land acquisition.

The third option involved the construction of a new concrete tank within the existing tank, which was deemed unsatisfactory due to inherent construction challenges. The fourth and preferred option involves demolishing the existing tank and building a new three-megalitre concrete tank in the existing location. This solution is preferred as it presents lower construction risks, provides timely delivery and minimises operational and maintenance interventions over the asset's life cycle.

Startup activities at the site have commenced, with the works expected to be practically complete early next year. The agency expects the project to cost $17.7 million, and funds are available within the capital budget submitted by SA Water to the Essential Services Commission of South Australia. The tank will be built on land owned by SA Water and ongoing operational costs are not expected. The agency states the project will not impact on SA Water's overall contributions to government or SA Water's customers' bills.

The agency utilises procurement frameworks and enables the sequential award of works to suppliers, a process that incentivises high levels of performance in order to secure the continuity of work. This model delivers significant efficiency benefits through collaboration, innovation, consistency planning and programming. In 2023, the agency extended its major framework partner agreements and the Gawler Tank Project has been included within the agency's water civil major framework.

The procurement process has been conducted in accordance with internal policies and procedures and conforms to all applicable Treasury and government policies. SA Water engineering has been responsible for analysis and concept design and a design construct model was selected to deliver the project.

Debate adjourned.

Bills

EDUCATION AND CHILDREN'S SERVICES (BARRING NOTICES AND OTHER PROTECTIONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 19 February 2025.)

The DEPUTY SPEAKER: Minister for Education, I think you had the call when we were last in the chamber.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (12:01): Thank you, Deputy Speaker, and I was commenting on and thanking those other members of this place who made a contribution to the second reading in support, in particular the member for Colton who had indicated the opposition's support for the bill.

I want to flag—and I think I was in the midst of doing this when we paused—the intention of the government to move a number of amendments to the bill in the committee stage. Collectively, the amendments are aimed at or consequential to addressing an issue with the limits of section 95 of the act as amended by clause 11 of the bill. The intention of section 95 is to address more imminent risks to the safety of staff and students on the premises of schools, preschools, education and care services, and other relevant premises by providing authorised persons with the power to direct a person who is posing a risk to that premises or to persons who are on that premises to leave.

A person who is directed to leave is currently not able to return to the premises for a period of 48 hours, though the bill will change this period to two business days for the probably self-evident reason that if that were a weekend, then by Monday morning that person is currently entitled to return when that might not have been the intention. Making it business days makes sure that that 48 hours away from the premises is put in place as was intended.

Under current arrangements, a direction to leave would be given to address an immediate issue but may be followed by a decision to issue a barring notice to a person barring them from relevant premises for a longer period. As it stands, when a person who is not on premises has made threats about coming to a school or other service to do some harm or where they have misbehaved on premises but have then left and there is a risk that they might return, the bill would not provide for an authorised person to order them to not enter the premises.

The amendments I will be moving will seek to address this issue by enabling an authorised person to direct a person not to enter the premises or related premises in the circumstances above. A direction would be able to be given orally or by written notice. A person directed not to enter the premises must not do so for two business days after the day on which the direction is given. It will enable school leaders and other staff to respond quickly to protect their school communities and, sadly, there are occasions when this needs to occur.

While these types of instances may meet the grounds for the issuing of a barring notice, it may take some time to properly consider whether to issue a barring notice, the length of that notice and any conditions that should apply and to serve the notice itself. Again, I thank all members who have made a contribution. I look forward to taking this bill through the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr COWDREY: Minister, the first question is to greater contextualise the issue in regard to instances for which these measures are being brought in to address. Through your speech and in other forums, there have been a couple of numbers quoted in terms of a percentage increase of incidences and barring notices being served. Are you able to provide some additional data in terms of the broad numbers that these relate to, in particular from 2022 and 2023, the year-on-year figures

in terms of the total number of barring notices that have been issued across each of those school years, and any further context you would like to add to that issue?

The Hon. B.I. BOYER: I can provide some information in response to your question. Barring notices in 2020 were 38; in 2021, 59; in 2022, 46 (that would be accounted for by COVID, I would imagine); in 2023, 137; and in 2024, 108. Formal warning letters in 2020 were 61; in 2021, 109; in 2022, 81; in 2023, 232; and in 2024, 246. Respectful communication reminders in 2020 were 25; in 2021, 17; in 2022, 10; in 2023, 14; and, in 2024, 163. I think that gives a bit of a picture about the increases that we are seeing across all those categories.

Mr COWDREY: The next question is in regard to penalty provisions that are in the existing act. Are you able to identify of those barring notices or warnings that have been provided, was a penalty provision associated with each of those and, if so, was that penalty paid in each instance?

The Hon. B.I. BOYER: I am informed that, generally speaking, we have very high compliance with the barring notice. In cases where the barring notice might not be complied with, currently the response of sites is to potentially issue a longer barring notice if someone comes and breaches the existing one. There have not been prosecutions for failure to comply with barring notices, but I think given the very large increases that we are seeing, if we were to compare barring notices in 2020, 38; barring notices last year, 108; formal warning letters, 61 in 2020; 246 in 2024; respectful communication reminders, 25 in 2020; and 163 in 2024, then taking into account those really steep increases, we feel it is important to not only extend the period of time for which someone could be barred but also in some respects commensurately increase the penalty for failing to comply with a barring notice, given that they are being used far more often than they were just four years ago.

Mr COWDREY: In regard to the penalties, are you able to confirm whether a penalty has been levied against somebody across the last four-year period, for instance? If so, both in terms of historic and forward looking, where does that penalty money go? Is that put back into a fund for education? Does it go straight to general revenue in Treasury? Is it kept within the education department? Can you give clarity in regard to whether or not a penalty has been paid by somebody who has been issued a notice over the last four years and, if so, where those moneys are kept and where you intend for the moneys to be collected, and given the additional penalty and the substantial increase in it, where that money is going to be directed?

The Hon. B.I. BOYER: I am advised that across that four-year period there have not been any paid because there have been fairly high levels of compliance with the existing barring orders. As I mentioned in my previous answer, the issuing of the existing barring orders at a maximum period of three months has obviously not been enough to see a reduction in the overall use of barring orders. Instead, we have seen their use continually go up and up, but there has not been a penalty paid in the four-year time period about which the member for Colton asks. But, given that what we are proposing in this bill is essentially a doubling of the period for which a parent can be barred, and given the large increase we are seeing in the use of barring orders, the department has anticipated that it would be prudent for us to have a monetary penalty for not complying with a barring order larger than what it currently is.

It sounds to me like what has been done by sites is that, instead of going down the path of imposing the monetary penalty for failing to comply with the barring order, they have just put another barring order in place. This would provide another means, in this bill, of not just capturing behaviour in different environments—not just on the school grounds—that can warrant a barring order and not just increasing the time period for which a parent could be barred but also increasing the monetary penalty if they fail to comply with one of those barring orders.

Mr Cowdrey interjecting:

The Hon. B.I. BOYER: I am told into consolidated revenue.

Mr COWDREY: The final question in regard to this line is essentially in terms of site leaders. I assume in most of these circumstances they seek advice from the department about how to proceed when one of these issues is raised. In terms of the advice that is provided to site leaders about how to proceed in certain circumstances, has there been a tendency to avoid penalties in the past instead

of an additional barring notice being effectively the advice that has been provided by the department about how to deal with some of these issues?

The Hon. B.I. BOYER: No, I do not think so. The advice I have is that, no, there has not been communication or a persuasive effort from the education department, or at least the team that is there, to assist site leaders with how to go about applying for and enforcing a barring order to suggest they do not proceed with a monetary penalty.

I think the reason that it has not been done is that most parents, in terms of the adult who is barred, comply with that barring order. Often, I think potentially what we are seeing is that the response from the barred parent, which could possibly constitute cause to seek a monetary penalty for failing to comply with the original barring order, often also constitutes a reason to extend the barring order further. Schools are choosing to do that, I presume, because they feel that it is necessary to have that person away from the site for a bit longer because of the nature of the behaviour. We know of lots of pretty bad examples around the way that staff are being treated. That is more a decision that has been made locally.

We have made a commitment, though, on strengthening the central support around the application of barring orders. It is really important that they are done properly. I know there are cases currently under the act—and I do not think we are proposing to change this—where if a barred person asks for a review of the barring notice it will ultimately come to the minister of the day to either say that it has been done correctly and stands, to revoke it completely or to vary it. There has been at least one occasion, possibly two, where I have made the decision to revoke the barring order despite the fact that the behaviour that has led to the barring order being applied for was of real concern, because the necessary steps were not put in place.

Obviously, a barring order is a serious step to take—to prevent someone from going to their child's school. As I am sure my predecessors have, I have taken that process very seriously. When it comes to me to review I look at whether or not all the steps have been followed and, if not, then on a couple of occasions I have revoked them. In the most part they have been put in place correctly, but I think there is some more work we could do centrally to support principals to do that, because it is a relatively litigious process to do it, as it should be.

Clause passed.

Clause 2.

Mr COWDREY: While perhaps not directly relevant to the clause, in terms of the increase in barring notices that have been issued do you have any idea how many of those are, for lack of a better term, repeat offenders, where the actual quantum of people who are being addressed through this system is maybe reasonably standard but the instances of behaviour may have increased within individuals?

The Hon. B.I. BOYER: We are seeing if we can get it for you now.

Mr Cowdrey: Even high-level commentary if you want to do so—

The Hon. B.I. BOYER: Just while we are trying to find that information—I am told we do have it and if we cannot provide it to the member for Colton now we will take it on notice and provide it to you—I will perhaps provide a few background comments about my own experience. I would say that a fair portion is probably made up by repeat offenders.

I know there are some cases that are well known to my office, and would have been well known to the member for Morialta and the member for Port Adelaide's offices before me, where parents have been barred on multiple occasions—and not just at a primary school but at a secondary school as well, or sometimes multiple primary or secondary school sites if their child has moved. My gut feel is that it would be quite a high number.

Okay, the department has advised that only a very small proportion of people who have been issued with a barring notice are issued with subsequent notices. In 2024, only seven of the people issued with a barring notice in relation to a government school or preschool had been barred within the previous 12 months. A further two people were barred from multiple sites. That is the data from 2024.

I can probably think off the top of my head of a few examples of what we might call frequent flyers who have not only been barred from one site on multiple occasions but as their child has moved they have been barred from the subsequent or previous school as well. I think that is certainly an issue and probably speaks to why we feel we need to increase the penalty—not just the increase in the total number of barring notices being issued across that five-year period from 38 to 108 but also the fact that the current barring period of a maximum of three months clearly is not enough to disincentivise some parents from repeating poor behaviour.

Mr COWDREY: Just finally, in regard to a previous answer, you mentioned there was going to be additional support provided to site leaders in terms of the process involved. Given the changes that we are working through today, are you able to detail what that is going to look like?

The Hon. B.I. BOYER: I can give you a pretty good idea because I think it stemmed from one of the cases that I foreshadowed before where I had revoked a barring order, which is a serious step to take as a minister, particularly when you are reading information around the behaviour that led to the barring notice being applied for and in these cases that was serious. You get a very, very large briefing document going through all the steps that were taken and when I was not satisfied that those steps had been taken correctly, and when I thought that if it was to be further challenged in a legal sense by the person barred it would not stand up in a court, or wherever it might be that it would be challenged, I made the decision to revoke it.

In the conversations I had after that, the department agreed that it can be a difficult process because you do need to be very thorough, which is the right thing to do, and therefore more support needed to be provided from the team that handles it within the education department to work one-on-one with the site, in terms of making sure that, if they are about to move down the path of issuing a barring notice, they understand what they have to do and make sure it is documented correctly. So to be out there encouraging sites that that support is actually available is one of those steps.

Another step is having a team that can respond quickly, because these things often need to be done quickly, so that if a site has a new leader who has not put a barring order in place before and is not sure how, they can reach out and expeditiously get an answer from the department so that they can then take the next step. I think that was the upside of what came from a couple of cases where the process was not as rigid as it needed to be. We understand it is not always the fault of the school. They are dealing with a lot and understanding what is, as I said, quite a litigious process that needs to take place is something we should be providing more support for essentially and not leaving it up to our site leaders.

Clause passed.

Clauses 3 and 4 passed.

Clause 5.

Mr COWDREY: Just a very simple question in regard to the landing on the penalty provision. Are you able to outline why seven and a half thousand was the number that you landed on and how that compares jurisdictionally around the country with obviously similar but different systems that are in place in other jurisdictions?

The Hon. B.I. BOYER: I believe it was a recommendation of parliamentary counsel, because, of course, we often rely on their advice around trying to maintain consistency across different pieces of legislation, and looking at what penalties were in place in other parts of Australia as well is what guided us. The penalty increase was supported by the Law Society of South Australia, suggesting that the increased penalties may act as an appropriate deterrent while appropriately recognising, through the lack of minimum penalties, the necessity of discretion to ensure penalties are proportionate to the actual circumstances.

Mr COWDREY: This is a little bit in the weeds, but in terms of the information that is provided on the notice that is submitted to somebody that is under a barring order, or is provided with a barring notice, is the penalty provision mentioned as part of what is communicated?

The Hon. B.I. BOYER: Yes, it is.

Clause passed.

Clauses 6 and 7 passed.

Clause 8.

The Hon. B.I. BOYER: I move:

Amendment No 1 [EduTrainSkills–1]—

Page 6, lines 43 to 45 [clause 8, inserted section 93(1)(d)]—

Delete 'poses, or would pose, a risk of causing significant disruption to the learning or working environment, or to activities carried on, at—' and substitute:

, while on—

Amendment No 2 [EduTrainSkills–1]—

Page 7, line 12 [clause 8, inserted subsection 93(1)(d)(iii)]—Delete 'premises;' and substitute 'premises,'

poses, or would pose, a risk of causing significant disruption to the learning or working environment, or to activities carried on, at those premises or related premises (as the case requires);

As I indicated at the close of the second reading, the government has filed amendments to the bill. They primarily pertain to clause 11, but I will speak further on the rationale for the amendments now. Amendments Nos 1 and 2, which amend clause 8, which we are discussing now, are technical and consequential to the amendments to be moved at clause 11. They will make new section 93(1)(d) consistent with new sections 93(1)(a) and 93(1)(b) and new sections 95(1)(a), 95(1)(b) and 95(1)(c) as amended.

Under clause 8 of the bill, section 93(1)(d) of the act would enable a designated person to issue a person with a barring notice if the designated person reasonably believes that the person poses or would pose a risk of causing significant disruption to the learning or working environment or to activities carried on at the premises or related premises of a school, a preschool or prescribed departmental premises or the premises of an approved learning program. The effect of amendments Nos 1 and 2 is to reframe new section 93(1)(d) to make clear that the designated person must believe the person poses or would pose this risk while they are actually on the premises or the related premises.

Amendments carried.

Mr COWDREY: I have a question in terms of the proximity of an event taking place and a notice being issued. Is there any restriction or requirement in terms of time that is too much to have elapsed between an event taking place and then a notice being provided? It does not seem to clarify.

The Hon. B.I. BOYER: The short answer is no. The longer answer is there is normally, we have found, not much of a gap at all, which is a good thing. Normally, a barring notice is applied for something that has happened very recently. I think if that was not done, if there was a big gap between the incident, act or behaviour that led to a barring notice being applied for and the actual application commencing, it would weaken the case if it were sought to be overturned by the person who was barred, if there was not recency.

That would potentially cause issues in terms of if it would hold up upon further scrutiny, but we have found a very high level of responsiveness from sites, normally because they feel there is an imminent risk, potentially, so they need to act quickly. That also speaks to why this is so important, because we are dealing with cases here of threatening behaviour, violent behaviour, abusive behaviour and stalking behaviour, including online, so sites are normally keen to get it in place very quickly.

Mr COWDREY: This is potentially something that is in place currently; I am not sure, hence the question. In terms of consistency across sites, is there any training or a framework that is in place at the moment for a site leader to understand that certain behaviour meets the threshold? Is there training that is actively provided to site leaders on a yearly basis, on a biannual basis, in terms of the setting of consistency of behaviour? Obviously, we have changed the interpretation of exactly what that is through this amendment bill, but is that something that is rolled out on a consistent basis,

where you would have confidence that every site leader is well aware of what behaviour constitutes the line that we are dealing with?

The Hon. B.I. BOYER: It is a good question, member for Colton. There are a couple of things I would say in relation to that. The central unit which manages this area, I think, is Conditions for Learning. They would be responsible for guidance to schools and advice—for example, 'I've got a parent who has done this. We are concerned. We are considering a barring notice. Would your advice to us be that that is consistent in terms of the kind of behaviour a barring order should be used to curtail?'

The bill itself will also provide for ministerial guidelines to be created. I think the intention is to use them, at least in part, to provide some of that consistency to sites around what behaviour is being exhibited by the adult and whether it potentially fits into the category of something where you should consider a barring notice. I think that will help in terms of making sure the process is right and rigid and stands up.

But I think it will also help sites in terms of understanding whether or not there might be other action that they could take below the barring order threshold to get the behaviour to reduce, which is the best outcome. It is not the best outcome to have a parent or a grandparent not able to go to their child's school. I want to say that quite clearly. I think those ministerial guidelines will help with the clarity, will help schools in understanding perhaps what other steps they can go through before they get to what is of course a very serious action.

Mr COWDREY: Finally in regard to clause 8, when do you expect to have those ministerial guidelines in place?

The Hon. B.I. BOYER: If the bill successfully passes the parliament, I think that is work that will start straightaway. We will then work with stakeholders, like we did with this, to get their feedback, and that has to include schools as well as representative groups and parent bodies. It is important to get their feedback, so we will get that underway. But I think it can be a useful tool for schools to understand the steps that they need to take, understand what behaviour might meet the threshold, what behaviour may not meet the threshold and, of course, whether or not there might be other action they could take that does not involve barring a person that might get that behaviour to reduce.

Clause as amended passed.

Clause 9.

Mr COWDREY: In terms of the review process that was mentioned in an earlier answer, ultimately it appears on occasion that the review of these decisions comes to you to either endorse or otherwise—the other options that were presented were to vary or revoke. Is that always the case with a barring notice, or is that power delegated at any point?

The Hon. B.I. BOYER: The current process is that the designated person, most likely the principal, will issue a barring notice. The parent, if they are in disagreement and believe it was issued unfairly or erroneously, will speak to the principal about having it overturned. This bill would formalise that process of applying to the designated person to revoke, vary or keep in place. Of course, if the principal then says, 'Okay, on second thoughts I will vary it,' or 'We won't do that,' then that is the end of the matter.

If the principal says no, that it is going to be kept in place as it is, then the person who is proposed to be barred applies to the minister. That is not a delegated power: that is a power that is retained by me and my predecessors, where it will come to me with a formal written briefing from Conditions for Learning, setting out advice around what took place leading to the barring order being put in place.

I think post those couple of examples I gave, where I decided to overturn them because the correct steps, I felt, were not taken, those briefings I get now, which include advice from the legal unit, are much more thorough around whether or not the correct steps have been taken and whether or not it would stand up to further scrutiny. This will formalise that process.

Mr COWDREY: In regard to the existing process, for roughly what proportion of those barring notices that have been put in place is a review sought?

The Hon. B.I. BOYER: With me? Yes, I can probably take it on notice and tell you, but off the top of my head, in three years I have had fewer than 10, I would say. It is not many, and as I said, most are done properly. As I said, I have not yet had a case where the behaviour that has been explained or demonstrated to me has not, in my view, perhaps warranted that action, but on a couple of occasions the steps taken to put it in place, I felt, were not done as they should be, and that is what led to me revoking them. It is a very small number.

In 2024, we had 108 barring notices put in place. Across three years, I think I have had fewer than 10. We will find out. That is my gut feeling. We will see if I am right or not. A very small proportion of those actually make their way to the minister. I expect some would be overturned, possibly, or varied by the designated person. In a lot of cases, to be perfectly frank, the person barred probably understands that they are not going to be successful because of what has taken place.

Clause passed.

Clause 10 passed.

Clause 11.

The Hon. B.I. BOYER: I move:

Amendment No 3 [EduTrainSkills–1]—

Page 13, lines 20 to 37 and page 14, lines 1 to 27 [clause 11(1), inserted subsection (1)]—Delete inserted subsection (1) and substitute:

(1) Subject to this section, if an authorised person in respect of premises to which this Part applies—

(a) reasonably believes that a person—

(i) while on those premises poses, or would pose, a risk to the safety or wellbeing of any other person on the premises; or

(ii) while on any related premises of a school, preschool, children's services centre, approved education and care service or prescribed departmental premises poses, or would pose, a risk to the safety or wellbeing of—

(A) in the case of a school, preschool, children's services centre or approved education and care service—any person related to the school, preschool, children's services centre or approved education and care service on the related premises while they are being used by, or for an activity conducted by or in connection with, that school, preschool, children's services centre or approved education and care service (as the case requires); or

(B) in the case of prescribed departmental premises—any person related to the prescribed departmental premises on the related premises while they are being used by the Department, or for an activity conducted by, or in connection with, the Department, that relates to the prescribed departmental premises; or

(iii) while on—

(A) in the case of a school, preschool, children's services centre or approved education and care service—the premises or related premises of the school, preschool, children's services centre or approved education and care service (as the case requires); or

(B) in the case of an approved learning program—the premises of the approved learning program; or

(C) in the case of prescribed departmental premises—the prescribed departmental premises or related premises of the prescribed departmental premises,

poses, or would pose, a risk of causing significant disruption to the learning or working environment, or to activities carried on, at those premises or related premises (as the case requires); or

(iv) has engaged in vexatious communication with, or regarding, a member of staff or other person employed at the premises; and

(b) in the case of paragraph (a)(i), (ii) or (iii)—reasonably believes that the risk is imminent,

the authorised person may direct the person—

(c) to not enter the premises or related premises; or

(d) to leave the premises or related premises.

Amendment No 4 [EduTrainSkills–1]—

Page 14, lines 28 and 29 [clause 11(1), inserted subsection (1a)]—Delete 'an imminent' and substitute 'a'

Amendment No 5 [EduTrainSkills–1]—

Page 14, line 31 [clause 11(1), inserted subsection (1a)(a)]—Delete 'is behaving' and substitute 'has behaved'

Amendment No 6 [EduTrainSkills–1]—

Page 14, lines 35 to 39 [clause 11(1), inserted subsection (1a)(b)]—Delete paragraph (b) and substitute:

(b) has used abusive, threatening or insulting language to a prescribed person acting in the course of their duties (whether on premises to which this Part applies or related premises, or elsewhere); or

Amendment No 7 [EduTrainSkills–1]—

Page 14, line 40 [clause 11(1), inserted subsection (1a)(c)]—Delete 'is trespassing' and substitute 'has trespassed'

Amendment No 8 [EduTrainSkills–1]—

Page 14, after line 44—After inserted subsection (1a) insert:

(1b) A direction under subsection (1) may be given orally or by written notice to the person to whom the direction applies.

