

## HOUSE OF ASSEMBLY

### Wednesday, 5 March 2025

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

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

**The SPEAKER** read prayers.

#### *Bills*

### STATUTES AMENDMENT (ASSAULTS ON POLICE OFFICERS) BILL

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 19 February 2025.)

**The Hon. J.A.W. GARDNER (Morialta) (10:32):** I am very pleased today to stand in support of the bill that has been brought to the parliament by the member for Bragg, the shadow minister for police. I hope that all members of parliament will support this bill. It is a sad state of affairs where we have members of our police force being attacked seemingly with impunity on our streets. We had a police officer scalped, for goodness sake. We have had people attacked with weapons—with swords.

I think the community has had a serious level of concern about the lack of redress, the lack of protection that it seems are being applied to our frontline serving police officers by the court system. The decision by the District Court in relation to the sentence of Raina Jane Cruise for viciously attacking a female police officer in October 2021, when the officer, who was pregnant, was kicked in the stomach and lost a huge chunk of skin and hair from her scalp—the decision for that sentence to be suspended has stunned and shocked a lot of South Australians. It was deeply distressing to me. I am sure it was for members of the government too. The opposition is appalled, and the shadow police minister, the member for Bragg, has seen this and taken action.

These laws, which I will outline in a moment, have indeed been supported by the key stakeholder group that are impacted here, the Police Association of South Australia, the union for police officers in this state. I recognise that while some unions in the private and non-government sector and some, indeed, in the public sector have low membership—where 13, 20, 40 per cent of various workforces are members of the union—the Police Association has consistently had the support and paid-up dues of as many as 98 per cent, certainly more than 95 per cent, of serving South Australian police officers.

When they say that they speak in support of the opposition's bill, they do so with significant authority. Since the member for Bragg brought this bill to the house, I note that on 21 February this year, which on my calculation is about a week and a half ago, the Police Association of South Australia has posted on the website formerly known as Twitter:

Some good news has emerged about the assault-police legislative reforms proposed by the Police Association last month.

A bill outlining the reforms was introduced to the parliament this week by shadow police minister Jack Batty.

Members of parliament will begin to debate the bill in a fortnight.

The President of the Police Association said on the radio in relation to this bill, 'Why put yourself in harm's way if courts and politicians will continue to allow violent and dangerous offenders to walk the streets?' It is worthy of consideration. When there is a crisis we see people running from a dangerous event: our police officers run towards it. When there is a challenging situation on our streets, it is our police officers who we expect to—and they do—respond, putting their own personal safety and

wellbeing secondary to the safety and wellbeing of the community. Their families have sleepless nights multiple days every week waiting for their loved ones to come home, because you never know what you are going to get on a given day, and when there are loaded weapons potentially in the inventory, the location, the level of risk and danger for these serving officers is much greater than that of pretty much any other profession.

We commemorate National Police Remembrance Day each year because police officers losing their lives in the line of duty is not just a theoretical possibility, it is something that has happened far too many times in South Australia's and Australia's history. That level of jeopardy that officers theoretically, potentially, confront, combined with the stated fact that we know there have been these serious cases that the courts have had to grapple with, and have failed to grapple with adequately in my view, it is clearly time for the parliament to step in and assist the courts with improved laws.

In 2019 the former government introduced new laws, which were passed, but clearly the courts have not taken those laws into consideration in the way the parliament had intended. I am talking about the reforms to the Criminal Law Consolidation Act, which created an aggravated offence for assaulting a prescribed emergency services worker under section 20AA, with a maximum penalty of 15 years. This parliament took a stand in 2019 under the former Liberal government but on this occasion, certainly with the case I am talking about, the court has chosen not to go down that path.

We believe it is time to up the ante, to ensure the courts have clear direction. The bill amends the Bail Act, the Criminal Law Consolidation Act and the Sentencing Act to impose a presumption against bail for an applicant who is taken into custody in relation to an offence for assaulting a police officer, mandatory imprisonment of a period of no less than six months for the offence of assaulting a police officer on duty, and the removal of home detention and the suspension of imprisonment as sentencing options for the court.

It is sad that this is needed but our police officers deserve protections, our police officers deserve to know that when they are serving the community we have their backs, and the community of South Australia will benefit in a very real sense from police officers having that surety as we seek to recruit extra police officers to make up for the shortfall in police officers, the vacancies that exist at the moment. It is very clear to me that this bill is worthy of support and, as the Police Association has urged, all members should support it; we should support it today. I commend the bill to the house.

**Mr ODENWALDER (Elizabeth) (10:38):** I move:

That the debate be adjourned.

The house divided on the motion:

Ayes .....23  
Noes.....15  
Majority .....8

#### AYES

Andrews, S.E.  
Champion, N.D.  
Dighton, A.E.  
Hood, L.P.  
Michaels, A.  
O'Hanlon, C.C.  
Savvas, O.M.  
Thompson, E.L.

Bettison, Z.L.  
Clancy, N.P.  
Fulbrook, J.P.  
Hutchesson, C.L.  
Mullighan, S.C.  
Pearce, R.K.  
Stinson, J.M.  
Wortley, D.J.

Brown, M.E.  
Cregan, D.R.  
Hildyard, K.A.  
Koutsantonis, A.  
Odenwalder, L.K. (teller)  
Piccolo, A.  
Szakacs, J.K.

#### NOES

Basham, D.K.B.  
Brock, G.G.  
Gardner, J.A.W. (teller)

Batty, J.A.  
Cowdrey, M.J.  
McBride, P.N.

Bell, T.S.  
Ellis, F.J.  
Patterson, S.J.R.

Pederick, A.S.  
Teague, J.B.

Pratt, P.K.  
Telfer, S.J.

Tarzia, V.A.  
Whetstone, T.J.

PAIRS

Hughes, E.J.

Hurn, A.M.

Motion thus carried; debate adjourned.

**SUMMARY OFFENCES (UNLAWFUL SELLING OF KNIVES) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 5 February 2025.)

**Mr ODENWALDER (Elizabeth) (10:43):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....22  
Noes.....16  
Majority .....6

AYES

Andrews, S.E.  
Champion, N.D.  
Fulbrook, J.P.  
Hutchesson, C.L.  
Mullighan, S.C.  
Pearce, R.K.  
Stinson, J.M.  
Wortley, D.J.

Bettison, Z.L.  
Clancy, N.P.  
Hildyard, K.A.  
Koutsantonis, A.  
Odenwalder, L.K. (teller)  
Piccolo, A.  
Szakacs, J.K.

Brown, M.E.  
Dighton, A.E.  
Hood, L.P.  
Michaels, A.  
O'Hanlon, C.C.  
Savvas, O.M.  
Thompson, E.L.

NOES

Basham, D.K.B.  
Brock, G.G.  
Ellis, F.J.  
Patterson, S.J.R.  
Tarzia, V.A.  
Whetstone, T.J.

Batty, J.A. (teller)  
Cowdrey, M.J.  
Gardner, J.A.W.  
Pederick, A.S.  
Teague, J.B.

Bell, T.S.  
Cregan, D.R.  
McBride, P.N.  
Pratt, P.K.  
Telfer, S.J.

PAIRS

Hughes, E.J.

Hurn, A.M.

Motion thus carried; order of the day postponed.

**PARLIAMENTARY COMMITTEES (ABORIGINAL AFFAIRS COMMITTEE) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 10 April 2024.)

**Mr ODENWALDER (Elizabeth) (10:47):** I move:

That this order of the day be postponed.

Ayes .....23  
Noes.....17  
Majority .....6

AYES

Andrews, S.E.  
Champion, N.D.  
Dighton, A.E.  
Hood, L.P.  
Michaels, A.  
O'Hanlon, C.C.  
Savvas, O.M.  
Thompson, E.L.

Bettison, Z.L.  
Clancy, N.P.  
Fulbrook, J.P.  
Hutchesson, C.L.  
Mullighan, S.C.  
Pearce, R.K.  
Stinson, J.M.  
Wortley, D.J.

Brown, M.E.  
Close, S.E.  
Hildyard, K.A.  
Koutsantonis, A.  
Odenwalder, L.K. (teller)  
Piccolo, A.  
Szakacs, J.K.

NOES

Basham, D.K.B.  
Brock, G.G.  
Ellis, F.J.  
Patterson, S.J.R.  
Pratt, P.K.  
Telfer, S.J.

Batty, J.A.  
Cowdrey, M.J.  
Gardner, J.A.W.  
Pederick, A.S.  
Tarzia, V.A.  
Whetstone, T.J.

Bell, T.S.  
Cregan, D.R.  
McBride, P.N.  
Pisoni, D.G.  
Teague, J.B. (teller)

PAIRS

Hughes, E.J.

Hurn, A.M.

Motion thus carried; order of the day postponed.

**LOCAL GOVERNMENT (WASTE COLLECTION) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 21 February 2024.)

**Mr ODENWALDER (Elizabeth) (10:52):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....23  
Noes.....17  
Majority .....6

AYES

Andrews, S.E.  
Champion, N.D.  
Dighton, A.E.  
Hood, L.P.  
Michaels, A.  
O'Hanlon, C.C.  
Savvas, O.M.  
Thompson, E.L.

Bettison, Z.L.  
Clancy, N.P.  
Fulbrook, J.P.  
Hutchesson, C.L.  
Mullighan, S.C.  
Pearce, R.K.  
Stinson, J.M.  
Wortley, D.J.

Brown, M.E.  
Close, S.E.  
Hildyard, K.A.  
Koutsantonis, A.  
Odenwalder, L.K. (teller)  
Piccolo, A.  
Szakacs, J.K.

## NOES

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

## PAIRS

Hughes, E.J.	Hurn, A.M.
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Motion thus carried; order of the day postponed.

**The SPEAKER:** Before I call on the next item, during the last sitting week, on the Wednesday morning, I asked whether the whips and maybe the leaders of business could get together and work out whether some of these motions could be taken en bloc rather than us all sitting here for an hour at a time with the constant ringing of the bells. Given the constant ringing of the bells again this Wednesday, I take it that nothing has happened?

*An honourable member interjecting:*

**The SPEAKER:** If we are doing one after the other, can we maybe bring them together?

*Members interjecting:*

**The SPEAKER:** No, it is a very good use of everyone's time to be in here.

**The Hon. D.G. PISONI:** By indulgence, we are very happy to debate them at any time.

**The SPEAKER:** That is not the question.

**The Hon. D.G. PISONI:** That is the solution—

**The SPEAKER:** The question was whether there was any sensible way we could move them en bloc and come back.

**The Hon. D.G. PISONI:** —debating them and having a vote on them.

**The SPEAKER:** You have had your say, member for Unley.

**NEW WOMEN'S AND CHILDREN'S HOSPITAL (RELOCATION OF SA POLICE FACILITIES)  
AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 27 September 2023.)

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

That this order of the day be postponed.

The house divided on the motion:

Ayes .....	23
Noes.....	15
Majority .....	8

## AYES

Andrews, S.E.	Bettison, Z.L.	Brown, M.E.
Champion, N.D.	Clancy, N.P.	Close, S.E.

Dighton, A.E.  
Hood, L.P.  
Michaels, A.  
O'Hanlon, C.C.  
Savvas, O.M.  
Thompson, E.L.

Fulbrook, J.P.  
Hutchesson, C.L.  
Mullighan, S.C.  
Pearce, R.K.  
Stinson, J.M.  
Wortley, D.J.

Hildyard, K.A.  
Koutsantonis, A.  
Odenwalder, L.K. (teller)  
Piccolo, A.  
Szakacs, J.K.

## NOES

Basham, D.K.B.  
Cowdrey, M.J.  
McBride, P.N.  
Pisoni, D.G. (teller)  
Teague, J.B.

Batty, J.A.  
Cregan, D.R.  
Patterson, S.J.R.  
Pratt, P.K.  
Telfer, S.J.

Brock, G.G.  
Gardner, J.A.W.  
Pederick, A.S.  
Tarzia, V.A.  
Whetstone, T.J.

## PAIRS

Hughes, E.J.

Hurn, A.M.

Motion thus carried; order of the day postponed.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (ADELAIDE PARK LANDS)  
AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 18 October 2023.)

**Mr ODENWALDER (Elizabeth) (11:01):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....23  
Noes.....15  
Majority .....8

## AYES

Andrews, S.E.  
Champion, N.D.  
Dighton, A.E.  
Hood, L.P.  
Michaels, A.  
O'Hanlon, C.C.  
Savvas, O.M.  
Thompson, E.L.

Bettison, Z.L.  
Clancy, N.P.  
Fulbrook, J.P.  
Hutchesson, C.L.  
Mullighan, S.C.  
Pearce, R.K.  
Stinson, J.M.  
Wortley, D.J.

Brown, M.E.  
Close, S.E.  
Hildyard, K.A.  
Koutsantonis, A.  
Odenwalder, L.K. (teller)  
Piccolo, A.  
Szakacs, J.K.

## NOES

Basham, D.K.B.  
Cowdrey, M.J.  
McBride, P.N.  
Pisoni, D.G. (teller)  
Teague, J.B.

Batty, J.A.  
Cregan, D.R.  
Patterson, S.J.R.  
Pratt, P.K.  
Telfer, S.J.

Brock, G.G.  
Gardner, J.A.W.  
Pederick, A.S.  
Tarzia, V.A.  
Whetstone, T.J.

## PAIRS

Hughes, E.J.

Hurn, A.M.

Motion thus carried; order of the day postponed.

**CLIMATE CHANGE AND GREENHOUSE EMISSIONS REDUCTION (TARGETS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 2 November 2022.)

**Mr ODENWALDER (Elizabeth) (11:06):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....23  
Noes .....15  
Majority .....8

## AYES

Andrews, S.E.  
Champion, N.D.  
Dighton, A.E.  
Hood, L.P.  
Michaels, A.  
O'Hanlon, C.C.  
Savvas, O.M.  
Thompson, E.L.

Bettison, Z.L.  
Clancy, N.P.  
Fulbrook, J.P.  
Hutchesson, C.L.  
Mullighan, S.C.  
Pearce, R.K.  
Stinson, J.M.  
Wortley, D.J.

Brown, M.E.  
Close, S.E.  
Hildyard, K.A.  
Koutsantonis, A.  
Odenwalder, L.K. (teller)  
Piccolo, A.  
Szakacs, J.K.

## NOES

Basham, D.K.B.  
Cowdrey, M.J.  
McBride, P.N.  
Pisoni, D.G. (teller)  
Teague, J.B.

Batty, J.A.  
Cregan, D.R.  
Patterson, S.J.R.  
Pratt, P.K.  
Telfer, S.J.

Brock, G.G.  
Gardner, J.A.W.  
Pederick, A.S.  
Tarzia, V.A.  
Whetstone, T.J.

## PAIRS

Hughes, E.J.

Hurn, A.M.

Motion thus carried; order of the day postponed.

**HERITAGE PLACES (ADELAIDE PARK LANDS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 17 May 2023.)

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

That this order of the day be postponed.

The house divided on the motion:

Ayes .....23  
 Noes.....16  
 Majority .....7

AYES

Andrews, S.E.  
 Champion, N.D.  
 Dighton, A.E.  
 Hood, L.P.  
 Michaels, A.  
 O'Hanlon, C.C.  
 Savvas, O.M.  
 Thompson, E.L.

Bettison, Z.L.  
 Clancy, N.P.  
 Fulbrook, J.P.  
 Hutchesson, C.L.  
 Mullighan, S.C.  
 Pearce, R.K.  
 Stinson, J.M.  
 Wortley, D.J.

Brown, M.E.  
 Close, S.E.  
 Hildyard, K.A.  
 Koutsantonis, A.  
 Odenwalder, L.K. (teller)  
 Piccolo, A.  
 Szakacs, J.K.

NOES

Basham, D.K.B.  
 Cowdrey, M.J.  
 Gardner, J.A.W.  
 Pederick, A.S.  
 Tarzia, V.A.  
 Whetstone, T.J.

Batty, J.A.  
 Cregan, D.R.  
 McBride, P.N.  
 Pisoni, D.G. (teller)  
 Teague, J.B.

Brock, G.G.  
 Ellis, F.J.  
 Patterson, S.J.R.  
 Pratt, P.K.  
 Telfer, S.J.

PAIRS

Hughes, E.J.

Hurn, A.M.

Motion thus carried; order of the day postponed.

**PUBLIC FINANCE AND AUDIT (AUDITOR-GENERAL ACCESS TO CABINET SUBMISSIONS)  
 AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 27 September 2023.)

**Mr ODENWALDER (Elizabeth) (11:15):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....22  
 Noes.....16  
 Majority .....6

AYES

Andrews, S.E.  
 Champion, N.D.  
 Dighton, A.E.  
 Hood, L.P.  
 Mullighan, S.C.  
 Pearce, R.K.  
 Stinson, J.M.  
 Wortley, D.J.

Bettison, Z.L.  
 Clancy, N.P.  
 Fulbrook, J.P.  
 Hutchesson, C.L.  
 Odenwalder, L.K. (teller)  
 Piccolo, A.  
 Szakacs, J.K.

Brown, M.E.  
 Close, S.E.  
 Hildyard, K.A.  
 Michaels, A.  
 O'Hanlon, C.C.  
 Savvas, O.M.  
 Thompson, E.L.



## NOES

Basham, D.K.B.  
 Cowdrey, M.J.  
 Gardner, J.A.W.  
 Pederick, A.S.  
 Tarzia, V.A.  
 Whetstone, T.J.

Batty, J.A.  
 Cregan, D.R.  
 McBride, P.N.  
 Pisoni, D.G. (teller)  
 Teague, J.B.

Brock, G.G.  
 Ellis, F.J.  
 Patterson, S.J.R.  
 Pratt, P.K.  
 Telfer, S.J.

## PAIRS

Hughes, E.J.