Amendment No 9 [EduTrainSkills–1]—

Page 15, before line 1—Before subclause (2) insert:

(1a) Section 95(2)—after 'premises' first occurring insert:

or related premises

Amendment No 10 [EduTrainSkills–1]—

Page 15, line 2 [clause 11(2), inserted paragraph (b)]—Before 'return, or' insert:

having left the premises—

Amendment No 11 [EduTrainSkills–1]—

Page 15, line 5 [clause 11(2), inserted paragraph (b)(i)]—After 'days' insert:

after the day on which the direction is given under subsection (1)

Amendment No 12 [EduTrainSkills–1]—

Page 15, line 11 [clause 11(2), inserted paragraph (b)(ii)]—After 'days' insert:

after the day on which the direction is given under subsection (1)

Amendment No 13 [EduTrainSkills–1]—

Page 15, line 17 [clause 11(2), inserted paragraph (b)(iii)]—After 'days' insert:

after the day on which the direction is given under subsection (1)

Amendment No 14 [EduTrainSkills–1]—

Page 15, after line 19—After subclause (3) insert:

(3a) Section 95—after subsection (2) insert:

(2a) A person who has been directed to not enter premises or related premises under subsection (1) must not enter, or attempt to enter, such premises within—

(a) in the case of premises that are related premises of a school, preschool, children's services centre or approved education and care service—2 business days after the day on which the direction is given under subsection (1), or until the related premises are no longer being used by, or for an activity conducted by, or in connection with, the school, preschool, children's services centre or approved education and care service (as the case requires), whichever is the shorter; or

(b) in the case of premises that are related premises of prescribed departmental premises—2 business days after the day on which the direction is given under subsection (1), or until the related premises are no longer being used by the Department, or for an activity conducted by, or in connection with, the Department, that relates to the prescribed departmental premises, whichever is the shorter; or

(c) in any other case—2 business days after the day on which the direction is given under subsection (1).

Maximum penalty: $7,500.

Amendment No 15 [EduTrainSkills–1]—

Page 15, lines 24 and 25 [clause 11(6)]—Delete subclause (6) and substitute:

(6) Section 95(3)(b)—delete 'the premises under this section during the previous 48 hours' and substitute:

or not enter the premises under this section for the period that the direction operates to prohibit the person from entering the premises (as contemplated by the operation of subsection (2) or (2a))

As I noted at clause 8, the proposed government amendments primarily amend clause 11 of the bill, which amends section 95 of the act. Section 95 of the act empowers an authorised person to direct a person to leave the premises of a school or preschool if particular grounds are met. A person who has been directed to leave must not remain on the premises or return to the premises within 48 hours. This power to direct a person to leave enables principals and other education staff to respond on the spot to an immediate threat, which is often, unfortunately, necessary.

In the 48-hour period that follows, such a direction provides a window of time to consider whether the person ought to be barred from the premises for a longer period of time and to enable a barring notice to be prepared and served on the person if required. However, the power can only be used when the person is actually on the premises.

The bill retains this provision but amends the grounds on which a person may be directed to leave so that they align with the grounds for issuing a barring notice; that is, where the authorised person believes the person poses a risk, or where the person has engaged in vexatious communication, the bill also changes the duration for which the person must stay away from the premises from 48 hours to two business days. As I said in my second reading remarks, that is important because, if the intervening 48 hours is a Saturday and a Sunday, then under the current legislation they are able to come back on the Monday morning, which was not really the intention of having the 48-hour break in the first place.

This will enable an authorised person to respond quickly to protect their school community when the person is not on the premises, but it is believed they would pose a threat. I know these circumstances do arise if they were to come onto the premises based on, for example, their behaviour on the premises earlier that day or recent threats that have been made over the phone or online. These situations do arise when the designated or authorised person you might be seeking to bar is at that time not at the school for instance, but has done something at the school earlier that morning or has made threats from elsewhere.

Of course, this is a very good example of the effect of things like social media and online platforms, which did not exist when this legislation was first countenanced. They now have the ability

to make those kinds of threats online when they are not on the premises or necessarily physically able to carry out that threat at that time, so this will change that.

Amendments Nos 4 to 7 amend the grounds on which a person will be taken to pose a risk to reflect that the response may now be used after the behaviour has occurred. Amendment No. 8 provides for a direction to be given orally or by written notice to reflect that the person may not be on the premises when the direction is given. Amendments Nos 9 to 15 clarify the period during which a person must not attempt to return to or enter the premises or related premises, as the case may be, after having been directed to leave or directed to not enter the premises. The amendments make clear that where a period of two business days applies, that period will commence on the day after the day on which the direction is given.

Amendments carried.

Mr COWDREY: I have a question in regard to clarity around the amended clause, in particular amendment No. 8. I refer to that document to make it slightly easier: the direction can be provided orally or by written notice. We have discussed in passing, obviously, the reason for a written direction as opposed to in the circumstances that the site leader may not feel comfortable providing the direction orally. I understand the operative word here is 'or', but is there any requirement or expectation that a written notice will need to be provided to somebody who has had an oral direction provided to them?

The Hon. B.I. BOYER: Our intention, member for Colton, is that in the guidelines we will include a requirement for sites to follow up in writing if the direction has only been given verbally.

Mr COWDREY: Just a final point of clarification: is it necessary that the delegated person is the person who provides that written direction, or can that be delegated to another administrative support officer or somebody else within the site?

The Hon. B.I. BOYER: I am told that any person who is an authorised person under section 95 would be able to issue that follow-up written notification.

Clause as amended passed.

Remaining clause (12), schedule and title passed.

Bill reported with amendment.

Third Reading

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (12:45): I move:

That this bill be now read a third time.

I acknowledge the support of the member for Colton and those opposite for this bill. I think it is an important bill. One of the real challenges that we have as parliamentarians and legislators is how to make sure we keep those laws that are in place to protect people like our teaching staff up to date, modern and current. That is made particularly challenging by the advent and increased use and reliance on the internet. With that, there has been a big change in terms of the way that people, unfortunately, seek to abuse, stalk or harass school staff. The simple fact was that the existing legislation was not fit for purpose for the year 2025, especially when we have seen huge increases in that kind of behaviour carried out online.

There have also been changes around where in the physical domain that bad behaviour was occurring: for instance, just outside school grounds in a kiss-and-drop scenario, school camp, school sports days and things like that where, to be honest, we had seen some of the worst examples of this abuse occurring that I am aware of.

I want to thank all those who were part of designing and drafting the bill, those within the education department and, of course, those from the non-government sector as well. We need to remember that this act and legislation is used by them as well. I have had strong feedback from both Neil McGoran from Catholic Education South Australia and Anne Dunstan from the Association of Independent Schools South Australia about the need to do this because they are seeing the same things that are being seen in the public system, as is the case in other states and territories as well.

To all those stakeholders who provided feedback, I want it to be known that we listened and changes were made based on their feedback. That is important. It is always important particularly in the area of service delivery, which is a huge component of what we do in education, that we listen to the people who are at the coalface doing the work around what they are seeing and making sure we test the things that we are proposing to put in place for their use with them so they can tell us if in practicality they will actually work or if they are something that, unfortunately, sometimes we think up in a silo in ministers' offices and in head offices.

I thank the member for Colton again for very sensible questions. I look forward to a speedy passage of this bill. Hopefully we can have something in place soon that will do a bit more not just to protect the school staff at public, independent and Catholic schools but also act as a strong disincentive, I hope, for other parents, caregivers or grandparents to exhibit that kind of behaviour. I commend the bill to the house.

Bill read a third time and passed.

STATUTES AMENDMENT (HERITAGE) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 February 2025.)

Ms CLANCY (Elder) (12:48): I am very excited to be speaking about this bill today. I rise today in support of the Statutes Amendment (Heritage) Bill 2025, which amends the Heritage Places Act 1993 and also the Planning, Development and Infrastructure Act 2016 to better reflect the expectations South Australians hold when it comes to protecting built heritage in our state.

At the 2022 state election, the Malinauskas Labor team promised to introduce legislation that would require any proposed demolition of a state heritage site be subject to full public consultation and require an assessment report from the SA Heritage Council to be publicly available. As committed by Labor, this report must be tabled in parliament and allow for scrutiny by all members, avoiding a situation where one minister is solely responsible for the demolition of a State Heritage Place.

Looking back to 2020, it becomes clear why this Labor government have made protecting heritage a priority and will fulfil the promises we have made. In 2020, the Marshall Liberal government announced it would bulldoze the 130-year-old Waite Gatehouse—part of the Waite Arboretum and gifted to the people of South Australia—to make way for an intersection upgrade.

The public were rightly outraged and felt their opposition was ignored by then transport minister, Corey Wingard. It was only after months of pressure and an open letter to the then Premier Steven Marshall from 25 community groups, including the National Trust, the SA History Council, the University of Adelaide, and the City of Mitcham, that the Liberal government caved in to pressure and agreed to rebuild the gatehouse on the south-eastern side of the Waite Arboretum.

I was proud last year to stand with the Deputy Premier and the member for Waite, and also Louise Miller-Frost, the member for Boothby, at the opening of the newly rebuilt gatehouse, and it looks fantastic. Without this sustained community campaign, the gatehouse would not have been rebuilt; rather, its blue stone walls and irreplaceable Aldgate sandstone lintels would have ended up as road base. I thank everyone who worked so hard for this community win that ensures the gatehouse will be enjoyed for many, many years and generations to come.

In 2021, members of the community were then shocked when the Marshall Liberal government gave the National Trust 31 days to vacate Ayers House on North Terrace, an historic property the trust had maintained at no cost to the state government for over 50 years. This eviction notice was delivered on behalf of the Minister for Environment and Water, the now former Leader of the Opposition, David Speirs, and triggered an outpouring of anger from the general public, community groups and members of the National Trust.

As you are all aware, Ayers House is one of the finest examples of Regency architecture in Australia. Perched on North Terrace, the house is named after its original owner, Sir Henry Ayers,

distinguished politician, financier, and Premier of South Australia. Ayers House served as a private residence until 1909, and an entertainment space known as The Austral from 1914. Now if you are looking for The Austral, just head over to Rundle Street. The house was a club for returned soldiers and sailors after the First World War, and was then acquired by the South Australian government in 1926 for use as a training school and residence for nurses at the Adelaide hospital.

The house was slated for demolition when the hospital built a residential wing for nurses in 1969. But Ayers House was saved from demolition in 1970, by the great Premier, Don Dunstan, who saw the potential for tourism and education about the site. Dunstan entrusted care of the house to the National Trust who faithfully maintained the building and have facilitated public access (and some great weddings) for over 50 years. Unfortunately, none of this was enough to save Ayers House from the former Liberal government who, despite the promises to heritage groups prior to the 2018 election, had plans to convert Ayers House into office space for some very lucky bureaucrats, dislocate the Museum's 30,000 artefacts, and put an end to South Australian schoolchildren ever experiencing its ornate interiors.

Thankfully, the Malinauskas Labor government returned the National Trust to Ayers House permanently when we passed the Ayers House bill 2024 in April of last year. In June 2021, the Liberal government was at it again, introducing a bill to parliament that would abolish the Martindale Hall Conservation Park and extinguish its charitable trust to clear the way for private development. Completed in 1880 for pastoralist Edmund Bowman Jr, Martindale Hall is a 32-room mansion in the Georgian style, located near Mintaro (where you can also get some good slate) in the Clare Valley, in the member for Frome's area.

Due to debt and drought, Bowman was forced to sell in 1891 to William Mortlock. William's daughter-in-law eventually bequeathed the hall to the University of Adelaide in 1979 upon her death. The hall was listed in 1980 as a State Heritage Place and ownership was transferred by the university to the state government in 1986. Lots of exciting things happened in that year. The member the Wright might be aware that the member for Elder was born in the year 1986—a great year.

In 1991, the land on which Martindale Hall stands was proclaimed as the Martindale Hall Conservation Park under the National Parks and Wildlife Act 1972 for the purpose of conserving the historic features of the land. The Liberal plan to repeal Martindale's conservation park status would have removed obstacles for the privatisation of the property and abolished the conditions imposed by the charitable trust, namely to maintain the historic integrity of the house and grounds. Under this Liberal plan, South Australians would have lost access to yet another heritage treasure.

When we look back at this collection of heritage horrors committed by the previous Liberal government, a few themes become clear. We witnessed repeated attempts to circumnavigate any genuine consultation with the general public or heritage groups. We witnessed disrespect for devoted stewardship of our heritage places, blatant disregard for promises to abstain from privatisation—and we saw that elsewhere as well by that government—and, with Ayers House in particular, we witnessed the contempt held for an organisation with an impeccable international reputation by then minister David Speirs.

With the Waite Gatehouse, Ayers House and Martindale Hall, we witnessed the Liberal Party's desire to promote privatisation and demolition over the public interest in heritage matters again and again to the detriment of the wider community. Perhaps most importantly, we saw massive community-led opposition to all these attacks on South Australia's built heritage. I was proud to attend the thousand-strong protest against the demolition of the Waite Gatehouse, which we now know was actually part of a wider Liberal plan to carry heavy freight down Cross Road.

The Mitcham Historical Society collected over 8,500 paper signatures, and 18,000 people signed the petition at Change.org to save the Waite Gatehouse. Six thousand paper signatures were gathered by the community to save Ayres House. This is the kind of engagement heritage issues generate. Our community is really passionate and truly cares about what happens to our state's heritage places.

When the Malinauskas Labor government conducted its review of the Planning and Design Code in 2022, one of the issues raised most often by my constituents was the desire for people to be able to have their say on heritage and development and, in particular, demolition. Now, it is

important for me to mention that I proudly have South Australia's only heritage-listed suburb in my electorate—Colonel Light Gardens—and my constituents, I will have you know, are incredibly well-versed and very well-informed when it comes to all things heritage. From the examples I have discussed today, as well as the recent community campaign to Save the Cranker—which I am proud my government was able to engage with to achieve a good result—heritage protection is something that all of us would like to have a say in.

Our built heritage reflects our society in a moment of time. This cannot be replicated and should not be replaced. Heritage places have meaning to those who visit, live and work in them. Sometimes, they are cultural institutions for socialising and art, sometimes they are roadside markers that remind us of the incredible bequests our state has received. Very occasionally, state heritage listings represent an entire ethos of town planning, promoted by the Labor government of the time, to house returning soldiers.

This is why it is vital that, when an owner of a State Heritage Place makes an application for demolition: the place is subject to a contemporaneous assessment of its heritage significance prior to an application for demolition—this is critical, as it may encourage developers to reconsider their plans—the report must be prepared within a 10-week period; there is public consultation whereby people can make submissions on the report; and the report is tabled in parliament for scrutiny by all members. In addition, the amendment to the Planning, Development and Infrastructure Act 2016 will ensure anyone looking to make an application for demolition through Plan SA is alerted to the contemporaneous assessment requirement.

I would like to thank the Deputy Premier and her team and everyone in the department for their work in bringing this bill before us today, and everyone who campaigned again and again to protect our heritage sites. I commend the bill to the house.

Mr BASHAM (Finniss) (12:59): I rise as the lead speaker, on behalf of the opposition, for this bill. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

WHYALLA STEEL WORKS (CHARGE ON PROPERTY) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Deputy Premier (Hon. S.E. Close)—

Public Sector Act 2009—
Overseas and Interstate Travel—Minister for Climate, Environment and Water Report 9 December to 10 December 2024
Overseas and Interstate Travel—Minister for Trade and Investment Report 16 December to 20 December 2024

By the Minister for Housing Infrastructure (Hon. N.D. Champion)—

SA Water—
Direction to the South Australian Water Corporation, 17 December 2024
South Australian Water Corporation Charter, December 2024

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

TAFE SA—Charter 2024-25, December 2024

Ministerial Statement

WHYALLA STEELWORKS

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:03): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. KOUTSANTONIS: The domestic production of structural steel is critical to our national interests and security. Sovereign steel is how Australia can build its infrastructure, whether it is railways, defence assets, hospitals, housing, transmission or bridges. Without it, we would rely on steel and capability from overseas amid an increasingly uncertain international climate and a national housing crisis.

The Whyalla Steelworks is one of only two Australian steelworks. It produces 75 per cent of Australian structural steel and 100 per cent of the nation's domestic steel long products—like rail, which is critical to our defence and transport sectors.

It has been well documented that the Whyalla Steelworks has been facing challenges and the risks were mounting: for employees of the steelworks, contractors, small businesses in Whyalla and the nation's sovereign capability to produce structural steel. Yesterday, the state government placed OneSteel Manufacturing into administration. This has provided certainty of payment going forward to goods and services providers that are critical to keep the steelworks operating.

Today, the state government is announcing it is prioritising sovereign steel manufacturing in South Australia, with a multibillion dollar sovereign steel package in partnership with the federal government. The state government's contribution to the sovereign steel package will now come from funding set aside for the Hydrogen Jobs Plan, which is now being deferred to prioritise securing the steelworks, as well as $50 million from the Whyalla Steelworks Operational Efficiency Improvements Fund.

Circumstances at Whyalla mean the state government must make necessary investments to set the steelworks up for the long term. While now is not the time to pursue such a significant investment in hydrogen, the state government retains the belief that hydrogen is a critical input into the decarbonisation of iron and steel products. We remain committed to the establishment of a hydrogen industry in Australia that will ensure the transition to green iron and steel. The Office of Hydrogen Power SA (OHPSA) will continue to operate, with a focus on exploring and facilitating investment opportunities for a hydrogen industry in South Australia.

OHPSA has undertaken a significant body of work, including the procurement of hydrogen-capable gas turbines. Rather than sitting idle, these turbines will be on-sold for the original purchase price or higher, with the guarantee they will be installed in South Australia to provide additional generation capacity to a current non-market gentailer. This means the state will recoup all of its capital expenditure and realise enhanced energy generation for South Australia. The world wants green iron and steel, and hydrogen will play an important part in that transition. But South Australia can only manufacture green steel with a strong, sustainable Whyalla Steelworks. This must be our priority.

Parliamentary Procedure

VISITORS

The SPEAKER: I would like to welcome to parliament today the Hon. Jinson Charls, who is the member for Sanderson in the Northern Territory parliament. He is also the minister for many things, including Minister for People, Sport and Culture. He is the guest of the member for Hammond. Welcome along, Jinson, it is great to have you here.

I would also like to welcome to parliament students from Muirden Senior College, who are the guests of the member for Adelaide. Welcome to parliament. I hope you enjoy your time in here, particularly question time, which sometimes is very orderly and quiet, which is the way we like it, and sometimes it gets a little rowdy. Let's hope for a quiet one today. I will kick off question time by calling the Leader of the Opposition.

Question Time

HYDROGEN POWER PLANT

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:07): My question is to the Premier. How much taxpayer money has been spent on the Premier's hydrogen power plant election promise?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:07): As I just outlined in my ministerial statement to the parliament, the generators have taken up a large portion of that. They will now be sold to a participant on the basis that they will be deployed in South Australia. The major option there is that we are ruling out a sale to current gentailers. So AGL, Origin, the larger gentailers in South Australia, need not apply for these generators. They won't be sold for tolling either. They will be sold to someone who is prepared to go after the market share, go after customers, in South Australia. That will be a cabinet process and the cabinet will decide on that.

In terms of the ECI process, the early contractor involvement and engagement process, there are a lot of learnings there which are very valuable to the state in terms of the hydrogen industry, which we want to maintain. I hear my friend the Leader of the Opposition, had a lot of time on his own last night to contemplate his thoughts in Whyalla, surrounded by his friend. And I thought to myself—

Members interjecting:

The SPEAKER: Minister, can you resume your seat? There's a point of order. Members on my right and members on my left, including the leader—members will come to order. The Minister for Education is on his final call and the Leader of the Opposition—

Members interjecting:

The SPEAKER: The Leader of the Opposition—

Members interjecting:

The SPEAKER: The Leader of the Opposition—the Leader of the Opposition, I called you four times. It's your deputy who is rising on a point of order. It would be courteous if you and others on both sides listen to the point of order.

Mr TEAGUE: Standing order 98: the minister has just now embarked upon what appears to be the beginning of a fireside chat. It was a very straightforward question: how much has been spent? He can't debate the point. He needs to answer the question.

The SPEAKER: I think he was answering the question, but I think he was straying a little bit there. It didn't seem as friendly as a fireside chat, though. I will monitor him and see how he goes.

The Hon. A. KOUTSANTONIS: Mr Speaker, I will of course take your rulings. You are a Speaker who is not going to be removed from office halfway through your tenure.

Members interjecting:

The Hon. A. KOUTSANTONIS: Sorry, too soon? So, Mr Speaker, we want the generators to be sold. That will recoup a large portion. Overwhelmingly, a vast amount of the money is still available for the steel package. It is important to note that the policy of the South Australian government was that the capital from the Hydrogen Jobs Plan was not to be used as an operational use, so the Treasurer would give operational costs to the Office of Hydrogen Power SA. That has been in the last three budgets. So there is almost all of the money available still for the steel package.

Mr Pederick interjecting:

The SPEAKER: Member for Hammond, final warning!

The Hon. A. KOUTSANTONIS: What I will do is I will come back to the house with a detailed answer.

HYDROGEN POWER PLANT

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:11): My question again is to the Premier. Was the Premier's hydrogen power plant dependent on GFG Alliance and, if so, since when? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: On 14 May 2024, the Premier said, and I quote:

> We are confident that whatever happens with GFG themselves will not deter the government from realising its ambitions for a green energy powerhouse being based in and around the Upper Spencer Gulf through hydrogen and green iron production…

The Hon. D.G. Pisoni interjecting:

The SPEAKER: The member for Unley, your leader has asked a question. The Premier hasn't started answering it and you are yelling out. Can we just have some quiet so we can hear what the answer is?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:12): I welcome the Leader of the Opposition reciting my words back to me, because it remains true. We are committed to making sure that all of the potential that we see in the Upper Spencer Gulf is realised, particularly around decarbonisation. We know definitively, because the science tells us it is true, that in order to be able to decarbonise steel and iron production globally hydrogen will have a role to play, which is why we remain committed to the endeavour. But we also know that the very reason why our policy was centred in and around Whyalla was because of the existence of a magnetite resource sitting immediately adjacent to an integrated steelworks and that being part of our ambition and the reason why we made that commitment in the first instance. What we have announced today—

Members interjecting:

The SPEAKER: Members on my left!

The Hon. P.B. MALINAUSKAS: —is a comprehensive program that sets up Whyalla to be able to realise that very ambition. We accept that Mr Gupta made a range of commitments, starting with the big reveal next to Prime Minister Morrison and Premier Marshall.

Mr Telfer interjecting:

The SPEAKER: The member for Flinders, stop yelling out across the chamber, stop pointing at the Premier and remain silent for the rest of question time.

The Hon. P.B. MALINAUSKAS: We all witnessed the big reveal being made at the end of December 2018 next to Premier Marshall and Prime Minister Morrison. The promises that were made by Mr Gupta back then were an ambition which I think everyone would have liked to have seen come to fruition. Alas, Mr Gupta clearly has not been able to deliver the capital and the investment that was required to be able to realise it. Of course, more than that, what we have seen ever since then is a gradual, more recently rapid deterioration in his financial position vis-a-vis the position of the steelworks, which then required an activist government to step up to the plate, assume the responsibility, and choose to respond and act, and that is exactly what we have done. That is exactly what we have done.

Now, more than that, rather than just an immediate and surgical intervention into the Whyalla Steel Works Act, facilitated by the parliament, which you voted for yesterday, for which we are grateful, what we have also married it up with is the most comprehensive steel industry package that this country has ever seen—a $1.9 billion investment between the state government and the commonwealth to start to realise the ambition of EAF and DRI that will then generate demand for hydrogen.

We are proud of that package and what the Leader of the Opposition would know I assume if he took the time yesterday on the ground in Whyalla last night and this morning, if he took the time to just canvass that policy with anyone on the ground in Whyalla, if he went to a coffee shop, if he went to a butcher or a candlestick maker in Whyalla—is that the people of Whyalla are relieved. They

are relieved that there is a serious policy and a serious package and we would welcome bipartisan support for it.

The SPEAKER: Before I call the Leader of the Opposition, everyone on my left is on their final warning with the exception of the Member for Finniss. The member for Finniss is a fine, outstanding example of how to be well behaved. On my right, the member for Florey is also on his final call, and the member for Playford, you watch yourself, you are in the same category as the member for Finniss, some of the quietest people I have met. The Leader.

OFFICE OF HYDROGEN POWER

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:16): My question is to the Premier. Will the government close the Office of Hydrogen Power after it shelved its flagship hydrogen power plant this morning?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:16): No, we won't, because the work continues. It will be significantly curtailed. It will be significantly curtailed in light of the announcement that we have made but it will continue.

OFFICE OF HYDROGEN POWER

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:16): Supplementary: will any jobs be cut in the Office of Hydrogen Power and what would be the cost of any redundancies?

The SPEAKER: That is not a supplementary. If you are reading from a printed piece of paper that you brought in here—

Members interjecting:

The SPEAKER: No, it was a separate question. I might also add that that third question that you asked was covered in the ministerial statement where it said that the Office of Hydrogen Power SA will continue to operate. We did have some things in an earlier parliament where people asked questions that were already in the public domain. The Minister for Energy.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:17): There are a lot of contractors involved with the Office of Hydrogen Power SA who are obviously doing a lot of work through the procurement process. A lot of those people will go off and do other things. Obviously there are a great deal of talented people with a lot of expertise in the department. I have to say they are an amazing group of people: public servants who have worked tirelessly for the people of South Australia, who understand first and foremost that those steel jobs that we have now in Whyalla are a priority, not only for this government but for the national government, and not only for the national government but for the people of Australia.

Sovereign steelmaking capacity in this country means that we are a sovereign nation with our own economic ability to make our own steel. So the Office of Hydrogen Power SA understands what it is we are doing and why we are doing it. But it also means that there will be some redundancies; there will be some people who move on to other parts of the government, and others who will move on altogether. But it is important that we maintain the office. Why? Because hydrogen has a future. Members opposite who decry hydrogen, of course, cannot hide from things they said previously.

Members interjecting:

The Hon. A. KOUTSANTONIS: Here we go. Let me give you a small vignette. This is the shadow minister for energy and mining. Ready? 'Hydrogen, hydrogen, hydrogen. South Australia continues to lead the way.' Then he goes on to wax lyrical about the importance of hydrogen.

Mr TEAGUE: Point of order: standing order 98. Entertaining as it is, it is not responsive to the question and it is impermissibly debating. The minister needs to answer the question.

The SPEAKER: I think he has answered the question. He is just using the rest of the three minutes to make some other points.

Mr TEAGUE: I seek that you uphold the point of order and move on.

The SPEAKER: But he's got three minutes left on the clock.

Mr TEAGUE: He must answer the question.

The SPEAKER: He has answered the question. He said there will be some redundancies.

The Hon. A. KOUTSANTONIS: It is interesting that the deputy leader gets up for points of order but ignores standing orders when everyone else is speaking and continually interjects. That's why he is on two warnings already—two warnings. It's probably why your peers think what they think of you. Anyway.

Hydrogen has a big future. There are lots of quotes from the Leader of the Opposition, to the shadow minister for energy and mining, former Treasurer Rob Lucas and former Premier Steven Marshall, who entertained the idea of having a hydrogen facility at Port Bonython. The shadow minister wasn't so much interested in hydrogen for its use to decarbonise steel, but more so in transport, trucks and trains. The truth is: hydrogen is a fuel of the future, but we've got a problem that is confronting us right now and the people of South Australia would expect us—

Members interjecting:

The Hon. A. KOUTSANTONIS: There he is again! He gets up and demands that standing orders be enforced but won't do it himself.

Members interjecting:

The Hon. A. KOUTSANTONIS: He continues just to yell out. Yelling is not a substitute for policy. It is not a substitute. Get up and have an alternative idea. Let's have a debate about the future of energy. Don't just scream into the wind, let's have a debate.

Yesterday we had a moment of rare bipartisanship where we were able to act in the state's interests. It lasted seconds and the hypocrisy continues. There it is.

The SPEAKER: The deputy leader.

Mr TEAGUE: It is standing order 98, as expected. It looks like he's finished.

The SPEAKER: No, he finished about 30 seconds in. He gave the answer; now he is just providing some added commentary, I think.

Mr TEAGUE: I am with you, sir. I think he sat down.

The SPEAKER: Have you finished? The member for MacKillop.

KINGSTON EARLY LEARNING CENTRE

Mr McBRIDE (MacKillop) (14:21): My question is to the Minister for Education, Training and Skills. Can the minister advise the house when work will begin on the new Kingston childcare Early Learning Centre. With your leave, Mr Speaker, and the leave of the house, I will explain.

Leave granted.

Mr McBRIDE: The future of the childcare centre has been under a cloud due to a shortfall in funding following delays and building cost increases. Last month the federal government announced the council was successful in a grants application of $3½ million. The state government has already committed $3½ million, taking the budget to $7 million, to build this centre.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (14:22): I thank the member for MacKillop for his question and can I take the opportunity, too, to thank the member for MacKillop for years of advocacy from him on this topic, in terms of how we address what is a very challenging issue for all levels of government, and that is how we address childcare deserts.

I think the loudest voices in South Australia over the last three years have been from the Kingston South East community. I want to thank the member for MacKillop from the outset for the way that he has chosen to work with this government constructively towards an outcome—and a positive one as well, and that is what we are able to announce finally today.

I know this has taken time, and to be perfectly frank it has taken longer than I would have liked it to take. What we have done and what we have managed to achieve—through about $8 million of funding that we have collectively put together through a $3.5 million grant from the state government, a $3.5 million grant from the federal Albanese government, $1 million from a philanthropic organisation (which was just announced recently) and the $8 million that we have—will enable us to build a brand-new fit-for-purpose centre, co-located on the Kingston community school site, which will accommodate 83 places, which is enough for not just existing demand but also for future demand for long day care and preschool—and preschool at that site will include three-year-old preschool and four-year-old preschool and out-of-school hours care as well.

Although this has taken us longer than we had hoped, it is an example of what we can actually achieve altogether when local council, state government, including people from different sides of the political fence, and the federal government work together. Areas around childcare deserts are particularly tricky because child care has long been the domain of the federal government and preschool has been the domain of the state government and then often with some local council involvement in that as well, and trying to come to an arrangement which won't just solve the problem for Kingston but will also be a model that we can adopt now and use elsewhere—and that is exactly what we want to do—is a really fantastic thing that we have managed to achieve here.

I have to take this opportunity today that the member for MacKillop's question presents to me to thank the local community. There have been three exceptionally loud voices in Kingston for the best part of 8½ years now. They started their campaign when they were trying to find child care for their own children, and their kids are now well past that, but Kirsty Starling, Kristen Wilkes and Fiona Rasheed have led this campaign.

They were the ones who stood up and said that in years gone past people from regional communities had just copped it and accepted that because they lived where they lived they were not going to have childcare options. They were the ones who stood up and said, 'That is not good enough. We want to see action from government.' We accepted that that is right.

Because they have driven this in their local community and because they have had support from state and federal governments and a local member who was more willing to actually work together with the state government, give us the space to get it done and give us time, rather than jump out at the first opportunity and score a really easy political point, what we have today is a solution for the Kingston South East community that will last many, many years. The 83 places we have—50 for long day care, 33 for preschool—will serve not only existing demand but the demand for many years to come in that community.

I want to thank everyone who has managed to make this happen. I am really hopeful that this gives us the model now that we can adopt and take into other parts of our state. We know that childcare deserts are not unique to the member for MacKillop's area. I do want to thank him and everyone else involved for what is something that we have achieved in the Kingston South East area that we should all be very proud of.

WHYALLA STEELWORKS

Ms SAVVAS (Newland) (14:26): My question is to the Premier. Can the Premier update the house on what action has been taken to support the community in Whyalla?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:26): I want to thank the member for Newland for her question, because I know she is coming at this from a particular angle. I have had the chance to be with the member for Newland on the ground in her community and see her passion and enthusiasm for small businesses in the north-eastern suburbs of Adelaide. That sort of interest is entirely consistent with one of the key parts of the announcement that we have made today.

The people who have probably been doing it the toughest on the ground in Whyalla are small business owners, who have been characterised as creditors but are small business owners doing work on the ground, going into the steelworks and basically giving the place life. The workers have been amazing, but they are working next to other workers who are contractors, often employing other

workers themselves, the difference being that they are not getting paid whereas the employees have been.

One of the things that we have been turning our mind to for some time as a cabinet, particularly the Treasurer and in Treasury, is how we are going to support creditors. One thing we were really determined to make sure was that we weren't going to have taxpayer funds bailing out GFG. We weren't going to have taxpayer funds pay Mr Gupta's debts. What we wanted to do was look after small business but not relieve Mr Gupta of his obligations.

I am very pleased today that through a great piece of policy work undertaken through the Minister for State Development's department and the Treasurer's department we have a package—and we announced it with them face-to-face this morning; we didn't announce it in the media; we wanted to announce with them—that is going to relieve them of their burden. It will relieve them of their burden. They have all been worried that they are never going to get paid, and that means they have been having to lay people off.

What we have announced is as follows. For businesses that are owed debts by OneSteel Manufacturing Pty Ltd, up to $5 million they are going to get their money. They are going to get their money. We are going to give them a grant of up to $5 million for the debts they are owed by OneSteel Manufacturing Pty Ltd. In exchange, those creditors will then assign their rights and entitlements, through the administration, to the South Australian government, so we are protecting the interests of taxpayers.

That is a really unique and appropriate policy solution, because it looks after those people who have done nothing wrong and deserve to be protected but retains the obligations on GFG through the administration process to protect the interests of South Australian taxpayers. Of course, that's a very different approach from one that we have heard advocated for. That's a very different approach from the one that we have heard advocated by those on that side of the house: 'Just relieve Gupta of his obligations. Pay Gupta's bills for him.'

Members interjecting:

The Hon. P.B. MALINAUSKAS: Yes, 'Pay Gupta.' Be damned with the taxpayer.

Members interjecting:

The SPEAKER: Members on my right! The member for Newland will come to order!

The Hon. P.B. MALINAUSKAS: Here on this side of the house we stand with small business.

Members interjecting:

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

The honourable member for Morialta having withdrawn from the chamber:

The Hon. P.B. MALINAUSKAS: We want to protect those who have kept the steelworks alive, but we have also done it in such a way that protects the interests of the South Australian taxpayer. More than that, so much of that money—in fact, for those business with over $5,000 worth of debt, but up to $1 million, they will be able to get up to 50 per cent of that debt owed to them paid quickly in a rapid-fire way through the way this has been crafted. For those creditors who are looking for this information and want to get access to this support, they go to statedevelopment.sa.gov.au. The website is now live, it is ready to go—because we are organised, we have a policy put together and the government is backing in small businesses in Whyalla.

OFFICE OF HYDROGEN POWER

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:30): My question is to the Premier. Will the government retain Office of Hydrogen Power chief executive Sam Crafter? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: Mr Crafter is around the fifth highest paid public servant in South Australia and receives more than half a million dollars every year.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:30): The short answer to the Leader of the Opposition's question is yes. The longer answer to the Leader of the Opposition goes to the wages of senior public sector managers and leaders in our state who have always earned sums that are considerably more than anybody in the parliament, and I know that that is often a source of conjecture in the public realm, but let me say something.

We bemoan the public sector often, and I am more than happy to acknowledge that in government and in the public sector there are inefficiencies, and we should always strive to improve that. We should acknowledge that. As a beast, government is never perfectly efficient. It will never be as efficient as what we can see in the market from time to time. That is just a truth and that is why there has to be a discipline with government, to try to rein it in and work towards efficiencies.

But I will also say this: there are some things that only government can do and when push comes to shove, when people's backs are against the wall, when it's time for a group of individuals to step up and intervene and lead, I am very proud that in this state we have a group of highly accomplished, extraordinarily dedicated and professional senior public servants—amazing people. We saw evidence of this during the pandemic. During the pandemic, when no-one else really knew where to turn, we saw the public sector in this state at every level stand up and get things done. The South Australian public, including in business—we watched in awe as the quick mobilisation happened, across a whole range of agencies.

In recent days, having had the privilege to be able to work with these people intimately, as we started preparations for the events that we have seen unfold here—which has been a crisis. It has been a crisis not of government's making but through the circumstances around GFG, and we had to come up with a policy intervention that achieved the desired objective, but done so in a way that didn't have other repercussions in a market-based economy. Watching these people step up and get to work and then come up with the sorts of solutions around support for small business like the one I just enunciated, watching them get to work, they are worth every last penny—every last penny. A range of officials have stood up to the plate.

I particularly want to acknowledge the CEO of DPC, Rick Persse; the Deputy CEO of the Department of the Premier and Cabinet, whose name isn't mentioned in the public realm very often but Nari Chandler has been outstanding in her stewardship of this issue; Paul Martyn, the brand-new CEO of the Department for Energy and Mining, who only started late last year and who has been working around the clock on this endeavour, in conjunction with the Under Treasurer; and also Adam Reid from DSD. These people have really stood up to the plate. Amongst them, through all of that effort, has been Sam Crafter from the Office of Hydrogen Power, and his team, whose engagement in Whyalla is unlike anything I have ever seen. So, yes, he will be staying onboard. Yes, we know that there are some public servants who get paid oodles of money; and what I would say, and from what I have witnessed in recent weeks and months, is that they have been worth every cent.

The Hon. A. KOUTSANTONIS: Point of order: standing order 131, interruptions are not allowed. The entire time the Premier was speaking, the deputy leader was interjecting constantly and while I'm speaking now, they're interjecting. The moment anyone else is speaking, he's the first one to move points of order. The hypocrisy is breathtaking.

The SPEAKER: Thank you for your point of order. I thought that was the quietest four minutes we have had all day. They were pretty good. I thought what the Premier had to say was important and I thought that the opposition and other members listened with the respect that the answer deserved. I am dismissing your point of order, as much as I know you are the grandfather of the house.

The Hon. V.A. TARZIA: Well done, sir. Don't put up with his nonsense.

OFFICE OF HYDROGEN POWER

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:35): My question is to the Premier. What has been the total expenditure of the Office of Hydrogen Power since it was established in 2022 and what has it delivered?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:35): I have to say that these are published regularly in the budget papers and members opposite know what we have spent and they are asking questions—

Members interjecting:

The Hon. A. KOUTSANTONIS: Thank you sir. The opposition know that we publish these figures each and every year. They know exactly what it is that the Office of Hydrogen Power SA has spent. In fact—

Members interjecting:

The Hon. A. KOUTSANTONIS: You want to know how much they spent today? The Treasurer will be handing down his budget and we will have estimates. I have to say that the money they have spent has been well spent. They are a good agency, they do exceptional work and as the Premier said, the work that they have done has helped push forward the needle on hydrogen and we are very, very impressed with the work that Sam Crafter and his team have done.

They have attempted to procure something that has not been procured anywhere else in Australia. Much like, again, the big battery, when we did that procurement, which again was led by Sam Crafter when he was working in my agency in the previous government, that procurement, again ridiculed by members opposite, is the template now not only in Australia but globally.

The other aspect I want to talk about that Sam Crafter and his team have done is pushing the envelope, again, on the applications of hydrogen here in South Australia. It's not just about decarbonising iron and steel for green iron and green steel, it's also about making sure that we can have things like sustainable aviation fuel and, of course, looking at other applications for hydrogen as we are seeing now in Tonsley, which the shadow minister for energy and mining talks at length about.

A great addition under a previous Labor government to get hydrogen being blended into the gas network to be able to use. Again, criticised by members opposite. When they are in government they think it's fantastic, when they are out they criticise hydrogen again. In the absence of policy, you oppose everything. In the absence of a view or something to believe in, you oppose everything. Yes, the Hydrogen Jobs Plan has been delayed.

Members interjecting:

The Hon. A. KOUTSANTONIS: Yes, it has been delayed.

Members interjecting:

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

The honourable member for Unley having withdrawn from the chamber:

The Hon. A. KOUTSANTONIS: A few hours ago, when the Premier announced publicly that the Hydrogen Jobs Plan would be deferred in lieu of the Steel Taskforce and the work that will be done, I wish to say to all those whose hydrogen ambitions have been their concern, the work goes on, the cause endures, the hope still lives and the dream shall never die.

HYDROGEN POWER PLANT

Mr PATTERSON (Morphett) (14:38): My question is to the Premier. Has the Premier pursued a taxpayer funded hydrogen power plant for years without any business case or customer? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr PATTERSON: The CEO of the SA Chamber of Mines and Energy said last week:

> Green steel industry development, that just came out as an expression of interest, and the hydrogen just came out as a pre-election idea. Neither of these had the deep planning behind them that was required prior to the announcement. We have probably wasted four years looking at hydrogen.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:39): If that is true, it is an indictment on also the opposition for their hydrogen policies.

Members interjecting:

The Hon. A. KOUTSANTONIS: Whoa! Members opposite allocated nearly $70 million to Port Bonython.

Members interjecting:

The Hon. A. KOUTSANTONIS: Don't get nervous—$70 million to Port Bonython. I have to say, that money, that $593 million, is going to steelworkers in Whyalla. The $70 million that was spent by the previous government: how many molecules of hydrogen has that produced? Quiet. I have to say that hydrogen has its critics. There are some people who believe that the nuclear industry, with its massive government subsidies that would cost the taxpayers billions of dollars and consumers hundreds of millions of dollars in their bills, is okay, but if you attempt to decarbonise an industry to create Australian jobs, that is a waste of money.

Members opposite had better be very careful about the standards they set. How about this: they support nuclear energy without even producing a business plan. Where is the business case for nuclear? Where is it? Release it. Ask Danny Price. I have to say, this ideological bet against renewable energy is unhealthy. This government believes that the planet is warming. We believe that carbon dioxide emitted by human endeavour is heating the planet. We need to decarbonise. We have a plan to decarbonise: hydrogen.

The reason that we invest in hydrogen and have hydrogen aspirations is that we produce 75 per cent of Australia's structural steel. We are the largest steelmaker in the country. You might remember when the previous carbon price was put in place by the previous Gillard government, and what they exempted was metallurgical coal. Why? To support the steelworks. Steelworks need special attention. Countries who want sovereign steelmaking capability need to invest in them. That is why we wanted hydrogen in Whyalla. We wanted hydrogen in Whyalla alongside our magnetite resources, alongside an integrated steelworks, for a reason.

An honourable member: Why are you selling it, then?

The Hon. A. KOUTSANTONIS: Selling? The electrolyser is not being sold. Again, it is about a lack of knowledge by members opposite. Members opposite don't even know what they are talking about. It is becoming embarrassing. It is almost as embarrassing as watching the Leader of the Opposition in the pub last night sit by himself on the phone and no-one talked to him while there was a queue of people wanting to talk to the Premier.

The Hon. V.A. TARZIA: Point of order: I ask—

Members interjecting:

The SPEAKER: Members on my right will listen.

The Hon. V.A. TARZIA: I ask the leader of the house not to mislead the house. I was talking to the AMWU, the CEPU and many others last night.

The SPEAKER: I do not think that was a point of order. That was some sort of statement to the house.

Members interjecting:

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. A. KOUTSANTONIS: The Treasurer will be releasing his budget. It will detail all of our expenditure, as we do each and every year. The Auditor-General does reports. There is nothing to hide here, nothing at all. We are interested in steel jobs. We are interested in the future of steel manufacturing in this country, and we are making sure that Whyalla has a future. Members

opposite have not yet given us a policy on steelmaking. They have not yet given us an endorsement of what the Prime Minister announced today. They have not yet endorsed our plans to help with the administration. So I have to say, members opposite have no plans on steel, yet they criticise ours.

REX MINERALS

Mr ELLIS (Narungga) (14:43): My question is to the Minister for Water. Are Rex Minerals compelled to upgrade the water main from Port Wakefield through to the mine site as part of the mining approval? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr ELLIS: Concerns have been raised with me that there are no upgrades coming, and with many along the line needing extra water supply, they have been left feeling anxious about what the drain of a large-scale mine operation might do to their existing limited supply.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:43): This is when I usually get up and say that the member has a longstanding interest in and support for Rex Minerals, but that is not the case in this matter. He has been, I think it is fair to say, an opponent of the use of agricultural land for mining. He is someone who has stood up for the rights of farmers when the previous government wanted to allow mining companies to enter agricultural land. He stood on principle, and I respect that. It's one thing to go out and say these things and another thing to actually do it and stand up for your principles. Principles are easy to have when you don't have to stand up for them, but when you have to stand up for them they are a lot harder—and he did it. It's very, very impressive that he did that.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: This is about you obeying standing orders again?

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: Congratulations. Happy New Year. Do you think we are having a bad year? You are the only one. You are the only one, mate.

So what Rex Minerals are required to do is that if they have infrastructure that they need to augment or take advantage of, we expect mining companies to pay for it. Now, if the member has evidence that the Rex Minerals development in the Yorke Peninsula has an adverse impact on water pressure or availability of water for other developments, I will have a look at that, absolutely. In my personal view, mining companies are big enough and ugly enough to look after themselves and, if there is infrastructure to be spent to help them get those minerals out of the ground, then it is up to them to pay for it now.

We also want to encourage development, but there have been a lot of benefits to what Rex Minerals has been doing there as well by upgrading intersections; they do a lot of work. I know that the member would begrudgingly acknowledge the work that has been done by Rex Minerals on upgrading some roads on Yorke Peninsula as well. I don't think Rex Minerals in any way would want to take advantage of the SA water system. So what I will do is undertake to go away and have a look at this. I will talk to the member after question time and try to get some more details and, if Rex Minerals are getting any sort of free ride or having any sort of adverse impact on the water system, I will speak to the Minister for Water.

Mr Whetstone interjecting:

The Hon. A. KOUTSANTONIS: Sorry?

Mr Whetstone interjecting:

The Hon. A. KOUTSANTONIS: Congratulations. We will get back to the house about how the mining tenement, the mining licence is being implemented and what Rex's responsibilities are.