Hurn, A.M.

Motion thus carried; order of the day postponed.

**CONSTRUCTION INDUSTRY COMMISSIONER BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 28 August 2024.)

**Mr ODENWALDER (Elizabeth) (11:21):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....24  
 Noes.....16  
 Majority .....8

## AYES

Andrews, S.E.  
 Brown, M.E.  
 Close, S.E.  
 Hildyard, K.A.  
 Koutsantonis, A.  
 Odenwalder, L.K. (teller)  
 Piccolo, A.  
 Szakacs, J.K.

Bettison, Z.L.  
 Champion, N.D.  
 Dighton, A.E.  
 Hood, L.P.  
 Michaels, A.  
 O'Hanlon, C.C.  
 Savvas, O.M.  
 Thompson, E.L.

Boyer, B.I.  
 Clancy, N.P.  
 Fulbrook, J.P.  
 Hutchesson, C.L.  
 Mullighan, S.C.  
 Pearce, R.K.  
 Stinson, J.M.  
 Wortley, D.J.

## NOES

Basham, D.K.B.  
 Cowdrey, M.J.  
 Gardner, J.A.W.  
 Pederick, A.S.  
 Tarzia, V.A.  
 Whetstone, T.J.

Batty, J.A.  
 Cregan, D.R.  
 McBride, P.N.  
 Pisoni, D.G. (teller)  
 Teague, J.B.

Brock, G.G.  
 Ellis, F.J.  
 Patterson, S.J.R.  
 Pratt, P.K.  
 Telfer, S.J.

## PAIRS

Hughes, E.J.

Hurn, A.M.

Motion thus carried; order of the day postponed.

**FREEDOM OF INFORMATION (MINISTERIAL DIARIES) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 2 November 2022.)

**Mr ODENWALDER (Elizabeth) (11:26):** I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes .....24  
 Noes.....15  
 Majority .....9

**AYES**

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

**NOES**

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

**PAIRS**

Hughes, E.J.	Hurn, A.M.
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Motion thus carried; order of the day postponed.

*Motions***INTERNATIONAL WOMEN'S DAY**

**S.E. ANDREWS (Gibson) (11:31):** I move:

That this house—

- (a) notes that 8 March 2025 is International Women's Day and this year's theme is March Forward;
- (b) acknowledges that while significant strides have been made, there is still much work ahead to close the gender pay gap, ensure women's safety, and fairly value both paid and unpaid care work;
- (c) notes the achievements of the Malinauskas Labor government in advancing women's safety and equality, including through the establishment of our Gender Pay Gap Taskforce, promoting diversity on government boards and establishing the successful Women in Business program; and
- (d) notes the role of the Australian Services Union to achieve portable long service leave after a 10-year campaign.

This Saturday is a day to celebrate what has been achieved, recommit to fighting for equality and acknowledge that women still face significant barriers in our society, including sexual harassment and domestic, family and sexual violence. Australia's first International Women's Day was held in

1928 in Sydney. Organised by the Militant Women's Movement, women called for equal pay for equal work, an eight-hour working day for shop girls, and paid leave.

As a feminist, I am always proud to move a motion such as this and be part of a government that is committed to tackling inequity in our society. However, this is not a women's issue. For too long, it has been only women in this house and outside of it calling for equality, and they deserve more. Our male colleagues have offered words and now we need more action. We know society is filled with toxic behaviour and women being harassed and abused in homes and workplaces. We need more.

The UN Women Australia theme for 2025 is March Forward: For ALL Women and Girls. Thirty years ago, the world committed to a bold vision for gender equality when 189 countries unanimously adopted the Beijing Declaration and Platform for Action for gender equality in 1995. This was a key global policy document on gender equality. Since then, we have seen women break barriers, reshape policies and ignite global movements, yet despite significant progress the promises made remain largely unfulfilled for millions of women worldwide. We are simply not where we should be. It is time to turn promises into progress. We need to march forward for a gender equal future. The world cannot afford a step back, and it is time to accelerate action through our collective efforts. World-renowned feminist, Gloria Steinem, reportedly once said:

The story of women's struggle for equality belongs to no single feminist nor to any one organisation but to the collective efforts of all who care about human rights.

Today, the gender pay gap is very much open. Women's safety is far from guaranteed, and the lowest paid jobs are still mostly undertaken by women, mostly in the caring industries. Compounding this, the majority of unpaid care work is still largely undertaken by women.

In Australia, to earn the same average annual salary earned by a man, a woman must work 50 more days after the end of the financial year. Research from the Workplace Gender Equality Agency shows the top three reasons contributing to the gender pay gap are gender discrimination, care, family responsibilities and workforce participation, and gender segregation by job type and industry—all of this 56 years after Australian women earned the right to equal pay for equal work in 1969.

In fact, the 100 highest paid athletes in the world, taking into account salaries, bonuses, prize money and endorsements—the list of these 100 people includes eight different sports across 27 countries. Of these top 100 highest paid athletes there are no women in that list. It says a lot about how we are valued by this society. On top of this, last week we had those comments made by Marty Sheargold with regard to the Matildas.

**Honourable members:** Shame!

**S.E. ANDREWS:** I share the words from an article in *The Guardian* that speaks to it, 'It was just a joke.' How many times have we heard these words being uttered over the years, after self-proclaimed good blokes slip up and make comments that appear to reveal their real views.

There was a sense, particularly after the success of the Women's World Cup on home soil in 2024, that women's sport had finally overcome the last of its barriers. But comments like this, and the surrounding hilarity by others cheering him on, bring to light the very real beliefs that lie just below the surface, ready to unveil themselves as soon as women have the nerve to put in a sub-par performance. None of this is to say that women are above criticism. No doubt the Matildas themselves would understand the valid critique that has been levelled at them for their losses so far in the SheBelieves Cup.

There are, however, many analytical well thought-out articles that have been published over time which have not drawn such ire. The issue comes from these comments because they are unnecessarily gendered. By putting the Matildas into the realm of 'girls' Sheargold was trying to—whether consciously or unconsciously—take away the little power they had after dragging women's sport into the spotlight. It gives rise to jokes that have wider consequences for the health and wellbeing of teenage girls as they continue to drop out of sport because their very presence is seen as farcical.

I have been proud to chair the South Australian Gender Pay Gap Taskforce that has provided advice to the Minister for Women and will present our report this week. Data released just yesterday revealed that 79 per cent of businesses are still missing the gender pay gap target, although I do note that 56 per cent of businesses with over 100 employees have improved in the past year, and I suggest that this is because they are now obliged to have public reporting.

Nevertheless, the national average gender pay gap is still 21.8 per cent. Companies that have a less than 5 per cent average pay gap between men and women in their workforce, in either direction, are considered to have effectively eliminated their pay gap. However, only 21 per cent of Australian employers have achieved this. In fact, there is one Sydney business that still has a gender pay gap of 88 per cent in favour of men.

Whilst companies with over 100 employees are required to report in Australia to value women equally, and hopefully feel obliged to change their practices once it becomes public, I fear this is actually at risk. Trump is removing diversity targets, and we are already seeing this impact here in Australia. The company Accenture, with approximately six and a half thousand staff in Australia, will start sunseting their diversity and inclusion goals. They are using the merit card, which in reality, as we all know, is a policy which favours the status quo. Then we have a recent report in *The Times*, which states there is a crisis as young men are earning less than young women. I do not recall this ever being a crisis when it was the other way around.

I have discussed family, domestic and sexual violence many times in this house and, sadly, this violence continues across our nation. Seven women have lost their lives through gendered violence in this year alone, including one South Australian. These figures are from Counting Dead Women Australia, researchers of Destroy the Joint.

While we speak of domestic, family and sexual violence, we need to look beyond sexual harassment, online abuse, coercive control, and violent and abusive behaviour towards others. It is rare for domestic, family and sexual violence to occur without warning signs and rare for it to be a single incident. This is another issue that is not just a women's issue. Women are the victim in most cases of family, domestic and sexual violence, but it is on all of us to call out unacceptable behaviour, act when it occurs and acknowledge that no-one is immune from its reach.

In South Australia, the Labor government is taking action. The Royal Commission into Domestic, Family and Sexual Violence, initiated by the Malinauskas Labor government, is scheduled to complete its work by 1 July. Commissioner Natasha Stott Despoja AO is hearing from South Australians across the state, and we await her findings. Our government is also taking action on coercive control with the Criminal Law Consolidation (Coercive Control) Amendment Bill.

As I have mentioned earlier, women are more likely to work in caring industries, cleaning and health care. These industries are largely represented by my comrades at the Australian Services Union, who have led many fights for women's rights in the workplace and society. Whether it be menopause leave, flexible working, maternity and parental leave or their current campaign for reproductive health leave, they have advanced the cause of women and men in the workplace and were instrumental in pushing for the SA domestic and family violence royal commission.