WHYALLA WORKFORCE

The Hon. A. PICCOLO (Light) (14:46): My question is to the Deputy Premier. Can the Deputy Premier update the house on action the government is taking to support the Whyalla workforce?

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Climate, Environment and Water, Minister for Industry, Innovation and Science, Minister for Workforce and Population Strategy) (14:46): I am delighted to bring the house up to date with some of the detail of the ways in which the government is structuring support for the workforce in Whyalla. Having heard the answer by the Premier previously on the way in which the businesses are being supported in Whyalla, it is also important to think about the workforce generally.

We are fortunate that the South Australian economy is in such a strong position at present and that the unemployment rate generally is so low. That is a better condition to be in going into this challenge and the challenges that have been existing in the last several months than, say, when the federal Liberal government chased the last car maker out of the country when economic conditions were already difficult and that had an enormously deleterious impact. But what we have been proposing to do is of course, not only—

Members interjecting:

The SPEAKER: The member for Newland will leave the chamber until the end of question time.

The honourable member for Newland having withdrawn from the chamber:

The Hon. S.E. CLOSE: Now, of course the very move that this parliament facilitated through the vote yesterday and the decision by the government to put the steelworks into administration, GFG into administration, is in itself a way of supporting businesses and the workers of Whyalla, and the administrators will be able to stabilise now both business and provide increased certainty for workers who are currently employed.

Nonetheless, we are putting on the ground, and have been putting on the ground recently, the kind of support that's required to make sure that the workers have a pathway to ongoing prosperity. So we have been on the ground for some time directly supporting affected workers, and of course we have reiterated our commitment to supporting the Whyalla community by extending our commitment to support affected workers in Whyalla through this period of administration and ensuring we maintain the critical industrial capability within Whyalla.

Three weeks ago, we unveiled a $1.75 million package designed to support redundant workers and contractors, to support affected workers within the supply chain and associated activities, to support apprentices and also to support small businesses. That package is already being rolled out and is supporting workforce and skills programs to provide affected workers the opportunity to upskill and undertake accredited training.

It is enabling affected apprentices to remain in their apprenticeship and/or to transition to new employment opportunities, and it is providing services that will support the local regional workforce and small businesses affected by recent redundancies within the Whyalla region through tailored career advice for individuals, financial advisory services for small businesses and also a dedicated local regional coordinator.

Last week I travelled to Whyalla with several of my colleagues, including the Premier, and I spent some time watching this work occurring in action. The Career Transition Service, established in partnership with the Resources and Engineering Skills Alliance and the RDA Eyre Peninsula, is providing a professional and personalised career counselling service for the Whyalla community. It is supporting individuals looking to commence, transition or build their career, including those already navigating redundancy, job loss and reduced hours, and is developing individualised and tailored career transition plans, referrals to fee-free TAFE—thank you very much to the Minister for Education—and subsidised accredited training, fee-free courses, and occupational tickets and licences for eligible redundant workers.

Free accredited training is being provided for up to 300 affected workers through TAFE SA—again, thanks to the Minister for Education—and other registered training organisations. We are making sure we retain our apprentices through ensuring training contracts remain alive and active and apprentices are progressing through off-job training while a new employer is being identified. There is more support that is being provided and I am sure that members interested will be paying close attention.

GUPTA, MR S.

Mr PATTERSON (Morphett) (14:51): My question is to the Premier. When did the Premier first determine that Sanjeev Gupta was not going to invest $3 billion in an electric arc furnace to build green steel at Whyalla?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:51): I thank the shadow minister for his question. Obviously we have been monitoring the movements and the intention of Mr Gupta for some time, and it is fair to say that there were question marks being raised even around the time of the big reveal back at the end of 2018. I have been asked this question, and it is a pretty reasonable one, about at what point did we start to make the determinations we did and at what point did we resolve to take the action that we did yesterday.

I guess the critical thing that occurred most recently is that it is one thing for GFG to not invest and realise their ambitions that they had talked to that we all would have liked to have seen transpire, including members opposite, but another thing to not be paying people on the ground. That is what started a change, and pretty quickly. We have had periods of time, over years now, where GFG would be behind in payments and then catch up. That evolved and tested everyone's patience, but more recently it is just that rapid decline of finances where debts weren't being paid at all and months were dragging on.

I referred to this yesterday, I think, in the chamber: when you look out the window as you are flying into Whyalla at the moment there are all these ships sitting there, often with work being prepaid for, but product can't get on or off them—in this case on them—to go out to export markets, despite purchases being prepaid for. It's a completely unsatisfactory situation. It was so dire that it did invite this unprecedented response, and it was those events that really precipitated the government deciding to take the actions we did yesterday.

The SPEAKER: Member for Morphett.

Mr Cowdrey: Why did you build your electricity plant if you were never sure?

The SPEAKER: If the member for Colton has a question, stand up and take the spot of the member for Morphett. If not, we will leave it to the member for Morphett to ask the question.

HYDROGEN POWER PLANT

Mr PATTERSON (Morphett) (14:53): My question is to the Premier. When has delivery of the hydrogen power plant been deferred until?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:53): There are a couple of things in that. I think the member is confused. Electric arc furnaces don't cost $3 billion; I am not quite sure what he is buying. A direct iron reduction facility might cost billions of dollars—

Members interjecting:

The Hon. A. KOUTSANTONIS: I would like to see the reference to the document that says an electric furnace costs $3 billion.

The Hon. V.A. Tarzia: It's there in the public domain.

The Hon. A. KOUTSANTONIS: Google?

Members interjecting:

The Hon. A. KOUTSANTONIS: Right, okay. Direct iron reduction facilities are in the billions of dollars; electric arc furnaces are in the hundreds of millions of dollars, if not less. But, then again, I'm sure the experts in the question time committee—

Members interjecting:

The Hon. A. KOUTSANTONIS: No, no, no. So, the electric arc furnace—quite frankly, Mr Speaker, the question that the member asked I think doesn't make a lot of sense.

Members interjecting:

The Hon. A. KOUTSANTONIS: It's just true. Direct iron reduction facilities do cost a lot. When you've got engineering to be done, you've got business cases to be built by the potential proponent, what is going to occur now is the voluntary administrator will stabilise operations in Whyalla. There will be a maintenance fund that hasn't been done for a long time. There will be regular shifts put in place. The operations will operate in a more orderly way. We heard stories today of workers bringing their own toilet paper to work because toilet paper had stopped being bought by GFG. We have seen a lot of services stopped there.

The first order is to immediately maintain the services, maintain the property that's there and, of course, get the rolling wheels operational again, start using the billet to make long products and rail lines to try to get more revenue into the system. As the process goes on in voluntary administration the administrator will look at trying to recoup costs for creditors through a sale process. At the end of that sale process you've got a big pile of government money, which is mainly from the commonwealth and the state, which is made up from the Hydrogen Jobs Plan money and, of course, a big injection of cash from the commonwealth government.

That money there is for an investment into an electric arc furnace and direct iron reduction facility. That pile of money that we have at the end is not to pay for it in its totality. It is a contribution towards that. It depends on, one, who is successful in any process outside of the voluntary administration to purchase the plant, their detailed business case, and how long it will take them to invest and build a direct iron reduction facility and electric arc furnace—because, if the opposition's plan is just an electric arc furnace, that is job losses in Whyalla. There needs be direct iron reduction in place of a blast furnace. The blast furnace has to be maintained until direct iron reduction can be replaced. There need to be gas solutions for direct iron reduction and then hydrogen as well. What we are doing is this in an orderly way.

We had a partner who was meant to be doing this stuff now. Of course, that wasn't occurring. To give some context to the house: since 2018 Mr Gupta has sold $7.8 billion worth of iron ore internationally—$7.8 billion worth of revenue—$4.7 billion of steel has been sold since 2018, and $800 million has been moved offshore. The money in there would have been more than adequate to invest in direct iron reduction, electric arc furnaces. Of course, there are federal government and state government programs in place. In fact, the electric arc furnace, which cost—I've run out of time. Ask the question again and I will continue.

HYDROGEN POWER PLANT

Mr PATTERSON (Morphett) (14:57): My question is to the Premier. When will the government deliver the government's hydrogen power plant?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:57): Thank you for the question. The government's hydrogen power plant is there to feed a private sector direct iron reduction facility. Right? Are you finally getting it? We're not miners. We're not doing the mining of the iron ore. We're not making green iron. Someone else is. We are providing an input.

An honourable member: Why did you start it without an assurance that it was happening?

The Hon. A. KOUTSANTONIS: My goodness, sir. On Tuesday, they wanted us to hand over $50 million to Sanjeev Gupta. Now they are saying, 'How did you trust him?' Just remember this: the commonwealth government offered $63 million to GFG for an electric arc furnace. We had $50 million on. The cost of the electric arc furnace and associated equipment at the time those grants

were made was a total of $315 million, not $3 billion. Check your zeros, mate. Mr Gupta then told us that he had signed a contract with Danieli. I then flew to meet with Danieli in Italy.

An honourable member: How was it?

The Hon. A. KOUTSANTONIS: It was lovely. I met with the owners and operators of Danieli, and I said, 'Alright, show me the plans, given we are a co-funder of this with our $50 million.' The way that the previous government and the previous Weatherill government had instituted this fund was that it would be paid in arrears as work had been completed and then verified, not in advance, as members called on us to do on Tuesday. So we went through it. They signed an MOU, spent a few thousand dollars and that was it. While I was on the way there, I heard from Mr Gupta through a press release that it would be delayed until 2027.

What we had to do was of course maintain steel operations. Since then, steel operations in Whyalla have gotten progressively worse, while Mr Gupta's empire grew in Europe, buying other distressed assets. Meanwhile, the people of Whyalla who were working at the steelworks were being told to catch buses to other parts of the building to use the toilet and to bring their own toilet paper because maintenance wasn't being done.

You will forgive us, Mr Speaker, if we think it is imperative that we invest in the transformation of the steelworks and put on hold our ambitions for a hydrogen future—not abandoning them at all. We believe in hydrogen, almost as much as Mr 'Hydrogen, Hydrogen, Hydrogen' over here.

We believe that hydrogen will decarbonise steelmaking in Australia. If you are going to build a hydrogen plant, you are going to build it here in South Australia because we have the renewable resources for it. It is the same mockery about the big battery—it is no different; it is exactly the same. It is the same people, the same ideology. Anything that's not coal is wrong. Anything that isn't nuclear is wrong. They are the experts. When they want to invest in hydrogen, it's okay. If someone else wants to invest in hydrogen, it's a folly. They are just hypocrites.

WHYALLA STEELWORKS

Mr McBRIDE (MacKillop) (15:01): My question is to the Minister for Energy and Mining. Could the minister inform the house what the future of the Whyalla Steelworks looks like under this new ownership management structure? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr McBRIDE: With structural steel used in railways being a low-value product by value per tonne, will the government, BlueScope or KordaMentha consider a higher value steel product through the Whyalla Steelworks?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:01): I hate to disagree with the member, but when the steelworks makes unfinished products—billet—it makes a loss. When it makes finished products like rail line and structural steel, they are high value and they do make money.

In fact, even with the way GFG operated, when they used their mill to the capacity to make structural steel and rolled rail line, it made money and it was profitable. But this is the picture that I want the member to understand—what Playford did and the genius of what Playford did. It was an integrated steelworks. As I said earlier, of $7.8 billion in iron ore exports since 2018, only a fraction of that is used as feedstock for the blast furnace. The majority of it is exported to international markets and makes a fortune for the owner. The whole idea of Playford's vision was that the mines subsidised the beneficiation.

What Mr Gupta was doing was what a lot of companies do and justify it in their own minds—but they didn't have an indenture the way GFG did—and that is they sold the iron ore to the steelworks at the same international parity prices they were selling it offshore. Then they were claiming from the previous government a royalty deduction, which we stopped in 2022.

If the steelworks manufactures rail line and structural steel, it will make money. The question is whether the market capture that Mr Gupta lost by trying to hot idle the blast furnace can be recaptured by the voluntary administrator? That is the key question. This is very important, because

the Australian structural steel made out of Whyalla is of a high quality. It is well regarded. It is often used in public infrastructure because of its quality. Knowing that we have that sovereign capability, you can talk directly to the manufacturer here in this country. It has an excellent distribution arm. OneSteel Manufacturing is a company that has a good reputation despite GFG's best efforts.

So it is not right to say that finished product out of Whyalla is a low-value product. That is not true. What Mr Gupta was doing was manufacturing billet, despite us being in the Southern Hemisphere, and I understand selling it in an indice that it is based in the Northern Hemisphere to InfraBuild. The mines mine the iron ore, sell it to the steelworks at international parity prices. The steelworks makes unfinished billet, sells it at an indice at a loss to InfraBuild. InfraBuild buys it cheaply and then sells it at a profit—internal price transferring in his business.

The steelworks can make money and should make money because the mine is alongside it and the indenture that Tom Playford put in place in this parliament makes it so. You cannot have those mining licences without a steelworks. Anyone can make money out of those mines without a steelworks. It is easy. You get the contractor in, you've got the port, off you go. It is just digging dirt and putting it on a ship.

Making steel is hard. Rolling structural steel and rail line is hard and that is the expertise that we have in Whyalla and that is why we are fighting for it. If we lose it here, we will be subject to imports: imports from Thailand, imports from China, imports from Korea and imports from Japan. Imagine that: the largest exporter of iron ore and metallurgical coal not being able to make our own steel. It is not right to say in this parliament that our finished products are low value product. They are not; they are the best in the world.

ENERGY GENERATORS

Mr PATTERSON (Morphett) (15:05): My question is to the Premier. Will the gas turbines continue to be located in Whyalla at the current site?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:05): Probably not. What we will do is—I am very concerned about the market concentration in the state of gentailers. What is a gentailer? A gentailer is someone who generates electricity and also retails it. Basically four gentailers have about, I think, 67 to 75 per cent market share in this state and there are a number of other retailers who are offering markets on the back of wholesale prices and renewable energy and they are hedging. What we need is another competitor.

The folly that the previous government made when they privatised the state backup generators is they were sold to tolling rather than to someone who was actually going to be offering market contracts. What we need is a retailer. Someone who is going to come out and say, 'Hey, AGL customer, join us. Hey, Origin customer, join us,' and they need to be able to have power to backup those contracts. What we will be doing is going out to the market, having a process that cabinet will decide on, to have these generators in the system very, very quickly. The beauty of our generators is that they are already being constructed. We are ahead of the queue.

There are a number of people who are looking at purchasing exactly the same generators that we have. The beauty of our generators is that they are now ready to operate on hydrogen immediately and gas. The beauty of that is that these generators can be put anywhere. We will look to the market to make sure that there is a criterion in place that we will set, and that criterion will be: you can't be an existing gentailer, you must be a participant in the South Australian market and the generators must be used here in this state.

That is a good outcome for the people of South Australia. There is one last very important criterion: we will get all of our money back, if not more, and that money is going to Whyalla to support the people of Whyalla. I have got to say: do you know what the overwhelming theme was in Whyalla? The overwhelming theme other than relief, was, 'Thank God you guys won the last election. Imagine if it was them.'

Grievance Debate

HYDROGEN JOBS PLAN

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (15:08): This Labor government rather than come to the people of South Australia with a platform of policies in 2022, instead what they did is they deceived them with spin, slogans and, quite frankly, lies as well. This morning on talkback radio the Premier revealed that the government's flagship election policy, its hydrogen jobs plan, was being shelved. This was basically Labor's only energy policy, their major cost-of-living policy and their central policy on jobs and the regions as well. Now it has become another broken election promise.

Labor does not have a plan to bring down power prices for South Australians. They have wasted millions of dollars of taxpayer money on a hydrogen pipedream, one that we have seen the private sector and governments interstate walk away from, yet they arrogantly persisted. We have been asking this government to come clean about its hydrogen pipedream for years. We asked the Premier what he knew that Fortescue did not know, what Origin did not know, what Woodside did not know, what the Queensland government did not know. Labor's Hydrogen Jobs Plan was meant to deliver thousands of new jobs for South Australians, but all it delivered, apparently, was around a $600,000 a year job to their Labor mate in Sam Crafter.

Time and time again we see Labor put politics before people. The Office of Hydrogen Power spent over $63 million the last financial year alone. What did the people of South Australia get for this $63 million? They got another broken promise. We pay some of the highest power prices in the world. Every day I am speaking with small business owners who tell me about their skyrocketing power bills and the impact it is having on their bottom line and their ability to run a viable business. This government promised that their hydrogen power plant would lower electricity prices for businesses and industry in South Australia.

What does the Premier say to small businesses that are having to close their doors due to the doubling and even tripling of their power bill sometimes under this government? Just remember that nowhere in this government's Hydrogen Jobs Plan—you can get it out yourself and have a look at it—did it state that GFG were an essential component. In fact, only last year the Premier himself said whatever happens with GFG themselves will not deter the government from realising its ambitions.

The CEO of the South Australian Chamber of Mines and Energy said herself on ABC radio, and I quote:

> The hydrogen power plant was a government initiative, it was not a GFG initiative, but what we are seeing is the government using GFG as a vehicle by which they can walk away or back down from their hydrogen ambition.

The federal Labor government have today had to bail out this state government's hydrogen failure.

I have been on the ground in Whyalla. I drove up after question time yesterday and I was there this morning. I welcome the support and assistance going to creditors—I absolutely welcome that; and I had the opportunity to meet with several of those small business owners and contractors—but the reality is that this government has known for months about the precarious state of the Whyalla Steelworks. Who put them in last time? Who was it and who was the minister last time? We might save that for another day.

Time and time again we have asked for transparency, for honesty in this place but they have refused to tell South Australians the truth. Whether it is their secret Steel Task Force or the extraordinary scenes yesterday where they rammed legislation through the parliament without any debate or scrutiny, legislation which effectively places the government at the top of the pecking order of creditors. Today, Whyalla faces an uncertain future: not more jobs but fewer, no hydrogen power plant and a steelworks in limbo.

Yesterday the Premier appointed KordaMentha as the administrator of the steelworks, yet before the election they had a fair bit to say about KordaMentha—again, that is for another day. They actually promised to show the same corporate liquidators the door—one of the many mistruths that have been told to the people of South Australia.

The Premier also told the people of South Australia in 2022 that he would fix the ramping crisis, but he has gone on to deliver the worst 32 months of ramping in our state's history, so his major election policy promise has been broken again. Do you remember the corflutes—I certainly do—the slogans and the rallies on the steps of this place? This Premier told the people of South Australia that he was going to build a hydrogen power plant that would lower electricity prices for businesses in South Australia, deliver thousands of jobs and be fully operational by 2025. Today he broke another promise to South Australians.

I promise the people of South Australia that I will use every day in this place, and as Leader of the Opposition, to hold the government to account for their broken promises and to shine a light on the truth, even when this government does everything in its power to keep the truth from South Australians.

PARAFIELD GARDENS SALVATION ARMY THRIFT SHOP

Mr FULBROOK (Playford) (15:13): I rise on behalf of my local community with a heavy heart to say a fond farewell to the Salvation Army thrift shop in Parafield Gardens. Sadly, it closed its doors for the last time and it was my pleasure to pass on my thanks to volunteers on the last day of trading on 11 February.

Of course not everyone was there on the day. In noting that there are a lot more people that have supported this community beacon, both past and present, and I want to take this opportunity to express my appreciation for everyone who supported it for well over 30 years. There is no doubt this is a loss to the north and I know there will be many people feeling pretty numb at this point in time.

This was a true opportunity shop in every sense of the word and it became synonymous across town for its low prices and its broad range. My mum volunteered in an op shop for 24 years and it was a massive part of her life, something she was very proud of. She not only talks about it fondly and affectionately but recalls the close friends she made of both customers and her fellow volunteers. I can imagine the 32-plus volunteers can relate to this, but I am certain that I am also only scratching the surface. You gave a lot to your community, and I want you to know that we are all very grateful for this.

The local captains did not take this commitment lightly and in speaking with them I understand they have made significant efforts to ensure that the selfless volunteers are not lost to the community. I know that to date at least 16 will continue working with the Salvos in a voluntary capacity.

Other efforts have included meeting directly with these wonderful people to try to match them up with other volunteering programs, as well as taking a bus tour to one location within the community to aid them in their transition as valued volunteers. While trading may have ceased, this is not the end for the church, and I know in the short term a thank you barbecue was held to bring everyone together for one last hurrah.

In putting these words together, I was thinking it would be nice to list some of the names that contributed to this wonderful service. It was pointed out to me that the list would be so long that I would never get the chance to say anything else on the subject. In the interests of fairness and brevity, I am told those many people involved know exactly who they are, and I feel they have every reason to be proud of their achievements.

It then leaves us with the question of what next for the Salvos in Parafield Gardens. Firstly, it should be noted that the site is, and always will remain, a community church, so in the short term they are not going anywhere. Their thrift shop model has always placed an emphasis on people over product. Thrift shop or no thrift shop, their focus will always be the fantastic people living within our wonderful community.

This includes their support in our local schools, with programs like Give. Grow. Evolve. at Parafield Gardens High School. This gives an opportunity for students to further their studies while gaining important knowledge in social awareness matters within their community by making meals to support young homeless people in the local area. This has been a great success over the past 18 months. The team will be working with their community to set new directions with a key focus on

helping children, youth and young adults. The playgroup, known as Minis, will also continue, and I can also share that the free bread to the community will continue on Mondays and Fridays.

While there is a loss, opportunities will grow as the next chapter unfolds. As much as I would love to have the inside scoop on what is next, we are just going to have to watch this space. More importantly, my comments today are about those people who for over three decades gave so much to help make our community a better place. We are indebted to you all, and I thank everyone involved for the kindness that they have shown in the community that I am privileged to represent.

HYDROGEN INDUSTRY

Mr PATTERSON (Morphett) (15:17): The Malinauskas Labor government has been totally distracted by their green hydrogen promises over the last four years, while South Australian working families are paying the highest electricity bills on record. Today, we find out that the Premier has scrapped the only energy policy that he took to the 2022 election. It is not surprising, as his flagship hydrogen project has been taking on water for years and has now sunk.

Let's remind South Australians what was promised next to a big picture of Premier Malinauskas. It stated

> Labor will build hydrogen storage capacity of 3,600 tonnes of liquefied hydrogen storage, two months of hydrogen power generation for $31 million. Labor will build a 200-megawatt combined cycle turbine running on green hydrogen for $342 million. Labor will build 250 megawatts capacity of hydrogen electrolysers for $220 million. Labor will ensure all projects will be operational by the end of 2025 and cost $593 million.

The first of these promises to go was back in December 2022, when Labor slashed the amount of hydrogen storage from the 3,600 tonnes to 100 tonnes. That is less than 3 per cent of what was promised. Then all of a sudden this hydrogen power project was not providing two months of power generation, and it needed an offtaker to justify such a large bank of electrolysers. At that time, the Premier was starting to make things up as he went along.

In 2023, we had it confirmed by both the Minister for Energy and the CEO of the Office of Hydrogen Power SA that Labor's hydrogen power station was not going to bring down power bills for South Australian families, with the minister stating in parliament, 'It's commercial and industrial customers we are targeting.'