However, one of their most significant campaigns has been the 10-year portable long service leave campaign, where the Australian Services Union, led by Abbie Spencer, has delivered portable long service leave for community and disability sectors across South Australia. Finally, after years of campaigning, community and disability service workers in South Australia will be able to take their long service leave entitlement with them between employers, enabling them to finally access long service leave. The majority of these workers, as we know, are women, and some have gone more than 20 years in this sector without a break from their work, as due to the short funding cycles, workers are constantly moving between employers, never having the opportunity to stay with one service provider long enough to take long service leave.

I have referred in my speech to sexual harassment. Last week, I was sexually harassed in my workplace by a contractor. So I ask: if in 2025 a member of parliament finds herself in this situation, what has really changed? I implore you—all of you—to stand up, speak out and demand the changes we all need.

**Ms PRATT (Frome) (11:44):** I rise to support the motion. I want to thank the member for Gibson on behalf of us all for introducing a motion that allows us to recognise that on 8 March we recognise International Women's Day, the theme being March Forward.

Before I move on to some remarks that are localised to my electorate, I just want to recognise the member for Gibson for the points that she covered today in terms of the seriousness of coercive control, the impact it has on women and the royal commission that we are seeing into domestic and family violence. The seriousness and financial implications of the gender pay gap is really important for our chamber to debate and I cannot imagine anyone here has an alternative view to that.

I think if we reflect on the statistics of the history of that pay gap, then across two governments—the former Liberal government and the current one—it shows perhaps a high watermark that perhaps we were starting to drive down; however, the workplace gender equality scorecard shows it is bubbling up a little bit. That is not a criticism; it is a challenge to us all that we do need to speak up, we do all need to work towards it and I join the government in that pursuit.

I want to bring a perhaps more optimistic, positive outlook to opportunities for International Women's Day and I want to reflect on the women in my own electorate. What better organisation to demonstrate the contributions of rural women in my electorate of Frome than to reference the role that the AgriFutures Rural Women's Award plays across regional South Australia. It is an award that recognises the significant contributions of women in rural business, industries and communities.

Across Australia, of course, we have state-by-state finalist winners and then the national resolution or awardee. It is open to women over 18 and what I am really proud to share with the chamber today is this legacy of women from my area, the Mid North, or connections to it, that keep smashing the glass ceiling and demonstrating to all of us, including myself, what it looks like to work hard, to be a sacrificing mum or partner in a family business, or trying to be a startup entrepreneur and to do that in the face of the cost of doing business, or the red tape that might be a barrier.

So in reverse order from this year working backwards, I am going to take an opportunity to hero, or heroine, the women who are really leading the way in my community. This year, of course, we see as a state finalist the dynamic, charismatic, warm and bubbly female Annabelle Homer, (nee Ottens), who is out and about in our community in so many different ways. A former ABC journalist, her credentials speak for themselves. She is articulate, compassionate, thoughtful and insightful, but she brings that back to the community. We have a working relationship at the Clare Show where we invite young people, not for a popularity contest but more to demonstrate their speaking skills, and Annabelle takes the tiny tots through to the teenagers with great aplomb.

Annabelle runs a podcast called *Voice It* and there are some stories that stick in my mind as I am driving the nine miles and driving around my electorate. Her ability to ask insightful questions and extract from the interviewee their life story is extraordinary. She also uses those podcasting skills to support the Clare and Gilbert Valleys Council. I am really excited for Annabelle. I know the district is with her and we really wish her well as a South Australian finalist and hopefully she makes it all the way.

Annabelle was the 2025 finalist for South Australia, but last year the 2024 AgriFutures Rural Women's Award winner was Nikki Atkinson. She is just up the road around Booleroo Centre, but I claim everyone within cooee of Clare. She runs her own business called Horrocks Vale Collections which is just a beautiful, elegant wedding dress line, but it is the sustainability and her use of merino wool and the local fibre that she sources that really makes her stand out in the field.

Last year we got to celebrate with her at Bungaree Station, where hundreds of women gathered for a long lunch—we do that well. It was organised by the Sevenhill CWA ladies, who do a brilliant job of pulling together significant, unique events like this that allow us to step away from our work, come together, celebrate women, have a good time and support local businesses. And it makes a pretty good tourism destination too, if I do say so myself.

We have to go back another 12 months to 2023: the South Australian winner was Ali Paulett, a bubbly, vibrant, charismatic, knock-it-out-of-the-park, hardworking mum, partner, advocate and environmental champion. At Pauletts wines' Bush deVine Winery Restaurant, Ali has established an Indigenous native garden that not only supplies ingredients to the restaurant—I highly recommend

it—but is going to be a garden that educates, that will allow people to come and visit, to taste, to sample, to learn, to be on country and to understand what native bush tucker adds to our health. I do not hesitate to say that that award was well deserved back in 2023, and she continues to get involved in local projects that really give back to the community.

Three years before that—on a roll we are—was Steph Schmidt in 2020. I have to take you back to COVID times where Steph Schmidt as the winner was denied access to travel as part of the award, so she really enhanced and honed her social media profile, her online profile, while she was restricted in her movements. From a farm she shares with her husband and her children at Worlds End in the Eudunda area, Steph Schmidt is trending right now because her Farm Life Psych contributions to the mental health and the mental distress that many of our farmers are experiencing right now are very timely. Many people are reaching out to me and sharing her contact with me as the local member and the shadow minister for mental health because she has a really important message to share.

She makes herself vulnerable, her content is unique to her and it is so easy to relate to the contributions Steph makes on the impact the drought is having and the devastation families feel when things are out of their control, when the banks are circling and when the pressures are increasing. This is another female in our region leading the way for men and women on an issue that really is at the heart of how we live and how we feed ourselves and what is important about our economy.

A final contribution is about Alex Thomas, who was a winner in 2018. She was nominated and won because she is a fierce advocate for the prevention of work-related serious injuries and fatalities in primary industries, the fatality rate of which remains eight times higher. Alex believes that rural women are a catalyst for change, and she is still driving that through her Plant a Seed for Safety social media presence. I really recommend that people find her and listen to her message. Part of her platform was to interview 100 women to tell their story, and she has certainly done that. She is juggling family demands, a father who is living with renal dialysis and the challenges we see in the regional health system. She is just another champion I am happy to celebrate as part of women who are doing great things in South Australia.

**The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence) (11:54):** I thank the member for Frome for sharing those comments and that story. I thank the member for Gibson for this motion and also for her enduring commitment to celebrating the achievements and contributions of women and to ensuring that well beyond the events we enjoy this week, beyond the celebrations of progress, we must continue to take impactful, sustained action to advance equality and to urge those who are not yet active to play their part.

I am really proud to have called the member for Gibson a friend for more than three decades and so proud of everything she brings to this place. For decades I saw her empower the voice of some of the lowest paid workers in our state, workers in the early childhood education sector who are largely women. The member for Gibson is steadfast in speaking truth about all that women continue to confront and about empowering the voices of other women. On the issues that women confront that we should never compromise on, she is rightly uncompromising.

The member for Gibson is strong, articulate and courageous, and I applaud her commitment to ensuring that all women are treated with dignity and respect, empowered to live their lives free from violence, engaged, equally able to participate in our economy, and I applaud her commitment to calling out disrespect and poor behaviour and her strength in doing so. I particularly thank her for her strength today in sharing her own experience, an experience that is absolutely not okay, that women are tired of and that speaks to how much more we have to do.

International Women's Day is an opportunity for reflection on women's achievements globally, while emphasising the urgent need for accelerated progress toward equality. This year's theme, March Forward, in light of the 30-year anniversary of the United Nations Beijing Declaration and Platform for Action, calls for decisive action to turn conversations into tangible results, and decisively act we must because, despite progress made, millions of women across the globe still face barriers that impede equality.

The progress on sustainable goals, the Gender Snapshot 2024, showed that at current rates it will take a staggering 137 years to lift all women and girls out of poverty, that 119 million girls do not go to school and 48 million more women than men experience food insecurity. Here in Australia women returning to work after a break often do so in lower paid roles, and across the first five years of parenting their first child their earnings are reduced by 55 per cent on average. During the same period men's earnings remain unaffected.

Despite girls and women making up 53 per cent of SACE subject enrolments, in particular subject areas they are well under-represented with gender norms continuing to influence behaviour and ultimately resulting in gender segregation in job type. Sadly, we know and we feel that terrible fact that one woman every four days is murdered by their current or former partner in this country, that one in four women experience sexual, emotional or physical abuse, with consequences for their health, wellbeing and economic independence across their lifetimes. We know that there are new insidious ways of demeaning and harassing women, including online, with the likes of Andrew Tate attempting to undo every respectful relationship education session that we run faster than we can convene them.

These horrific facts compel us to do more and ongoing recent examples call us to intensify our action. As the member for Gibson has spoken about, we still have to put up with ridiculous and demeaning commentary about women, uttered by high-profile men. We still check ourselves when we run at night, we all jump or scream when we hear someone running behind us, we check that we have our phone ready to dial for help and our keys in hand when we walk to our cars. I do, and I have agency. For many women who do not, their fear is intensified.

Our South Australian government's agenda highlights the collective effort required to create an equal future for women and girls, an equal future that will benefit all, an equal future that will only be created if we all march forward together and urgently shift attitudes about women and their experiences.

Alarming, the National Community Attitudes towards Violence against Women Survey, which is a periodic representative survey of the Australian population, benchmarks community understanding and attitudes about violence against women and gender inequality. Its most recent survey findings showed that a majority of Australians do not think violence against women occurs in all communities, that 41 per cent of respondents mistakenly believe that family and domestic violence is equally committed by men and women and, shockingly, that two in five Australians believe that women make up false reports of sexual assault in order to punish men—two in five.

These reports highlight that we must continue to improve understanding and attitudes regarding violence against women and gender inequality, and the importance and the urgency of the task ahead for every single one of us. Our government is deeply committed to playing our part in this task. During our first ever South Australian Women's Week, we celebrate the contributions of women and girls, spark dialogue and want to inspire real action to advance change.

Throughout the week, which culminates on International Women's Day this Saturday, groups across South Australia are convening events and discussions. These activities will bring people together in different ways and provide platforms for women to share their stories, connect, contemplate all that we confront, inspire others and showcase their talents and help advance change. I encourage everyone to celebrate but, also, to deeply consider what role they can play in driving real change. There are so many actions that everybody can take. You can:

- educate yourself—learn how to recognise the signs of all forms of domestic violence and how to start conversations to support those experiencing it;
- call out disrespect toward women every time, even when it is uncomfortable to do so;
- advocate for women's voices to be included, heard and acted upon;
- assess women's representation in decision-making bodies and make change if women are not equally represented;
- volunteer with women's services;

- donate to women's organisations;
- support initiatives and discussions or start a discussion that raises awareness about inequality;
- support women-owned businesses;
- immerse yourself in a woman-led Adelaide Fringe show and avail yourselves of the \$10 discount that the government is providing for particular women-led shows; and
- reflect deeply this week on the scourge of domestic, family and sexual violence and the once-in-a-generation opportunity we are presented with through our Royal Commission into Domestic, Family and Sexual Violence.

We have a moment ahead of us to help shift the landscape of violence, prevention and response in this state in a profound way. Find out more about it.

Our South Australian government's broader agenda to support women's equality extends beyond the events of this week. This Women's Week, and always, our government acknowledges the urgent need to eradicate violence against women and create a safer environment for all. Again, we encourage everyone to think about the part they can play in creating that environment.

Our government has committed to a multifaceted approach that recognises that achieving equality requires collective effort across all sectors of society, across government, the private sector and community. At the heart of our agenda are strategic actions aimed at improving women's economic participation, ensuring equal representation, challenging stereotypes that limit women's opportunities and empowering girls and women to equally, safely and actively participate in every aspect of community life and our economy.

Through creating opportunities for women to thrive, and addressing the barriers women and girls face, together we pave the way for an equal and inclusive future for all South Australians.

**Mr BASHAM (Finniss) (12:04):** I thank the member for Gibson for bringing this motion to the house. It certainly gives me a great opportunity to talk about some wonderful women in my community and how we have been celebrating them in that community. It has been 12 years now that we have seen the VIEW Club in Victor Harbor working in conjunction with the member for Finniss (me), and Michael Pengilly, my predecessor, in delivering an event, a breakfast, every International Women's Day morning or thereabouts.

This year it is on Friday rather than on the Saturday, but it is there to celebrate the women of the Fleurieu. It certainly has given a great platform to celebrate those women. Nearly every year is a sellout and this year's sold out last week. It is fantastic again to see those people being celebrated.

I will reflect on some of the winners over the last couple of years. There are three categories that we have awards for: the young ambassador, the inspiring businesswoman, and the community volunteer—all very important categories that we are there to celebrate, and it is great that we have been able to do that. As I said, we have had some great winners.

In the inspiring women category, last year's winner, Ticcanum Jumpee, or TJ as she is affectionately known, was a wonderful winner, and what she has done in our community is quite amazing. She actually studied economics as an international student in Sydney. She fell in love with the Fleurieu on a visit to the region that resulted in opening THAi Days restaurant in Cadell Street in Goolwa. THAi Days is extremely popular with locals and visitors and very much requires you to book in advance.

It was from very humble beginnings in a city in northern Thailand that TJ came to Sydney as an international student to study economics. An entrepreneur at heart, she soon found herself in partnership with a restaurant in Sydney. During that time she learned a great deal about business through the many challenges that she had to overcome. Keen to learn and grow and not one to shy away from hard work, she moved to the Southern Highlands of New South Wales to the prestigious town of Bowral.



TJ had successful restaurants in Bowral and nearby Mittagong. After visiting friends on the Fleurieu, she and her partner, now husband, Nick, saw an opportunity to open a restaurant in our beautiful part of the world. On 21 June 2021, THAi Days was opened and started trading on Cadell Street, Goolwa. TJ took an enormous risk, selling her restaurants in New South Wales and starting again in South Australia, especially at a time when there was uncertainty about how COVID would affect our communities long term.

Staff from New South Wales followed TJ to South Australia. They wanted to work with her because she cares for them all and treats them like family. TJ has employed numerous local staff and they love working with her. Her interaction with her staff is as genuine and caring as she displays to her customers. Her team is a family to her and they speak extremely highly of her. TJ is also a great supporter of the community, quick to give more than is asked for fundraising events.

THAi Days, due to its stunning food, warm and welcoming environment, and high standards, has been supported by the local community since the day it opened. It is extremely popular with locals and visitors, and it is necessary to book a week in advance, if not more, for Friday and Saturday nights. TJ has made her restaurant a huge success and had exciting plans to expand to a second restaurant, which has recently opened in Victor Harbor—Siam Seaside—and it is again another fabulous restaurant in our community. What an inspiration she has been to many in being able to actually deliver for the community.

Back in 2023, Kirsti Knowles was a winner. She is the founder of the Recreation & Active Disability Support business near Victor Harbor. She identified a demand for quality and consistent in-home and community support work, and in less than three years she employed 50 local support workers. RADS has supported over 60 NDIS participants living on Fleurieu Peninsula and provides a space for not only their clients but the clients of all providers and independent support workers. It provides a safe space for individuals and social groups and hopes to make the Fleurieu as inclusive and accessible as possible.

Both of those women were truly wonderful winners of the Most Inspiring Business Woman award at the International Women's Day Breakfast on the Fleurieu. I am looking forward to announcing the winner of this year's award on Friday. I was part of the judging panel, so I know who the winner is, but I will not say it now. It is a fantastic businessperson in our community, so again another worthy winner.

We then get to something that is really important to the community, and that is community volunteers. We have seen wonderful community volunteers, particularly in an ageing community. There are a lot of people who have time on their hands, but the amount of work the next two people I will mention have done for the community is amazing.

The 2024 winner was Julie Irwin. She has been actively involved in the community for nearly 40 years, and she has done that while facing family challenges as well as being successful in her working life. She has certainly been heavily involved in community groups such as Zonta, and she has been the president of the Rotary Club of Victor Harbor, so she has done amazing things. Her role as president of Rotary at Victor Harbor was during the particularly challenging time of COVID, and she tried to keep the connection of the club going when they were not able to actually meet. That was a big challenge that she faced during her time.

Julie has also been the instigator of local initiatives, including the Birthing Kit Foundation, which supplies kits to women having children in the South Coast District Hospital; Breast Care Cushions; the Zonta Says No and the Zonta Says NOW campaigns; the Amelia Earhart Fellowship program; International Women's Day; Bradley's Place; and the Nangawooka Flora Reserve. These are things that she has been involved in, and we have seen success in that.

The 2023 winner was Lesley Rumbelow. The Rumbelows are a long-time family of Victor Harbor, and Lesley has been an outstanding volunteer, particularly at the Encounter Bay Football Club. She has been active there for 35 years and is still volunteering there. She started out by originally volunteering to wash the Mini Colts guernseys at the end of their games, but she has certainly done much more. She has been a co-canteen manager to prepare meals for the players on training nights and at home games, and she helps cater at functions and events. She is a life member of the Encounter Bay Football Club.

She is also an outstanding contributor to the Victor Harbor Yacht Club, where she has been involved for over 30 years. She also volunteers in the Art Gallery and has been a group leader there for approximately 20 years. These are a great couple of women involved in volunteering who are very much stars within our community.

We also have the Young Ambassadors category. It is quite fascinating to see the people nominated in this category. Last year's winner was Evie Gray, who started volunteering with Riding for the Disabled Southern Fleurieu in 2021, soon after she turned 12. That gives you an idea of how young she was when she won this award in 2024—she was only 15. She goes to school at Yankalilla, plays netball and football for Victor Harbor, and loves doing work for Riding for the Disabled. She brings joy to the clients and the volunteers by making special cards, colourful name tags and remembering and acknowledging others with care. She has a great attitude, commitment and community spirit that is amazing in someone so young, and the work that she is doing is fantastic.