With South Australians paying record electricity bills, the Malinauskas Labor government started changing the commentary around this project. They began talking up green steel, tying their green fantasy to GFG and Mr Gupta. Remember, Labor's 2021 hydrogen policy was all about hydrogen electricity generation to supply, and I quote, 'secure power to South Australian-based factories and mining companies'. In their 20-page document, there was only one mention of green steel.

In 2024, the Premier broke another promise when he gave up on the promise to construct a base load combined-cycle turbine, instead opting for a GE LM6000 aeroderivative open-cycle turbine, which is effectively just a jet engine that usually hangs off a plane wing. South Australians thought they were getting base load power, but instead they were getting a power station that would be a peaker. Then in May 2024, South Australians found out from AEMO that the hydrogen power plant would not be operational until late 2026, as opposed to December 2025 as promised, so the government was then forced to admit that they would not be meeting their December 2025 deadline—the third broken promise.

During this time, South Australia was also experiencing major construction cost escalation, but the government clung to the illusion their project would still be a $593 million one. The CSIRO's draft 2024-25 GenCost report showed that electrolyser costs have increased by more than three times per megawatt than the Premier's initial promise. Using these CSIRO costings for electrolysers, the 250-megawatt electrolyser that Labor promised would cost $676 million and not the $220 million that they stated. This is a massive cost blowout—$456 million to be exact—taking the project to well over $1 billion for a hydrogen power plant that is not meant to bring down power prices for struggling South Australian households.

Of course, the government knew the writing was on the wall back in September 2024. They broke their electrolyser promise by going out to tender to run it using gas, but this gas was going to

be trucked in by B-double trucks. We find out today these turbines are now going to be sold—probably on the Trading Post. So the Premier and his Labor government have now broken all of their major promises—all four—from their hydrogen plan. These promises were all broken before the issues at the Whyalla Steelworks escalated, yet we have the Malinauskas government using the major crisis at the Whyalla Steelworks to break their hydrogen promise.

Remember: fixing the ramping and this hydrogen promise were their two centrepiece election commitments. Now we know that their hydrogen election promise is scrapped—and ramping? It is the worst it has ever been. So it is clear you cannot trust anything that Premier Malinauskas says, and it turns out his election hydrogen promises have been revealed as a hydrogen hoax.

PROSPECT GREEK FESTIVAL

Ms HOOD (Adelaide) (15:22): I rise to say a huge 'syncharitiria' to the Prospect Greek Festival. For those who might not understand my poor attempt at Greek, that was to say congratulations to the Prospect Greek Festival, which put on the most incredible event on Saturday evening that I was privileged to attend with my partner and children. Thousands of people descended on St Anthony's church in Prospect to celebrate the inaugural Prospect Greek Festival in our local community.

It was an amazing celebration. There was music, dance, food, family, faith—it really was community at its best. I was privileged to say a few words on the evening, but really the star of the show was my daughter, Audrey, who was able to get up on the stage with me and give a little message to the community in Greek. She learns Greek at our local primary school. Her little speech that she did in Greek was really the spirit of the whole festival. There were so many young children there and it was a wonderful way of just being able to pass on the beautiful culture, the beautiful customs of our Greek culture in our community to the next generation.

Greek people really know how to party, and there were thousands of people enjoying the beautiful cuisine, but more importantly the dance floor. There may have been a few tears from my daughter, Audrey, when I had to almost drag her off the dance floor later in the evening because she was having so much fun. It is one of the world's oldest cultures—the culture that gave us democracy, the culture that gave us philosophy—and to be able to all come together to celebrate and importantly pass on some of these beautiful traditions and customs to the next generation, as I said, was really beautiful. It was a wonderful evening.

I turn 40 this year and my dream was always to go to Greece. It is not going to happen but I have to say that attending this festival on Saturday night I actually did feel like my 40th birthday dream came true and I actually did get to travel to Greece, even if it was just for one evening.

Some of the distinguished guests that we had at the festival on the evening were His Grace Bishop Silouan of Adelaide; our very Reverand Father Nicholas Pavlou (Father Nick); our Consul General of Greece, Alexandra Theodoropoulou; my federal colleague the federal member for Adelaide, Steve Georganas; our Minister for Transport and Infrastructure, Tom Koutsantonis; and Andrea Michaels, our Minister for Small and Family Business. We were also joined by the Hon. Jing Lee in the other place, as well as thousands and thousands of locals.

As soon as I got there, it did not take long for a close friend of mine, Martina Simos, who was there covering the event for *The Greek Herald*, to thrust a plate of baklava into my hand, which I enjoyed straight away. I think that is one of the powers of food and community.

My late stepdad, Patrick, was an incredible cook, particularly of Greek food, and his Greek mezze recipe book is probably one of my most prized possessions. When you get to the power of food and memories, it really brings back some of those beautiful childhood memories that you have. I want to thank them for the power of food, community and culture that we were able to experience on the night.

This festival would not have happened without the most incredible team of volunteers and I want to thank them in parliament today. Con Dalas, the President of St Anthony's Community, is just the most beautiful person. He has the most beautiful spirit. Thank you so much, Con. I want to thank Peter Bouras, Evan Kostopoulos, Stephen Warner and Costa Koutsonas, who literally worked day and night to put on this festival, so a huge shoutout to Costa. I also want to thank Elias and George

Demourtzidis, Elena Asikas, Demetri Aritzis, Lambros Drouganis, the St Anthony's Youth Group and so many more. There are probably too many to mention.

I want to mention as well the festival's main sponsors who helped put on the incredible event: Cerbis Ceramics, ABS Auto Salisbury, F&E Rocca, Richmond Co, Syberax, Guardian Insurance, Trio Group Australia, and, of course, the Malinauskas government was incredibly proud to support this wonderful event as well. I am sure there were probably a few sore heads in the morning and probably legs from all that dancing as well. I can say a huge congratulations and I really cannot wait for next year's festival.

The SPEAKER: If you cannot make it to Greece for your 40th, maybe the Star of Greece in the electorate of Mawson.

Ms HOOD: I would be happy with that.

The SPEAKER: If you look out the front, it looks like you are in Santorini and if you look out the back, it looks like you are in Crete with the rolling hills and the vineyards. Speaking of vineyards and wonderful wineries, the equal second-best wine region in the state, Barossa, I welcome the member for Schubert.

SCHUBERT ELECTORATE

Mrs HURN (Schubert) (15:27): I rise to talk about two really important issues that are impacting my local community, and arguably none more so than water security in the region of the Barossa Valley, but I will touch on that in more detail in a moment. I have been out and about meeting with a number of local businesses and people around the southern Barossa area and water pressure is a big concern for them. When they are turning on their shower or they are trying to water their garden, they notice that they cannot do two of those things concurrently. I have been in communication with the Minister for Water about this issue, hoping that we can come to some type of solution.

The other issue I want to touch on in the house is one that the member for Finniss actually raised publicly last week and that is in relation to the challenges that people are having in carting water around my local community. We have a situation where households in my local community, and in fact right across the state, are unable to have water for cooking, for drinking, for watering their plants because the demand for watering trucks around the state is so high that they are unable to keep up with the requests that they are getting to deliver water.

Obviously, there are homes and properties across my community that do not have access to mains water, and there are many. My city colleagues might take for granted the fact it is so easy just to turn on your tap and know it is coming from your mains water. There are people in my local community who rely primarily and solely on rainwater. When it does not rain, your tanks do not fill up and you cannot do these basic things that many people take for granted.

On carting water, I would just like to reflect on an experience that I had growing up, and that is that we often had to cart water to my local home. Our neighbours had to cart water. We were very frugal growing up. We had shower timers. We used to put the plug in the bottom of the shower and get it out onto the garden where possible. The fact that so many people in my area are still doing that now I think is really concerning. Obviously we are in a dry climate, but it begs the question as to at what point the government intervenes and provides this support so that families and households have water.

It is not just households, of course, who are feeling the brunt of these water challenges. There are families and people who are living on the land who have been crying out for a water security solution for the Barossa and Eden Valley for quite some time now. Discussions about the need for this have been ongoing. We have had survey after survey, reports, conferences and meetings, and unfortunately we are really no closer to delivering a water security solution for the people of the Barossa and Eden Valley.

This is critical because, whilst the government and the bureaucracy might be looking at all of these reports and reviews, my community is literally going dry. Our farmers and their vineyards are going dry, and that is something that concerns me for their long-term sustainable future. Water

security and a long-term solution for my region is so desperately needed. It does not matter who I am speaking with, whether it is the big guys like Treasury Wine Estates or the small family vignerons in my community, particularly in Eden Valley, we need to find a solution for them.

There have been so many reviews done over a number of years, and it is actually just time to put something in place for them because it is critical to secure our long-term future. It was in November 2022 that the Barossa Water Security Strategy, which was an initiative of the former Liberal government, was published and the $5 million business case for new water infrastructure in the Barossa Valley was also completed. Consultation for the Barossa Water Allocation Plan was due to commence early last year, but it has been delayed until this year.

Whilst the government and bureaucrats tweak these documents, our primary producers, our farmers, our growers are literally drying up. It is time for rubber to hit the road and for the government to take some action to implement a long-term water security solution for the Barossa Valley. It is critical to secure our future for our region, and I am looking forward to continuing to bring this to light in this place for the people of my community.

I would also just like to wish everyone all the best for the Angaston Show, which is on in my community this Saturday. There are so many volunteers who are required to bring our country shows to fruition. I am looking forward to it, and I thank in advance all of the volunteers who work so hard for the people of my community.

CITY OF ONKAPARINGA PLAYGROUNDS

Ms THOMPSON (Davenport) (15:33): My community is facing an important decision and one that could change the way that our children play, grow and connect for years to come. The City of Onkaparinga are proposing a significant shift in their open-space strategy, and that could mean fewer playgrounds for our kids. Ultimately, right now, if you live in the City of Onkaparinga, you would be lucky to have a playground generally within about 500 metres of every home. With their new proposal, they are looking to expand that to 1,000 metres.

Currently, most people in the City of Onkaparinga would be able to walk to a playground within about five minutes. What they are proposing will mean a 10 to 15-minute walk for little legs, often with parents pushing prams and holding multiple children and pets at times. They will walk that 15 minutes to get to that location, which is quite likely not to have a toilet, so who knows how long they get to stay there before they have to pack everything back up, turn around and head back home.

What this will look like is that over the next five years a list of playgrounds—and if you just look at the electorate of Davenport, we are talking about around 11 playgrounds that will no longer see any renewal at all. They may have a little bit of maintenance here and there, a little paint touch up job here and there, but there will be no renewals for those playgrounds. When those playgrounds then reach their full life, they will be removed and will not be replaced.

Those spaces will be maintained as open space. But honestly, when has a child ever got excited about a patch of grass and a picnic bench? So I think it is really important that our community is aware of this. The council has been consulting on this for a few months now and have had very little feedback, and I genuinely believe that is because when they go out to consult with their community they say have your say on the Open Space Strategic Management Plan. If that were to land in my letterbox, I would not get excited either.

I popped up a post on my social media last night drawing attention to the fact that some playgrounds might be removed and I have had over 100 comments already with people very concerned about the fact that they are losing assets in their community. These are assets that ratepayers pay for and fund, and what this means is that we are now being asked to settle for less. So I am pleading with our community to hop onto the council's website and have your say. Their consultation is open until 23 February. I will also be putting in a submission on behalf of my own community of Davenport, and any comments, phone calls and emails that I receive before this weekend I will be able to include in that submission. So please reach out to me or to the council. Make sure that you let the council know how much you value your local playground, how important it is for you to be able to walk to a local playground. Not everybody wants to hop in their car and drive somewhere, and not everyone has that luxury to be able to do that.

Other things worth considering are that not every street in the City of Onkaparinga has a footpath, so if you are being expected now to walk a kilometre to get to your local playground, is the council now going to consider improving our footpath network? Will they look at the trails around the council area and look to improve those to help to connect the playgrounds that are planned to remain in our city?

Just with the time I have left, I would just like to, on a positive note, thank the City of Onkaparinga for the work that they did helping to celebrate the launch of our newly upgraded Aberfoyle Community Centre last weekend. That was an election commitment of mine. It was a $1.5 million spend from the state government, and then the City of Onkaparinga worked in partnership with us to deliver on that project. There would have been—well, I think the Lions Club said they handed over more than 250 sausages, so that goes to show there was a good crowd there on the weekend. People were really excited about the new programs that are now going to be on offer there at the Aberfoyle Community Centre.

I am particularly excited about the youth programs that we will be able to offer. There has not been a lot of a youth offering in our area for some time. With a high school right across the road, it is really important that there is somewhere for young people to go to hang out after school. I am really looking forward to seeing this space come alive and really start delivering for our community.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Climate, Environment and Water, Minister for Industry, Innovation and Science, Minister for Workforce and Population Strategy) (15:37): I move:

That the house at its rising adjourn until Tuesday 4 March 2025 at 11am.

Motion carried.

Bills

ANIMAL WELFARE 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 15, page 16, after line 17 [clause 15(9)]—After paragraph (a) insert:

(aa) to provide advice to the Minister in relation to the disbursement of the Animal Welfare Fund;

No. 2. Clause 51, page 37, after line 16—After subclause (1) insert:

(1a) A court must, at the request of the prosecution, on finding a person guilty of an offence against section 7(1) or (2), make an order forbidding the person to acquire, or have custody of, any other animal or any other animal of a specified class, either until further order or for the period specified in the order.

No. 3. Clause 51, page 37, line 17 [clause 51(2)]—Delete 'subsection (1)' and substitute 'this section'

No. 4. New clause, page 47, after line 34—After clause 76 insert:

76A—Obstruction of report of alleged contraventions

A person must not, without reasonable excuse—

(a) prevent another person from reporting to an authorised officer an alleged contravention of this Act; or

(b) hinder or obstruct another person in making such a report.

Maximum penalty:

(a) in the case of a body corporate—$250,000;

(b) in the case of an individual—$50,000.

Consideration in committee.

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

That the amendments be agreed to.

The CHAIR: Would you like to speak to the amendments, minister?

The Hon. S.E. CLOSE: No, sir, other than to commend them to the house. They are amendments that arose through discussions with members of the upper house. They were government amendments, they have been supported by the Legislative Council and I think we should now proceed to support all of them.

The CHAIR: Does the member for Finniss wish to speak?

Mr BASHAM: The only thing I would like to say is thank you, minister, for bringing these amendments forward from the other place. I just want to clarify again amendment No. 4 and that it is not allowing a criminal act to occur and then be protected by this portion—so someone entering a property illegally, in relation to that property, they are not protected by the fact that they are then going to make a report about animal welfare, having committed a crime in actually getting that information.

The Hon. S.E. CLOSE: I believe your analysis of that amendment is correct.

Motion carried.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO AND OTHER JUSTICE MEASURES) BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

STATE DEVELOPMENT COORDINATION AND FACILITATION BILL

Second Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (15:41): I move:

That this bill be now read a second time.

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

Leave granted.

South Australia continues to build on its global leadership position in clean energy, harnessing our state's rapid progress to a remarkable 70% renewables in its electricity mix – on track to 100% by 2027. This provides a solid platform, supported by successive governments, to not just decarbonise our grid and our economy – but also to shape the jobs of the future.

Whether it's for critical minerals processing, gigawatt-scale data centres powered by clean energy, or green manufacturing, iron and steel – South Australia has what the world needs. And importantly, this State has a chance to leverage this unique position to decarbonise its own economy and that of other jurisdictions – all while providing stable, well-paying jobs for South Australians.

At the same time, we're also building an unprecedented pipeline of housing projects to deliver more homes, more quickly for a growing number of South Australians, keeping the Australian dream of owning your own home alive for current and future generations.

And making sure we continue to provide this state's growing population with the unmatched quality of life that South Australia is known and envied for, means that we must complement this with all the infrastructure and services that growing populations need – from trunk transport or water infrastructure, health or education facilities through to social infrastructure and green space.

Responding effectively to the national housing crisis and transitioning our economy while growing it are both considerable challenges. But they are challenges we are confronting head on.

Both issues are giving rise to more, larger, more complex and more urgent developments – all of which need clarity on suitable sites and approvals. And this must occur at a faster pace than ever before, driven by the urgency of

housing demand and by global investment and supply chains pivoting to where they can access the resources they need for the future – gigawatt-scale clean energy, critical minerals, skilled people, and so forth.

Through its recent inquiries into this state's regulatory framework and renewables competitiveness, the South Australian Productivity Commission noted that we must take bold action to seize the transformational opportunities ahead of us, and avoid falling behind in how we regulate large and complex projects.

The same undeniably also applies to how this State responds to the national housing crisis and seeks to seize the intergenerational economic opportunities ahead of it in other areas such as defence.

Concrete examples of the scale, complexity and urgency of anticipated development include:

- Large housing developments and new communities that trigger the need for new trunk and enabling infrastructure;
- Critical minerals processing facilities;
- Net zero industry hubs for green metals, manufacturing or fuels, connected to key inputs located elsewhere, such as clean energy and minerals, via multi-user infrastructure corridors;
- Gigawatt-scale data centres, powered by clean energy;
- Infrastructure and facilities critical to AUKUS and its supply chain.

This Bill seeks to address these challenges through a bold but responsible approach – an approach based on sensible systems reform to improve proactiveness, coordination and efficiency to enable a place-based approach, while preserving our regulatory standards and environmental protections.

This Bill also includes specific reforms announced as part of our Housing Roadmap, designed to help deliver more homes, more quickly. This includes provisions to improve and streamline infrastructure schemes, bringing them in line with other Australian jurisdictions; to master plan and deliver new communities more quickly; and to facilitate public and private enabling and utilities infrastructure to bring those large housing developments to life – which as we have seen over the last years is a critical but often overlooked part of the broader solution to the ongoing national housing crisis.

Governments throughout Australia and right across the world are in similar positions, and are equally looking to reform their planning and approvals systems in response.

In June 2024, New South Wales established a Coordinator-General function to coordinate the delivery of key priorities in renewables, housing, and the Western Sydney growth area.

Queensland continues to refine its long-standing Coordinator-General model – achieving successes in critical minerals, green manufacturing and infrastructure corridors – and governments in both the Northern Territory and Western Australia are understood to be preparing similar reforms.

The Australian Government is also preparing and consulting on a central regulatory coordination function for major transformational projects, a national 'front door' for transformational projects, which aligns with the reforms contained in this Bill.

And other jurisdictions right across Europe and the US are similarly introducing clean energy go-zones and regulatory efficiency measures.

It is no surprise, therefore, that industry and experts alike are asking governments to show leadership, do their bit, and pull out all stops to deliver well-paying jobs in future industries, to decarbonise our economy, and deliver affordable homes for South Australians to thrive in.

The message is clear, consistent, and compelling: government has a role to play in making it happen.

A role in providing earlier-stage certainty and predictability. In delivering improved coordination and efficiency right across the planning and regulatory system. And in de-risking development by taking a proactive role in identifying suitable areas for development, rather than a reactive role.

And those things are exactly what this Bill will help deliver. But it will do so the right way.

We are looking to provide certainty and efficiency, and put in place a proactive, place-based approach to planning and regulation; not one that speeds things up at the expense of our environment, perhaps our greatest asset and which makes South Australia such a wonderful place to invest, do business, and most importantly of all – to live.

Indeed, a range of industries expressed their needs on this very clearly: they are looking for proactive regulation that assists them in developing the right projects in the right places – reducing risk, uncertainty and therefore delays, while being sensitive to what our environment needs, and what our community expects.

And that's consistent with what independent experts recommend – including leading research institutions from across the nation and right here in South Australia as well.

In summary, this Bill will provide for:

- Improved coordination across our planning and regulatory system;
- The ability to proactively apply our existing planning and regulatory processes;
- Pathways to take a place-based approach to de-risking critical developments through 'state development areas' – environmentally and economically suitable 'go zones', proactively assessed by regulators, where such development can be facilitated at pace while meeting our existing planning and regulatory requirements;
- Streamlined provision of enabling infrastructure to get more large housing developments built more quickly;
- Increased capacity and efficiency; and
- Greater influence over development and environmental outcomes through conditions and other mechanisms.

Given the economy-wide nature of the challenges we are facing, particularly with decarbonisation, this Bill proposed a designation approach, based on economic, environmental and social considerations on a needs-basis, instead of a system of limited sectoral application. This will ensure a contemporary, fit-for-purpose and future-proofed framework.

Newly proposed mechanisms would be able to be applied to projects declared on the basis of a 'Primary principle', which requires consideration of anticipated social, environmental and economic outcomes and impacts on both the state and the local level.

This is akin to similar tests of 'state significance' already in use in the *Planning, Development and Infrastructure Act 2016*, with mandatory requirements to contemporaneously publish such decisions to ensure transparency.

This will result in balanced decision-making and careful consideration of not just the state interest, but local communities' interests as well. Importantly, this principle promotes balance, rather than prioritising one element over the others; it would operate alongside – not instead of – any substantive decision-making requirements flowing from other Acts; and it would also apply to other key functions provided for by this Bill.

To ensure independent decision-making and greater capacity for system-wide coordination, a new, dedicated authority is proposed to administer these newly proposed functions. This Coordinator-General's Office will be a more contemporary version of the models that exist in other Australian jurisdictions, adapted to a South Australian context and taking a more collaborative approach.

To ensure efficiency, a general duty to reasonably cooperate with this new authority is proposed to apply to existing state authorities, similar to what exists in relation to the Planning Commission.

And to achieve a suitable balance between board-based decision-making and efficient delivery, this new body would take the form of a four-person board with the ability to decide complex matters collectively while also providing it with the flexibility to set procedures for the delegation of less complex matters to individual members.

CGO's members – including its chair – will be strongly focused on the key challenges of boosting housing supply and decarbonisation, including the transformational growth opportunities it presents.

However, given the highly specialised expertise required for the timely delivery of AUKUS, this Bill also proposes that one member with relevant expertise and experience to AUKUS be appointed, to ensure CGO is required to ensure it has the capability to support the uniquely complex and important endeavour that is AUKUS in an well-informed, rigorous yet efficient manner.

Finally, to maintain the highest levels of transparency and accountability for a new entity with a comparatively broad remit, a strengthened disclosure of interests regime is proposed for CGO – one that goes above and beyond the requirements that apply to other statutory authorities.

Three types of project or area declarations would apply – coordinated projects, designated projects and State development areas.

The Coordinator-General's Office would declare coordinated projects based on the application of the aforementioned Primary principle. Upon declaration, the Office would be able to set, vary and align timeframes for statutory processes and decisions by other state authorities, subject to mandatory prior consultation with the relevant regulatory entity.

In addition to standardising and providing assurance to applicants, there are instances where this could also be used to streamline timeframes, where this is feasible.

Minimum timeframes of no less than one month are provided for, and the provision is deliberately designed to require prior consultation and stop short of imposing standardised, one-size-fits-all timeframes as are in place elsewhere, as we know this would give rise to unrealistic, high-risk or otherwise irresponsible outcomes.