Back in 2023, the Young Ambassador winner, Nellie Langford, was completing year 12 at Mount Compass at the time. She is 19 now. During her time at school, she was school captain and she founded the school running club. She competes in race walking at local, state and national levels and she received multiple medals in 2022: seven gold and two bronze. She was also awarded the South Australian under-18 female road, cross country and walks award in 2022. She does all of this while balancing her education as well as a part-time job, so there is fantastic work being done by young people in my community as well.

I am very much looking forward to the announcement on Friday of this year's winners. To me, it is such a great way to celebrate. I am really proud to be a part of this event which has now been going for 12 years on the Fleurieu, and I do not see it stopping going forward. It is such a great way to celebrate the women of our community.

**The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (12:16):** It is my pleasure to rise to support this motion from the member for Gibson this morning on International Women's Day and to share a few observations personally but also to talk about some of the things that we are doing as a government in my portfolios of education, training and skills which, of course, are incredibly relevant in terms of the motion that we are discussing but also in terms of the challenge ahead of us, to particularly increase women's participation in the workforce but specifically a lot of those traditional male-dominated professions and occupations.

One of the comments I make at a lot of skills and training events or graduation nights where apprentices or trainees are receiving their parchments after having been through their four-year apprenticeship and graduating is that we need to do more not just as a government but as a society to encourage women and particularly young women into in-demand, in-short-supply occupations that have been traditionally thought of as being only for men.

The observation that I often make is that we are really pushing up against it, particularly in terms of how we encourage more people to consider a future job in a VET area. Whether it is an apprenticeship, a traineeship, a certificate II, a certificate III or a diploma, it does not matter because we are pushing against the tide of history on two fronts: one is, we have told generations and generations of young people in Australia, and I would count myself as one of those, that a VET pathway is a second-class option to going to university.

That is what I was told, despite the fact that I went to a public high school that had been, up until two years before I started there, a technical college, a technical school, and still had a very strong trade program. Despite that, we were still very much told in more subtle ways by our teachers and the school but in probably not so subtle ways by those people around us—parents and grandparents and aunties and uncles—that what you wanted to aim for was a good ATAR score, or entry score as it was then, and then go to university.

On top of that, we have compounded the problem by disincentivising even further young women from considering a future in these roles because we have very much characterised them and used language which has reinforced that they are not jobs for them, not jobs that they either would necessarily be proficient at or jobs that they should be interested in, and that as a society we would judge them in negative ways for putting their hand up to do jobs that we have thought of as jobs just for blokes.

This morning I have come from Osborne where I joined the Deputy Prime Minister, the Premier and the Deputy Premier at the Osborne Naval Shipyard where the sod was turned on the training and skills academy, which is a fantastic announcement for our state and will play a huge role in training the workforce that we need to build the subs, but the challenge that we have and the cold hard truth is that if we are not able to encourage more women to take up some of the roles that will be on offer and needed at Osborne, we are likely going to be unsuccessful in reaching our workforce targets.

I give the example of the building and construction industry. Because of workforce shortages over a number of years, which the industry, government and training providers are very interested in trying to close, there has been a lot of focus by training organisations such as Master Builders on what can be done to actually grow the female participation rate in what is a very, very large workforce from the current level, which is only about 2 per cent, up to something higher.

Work is being done by the industry, with support from government, in the knowledge that quite simply if we are to meet the targets we have in terms of more sparkies, plumbers and carpenters, all those trades, if we just keep on sourcing 98 per cent of the workforce from 50 per cent of the population, we are going to fail. It is just not possible. Putting aside all those altruistic reasons I know people in this place share around why we should see more equal representation of genders and diversity in that sector, it is actually just not statistically possible to grow the workforce we need in those areas if we do not start increasing the representation from particularly young women.

In my own portfolios, there are a number of things that we do, but in terms of the intersection between training and skills and education, there is some work we are doing to support particularly some of those training providers. Again, I would point to organisations such as Master Builders, Motor Trades, PEER and ATEC, who are very keen on doing what they can to encourage women to work in those areas, to be able to get into our high schools at years 7, 8 and 9 age groups to start having more detailed conversations with young people around why they should consider a career in one of those areas, whether it is plumbing or carpentry or electrotech or whatever it might be.

There is some really good work being done as well to make sure that where we can we have women from the workforce going into schools to have those conversations. It is something I see that has been a real learning curve for me with my own three young daughters around the impact your words as a parent have on them when you are discussing what they might do when they are older. Currently, mine are nine, nine and just about 11, so what they want to do changes every week. There will be a new one next week and that is totally fine.

I have seen that often they will come to my wife, to me or to their grandparents to let us know what they want to do when they are older and it really is for them about seeking the reaction from us around how we respond in terms of saying, 'That's a great idea. You could do that. Absolutely you should aim for that,' or whether it is that kind of subtle comment that actually disincentivises them and gets them thinking that maybe that is either something they should not do or something that will not gain the respect of their family and people around them if they choose to do it anyway.

I hope to become much better at making sure my daughters are exposed to other opportunities that might have been outside their field of vision and then, when having those discussions with them, really reinforcing not only their ability to go and do it and the opportunities that lie in those areas—particularly in South Australia at the moment: fantastic job opportunities, well-paid work, long-term work, great career pathways into doing other things—but making sure they understand all those opportunities that are there for them and making sure they understand that if they did go on to do that I would be proud, their mum would be proud, grandma and grandpa would be proud, and the state would be very thankful too because that is where we actually need them to go.

All those things are important and, on a day like International Women's Day and in my portfolios, these are the things I try to focus on. If we look in this place, in the almost seven years that I have been privileged to be a member, we have gone from 11 women in total in this chamber to having 15 on this side alone, which is something of which we are very proud. There is still more work to do.

I have watched with great interest—particularly I will give a shout-out to the members for Newland and King, who I obviously spend a lot of time with out in the north-eastern suburbs, but this does not just apply to them—the way in which I have seen young women respond to them doing the job of a member of parliament.

I saw this with my own daughter, Rose, upon the election of the member for Newland and the member for King. She had a father who was a member of parliament already, but she was far more excited really when the members for Newland and King were elected, because there were these other young women doing this thing. I saw how powerfully that spoke to her that it was something she might be able to do as well. It was something you had to see to truly understand the impact.

It is a real cliché now, but you cannot be what you cannot see. It is absolutely true for all of us. It was certainly something that I felt very acutely growing up on a farm in a very small country town around the things you thought you could actually possibly do and what felt impossible. It is true of attracting women into these areas and giving them opportunities. I am very pleased to support the member for Gibson's motion on certainly an important topic today.

**Mr BELL (Mount Gambier) (12:26):** I also rise in support of the motion. I want to thank the member for Gibson for bringing it to this place. International Women's Day is an important opportunity to celebrate the achievement of women today while also recognising the challenges that remain.

We were discussing this motion in my office, and it really led to some robust discussion, particularly around wage disparity. I found it very beneficial to have that group discussion and talk about some of the issues and inequities that do exist. It certainly increased my knowledge, listening to Ilana and Denise in my office, and some of their experiences. The bit that perhaps I did not fully understand was wage inequality. Coming from the government sector, I thought a wage was blind to gender, in that you are paid an ASO 3 or 4 whatever level that may be. Hearing their experiences on who achieves some of those higher band levels predominantly, being males to the exclusion of females, and their private sector experience and the real disparities that exist there, certainly increased my understanding of the issue. I found the discussion that evolved from a motion that was sitting on our desk very beneficial and came away with a greater depth of knowledge, so I do want to thank the member for that.

I also want to take the opportunity to highlight some of the remarkable women in the electorate of Mount Gambier who have forged pathways in their respective field and also forged pathways for future generations. I want to talk about Wendy Fennell, who is a pioneer in the Australian forest industry. She leads Fennell Forestry, one of South Australia's largest logging contractors, with over 30 years' experience in a traditionally male-dominated field. She has expanded her business to employ around 80 staff. Her commitment to sustainability is evident through initiatives like the electric log truck—the electric truck, as we call it. I also need to give a shout-out to the minister involved in terms of providing a \$200,000 incentive, which was matched by Fennell Forestry, to transition from diesel trucks to electric trucks, which are quite suitable for short-haul runs and then building up to longer haul runs. Most of our transportation of logs is to the port of Portland, which is about an hour and 15 minutes away from Mount Gambier and the electric trucks certainly are providing great feedback to the government and Wendy on the suitability of that. As Wendy said herself:

We should not be afraid to acknowledge that women and men operate differently. I think personal characteristics are a greater barrier to career success than gender.

Toni Vorenas exemplifies transformative leadership and community commitment in Mount Gambier. After a distinguished 30-year career in education—and I have had the privilege of working with Toni Vorenas at Mount Gambier High School and saw her genuine commitment to young people, in particular disadvantaged young people. If you go into the Metro Bakery and Cafe down in Mount Gambier, you will see an eclectic group of young people predominantly, who Toni certainly offers opportunities to, and guidance, mentoring and support. Toni's dedication to fostering a culture of respect and diversity has not only propelled her business's success but also enriched our community. Her journey from educator to entrepreneur is a testament to the power of adaptability and leadership.