The Minister responsible for this Bill would be able to declare designated projects, again based on the application of the Primary principle, but also on a test of 'state significance' akin to a similar test that already exists in the *Planning, Development and Infrastructure Act 2016*. This declaration would enable the Coordinator-General's Office to apply the aforementioned power to align, vary or set timeframes, as well as a suite of other functions.

This includes a call-in provision, a condition-making ability, a review function, the ability to perform certain assessment processes under the Planning Act, provisions to develop infrastructure, acquire easements or land, and also for the Minister to instruct CGO to take over responsibility for a development from another state agency.

Combined, these provisions are designed to improve system-wide coordination and efficiency, provide the ability to control and manage outcomes and impacts, and streamline the delivery of enabling infrastructure.

Each of these powers are deliberately drafted to require prior mandatory consultation with relevant entities and, critically, are designed to preserve the rightly rigorous standards and requirements that apply under existing legislation. This is explicitly provided for in the relevant sections.

The most significant new concept introduced by this Bill is that of State development areas. These would serve as de facto 'go zones' for certain types of development, based on appropriately rigorous regulatory assessment of the area and following mandatory public consultation.

This is a tried and tested concept supported by industry, regulators and environmental stakeholders – one that is already operating successfully interstate and overseas as a way to de-risk and streamline development responsibly, by focusing on identifying and pre-planning genuinely suitable areas.

Provisions governing the establishment of State development areas include a range of appropriate exclusions designed to ensure our protected areas such as National Parks remain protected.

Further provisions relating to State development areas provide for the creation of a State development area plan, governing issues such as zoning of land, land use, infrastructure siting, identification of environmental matters and ensuring cumulative impacts are considered and well-managed. They would also set out the formulation of economic, environmental and social objectives for the area and guidance on how the various functions within this Bill would be used to achieve those objectives.

This Plan would require mandatory public consultation and subsequent publication in the Gazette to ensure upfront clarity among the community and proponents alike regarding the intended activities and arrangements within these areas, as well as the ability to influence them, as is appropriate.

Another key feature of State development areas would be the ability for the Coordinator-General's Office to work with regulators to carry out pre-assessments of proposed developments within them, which, once done, would enable more rapid approvals based on the rigorous regulatory process having been done upfront, thereby reducing uncertainty, risk and scope for delay.

This process would enable our statutory processes to be conducted proactively while maintaining existing statutory requirements, strengthening the role of existing regulators while delivering significant benefits to proponents.

Provisions relating to State development areas are designed to lend themselves well to the development of complex precincts and corridors, including those involving multiple proponents – for example net zero industry hubs connected to their key inputs such as renewables generation and minerals extraction.

It is important to note that no change is proposed in relation to land access pathways and multiple simultaneous land use under existing legislation and policy settings. Proponents will continue to seek this under existing legislation, with any relevant processes remaining unchanged.

This Bill furthermore applies existing functions to enter and acquire land and develop infrastructure to the newly proposed authority, primarily to assist with infrastructure provision. These provisions apply or mirror clauses that already exist in the Highways Act and Land Acquisition Act, and do not change the process, rights, entitlements or recourse currently available.

As with the large majority of planning and regulatory legislation, this Bill also includes mechanisms of last resort for one-off modifications or exemptions. This is made subject to appropriate limitations and exclusions, but – in contrast to existing Acts – to mandatory consultation, to the requirement to prepare and furnish Parliament with relevant reports, and importantly – and again, in contrast to most existing Acts –also allows for modification instead of exemption, and will be subject at all times to full Parliamentary scrutiny, in the same way Regulations are.

This will deliver a standardised, better-informed approach than many existing such arrangements, which generally neither include scope limitations nor consultation or reporting requirements, and do not always offer the ability to take the more proportionate approach of modification or provide Parliament with the ability to exercise its scrutiny through disallowance.

While this Bill shows ambition, its focus is quite deliberately on getting our own house in order. We are acutely aware that there is a lot that can be done to improve coordination and proactiveness *within* government – but it is important to avoid putting pressure on our communities and Aboriginal communities in particular. In many instances, any such efforts would be ineffective or even counterproductive.

That's why we have not included the Aboriginal Heritage Act within the scope of this Bill, and why we have included provisions that require upfront consideration and comprehensive, genuine and early-stage consultation and collaboration, which will be of paramount importance to the Coordinator-General's Office.

Finally, this Bill proposes a number of consequential amendments.

Firstly to the Planning Act – logical amendments designed to bring South Australia's infrastructure schemes in line with the scope of their interstate counterparts, while making them less burdensome and time-consuming to establish.

Secondly the Urban Renewal Act, to ensure that Act's development and implementation frameworks can operate seamlessly alongside the newly-proposed mechanisms in this Bill, and particularly to ensure cross-reference to the newly proposed Coordinator-General's Office and State development areas.

Combined, the proposed provisions will improve our state's ability to apply its planning and regulatory processes in a more proactive, place-based and efficient manner, with improved system-wide coordination. Importantly, it will do so while continuing to adhere to the high standards and protections that South Australians rightly expect.

The government recognises that while these reforms are predominantly procedural, their scope is broad and their potential impact considerable.

Accordingly, the government conducted a rigorous multi-month consultation throughout the majority of last year, involving more than 55 stakeholder meetings and follow-up meetings, meetings with more than 30 organisations, industry groups, independent experts, civil society and interest groups and regulators. During the public consultation stage, engagement was broadened to include tens of thousands of members of the South Australian community via the YourSAy platform, with more than 1,200 people accessing the consultation directly.

The government received, listened and responded to a wide range of feedback. In fact, we took extra time after consultation to ensure we truly get the balance between fostering development while protecting our environment right. As a result of this comprehensive and collaborative approach, the large majority of recommendations made were able to be adopted in the Bill that is being introduced to Parliament here today.

I would like to thank each and every one of the individuals and organisations who took the time to help shape this important and necessary reform initiative.

This Bill represents a sensible next step towards facilitating development that delivers high-value investment and jobs in future industries. It will support timely and responsible decarbonisation in a way that grows the economy.

And this Bill represents a further acceleration of South Australia's response to the ongoing housing crisis. By helping to turn large land releases into living and breathing neighbourhoods as quickly as possible – particularly by ensuring the enabling infrastructure is delivered without delay – this Bill will help get more South Australians into their own homes sooner.

And finally, this Bill ensures we are on the front foot and ready to facilitate the infrastructure and developments we need to deliver on AUKUS – keeping Australia secure and local industries thriving.

I commend this Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

Definitions are inserted for the purposes of the measure.

4—Primary principle

This clause provides for the primary principle, namely, that if the Minister or CGO performs a prescribed function in relation to a project or a function under any other Act in connection with the performance of a prescribed function in relation to a project, the Minister or CGO must have regard to the economic, social and environmental outcomes of the project (for the State as a whole and in the locality of the project), in addition to any relevant objects or principles under the other Act.

Part 2—Coordinator General's Office

Division 1—Coordinator General's Office

5—Establishment of Coordinator General's Office

The Coordinator General's Office (CGO) is established as a body corporate.

6—Constitution of CGO etc

CGO consists of 4 members nominated by the Minister and appointed by the Governor. The member appointed to be the principal member may use the title 'Coordinator General'. One member must have knowledge, expertise or experience relating to AUKUS.

7—Removal from office

This clause provides for the removal of members from office.

8—Casual vacancies

This clause provides for vacancies in membership of CGO.

9—Ministerial direction

This clause provides for the Minister to give directions to CGO. Certain limitations and procedures relate to the giving of directions.

Division 2—Functions etc

10—Functions generally

The functions of CGO are provided for.

11—Cooperation by designated authorities

This clause provides that a designated authority must seek to cooperate with CGO in the performance of CGO's functions and in the performance the designated authority's functions (insofar as may be appropriate and relevant in the circumstances).

Division 3—Related matters

12—Procedures

This clause provides for the procedures of CGO's meetings.

13—Minister's representative may attend meetings

This clause provides for a representative of the Minister to attend meetings of CGO.

14—Vacancies or defects in appointment of members

This clause makes provision in relation to vacancies or defects in appointment of members of CGO.

15—Disclosure of relevant interests

Members of CGO must disclose their relevant interests.

16—Remuneration

Provision is made in relation to remuneration of members of CGO.

17—Staff

Provision is made in relation to the staff of CGO.

18—Delegation

A delegation power of CGO is included.

Part 3—Project coordination and facilitation

Division 1—Preliminary

19—Interpretation

Certain interpretative provisions are inserted for the purposes of the Part, including *designated Act*, *designated decision*, *designated function* and *disallowable notice*.

20—Effect of Part etc

This clause provides that (except as otherwise provided by or under the measure) the Part (including a notice or other instrument under the Part) has effect according to its terms and despite any other Act or law of the State.

Division 2—Project declarations and establishment of State development areas

21—Coordinated projects

CGO may declare that a project is a coordinated project.

22—Designated projects

The Minister may declare that a project is a designated project.

23—Establishment of State development areas

The Governor may establish a specified area of land as a State development area.

Division 3—Functions—projects generally

24—CGO may vary or specify time periods relating to certain functions

CGO is authorised to publish a notice to vary a period of time applying to the performance of a function (including the making of a decision) under a designated Act in relation to a relevant project or determine that such a function is to be performed within a specified period of time.

Certain limitations and procedures relating to a notice under the provision are provided for.

Division 4—Functions—declared projects

Subdivision 1—General

25—CGO may call in designated function

CGO is authorised to call in a designated function (which is defined) for CGO to perform in accordance with the provision. If CGO calls in a designated function, the function may be performed by CGO (in accordance with the provision) as if the function had been duly delegated to it by the original entity (which is defined). A notice calling in a designated function may modify or exclude the application of a designated Act (or a provision of a designated Act) to the extent that CGO considers necessary for the purposes of performing the designated function (having regard to the primary principle under the measure).

26—CGO may impose, amend etc conditions on certain decisions

CGO may give a decision maker for a designated decision (which is defined) a notice directing the decision maker to impose such conditions on the designated decision as CGO thinks fit.

A notice under the provision applies despite any provision under the designated Act regulating or limiting the conditions to which a designated decision may be subject or the process or manner in which such conditions may be imposed or amended.

Certain limitations and procedures relating to a notice under the provision are provided for.

27—CGO may review certain decisions

This clause provides for CGO to review a designated decision (by written notice given to a decision maker for the designated decision within 10 days after the making of the designated decision (or such longer time as is approved by the Minister)).

Certain limitations and procedures relating to a notice under the provision are provided for.

Subdivision 2—Particular functions relating to State development areas

28—State development areas—functions generally

This clause provides for CGO's functions generally in relation to a State development area.

29—State development areas—planning functions

This clause provides for CGO to publish a State development area plan setting out certain planning matters for the State development area.

Subdivision 3—Interaction with other Acts

30—Division of land etc in State development area

This clause provides that relevant authority (within the meaning of the *Planning, Development and Infrastructure Act 2016*) must accept that a proposed division of land in a State development area satisfies the conditions specified in section 102(1)(c) or (d) of that Act to the extent that such satisfaction is certified by CGO. It also provides that any requirement imposed by a relevant authority under Part 15 Division 2 of the *Planning, Development and Infrastructure Act 2016* must be consistent with any provision of a State development area plan under section 29(1)(c).

31—Impact assessed development

This clause provides for the Minister to declare that a declared project or development that is part of a declared project is deemed to be development that falls within the category of impact assessed development for the purposes of the *Planning, Development and Infrastructure Act 2016*. The clause also provides for other matters relating to such impact assessed development.

32—Assessment of essential infrastructure and State agency development

This clause provides for the Minister to make certain declarations relating to essential infrastructure and State agency development under the *Planning, Development and Infrastructure Act 2016*.

33—Applications for prescribed approvals under *Mining Act 1971* or certain designated Acts

This clause provides for the Minister to declare that an application for a prescribed approval (which is defined) in relation to a declared project may be made to CGO (instead of the person to whom the application would otherwise be required to be made under the *Mining Act 1971* or another relevant designated Act). Such a declaration has the effect of substituting references to the Minister under the *Mining Act 1971* or other relevant designated Act with references to CGO for the purposes of the application for the prescribed approval.

Subdivision 4—Expedited approval where regulatory requirements satisfied

34—Definitions

Certain definitions are set out for the purposes of the Subdivision.

35—Statement of regulatory requirements for facilitated projects

This clause authorises CGO to prepare and adopt a proposal for a project in a State development area for the purposes of promoting development in the State (defined as a *facilitated project*). CGO may direct a responsible entity (being the entity responsible for granting an approval under a designated Act in relation to a facilitated project) to prepare a statement of regulatory requirements in relation to the facilitated project. After complying with the procedures under the provision, the responsible entity must publish the statement and (if it considers that the facilitated project meets the requirements of the designated Act) issue a certificate (a *facilitation certificate*) to that effect and publish it in accordance with any requirements of CGO.

36—Expedited approvals where facilitation certificate issued

In connection with the preceding provision, this clause provides that, if a responsible entity has issued a facilitation certificate for a facilitated project, a person may apply to the prescribed authority (which is generally CGO, but in certain circumstances is the Minister responsible for the measure or another Minister designated by the Governor) for an approval under a designated Act in relation to the facilitated project in accordance with the section. Subject to certain requirements and procedures under the provision, the responsible entity is authorised to grant the applicant an approval under a designated Act in relation to the facilitated project.

Subdivision 5—Other functions

37—CGO may be authorised to undertake essential infrastructure works

This clause provides for the Minister to authorise CGO to undertake essential infrastructure works for the purposes of a declared project.

38—Entry onto land etc

This clause provides for a person authorised in writing by CGO to enter and occupy land for a designated purpose (which is defined).

39—Compulsory acquisition of land

This clause provides for CGO to acquire land (with the consent of the Minister) and applies the *Land Acquisition Act 1969* to the acquisition.

40—CGO may take over State projects

This clause provides for CGO to take over State projects (which are defined).

41—Revocation of community land classification for land acquired

This clause provides for community land under the *Local Government Act 1999* to be disposed of by a council, with the approval of CGO, in connection with the acquisition of the land for the purposes of a declared project.

Division 5—Other matters

42—Disallowable notices—protected areas and general environmental duty

Certain limitations are imposed on disallowable notices in relation to protected areas and in respect of the general environmental duty under section 25 of the *Environment Protection Act 1993*.

43—Disallowable notices—consultation and publication

Certain requirements are imposed in relation to consultation on, and publication of, disallowable notices.

44—Disallowable notices—Parliamentary scrutiny

This clause provides for Parliamentary scrutiny of disallowable notices.

Part 4—Miscellaneous

45—Limitation on time allowed for appeal or review of decisions

This clause provides for a limitation on the time allowed for an application for appeal against or review of a decision made in connection with the operation or administration of the measure.

46—Certain applicants to provide reports, information or material

The clause authorises CGO to require regulated applicants (who are defined) to provide reports, information or material.

47—Provision of information

The clause authorises CGO to require the provision of certain information by a designated authority.

48—Confidentiality

CGO is prohibited from disclosing certain information except in certain circumstances.

49—Amendment of notices etc

The clause provides for the amendment of a notice published in the Gazette under the measure.

50—Recovery of costs

The clause authorises CGO to recover, as a debt due from a proponent of a project, reasonable costs incurred by CGO in relation to the performance of a function for the purposes of the project. CGO must obtain the consent of the proponent to do so.

51—Annual report

This clause requires CGO to prepare an annual report.

52—Regulations and fee notices

A standard regulation-making power is provided for.

Schedule 1—Designated Acts

This Schedule sets out the list of designated Acts for the purposes of the measure.

Schedule 2—Disclosure of relevant interests

This Schedule provides for the disclosure of relevant interests by members of CGO.

Schedule 3—Related amendments

This Schedule makes related amendments to the *Planning, Development and Infrastructure Act 2016* and the *Urban Renewal Act 1995*.

Mr TELFER (Flinders) (15:42): I rise to speak today on what is really a pretty significant bill, which puts in place another mechanism into the system of planning and development. As I will put forward in my speech, the opposition like the concept and are looking for clarification through the committee process on a few different matters.

The State Development Coordination and Facilitation Bill 2025 establishes the Coordinator-General's Office. It is stated that the purpose of the office is to manage 'projects of importance to the state' and to advise on how to improve delivery of such projects in state development areas (SDAs). It is putting a structure in place when it comes to some of these strategically important projects.

I can only assume that the genesis, or at least a bit of the guidance towards this bill, may have come from the South Australian Productivity Commission's work, their inquiry into the reform of South Australia's regulatory framework that was published on 29 October 2021. It is certainly something which has been on the radar of this side of politics, and thus that is why I am only assuming that it is something that has helped guide, at least the early stages, what we are debating today.

The final report of the Productivity Commission was prepared after consultation with South Australian regulators, state government departments, industry associations and businesses, as well as careful deliberations on the submissions which they put forward. When considering similar policy areas or similar directions to what we are debating today, I am certainly taking their wisdom into account.

That Productivity Commission report said the South Australian Productivity Commission was tasked to identify regulatory reforms to better support investment, reverse negative productivity trends and foster economic growth while protecting public interests. South Australia's business regulatory framework was examined against leading international and national practice. The commission report recommended that these shortcomings, relative to best practice, be addressed by strengthening governance, policy guidance and policy capabilities, building on existing governance arrangements where possible. The commission stated:

> To increase transparency and accountability and drive improvements in regulator performance the Commission proposes the SA Government establish a statewide framework for monitoring and reporting on performance.

They made the statement around this being complemented by statements of expectations for business regulators and initiatives to improve their capability, such as training and regulator communities of practice. I was very interested to read, in reviewing a lot of the works of the Productivity Commission put forward, their conclusion at the time in this report from 2021. It states:

> South Australia's regulatory framework generally supports effective practice throughout the different stages of the regulatory life cycle. [On the whole], the current regulatory architecture does not deviate substantially from the standards of better practice implemented in other Australian jurisdictions.
>
> Nonetheless, the Commission considers that the overall efficiency and effectiveness of [South Australia's] framework could be strengthened by pursuing an even closer alignment with the better practice principles developed by the OECD.

It continues:

> Significant benefits could be achieved by improving the coherence and timeliness of regulators' decision-making through enhanced coordination, increased digitisation and by embedding continuous improvement more effectively within the state's regulatory architecture.

It states:

> The Commission's analysis of the different stages of the regulatory life cycle shows that some areas, including both ex ante and ex post evaluation, could be strengthened by the creation of a small centralised continuous improvement, advisory and oversight function within a central agency of the South Australian Government.

When we are considering this quite comprehensive bill today, and as the debate continues and questions get asked, this is the direction that came into my consideration, from the Productivity Commission's recommendations. As we look through this bill, we see a bit of the framework that the government is putting forward. I note that the CGO, the Coordinator-General's Office, is to consist of four members, one of whom must have 'knowledge, expertise or experience relating to AUKUS'.

This is obviously in the shadow of the opportunity but also the challenges that our state is going to have to deal with not just in the short and medium term but also in the long term with the opportunities that the AUKUS agreement brings for our state. It is something that I will unpack a little bit more through the questions in the committee stage as to some of the reasoning and justifications for this being part of the process.

The Coordinator-General's Office, under this bill, would effectively operate as a special projects department, with responsibility for oversight of major projects in these state development areas (SDAs). This would be in addition to the oversight and regulatory burdens already borne by the existing department within the state government. Importantly, this bill does not define where one of these SDAs can be geographically located, so it could allow potentially for major housing and defence projects to be located within the Greater Adelaide region but also, I hope, could be utilised for looking at potential opportunities within regional areas.

I was interested in the media coverage from *The Advertiser* a couple of weeks ago, on 8 February, where the commentary around this project, this bill, was included. It said that the CGO will reduce the regulatory burden on businesses to allow for increased economic activity in addressing housing and employment shortfalls.

That commentary in the media was interesting, because in my reading of the bill and even I think in the government's own press release it does not say that that is what this bill will do. The press release's words were that it ensures 'the regulatory work will have been done ahead of time, allowing for quicker approvals within them once an application is made'.

As I said, this side of parliament is certainly cognisant of the potential advantages for our state with this office coming into play, but we also have to be aware of exactly what it does. It does not really reduce the regulatory burden overall. Rather, it shifts that burden to earlier in the process with all regulations remaining in place.

Thus, there are really two possible outcomes when considering economic activity expansion. Firstly, instead of receiving unsolicited proposals, the government allows itself to pick winners before the private sector has an opportunity to perhaps conduct its due diligence, forcing the private sector into an obligation to follow government instructions on development. This is one, as decision-makers, we do have to be careful of, because as we all know—it does not matter whether we are a new backbench member or a well-experienced member on the front bench of government—we do get all sorts of different proposals and projects and opportunities that come across our desks.

The discussion that we have had through question time over the last few days and unpacking what the future of the Hydrogen Jobs Plan means for South Australia is a classic example of there being risks for government being the ones that are dictating either a location, a design or a structure for an economic opportunity without an input of what the private sector is trying to guide. This is the risk that we have to be aware of when considering this sort of legislation.

The second possibility that there is within this framework is that the CGO is merely an extra department with its own demands and regulations in place. The overall concept of a major projects manager really is consistent with examples that we have seen in times past. Indeed, the Olsen Liberal government back in the 1990s had something similar in place. This is why, upon reading the legislation, there are some aspects which I am cautious and uncertain about and hope to get some clarification from the Treasurer throughout the committee process.

There are definitely positives in this bill, not least of which is found from section 28 onwards, where state development areas will be assessed for existing infrastructure, required infrastructure and environmental values and issues within an SDA, and that the CGO may undertake infrastructure works where necessary to facilitate development. From my perspective, such preplanned advice and government responsibilities are certainly long overdue and should be welcomed. Another one which I think is a positive step is the limiting of appeal times against decisions made being capped at 20 business days. It is another major improvement on current systems. However, I believe there is room for improvement within this bill.

Over the last couple of weeks, I have had a number of conversations with stakeholders, with industry, with industry groups, and there is cautious support, I probably would say. There are still many uncertainties and apprehensions. We will take the time between the houses to consider if this is something which we may look to fine-tune with amendments that the opposition may bring before it is considered in the other place. This is the sort of structure that we need to get right as decision-makers, because it can be something which can help enable the financial and economic opportunities of the state, or it could end up being something that languishes and potentially even creates another level of bureaucracy or another level of hurdles for potential private investment.

There certainly remains a level of uncertainty, especially around some of the ministerial discretion over the CGO within the bill and, again, this will be something that I will ask the Treasurer about, allowing for potentially a degree of politicisation within the CGO. That is something where I look back at other examples throughout the years—decades even—of this sort of thing being in place and I think that usually where they tend to fail and trip over is when the politics of either side get involved and things can fall over pretty quickly. There is a level of ministerial discretion here, and in addition to the failure of the bill, really, to abolish any existing regulatory burden already present within the legislative obligations or regulations that we have to deal with.