Wendy Richardson is another distinguished business leader in Mount Gambier, celebrated for her enduring contribution to the local fashion industry as the owner of Redgum Country. She has dedicated over three decades to providing exceptional customer service, transforming her store into a destination for locals and visitors alike. Her commitment to excellence was honoured with the influential businesswoman of the year award in 2011 and in 2023 Redgum Country was inducted into the Mount Gambier Chamber of Commerce Hall of Fame, a testament to Wendy's unwavering dedication and the store's significant impact on our community. Beyond her business acumen, Wendy is deeply involved in community initiatives, having been part of raising over half a million dollars for charity through fashion parades and other fundraising events.

Maureen Klintberg is a longstanding community health advocate for our region. In the early 2000s Maureen played a pivotal role in fundraising over \$300,000 to establish a hydrotherapy pool for Mount Gambier. She then served as presiding member of the Mount Gambier and Districts Health Advisory Council, spearheading the community campaign for the redevelopment of the renal dialysis unit at Mount Gambier.

Maureen has also been instrumental in enhancing palliative care services in the region. This began with the establishment of In Home Hospice Care and, more recently, as part of a steering committee that has seen funds raised for a hospice feasibility study, eventually leading on to a hospice in its own right. Her unwavering commitment to improving the lives in our community, reflects a broader impact that strong, determined women have in shaping our society.

I would also like to acknowledge the leadership of Lynette Martin and Kylie Boston, both mayors of Mount Gambier and Grant district council respectively. Both women bring strength, vision and dedication to their roles, ensuring our communities continue to thrive. Their leadership is yet another example of the valuable contributions women make at all levels of our society. Each of these women represent the strength, resilience and innovation that drive our community forward. From industry leaders and entrepreneurs, to those shaping health care, local government and community services, their contributions are invaluable.

Beyond those I have already mentioned, many more inspiring women continue to shape our region's success, including Jacinta Jones, Tahlia Gabrielli, Lisa Attard, Sharon Tufnell, Gail Richards, Kelsie Prowse, Liz McKinnon, Kate Hill and countless others. Through their leadership, dedication and entrepreneurial spirit, they are not only building thriving businesses but also enriching our local economy and creating opportunities for future generations. On this International Women's Day we celebrate these remarkable women and commit to marching forward together towards a more inclusive and equitable future. I commend the motion to the house.

**Ms THOMPSON (Davenport) (12:34):** I also rise today to join the celebration of International Women's Day, a global observance that not only honours the remarkable achievements of women throughout history but also serves as a catalyst for accelerating our efforts towards gender equality. This day provides an invaluable opportunity to recognise and celebrate the diverse contributions of women from all walks of life. Whether in corporate boardrooms, classrooms, homes, or on the frontlines of social movements, women consistently push boundaries and break barriers. But we need to acknowledge that many women worldwide and here in our own communities continue to face significant challenges, including violence, economic disparity and discrimination.

Today, though, I wish to highlight and celebrate some of the extraordinary women doing incredible things within my community. Firstly, our community is fortunate to have some excellent principals leading our schools: Sarah Magnusson, Marion Coady, Kylie Eggers, Tracey Thomson, Donella Munro, Paula Skinner, Erika Dixon and Sharon Willoughby. These trailblazers lead with vision, passion and an unwavering commitment to student success. They are shaping the lives and inspiring the young minds of students, demonstrating that leadership transcends gender.

It is also important for me to recognise the emerging female leaders in our schools: at Aberfoyle Park High School, school captain Hannah and vice-captains Lacey and Matilda and at Seaview High School both captains, Sienna and Lily. These young women exemplify leadership and serve as brilliant role models for their peers.

In fields traditionally dominated by men, women like Tammie Ingelton, President of the Happy Valley Football Club, are redefining leadership and paving the way for future generations.

Emma Murray of Hub Gymnastics has made a profound impact in our community, coaching countless young people and advocating tirelessly for improved facilities. Her efforts, alongside support from the Malinauskas Labor government as well as the Albanese federal government and council have led to the development of a new facility on Candy Road, ensuring that every child eager to participate in gymnastics can do so. I believe there are about 700 kids on the waitlist, so I am very excited for it to open in the next couple of months.

Bev Langley from Minton Farm Animal Rescue Centre in Cherry Gardens has been rescuing and rehabilitating orphaned and injured native wildlife since 1992. Her tireless efforts ensure that these animals are cared for and given the opportunity to be released back into the wild. Wendy Perry, author, educator, entrepreneur and Managing Director of Workforce BluePrint, mentors local and international businesses and professionals. Her work with Bhutan, the only net-zero city in the world, demonstrates her commitment to global sustainability and innovation.

Councillor Marion Themeliotis of Thalassa Ward in the City of Onkaparinga is a force to be reckoned with, an unwavering advocate who always puts her community first. While others may take the easy road, Marion is never afraid to stand alone, challenging decisions that do not serve her constituents and holding the council to account. Whether it is fighting against the removal of playgrounds across the city, standing up for better local services or ensuring ratepayers' voices are heard, she puts herself out there, even when it means going against the majority. She is a fierce, hardworking leader who genuinely listens, acts and delivers for the people she represents.

Associate Professor Mary-Louise Rogers, my hero, is leading world-class research right here in South Australia at Flinders University. Her groundbreaking work in motor neurone disease (MND) research is giving hope to thousands of families affected by this devastating disease. Associate Professor Rogers and her team have pioneered the discovery of biomarkers that can help track MND progression, an essential breakthrough that could speed up the development of new treatments. Her dedication, innovation and relentless pursuit of answers are changing lives, and I know firsthand how much this research means to families impacted by MND.

Jo Watkins, along with her family, has significantly elevated our region's reputation on the global stage. As the Export, Sales and Marketing Director of Watkins Wine, Jo spearheaded the company's entry into the US market, achieving remarkable success by selling 15,000 bottles in their initial order. This accomplishment not only showcases the quality of their wines but also highlights Jo's strategic vision and dedication to expanding their international presence. Under her leadership Watkins Wine has become a prominent exporter, sharing the excellence of South Australian wines with the world.

Finally, I acknowledge a special group of young women who my team and I affectionately refer to as the daughters of Davenport: Lara, Zara, Bonnie and Georgia are not just active members of our local community, they are our own daughters and the daughters of myself and my colleagues, who have grown up surrounded by public service and community advocacy. Whether it is working the popcorn machine at local events, handing out water at community fun runs or engaging in discussions about important local issues, they are developing their own independent voices and opinions.

It is inspiring to see them take an interest in the world around them, standing up for equality and fairness with a passion that gives us hope for the future. They are a great reminder that the next generation is ready to take up the fight for respect, equal rights and a better community for everyone. So today let's make a commitment not just in words but in actions. Let's amplify women's voices in every space, making sure they are heard and valued. Let's call out stereotypes and biases that hold women and girls back.

Let's lift each other up, knowing that when one woman succeeds we all move forward. Let's keep pushing for equal pay, equal opportunities and an end to violence against women. Finally, let's create a future where our daughters can dream big and our sons grow up knowing that gender equality makes the world better for everyone. I commend the motion.

**Mr TEAGUE (Heysen) (12:40):** I rise to support the motion. Of course, International Women's Day has been a recognised day of significance by the UN since 1977 and, as might have been observed in the course of the debate, 30 years ago was a key moment as well, when in 1995

the UN pressed forward with what is remaining the bold vision for achievement, particularly to be focused upon on this day and captured by the theme of this year's International Women's Day, March Forward, in so many of the ways that have been addressed by others in the course of the debate.

As a practical matter I want to highlight that there are many key occasions for recognition celebrations of International Women's Day, not just on this coming Saturday 8 March—the day itself—but, perhaps because it falls on a Saturday, significant events will be held particularly on Friday 7 March. They include Zonta, which is very active. I want to highlight in particular a breakfast Zonta will be hosting at Norwood. Mount Barker council will be hosting an afternoon tea, a free event, where many of those who have been recognised—women in all walks of life in the local area—will be celebrated, including among them Deanna Wallis, who was recognised on Australia Day this year as Young Citizen of the Year for the council area.

Perhaps chief among the occasions to be a point for people to come together on that day is the committee breakfast. I will be along for that, once again hosted by the foreign minister, Penny Wong, and this year the guest speaker is Rachel Perkins. We will very much look forward to what Rachel Perkins will say to, I expect, a gathering of many hundreds of people on Friday morning.

I pick up and endorse and emphasise the Minister for Education's contribution just now in terms of the practical necessity for there to be training and vocational opportunities. In that regard it is good to see the involvement in key events over these coming days, including by the Property Council, Civil Contractors, SA Business Chamber, SA Unions are out and about, business gatherings at Victor Harbor—the list goes on at length. The Strathmore Hotel is hosting Women in Wine. So a wideranging nature and character of events will occur over these days ahead. I look forward to participating and continuing to learn as we improve going forward.