There is an opportunity to consider the requirement of the CGO upon completion of prioritised regulatory work to provide a submission to the government of the day on the potential of the abolition of existing regulatory requirements, where the CGO deems it to be of future public benefit. Given the access to resources provided to the CGO under section 17 of this bill and the possibility to set up the CGO as not just a red tape buster but as a red tape cutter, I think that potential could assist in encouraging future growth in the face of potential blockages; for instance, limiting the appeal time to 20 business days for all future developments and not just ones that are being decided on by the CGO

within those SDAs. That could create economic opportunities outside of those that have had the focus of the government of the day, the CGO of the day that happens to designate this SDA.

The challenges around ministerial discretion I have touched on and will continue to do so. The ministerial discretion over the CGO also presents opportunities for development in the state's interest rather than what may be a narrow political one if there wasn't that discretion, as opposed to what we currently have there. As I said, we on this side are going to be considering the feedback that we are hearing from industry and from those who are having to deal with this current level of bureaucracy within the planning system and see whether there are amendments which potentially could be put in place to take a bit of that potential politicisation out of the process. This is a theoretical thing—and I am not accusing the current government or the minister that would have responsibility that they would be wielding their political might to try and direct the CGO, but, if there is something in a piece of legislation that allows it, it is something we need as lawmakers to be absolutely cognisant of.

The other thing I think we can probably consider looking at on this side is the constitution of the CGO, which maybe can allow for superior private sector and regional involvement in the processes undertaken, so there is that real reference back to the reality of what is happening within the system. Under section 6 there is the potential for us to be considering amendments and, as I said, in between the houses I am going to be having a look at those opportunities, because there is a designation within this legislation that one of the members has to have—what was the actual wording around the AUKUS involvement: 'Knowledge, expertise or experience relating to AUKUS', that specialised capability. If we are going to be proactive about looking at the future of the whole state of South Australia, I think there potentially could be the opportunity to specify that a member of the CGO should have a regional experience expertise knowledge when it comes to trying to look at what opportunities there are within regional South Australia.

With those words, I have outlined where my initial thoughts are with the structures that are in place currently with the drafting of this bill. I look forward to any other contributions and the committee stage. I cautiously approach this with an optimistic view of what could be a positive opportunity for our state if it is delivered well and if it is managed well. As I said, we will be considering over the next period of time, before it is considered in the other place, ways that we as the opposition might put forward things to fine-tune and better this piece of legislation. With those few words, I look forward to the next stage.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (15:59): I thank the member for Flinders for his contribution and his willingness to consider the bill this afternoon. I think he summarised some of the issues quite well, and that is that the introduction of this regime via legislation is an effort to try to improve project consideration processes within government, and getting it right can unlock a significant opportunity to expedite projects of varying significance and scale. I reaffirm for the house that that is certainly the aim of this legislation.

I also acknowledge that the member for Flinders is right to want to interrogate how that is proposed in this legislation to be best achieved. In that respect, we look forward to the committee stage, where we can have those discussions and hopefully outline some further information to address those queries from the member for Flinders. With that, I commend the bill to the house.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr TELFER: When considering any bill, it is often a broader perspective than when considering the short title, obviously. Treasurer, can you perhaps outline a little bit for the house? Obviously, I have not read the aspects that have been inserted into *Hansard* yet, so I await with anticipation what further explanations may be put there, but can you perhaps for my information explain some of the motivations and the purpose behind this bill, the justification and how you came

to the point of putting forward this bill, which, as we heard before, is broad in the purposes at the start but also does include some specifications around specific inclusions that it is looking to achieve?

The Hon. S.C. MULLIGHAN: I thank the member for Flinders for his question. I agree that he has been without the benefit of the details of the second reading speech; ironically, as am I, as I have handed it to the house staff. Luckily, we have an adviser to assist the member for Flinders and I through the consideration of the clauses.

Very, very generally speaking, this is a more detailed and nuanced version and this time established in legislation to have a Coordinator-General here in South Australia—a much more sophisticated and advanced regime than we had following the global financial crisis and the management of a series of projects largely around the BER (Building the Education Revolution) projects, when the government chose to appoint directly a Coordinator-General who was given authority by cabinet to corral the various government agencies that each have a role in making decisions that would allow for particular types of development. That was the old, if I could put it colloquially, less formal model of having a Coordinator-General, and the experience was really good.

There are those of us who have followed these issues for a long time, and I know the member for Unley would be aware of these: there were other states that also received significant amounts of money for the Building the Education Revolution projects, and some of those states and many of those projects in those states were beset by time and cost overruns, poorly defined scope, difficulty getting to market, etc.

In fact, I can remember an exposé of one particular project in the Eastern States, which was a single-storey cream brick building on a school site, which was delivered to the outrageous sum of $600,000. Of course, in today's terms you would think back on those days and think, 'Jeez, if only.' Aside from that lighthearted remark, the experience in South Australia worked well and it has forever really engendered calls, particularly from the development industry, that the government of the day would revive a similar type of regime.

What this government is doing through this bill is trying to establish a Coordinator-General as a statutory office with a statutory officer leading it and providing, as is clearly defined in this bill—and it is quite a detailed bill—a clearly defined regime by which different levels or different types of developments can be undertaken. Each of those different types of development are described in the bill as a 'coordinated project', a project that can be nominated by the Coordinator-General for that officer to take on quite limited powers or involvements in the planning application and consideration process.

There is a higher level of involvement, which is referred to in this bill as a 'designated project'. That is a project that is nominated by the relevant minister and that enlivens a broader range of powers and capabilities of the Coordinator-General under this act. There is something that the member for Flinders referred to, the state development areas, which have to be approved by cabinet and recommended to the Governor for approval. That enlivens the full range of powers under this act.

We understand and admit it will take some time, particularly for the development industry to become conversant with this and know whether they should be availing themselves of any of the powers under this act or not and, if they are, what sort of stream they should be following and what sort of support they can expect from the Coordinator-General. That is the first thing.

The member for Flinders also referred to the government's existing unsolicited proposals process. It is probably worth me going back over a bit of history. Again, a seasoned campaigner like the member for Unley would remember the genesis of the unsolicited proposals project where recommendations were made by the Auditor-General, I think, in a couple of subsequent annual reports, that there should be a formalised policy within government for government to have a regime superintended by senior public servants and not ministers to consider proposals that come to government on an ad hoc and hence unsolicited basis, so that there is a regime that can assure the community that there is probity and equity for the remainder of the community about how those propositions are put forward.

That, I guess, is something else I would say in this context. This is not necessarily meant to displace the Auditor-General's concerns in that regard and hence the unsolicited proposals process. This is meant to be a far broader regime, far more broadly available to the industry so that they can get some further and better assistance in government when considering and dealing with their development proposal, whether that is a yes or a no ultimately.

Mr TELFER: Some of this is obviously hypothetical or a summation, but has there been any work done, looking back at other projects, as to what the potential time reductions or financial benefits there may have been with previous projects and thus those sorts of advantages that you can point to for potential future projects, as far as time and money basically. They are one and the same, really.

The Hon. S.C. MULLIGHAN: I can, I guess, speak figuratively without pointing to a particular project that we have experienced, but by way of example if the Governor on recommendation of the government declares a state development area, that will enable the Coordinator-General and the agencies involved to do a whole lot of preliminary work which can then be used as a baseline by proponents for particular developments.

I am not saying that this is going to be one, but you have mentioned, quite rightly, in your second reading contribution the concept of having somebody involved in this regime who is familiar with AUKUS and that is because, for example, we recognise that there are going to be parts of the state, in particular the Osborne shipyards and potentially a growing precinct around the defined shipyards, that are going to need to be really significantly developed in a way that they are not at the moment.

In that respect, if this was applied to that example, then you may be aware that the government has already undertaken to conduct a master plan for the entire Lefevre Peninsula which would include setting out where, for example, some of those major utilities needs will be, whether it is power, water, gas and so on, as well as—it was not in my electorate but quite adjacent to it—making sure that all of that next 50 or 100 years of sea level fluctuations or overall increase is taken into account for future developments in that area. That is a long way of saying that getting all of that kind of baseline work done by the Coordinator-General in the state development area means someone can then bowl up as a proponent and they have far less of that preliminary work to do. That is one example.

The other example is defining timeframes for consideration of particular decisions that need to be made at the moment by discrete government agencies. For example, whether it is the EPA, whether it is the Department for Infrastructure and Transport, whether it is native vegetation or an environmental clearance and so on, actually defining the time inserts a level of certainty into the process via this regime that I think most people in the industry are absolutely crying out for.

The old adage is that the worst decision you can get from government is no decision, because it is just that uncertainty. People have all this capital that they have corralled to invest into a development, and when you cannot get a clear timeframe or a decision out of government, it kind of sits there not deployed, and with year-on-year construction inflation, the cost of the development goes up. If there are further questions down that route, I am happy to take them, but they are two very broad, indicative examples about how time and hence cost can be saved.

Mr TELFER: Further on from that, the risk—and I spoke about it in my second reading contribution—is if it is government that is trying to set up that foundation, that framework, that starting point, doing that initial work, it could misjudge and put a whole body of work into an area, a location, an industry which may not come to fruition. This is why I was flicking through before, not fail safes, but what accountability do you see within this? Is it back to the responsible minister, back to cabinet?

You want effective, efficient and productive use of government resources. There is the potential for a whole big body of work to be done that is, in the end, wasted. So what accountability measures do you see will be necessary that I have not picked up yet? I have a stack of questions nuancing the finer detail, but this is that overall broader perspective on that.

The Hon. S.C. MULLIGHAN: That is a good question. Firstly, for the state development area, how do you make sure that is not wasted effort or, worse, maybe intruding on an area that somebody, for example in the private sector, is already looking at doing? The process will require a

mandatory six-week public consultation process before that recommendation goes to the Governor. That would enable anyone, really, but affected parties—including members of the development industry, let alone locals around that area and so on, councils and interested stakeholders—to contribute to that consultation process and for that to be considered before that recommendation is considered by the Governor.

Mr TELFER: That other one was a supplementary, sir. I am happy to do it on one of the other 52 clauses, if you want.

The CHAIR: Member for Flinders, I will give you another question—behave.

Mr TELFER: Treasurer, obviously this is a piece of legislation that has many different facets across departmental lines. Which departments were specifically involved in the planning or the drafting of this bill?

The Hon. S.C. MULLIGHAN: There is a longstanding forum of senior public servants called the Economic Officials Committee and that comprises all economic-related departments as well as all regulators in government. But to give you an idea about who that comprises and who was hence involved in the compilation of the bill, it was led by DPC. It obviously included DPC, and the Department for Environment and Water, the Department for Housing and Urban Development, the Department for Energy and Mining, the EPA, SA Water, Treasury, and if there are any others as they come to mind, I will update my answer. But it is largely pretty much everyone involved in the economy.

Mr McBRIDE: First of all, thank you for the opportunity to speak and, minister, may I wish you good luck with the pursuit of this bill. No doubt it will pass this house without any sort of voting issues; as we know, the numbers are on your side.

When I was allowed to have the briefing on this piece of legislation, I actually understood and I can actually understand why you are doing this. But I have got some really clear questions that I hope the government will ask itself. When I asked what is the interpretation of this State Development Coordination and Facilitation Bill 2025, it was explained to me that you are going to create a committee or a body of people to watch legislation work its way through parliament. I instantly responded, without interjecting, and said, 'Don't you think there are enough people watching already?' With that, they smiled. I was not trying to be rude, but that in itself can be an issue in the sense that we are all watching, but what are we doing about it?

My question to you then, minister, is: how do you measure the success of this new committee and how can you tell that you are actually implementing something that actually does work and works more effectively and efficiently compared to prior to the date of this commencement and this committee actually acting in the way you want it to?

The Hon. S.C. MULLIGHAN: I thank the member for MacKillop for his question. I was preparing in my mind to answer how this was directly going to benefit the constituents in MacKillop, but I trust that will be a subsequent question.

I am not sure; I was not at that particular briefing that the member for MacKillop had. I would hesitate to agree that the description of this was to create more people to watch legislation through parliament. The member for MacKillop might say, 'Haven't we got enough people watching legislation go through parliament?' Well, I am not sure there are enough, because we are not selling tickets, clearly, for the limited seating that we have in this place.

Mr Telfer interjecting:

The Hon. S.C. MULLIGHAN: It is all streaming. The strongest source of revenue for the state's coffers is the Kayo subscription for parliamentary proceedings. So, I do not think it is that, but how will we know whether this is a success? I cannot nominate a number of projects or identify with specificity how many weeks saved, how many dollars saved and so on in considering those projects.

I think the member for MacKillop would be aware, as many of us are, that the development industry has been calling out—as I mentioned in my first remarks during this stage of the bill's proceedings—that they would like to see some regime like this to give greater certainty to the consideration of the projects and the proposals that they put forward and to how they are considered.

People will have views about whether this is the right structure and format and whether the timeframes are appropriate and correct, but what this does is establish into law certainty around the processes involved and give an avenue for a proponent of a development the resources of government to assist them to get decisions made in a timely way.

As I mentioned before, half facetiously, the worst thing that happens in government considering projects or proposals put forward by proponents is that it just gets sucked into a black hole—or, given my upbringing, I would use a *Star Wars* reference and say the Sarlacc slowly digesting it over a period of 10,000 years of agonising pain; I think that is the quote from *Return of the Jedi*—and that is the last thing the development industry wants to see. Notwithstanding that every now and then a Boba Fett will emerge unexpectedly from the Maul of the Sarlacc and continue on their merry way, we want to remove that type of uncertainty, member for MacKillop, and ensure that there is a far swifter process.

Mr McBRIDE: I thank the minister for his detailed, good answer. I understand your intentions here too, minister, and from the perspective of your government. One of the things I had the opportunity to do when I had the briefing was to explain what I have seen happen to the planning code, which has gone down from 22,000 pages to 4,000 pages. In particular, which I think is actually what your government is trying to do here, if someone goes into the planning code and says, 'I want to buy a house' and you are going to make this house a really simple house—so that it meets some really good, straight criteria: so far from the street, so far from your neighbours, such a height with such a roof, so big—it is a four to six week process.

Guess what? When you start wanting to go to three storeys and have cellars, and impede on your neighbours and perhaps impede on a streetscape it all becomes a lot harder, particularly if you might want to stick four houses on a block that only had one. All that becomes a lot harder. In this process, you are actually trying to do the same thing but it feels like you are looking in the rear-vision mirror rather than looking through the front windscreen.

I have heard your language on the other side: that you would love to see more infrastructure in SA Water and pipelines and you would love to see more wastewater pumps and pipelines taking wastewater away to the treatment plants, you would love to see housing divisions and subdivisions and house builds in Adelaide, and you even know where they are because you have listed them and labelled them in southern suburbs and northern suburbs.

I am saying: why don't you roll out that development plan and say, 'This is what you have to do, Mr Developer; this is where the money needs to be spent. And guess what? We have the legislation here, ready, done and dusted, passed through the parliament.' If you put half-a-metre pipes through the streets of this place and onto that development, you are going to have the sewerage works, septic works and everything else done rather than expecting the developer to come through and work through it.

We find ourselves in this beautiful place today, with the political grandstanding and all the positions of power that we know exist, and then what we are going to do is add another layer of people in here to look—I am a little bit cynical when I say 'look'; I am hoping they do a lot more than look—at legislation that potentially gets stuck.

Minister, my question to you is: is there an opportunity with this committee—or this new level of bureaucracy that sits underneath what they call a State Development Coordination and Facilitation Act 2025—to be a little bit more proactive and look through the front windscreen in the direction in which we are going and get the legislation and the development codes and plannings all done, so when the developers say 'We're going to do this, we want to do this', here you go; it is done, it is passed, and we do not have any more politics involved?

The Hon. S.C. MULLIGHAN: Thank you, member for MacKillop. They are salient points that you raise there. To continue on with my popular culture references, my learned adviser here advised me to tell the house that I could say, as Meatloaf would have, 'You took the words right out of my mouth.' That looking through the front windscreen, getting all of this preliminary work done, making sure that if there is a large, for example, land release for housing, in line with the member for MacKillop's example that he gave in his question, this is what a state development area declaration could do.

It would enable that far out from the time when a developer is actually ready to start construction of the houses. A coordinator-general can do all of that preliminary work about where should the utility infrastructure go, what specification of potable water infrastructure should there be and how should that augmentation be provided to that particular land, where should the pipes go, and so on, and also the same with sewage, same with electricity, same with gas, and so on. That is not the purpose but a purpose of this bill, and that is just for housing development.

If we are talking about broadscale industrial development into the future somewhere out in regional South Australia, whether it is for a renewable energy project or a mining project or whatever, we will also be able to do the same sort of thing. With particular reference to that state development area, that is exactly the same. I think we are striving for the same outcome.

Mr McBRIDE: I have one last question, then I am just going to leave you to it and wish you all the best. What assurity can the minister give the parliament about this new bill here, that the new body that he is developing will potentially be of benefit for development, benefit for the government, benefit for the state, that it will be about fast-tracking and moving developments through this parliamentary system and that it does not become a power horse of its own where they say, 'Well, it is not going to happen unless we give our authority. If you don't come through us, we are not going to get this through the house.' That becomes almost an authority to move developments through, but all of a sudden it grabs the reins and starts pulling on the levers of government, politicians, bureaucrats and the decision-makers that all work off this Parliament House.

What assurity can the minister give that this other level—and someone might say it cynically but I am going to be hopeful and keep my fingers crossed—is a good idea for the development of the state and does not become another level of bureaucracy that just gets in the way, particularly if it does something that they may not like or something the parliament might not like, or a sitting member of Flinders might want out in the Eyre Peninsula, but all of a sudden this body says, 'No, over our dead body. We are going to give that to the member for Flinders because we need it, hopefully in MacKillop?' How do we make sure this body does not become the elephant in the room that then takes over and controls legislation through this place?

The Hon. S.C. MULLIGHAN: It is a good question and an important one to raise because that would be the worst outcome, if we went to the effort of contriving this regime and getting it legislated and it actually had the opposite effect to what was intended. I completely understand his concern in that respect. We have heavily consulted on the bill, particularly with industry groups and also with those groups sometimes who find themselves opposed to certain types of developments, including—I am not targeting them—representatives of the environment lobby. They do not share those concerns. They think we have the balance right—so both industry and people who usually raise concerns about fast-tracking development approvals. There is also quite a significant transparency regime, not after the fact in an annual report, although there is an annual report, but in real time as well.

Published on a website as well as gazetted in the *Government Gazette* will be what is under consideration and the decisions that are being made. Hopefully, that gives some transparency around how the Coordinator General's Office and the Coordinator General carry themselves in executing against their task.

I also think, though, that all of us—and by that I mean all members of parliament—would be the first to know if the user experience by proponents of developments was worse than present or not even a significant improvement on the present, because this is not meant to circumvent consideration of environmental approvals or transport-related approvals or utility-related approvals. It is meant to coordinate them and expedite them according to those decision-making frameworks.

I remember when I first became transport and infrastructure minister over 10 years ago now. There are no prizes for guessing who would have provided this commentary. I had one proponent say, 'I am currently trying to get development approvals for 41 service stations in 41 different council areas with 41 different sets of requirements from each of those councils. That is just from the council. Then I have to deal with the Department of Planning, Transport and Infrastructure,' as it was back then. I have never found out whether this rumour is true, but the story goes that the reason why On the Run changed its brand colour from green to black was its proximity to traffic lights. I hope that is

an untrue fable of bureaucracy, but that would be an appalling state of affairs if that was true and that was the sort of red tape that was being tied around proponents.

Coordinating approvals so that somebody does not have to go and get their development approval from councils, subject to whether Transport is happy, and then go and get the ingress and egress to the development approved by Transport, no doubt after repeated and varying requests for traffic modelling, and then have to go to SA Water and so on—that is what this is designed to alleviate and expedite.

I am pretty confident, of course, that the way in which this bill has been structured will achieve that, but if we are not successful, if this passes the parliament and is established and we are not successful, then I am very certain that proponents and representatives of the development industry will be the first to let us all know.

Clause passed.

Clause 2.

The CHAIR: Which clause is next?

Mr TELFER: Let's go to clause 2.

The CHAIR: Let's not rush it.

Mr TELFER: No, definitely not. We chuckle, but this is a pretty substantial bill that I am trying to get through. Minister, you referred to the consultation that you have done with industry and the like. Can you outline some specifics perhaps for me about who you consulted with in the development of this bill?

The Hon. S.C. MULLIGHAN: I am just trying to find some particulars on the organisations, but I will give you some overall information about how the consultation was run. Firstly, obviously within government, reflecting the earlier question about which agencies were involved and so on, that ran on an iterative basis between February 2023 and December 2024, and then we had targeted external consultation between February and March 2024 for about a month. That was a targeted consultation supported by a discussion paper and the stakeholders were industry technical and expert groups, including industry bodies, universities, former Coordinators-General and so on.

Then we went out for a second round of targeted external consultation with the draft bill. That was with the same groups—industry technical and expert groups, including industry bodies and universities and also independent regulators, environmental non-government organisations and the Law Society. Then stage 3 was the full public consultation in August 2024, so that was the draft bill plus all of the relevant papers that went with it. There was a public consultation process via the YourSAy website. It was announced and promoted on social media. There were direct calls for submissions to previously engaged stakeholders and then a follow-up engagement, a fourth stage, between August and October 2024, and further discussions with key groups, including housing and environmental groups to ensure that the bill was workable.

So there were 55 direct engagements with particular stakeholder groups and those included either virtual or in-person meetings and workshops, including some multiple sessions with key groups, direct emails to seek written feedback to others, presentations, workshops and webinars with industry bodies and their member businesses. I am advised more than 36,000 South Australians were advised directly of the public consultation on the bill through direct email and 1,200 people were engaged with the online consultation on YourSAy.

We received several dozen formal submissions and responses to those solicitations for written feedback. The large majority of responses, I am advised, were supportive with support coming from a broad range of different sectors. Our understanding, based on careful further engagement with the environmental sector, is that we have been able to address the majority of their concerns to their overall satisfaction, trying to strike a balanced approach.

I will whip through a list, because it is lengthy, in no particular order: the Smart Energy Council; the Property Council of South Australia; the University of Adelaide; the Urban Development Institute of Australia; the South Australian Business Chamber; the South Australian Chamber of

Mines and Energy; Flinders University; the University of South Australia; the Premier's Climate Change Council, including the external members of that council; Iberdrola Australia; the Defence Teaming Centre; the Association of Mining and Exploration Companies (AMEC); the Australian Energy Producers; the Law Society, as I mentioned earlier; the Climate Council; the Local Government Association; the Conservation Council; the South Australia Nature Alliance; the Coast Protection Board; the Native Vegetation Council; the South Australian Heritage Council; the Clean Energy Council; Ai Group; the Australian Industry and Defence Network; the Space Industry Association of Australia; Regional Development Australia; the Planning Institute of Australia; the Pastoral Board; Fortescue Future Industries; the Australian Land Conservation Alliance; the Housing Industry Association South Australia; ElectraNet; ReNu Energy Limited; Green Building Council of Australia; ECOSSAUS Australia, which is quite the acronym, even for government; the Parks and Wilderness Council; the South Australian Wine Industry Association; and the City of Onkaparinga.

Mr TELFER: That is a comprehensive list. Thank you; I appreciate that. Obviously we are in some interesting/challenging economic times at the moment and looking back at projects which could have been advantaged by something like this being in place is important, but so is looking ahead at what potential economic activity there could be and the challenges specifically within regional South Australia of working through some of the restrictions that they have to deal with.

Was there consideration given for the constitution of CGO to include the provision for someone who has specifically regional experience and knowledge, that specification which you provided with the AUKUS aspect? Was that consideration given as part of the development of this?

The Hon. S.C. MULLIGHAN: Generally speaking, yes, but I think the way in which that would find its voice is in one of the four nominations from the minister. While the example I gave earlier to the member for MacKillop about housing might indicate that if there is a particular need for the government of the day to try to expedite large areas suitable for future housing development that might encourage the declaration of a state development area for that purpose, we might want to do the same thing in a regional area, for example, if it is related to—

Mr Telfer interjecting:

The Hon. S.C. MULLIGHAN: Yes, port project, renewable energy, mining-related infrastructure, whale infrastructure and enabling infrastructure for that, for example, on the Eyre Peninsula. That might then lend the government of the day to think, 'Do you know what? We have a regional heavy workload coming up and it would be good for us to have somebody with regional experience or familiarity, as we have done in the past.'

Mr TELFER: Just following on from that then—and I would not ever assume, as I said in my second reading speech, that this reflects on the current government, minister or decision-makers—what safeguards are in place to ensure that the CGO is not simply stacked with political appointees of the minister's preference? What safeguards are in place to ensure a genuine diversity of experience, knowledge and skills, as opposed to identity politics or diversity for diversity's sake or that sort of thing that government can be certainly be accused of if there are not those safeguards in place?

The Hon. S.C. MULLIGHAN: I think it is a reasonable question, because this body is going to require some pretty specific subject matter expertise, and the concern that the member raised is about making sure that this is not stacked with political appointees that mean that the office cannot achieve the ends that it is designed to. We all like politicians. Some of our best friends are politicians, no doubt.

Mr Telfer interjecting:

The Hon. S.C. MULLIGHAN: What did Paul Keating say? 'If you want a friend in politics, get a dog.' I think that if this office does not have a range of people who bring the right skills to the office, that enable that detailed and really particular consideration of quite technical planning and development matters, it is just not going to work. They also have to be appointed by the Governor and, of course, gazetted, so there will be transparency about who is being appointed to this and whether they are capable.

Similar to how the previous government established Infrastructure South Australia and we have carried that on, that has continued a membership of people who are pretty deeply experienced in infrastructure planning or delivery. In a similar vein, we think that this body is going to need a broad range of people with those sorts of planning and development shots as well.

Clause passed.

Clauses 3 to 5 passed.

Clause 6.

Mr TELFER: Treasurer, this clause is obviously talking about the constitution of the CGO and a bit of that specificity around membership. To unpack that a little bit, the clause states that there must be provision made for one member who has 'in the Minister's opinion, knowledge, expertise or experience relating to AUKUS'. Why is that left to the discretion of the minister rather than outlining criteria or will there be specific criteria that may be included in subsequent regulation? The broad aspect of 'knowledge, expertise or experience relating to AUKUS' does not necessarily say it is an engineer or someone with qualifications. It could be someone who was doing the media for an associated business. That specificity is not here. Is it envisioned to be included in regulation or do you believe that the criteria that says it is up to the minister's opinion is the structure that is adequate?

The Hon. S.C. MULLIGHAN: I am not sure that there is a plan to more particularise those qualifications which would satisfy the minister or, indeed, the parliament that somebody is AUKUS-capable. If I can give a simile elsewhere in the public sector, we have long had an organisation as part of the public sector now called Defence SA, which started out as the defence unit, and we have tried to have the chief executive of that organisation as somebody familiar with the defence industry in some way. Initially, it was retired Rear Admiral Kevin Scarce who was recruited from the Royal Australian Navy, and he was in fact in charge of naval procurement for the Navy. We recruited him at a time when we were trying to win the air warfare destroyer contract, so that was an absolute no-brainer.

At other times, we have had someone who is retired from the Royal Australian Airforce who was working for an industry prime. We have had somebody who had come from industry and has in fact gone back to industry. He is now at SAAB—Andy Keough—who I am sure the member is familiar with. The incumbent is somebody who has worked in industry. He has served in the Australian Army and has also worked most recently in the higher education sector. They are all pretty broad variations of people who we think would be capable to provide a defence lens to lead that public sector organisation.

When we are talking about AUKUS, there are two parts: AUKUS pillar 1, which is the pursuit of the SSN-AUKUS delivery schedule to build the nuclear-powered conventionally armed submarines here in South Australia; and there is AUKUS pillar 2, which is largely all of the technology streams that come from it.

Beyond that, we are not really intending on specifying because at different points in time we might have different needs from that person with AUKUS experience. At the outset, we might want someone who is familiar with what is needed to design and deliver a shipyard that can build nuclear-powered submarines. At another point in the future, we might want someone who is familiar with growing and delivering a workforce that is nuclear-capable or nuclear-ready or we might want someone who is in the future perhaps familiar with what is required to seize the opportunities to build our industrial involvement in all those AUKUS pillar-2 technologies. They are all really different variations of AUKUS and conceivably you would need pretty different people in each of those roles.

Part of the AUKUS effort at the moment is people who are capable of liaising with and negotiating with members of the commonwealth government, members of the US and UK governments and senior defence brass from all three countries. That person might not be particularly capable, but they are all a broad palette of people who conceivably could fulfil that. I would hope that from my explanation of that that it would not just be somebody who worked in a comms role at a defence prime who was not conversant with what is required to make a success of AUKUS for South Australia.

Mr TELFER: Just for clarification, the simile that you did with the defence force, is that structured in the same sort of way that is broad and gives the minister the discretion to be able to make the appointments?

The Hon. S.C. MULLIGHAN: Yes, in fact that is a good question. There is not really any tight structure over Defence SA, it has just been the practice of the government of the day about recruiting somebody into Defence SA who has defence industry experience or senior defence service experience. They are just a chief executive who are appointed by the Premier of the day on terms and conditions as agreed with that Premier from time to time. It has just been the custom and practice. Here we are actually being more particular with this role. We are actually requiring them in legislation to have familiarity in some way with AUKUS-related endeavours.

Mr TELFER: It could be surmised that it is overkill by specifying. The clause talks about the appointment of a deputy member of the CGO in the absence of another member, but there is not the provision that the deputy member, if they were substituting the AUKUS designant, would need to be qualified to have AUKUS experience. Is this me reading too much into it or is this just an oversight that you think if it did come up then the minister of the day would make a decision if it is the one that they are trying to deputise to that it would be a skill set that they would look to replicate?

The Hon. S.C. MULLIGHAN: The member might be aware that the appointment of deputy members to various boards or committees and so on is usually for the purpose of that person acting as a short-term proxy in the absence of the substantive member. It would not be envisaged that that deputy member would be undertaking the role or responsibility for a protracted period of time. It would be stepping in on the temporary unavailability or absence, if they are away for whatever reason just on that short-term basis. For that reason, there is not much need to particularise it.

Clause passed.

Clause 7.

Mr TELFER: Clause 7, Treasurer, talks about the removal from office and probably starts to touch on a little bit about the ministerial discretion and influence and that sort of stuff. It talks about the removal of a member from the CGO for any reason basically and then in point (d) on the recommendation of the minister. Is there a risk that the independence of the CGO could be at risk if the CGO's position is dependent on a recommendation one way or another from a minister to remove them? It can be at the stroke of a pen seemingly. Is there a risk to the apparent or otherwise independence of the CGO with this in place?

The Hon. S.C. MULLIGHAN: I do not think so. It is not inconceivable that as the work of the office progresses, as either particular projects are considered and dealt with and finalised or those state development areas are successfully declared and all of the work that goes along with that successfully executed, the work program of the CGO might change, and that might necessitate a different type of membership that the minister of the day should be free to change up according to those priorities.

Of course, it might also, as an extension of that example, just be the case that somebody with really particular skills that are deemed to be particularly valuable by the minister for whatever that future work program is is more highly desirable than somebody else who has been on it for a period of time whose capabilities and skills are less relevant to that work program. I think that is the reason, otherwise, these clauses are reasonably standard for the appointment to particular committees or instruments which are established by statute.

Mr TELFER: Paragraph (d) is basically a catch-all for whatever may come. Paragraphs (a) to (c) clearly lay out criteria for removal from the CGO. Which of these are superfluous? It could be (a) to (c) that could be superfluous, and we could just say that the Governor may remove a member of CGO from office on the recommendation of the minister and that would suffice. Paragraphs (a) to (c) are sort of clear, whereas (d) does open up that question about independence and political influence and the like.

The Hon. S.C. MULLIGHAN: I think you could also argue it the other way as well. I think if we are establishing a body like this as legislators, we want some comfort that there is an immediate ability to remove someone for misconduct. I think that would be something pretty standard that we

would look for. Similarly, if the incumbent is not doing the work which they are engaged to do—basically (b)—then they should be removed as well, or, if they are simply not doing the work or they are doing a really bad job of it, that is (c).

I do think you have to give the flexibility to the minister of the day to reflect the membership of the CGO along with the priorities of either the development industry or the government of the day. If I were the minister responsible and I appointed a group of people that I felt were really capable of executing the forward work program that I can see the office is going to do, there might be an election, there might be a change of government and you become the minister, for example.

The government that you are a part of might have a whole different bunch of priorities for the CGO and the work that it is going to do, and you might say, 'Do you know what? We have a regional-based agenda, and we want to comprise this with people with the right technical skills that have established credentials for delivering stuff out in the regions, so we are just going to move on those people on the CGO who, in our view, do not have those same regional credentials.'

I do not think that is unreasonable. Yes, you could say that that is the use of the political influence of the minister of the day, but that is why ministers should have that discretion: to make sure that these instrumentalities or these statutory authorities have the capacity to carry out the work that the elected government of the day prioritises.

Mr TELFER: I absolutely agree with that, and that is why I was asking if maybe paragraphs (a) to (c) are superfluous. Because (a) to (c) are there with specifications, I am envisioning that, if a letter is written by the minister to the person, saying, 'Thank you very much,' you basically would be saying, 'On paragraph (a) in the legislation, because of your misconduct, I am dismissing you,' or it could be paragraph (b), 'in breach of'.

There would be no minister that would bother using (a) to (c) because they are able to just move them on. Because there is the detail of the (a) to (c), do you think, in light of (d) there needs to be a disclosure, some sort of explanation or reason for dismissal under 7(d)? If you understand what I am saying, paragraphs (a), (b) and (c) give a justification, a specific disclosure as to why, and on paragraph (d), you could just say, 'Thank you very much.' Do you think there needs to be put in place for (d) an explanation as to why, a justification? Obviously, it is still a discretion.

The Hon. S.C. MULLIGHAN: I do not think so. I will go back to my earlier comment. I think the parliament should demand that the Governor can remove someone for something like misconduct or for not doing the work properly or not doing the work that they have been contractually engaged to do, for example. If it is just left up to the discretion of the minister, where is the obligation on the minister here to remove someone under 7(c)? There is not one. According to how we have drafted this bill, that is an automatic out, for example. I think that gives the parliament more confidence that there is a robustness to this regime.

Mr Telfer interjecting:

The Hon. S.C. MULLIGHAN: It is on the decision of the government, and that is a recommendation to the Governor from Executive Council or from the cabinet. I actually think this is a more robust regime than just leaving it up to the whim of the minister of the day. While it might not be for everyone, I think in this sort of area the minister of the day should have discretion to reflect either the economic priorities as they are generally understood in the state, or the priorities of the particular industry that is proposing to undertake development for the benefit of the state, or to reflect the priorities of the government.

The priority of one government might be, 'Alright, let's make sure we've got lots of planners, engineers, quantity surveyors, defence experts because the program over the next five to 10 years is defence, defence, defence.' But in the future, it might be mining or agriculture or housing or whatever. In my view, the government's view, we think the minister of the day should have that discretion to reflect those priorities as they change.

Clause passed.

Clause 8 passed.

Clause 9.

Mr TELFER: Clause 9(1) allows the minister to give a direction to the CGO. We did not dwell long on definitions, but the term 'direction' is not defined within the bill. What do you envisage constitutes a direction? Is it the equivalent of an order from a minister, or is it more a submission for them to consider? This word 'direction' I think can probably be considered from a couple of different angles.

The Hon. S.C. MULLIGHAN: It is a good question and an important one, given that we are dealing with potentially the handling of developments that could be significant in terms of their dollar value or impact on local communities, environment and so on.

The concept of direction is the same in this legislation as it is elsewhere, and it is essentially the capacity for the minister to provide an instruction to the Coordinator General or to the office. My advice is that the framing of ministerial direction here and the allowance and the prevention of it, as it is set out here, is the same for the State Planning Commission. For example, I am told the minister can direct the State Planning Commission to advise him or her on a particular matter or a particular development but the minister cannot direct them to decide a particular way. That small level of example is how this is consistent with our existing planning law.

Mr TELFER: Just to flow on with that for some clarification for the house, clause 9(2) then outlines the scenario where a minister must not give directions to the CGO and then clause 9(3) states that the minister 'may direct CGO to cease performing a particular function', but there are not those qualifying guidelines surrounding such a direction. Clause 9(1) seems to define giving direction in the actionable, positive sense and clause 9(3) states that the minister may order the CGO to cease a function—so in the negative, the stop sense. Does clause 9(2) nullify clause 9(3), or can the minister direct the CGO to cease a function regardless of clause 9(2)?

The Hon. S.C. MULLIGHAN: It is a good question and I think the way that you frame the question is entirely reasonable, because on the face of it it might seem inconsistent. The purpose of this is to enable the minister to tell the Coordinator General to, as it says, cease a particular function. That might be conducting a public consultation process, or a particular assessment or approval, and that gives the minister the capacity to pause the development consideration process.

I am advised the reason it has been included is to give the minister, and hence the government of the day, the capacity to reflect what might be, for example, the overall will of the community that might be up in arms about a particular project. So the CGO is just doing the right thing according to law and carrying out its functions, but if it is causing too much consternation, for example, the minister has the capacity to step in and stop it.

Mr TELFER: So that function is sort of that lower level, step-by-step aspect?

The Hon. S.C. MULLIGHAN: Yes.

Mr TELFER: Clause 9(4), 'The Minister must consult with CGO before giving a direction.' Does this requirement to consult mean the minister's consultation can simply be an order given to the CGO that a direction is coming? As we were talking about before, clause 7(d) just allows whatever action. What is the intention of that aspect there with 'consult'? Is that a formalised process or is that you going to them and telling them, 'This is what I'm going to do?'

The Hon. S.C. MULLIGHAN: I think it is probably somewhere in the middle. It is not a YourSAy website process, for example, but it might be perhaps what you and I would regard as a courteous interaction between two professionals before a decision is taken. If you are the minister and I am the CGO, you might say to me, 'Look, I've got this issue. I'm unsure as to how I should think about it or consider it. I'm thinking about asking you for some advice about the issue generally and what the options are on how it could be considered going forward.' That is the sort of consultation, by way of example, that I think that clause is.

Mr TELFER: It is not formalised in as much as you are obligated to do it?

The Hon. S.C. MULLIGHAN: That is right. I do not think it would be as brusque as, 'Alright, you listening? Right, here's your direction.' I do not think it is anything like that; it is more, perhaps, alerting the CGO to the issue and testing their capacity or availability to be able to respond to that

direction before issuing whatever that direction might be. I think that is probably the best way I can put it.

Clause passed.

Clause 10.

Mr TELFER: I appreciate the opportunity to go through this thoroughly. It is pretty front-end heavy, as these often are, and I am sure we will run through the rest more quickly. So, 10(1)(b) in particular talks about the function of the CGO being 'to identify improvements that may be made to the regulation of projects in the State'. Is this a formal requirement of the CGO to provide an update after each project on how regulations themselves can be improved or abolished potentially, hopefully in an ideal situation, or is this simply a request or suggestion of the CGO?

The Hon. S.C. MULLIGHAN: Clause 10(1)(b) requires that that task absolutely be undertaken, but it enables flexibility for the CGO in how it does it. The example my adviser has just given me is that it maybe that in the CGO's annual report it says, 'In the last year we consistently experienced this particular issue, which, given what it caused us or the proponent or the community in being consulted with, etc., provides an opportunity for the government or the parliament to reform how that works.'

Or, it could be something else entirely. It could be that in the course of doing its work during the year it may put up a briefing to the minister saying, 'Look, we have encountered an unusual obligation on the government or the proponent or the community in dealing with this development. It seems to the mind of the CGO that this is an unintended consequence of whatever particular piece of legislation is drafted. In due course it might be desirable for the government to consider fixing that.' There is utter flexibility in how that is done. They are just two ways that it could be done, but it must be done.

Mr TELFER: Is that reporting to the minister or to parliament?

The Hon. S.C. MULLIGHAN: It could be either. For example, if it is in its annual report, that is tabled in parliament, so it could be to the parliament. It could be to the minister. They are probably the two most obvious examples.

Mr TELFER: At 10(1)(e), the function of the CGO is:

> to provide a single point of contact, coordination and support for proponents of projects in their dealings with designated authorities on a case by case basis (case management) and, as part of the CGO's case management, to assist other designated authorities in performing their functions in relation to projects;

On this basis, is it accurate to say that there are no reductions in departments having a say over a particular project or, as I said, a reduction in regulations, but simply the CGO being a figurehead where all regulatory issues must go? If so, how does such a role speed up the process as opposed to simply seeing a continuation of the current processing timelines?

The Hon. S.C. MULLIGHAN: Obviously, the single point of contact is going to be desirable for a proponent. So rather than going to—and just conceptually—the planning department and then having to go off separately to SA Water, and then having to go off separately to the EPA, and then having to go off to the transport department and so on, having the one point of contact with government and then that point of contact having to go to each of those different, for want of a better term, development stakeholders within the public sector agencies, is desirable for the proponent.

But in addition to that, the coordinator-general and their office are able to stipulate timeframes in which that can occur. For an individual proponent, what has happened in the past and what might conceivably happen in the absence of this, is that you would approach one agency and you would go through a process with them. Then they would send you off to the next agency and then the clock starts again and so on and so on and so on. This enables not only the coordination on the proponent's behalf but doing things in a more simultaneous way which should reduce timeframes.

Mr TELFER: I have one more on this one, being at clause 10(1)(h). One of the functions of the CGO is:

> to support transition to and economic development of net zero carbon emission industries and promote ecologically sustainable development;

Is this potentially a new regulation, a new layer, requiring any project that goes before the CGO to be carbon neutral? How is it reducing red tape on businesses and project proponents to enforce this sort of new regulation?

The Hon. S.C. MULLIGHAN: In short, no, that is not required. Of the 11 different functions that are set out in clause 10(1), not all of them need to occur in each of the projects or initiatives that the CGO is promoting. For example, in every project consideration you do not necessarily have to identify the regulatory improvement that we were talking about previously. However, where it is relevant, the functions of the coordinator-general office should be able to better facilitate development in that particular area but, again, just where it is relevant.

Mr TELFER: So it is not an obligation, it is an option.

The Hon. S.C. MULLIGHAN: That is right.

Clause passed.

Clause 11 passed.

Clause 12.

Mr TELFER: The Treasurer states the procedure of the CGO, including its quorum, will be determined from time to time by the principal member acting on the advice of the other members of the CGO. I am curious why the quorum of the CGO is allowed to be determined by the CGO itself and not by the bill. As far as process goes, it is a strange one.

The Hon. S.C. MULLIGHAN: It is a good question, and I can see why on the face of it it might elicit that concern that the member highlighted, but I guess there are a few different thoughts that sit behind this. One is it provides for speed and agility in some elements of decision-making of the CGO. For example, if there is a particular project that is being dealt with and the decision that needs to be taken by the CGO is the imposition of a deadline or a timeline for one part of the process, then that should be able to be done by one member, rather than having to convene a majority of members, for example, or achieving a quorum.

It is also the case that at the other end of the scale, if you are dealing with a state development area, then you may need the input of some members but not others, depending on what their experience and capability is, and it may not be worth imposing a requirement for a set number of people who may not be relevant to the discussion or the decision that has to occur in that consideration to be there. That could actually add to delay, if you say, 'Those two can meet this week, but if you need three of them, you are going to have to wait until the week after.' I guess it is that simple in that respect.

Mr Telfer: I question that sounds simple.

The Hon. S.C. MULLIGHAN: Well, it is that plain. I guess there is nothing else really that is sitting behind it. Again, it is to try to foster that capacity of the CGO to be a bit more nimble and quicker in considering and making decisions at different points in the overall development consideration process.

Mr TELFER: I can unpack that a little bit more and run a couple of scenarios. Potentially, can the CGO vary the quorum required for a meeting on a meeting-by-meeting basis? Who actually decides on what the quorum is going to be for any specific item or consideration? Is that something which is pre-emptively decided by members of the CGO, or is that decided depending on the item? There could be a scenario where there are four members of the CGO, and there is not really a hierarchy in place. One member may decide, 'I can just decide on this aspect and I can have a meeting with myself and decide on it.'

It may be a long bow, but seemingly it is separate to the rest of the CGO. Obviously, there is the staff component, the secretariat component of the CGO that would have to be involved in it. Is this a decision on quorum based on when you arrive at the meeting you decide what your quorum is going to be, or is there a structure in place to provide a bit more guidance? As I said, this one just jumped out at me. It was quite unique when it comes to governance.

The Hon. S.C. MULLIGHAN: I think that is not unreasonable to be raising those issues. In clause 12(1), it is determined by the principal member, which is the Coordinator General. They are effectively the chair of the meetings of the members, and so it is the chair or the Coordinator General themselves who makes that determination about how many need to be present. You will see in subsection (2) there is the provision for a member of the CGO who is not able to be present to be informed as soon as practicable, and then there is the transparency element of it, that whatever that decision is it has to be immediately published on the website. That ensures, internally at least, everyone is across the decisions that have been made. There is the element of making sure that internally everybody knows what is going on, but then there is the public accountability and transparency element by making sure those decisions are published quickly and publicly.

Mr TELFER: Just one more question on clause 12. Clause 12(3) provides:

> (3) CGO must have accurate minutes kept of its meetings and ensure that a record of its decisions is maintained.

Will this include any meeting attended by the minister's representatives? Was this included as a matter of good governance, or as we have come to see in a few of these other arrangements, at times some governmental meetings may not have minutes kept as readily as some may think. Is this just to provide that surety around that good governance?

The Hon. S.C. MULLIGHAN: Yes, in short. There must be minutes kept of meetings. It is important that the minutes are kept and it is required by this clause. That will include those meetings which no doubt we will discuss when we resume next week under clause 13, where the minister's representative might attend those meetings as well.

Clause passed.

Progress reported; committee to sit again.

STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (DATA ACCESS) BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

At 17:33 the house adjourned until Tuesday 4 March 2025 at 11:00.