I recognise that this occasion has a long history. I also recognise that the vital work that is done, perhaps headlined by the events on the day and around itself, is very important indeed, so I commend the motion and I look forward to those events that are to come.

**The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services, Minister for Seniors and Ageing Well) (12:45):** I am rising to speak on the International Women's Day motion, moved by the member for Gibson. I could not rise on an IWD motion without just taking a moment to reflect on the sad passing of Dr Rosemary Crowley AO, former Senator for South Australia, trailblazer, incredible woman and dear friend to so many here in this place.

As the Premier reflected here yesterday, Rosemary was a trailblazing woman and the first woman the Labor Party sent to the Senate from South Australia—quite the achievement. We now have a few and all at one time. A passionate advocate for the affirmative action changes that have fundamentally changed the culture of our party for the better, and consequently the community, Rosemary believed fervently in holding women across all areas of our society but particularly in parliamentary chambers in high regard, and in the highest of positions.

Rosemary showed us that changing the make-up of our structures of power changes outcomes for women. Leading the charge to restore Medicare, advocating for child care, income support programs, maternity and disability support—these fights are ones that we see the echoes of today in the work that I and my colleagues do and, while some of the words have changed, some of the fights continue.

I was so proud to know Rosemary. Her count for the Senate took about a month. My count for the seat of Fisher took two to three weeks. It was tough, and Rosemary was a huge support during that time and since that time. We had that thread in common, and I always enjoyed bumping into Rosemary at so many events that we attended. I will miss her strength and fortitude. I have the great privilege of having known her, and she is part of the reason why I and so many others are here. In fact, she is really the reason why so many on our side of politics are definitely here.

It was only at the last election—and I think many members have already reflected on the election—that we had seven new women elected to parliament. Previously, in parliament, I have reflected on the fact that almost 90 years have passed since law said women could stand to run for parliament and vote at the same time. It took that long for seven women in total to be elected, so to do that in one day on one side of the house was quite incredible.

The theme of this year's International Women's Day is March Forward, to remind us that progress is not just about reflection but about taking decisive and bold steps to turn our commitments into action. Of course, this is the same for many other people in marginalised or minority situations. In this place, I am really proud that Labor have actually taken many commitments that we have made and turned them into positive and affirmative action.

We have different conversations in this place and we have different conversations in leadership across all of our members because of the presence of women. We do it differently. We are stubborn, insistent and persistent in our battles, we reflect on the struggles of the past and we have decisive and determined conversations which make sure we lead to a future where it is not such a struggle or a battle for our daughters, our nieces, our grandchildren and other community members.

Finally, as often comes up when we talk openly about these issues, I would like to voice my support for the words of my friend the member for Gibson: 'We cannot accept the issue of sexual harassment as one that we cannot change.' We absolutely cannot, must not, and I certainly will not. She continues by saying it is 'one that we must change—we must call out this disrespect—we must say that enough is enough, that change is not coming fast enough.' I thank the member for Gibson for moving this motion. It is a real privilege and an honour to be able to speak to it. I commend the motion.

**S.E. ANDREWS (Gibson) (12:50):** I would like to acknowledge all the members who spoke on this and I appreciate the diversity of thought that was reflected by all members. I acknowledge the member for Frome for her recognition for the women in her community. To the Minister for Women, thank you for your leadership and the way you clearly articulate the experience of women. I acknowledge the member for Finniss for celebrating the women in his community. To the Minister for Education, Training and Skills: I do appreciate that he recognises the challenges we face and his willingness to act to overcome them.

I acknowledge the member for Mount Gambier's reflection on what the gender pay gap really does capture, and the member for Davenport for acknowledging female trailblazers in her community, particularly the daughters of Davenport. I acknowledge the member for Heysen for recognising the history of International Women's Day, and to the Minister for Human Services, thank you for celebrating the life of the Hon. Dr Rosemary Crowley.

I am pretty angry. I am angry that I am still talking about this. I worry that my daughter is going to be still talking about this. But, regardless, I refuse to give up hope and I will endure and do the work that is required to make change.

Motion carried.

### **AFFORDABLE HOUSING**

**Mr COWDREY (Colton) (12:52):** I move:

That this house—

- (a) notes that South Australia is experiencing a severe housing crisis, with increasing numbers of citizens unable to secure affordable housing due to insufficient housing development, escalating costs and a lack of effective government intervention;
- (b) condemns the Malinauskas Labor government for its failure to set clear targets for housing development, skilled workforce recruitment and construction materials planning to address this crisis, despite the national Housing Accord goal of building 1.2 million homes over five years, with South Australia expected to contribute 84,000 homes;
- (c) recognises that the absence of these critical targets leaves South Australia unprepared to meet housing demands, impacting both affordability and accessibility and undermining the construction industry's confidence in the government's commitment to solving the housing shortage; and
- (d) calls on the Malinauskas Labor government to implement an actionable and transparent plan that includes:
  - i. defined targets for annual housing construction from 2024-25 through 2028-29;
  - ii. strategic recruitment goals for skilled construction workers to meet housing needs;



- iii. a detailed construction materials plan to secure the supply of essential materials like concrete, sand and aggregates, which are vital for housing and other infrastructure projects; and
- iv. a roadmap to address delays in key housing projects, such as the Seaton renewal program, the Build-to-Rent initiative and public housing maintenance.

It is fair to say that this area in housing is an area where the Malinauskas Labor government are exposed. There has been a lot of hot air, and there has been a lot of political spin. There have been a lot of PowerPoints, consultants and a range of other presentations. This really comes to an issue with Labor governments generally, which we saw exposed through the years of the Weatherill government, where the primary focus is always on inputs and nothing to do with outputs.

We have a government that has, at every turn in regard to housing, found a way to ensure that they are not putting themselves on the hook for any form of responsibility or target. That is in spite of the federal government's Housing Accord that has been well and truly aerated. Certainly, there is no confidence from the construction industry, and perhaps I can be so bold as to say from most Australians, that those targets are going to be met.

At least Anthony Albanese had the fortitude to put a target out to the world, to hold the industry to account and to provide some sort of target and timeline. But no, not this government; they could not possibly provide themselves with a target, something that they would perhaps need to achieve. It has quite simply been a moving feast of announcements, of walking back and of changing the goalposts.

This really started in the early days of the government trying to address this issue. If we look back at the land release announcement, the releases at Dry Creek, Concordia, Hackham and Sellicks Beach were announced by the Premier in February 2023, which is now nearly two years ago. It became pretty evident, not just this to this government and not just to the construction industry in South Australia, that there was a rather large oversight that the Premier had missed in regard to this proposal, whether that was because of the hasty nature of the way in which it was prepared or perhaps that there was more work effort put into the PowerPoints and the media strategy than what was actually being announced. As it turns out, if you want to release land you need water infrastructure. Nobody had even asked SA Water, it appears, whether there was the capacity in the forward plans to be able to accommodate these land releases.

We then saw the government release, in six to eight months, their Housing Roadmap—another jazz hands to shift the focus away from what was announced just earlier in the year; the new shiny object that we can now fascinate ourselves with.

Even within those Housing Roadmap announcements there still remain only questions. There are 30,000 new skilled training spaces in the construction industry. How many will there be per year? We do not know. How are they going to be achieved? We do not know. If you look back to the very first announcement of the land releases, the question that the government still has not been able to answer, both in this house and in the public forums more generally, is: will the government have a single house built on any of those land releases in this term of government?

The minister is here, and I am happy to hear from him if he wishes to interject. I know it is disorderly, but we are happy to hear his answer about whether there is going to be a single house built on those land releases in this term of government. It does appear that, to this point, the government's achievements in this space have largely been on the back of decisions that were taken by the former Marshall government.

The building sites that have been featured in press releases, to this point, by this government—let us give some examples to the house. The 1,000 affordable homes for first-home buyers, Prospect Corner, the Seaton development, Park Court, the Villawood Oakden development, Nightingale Bowden, the MAB development at Bowden, Aldinga, the YWCA development at Hutt Street, Oaklands Green and the Aboriginal Elders Village—all of these decisions.

Again, no amount of political spin and no number of media releases are actually going to build houses and, at the end of the day, that is what the people of South Australia will hold this government to account for. The minister can answer the question—he can feel free to do so now:

will a single house be built on those land releases in this term of government? We have our suspicions and the people of South Australia have theirs; it is up to the minister to provide an answer.

Debate adjourned.

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

#### *Parliamentary Procedure*

### **PAPERS**

The following papers were laid on the table:

By the Speaker—

Public Sector Act 2009—Overseas and Interstate Travel—Leader of the Opposition  
Report 12 January to 19 January 2025

By the Minister for Defence and Space Industries (Hon. S.C. Mullighan)—

Public Sector Act 2009—Overseas and Interstate Travel—Minister for Defence and Space  
Industries Report 11 January to 20 January 2025

By the Minister for Child Protection (Hon. K.A. Hildyard)—

Child Protection, Department for—Coronial Inquest Recommendations relating to the death  
of Caleb Evans (Pseudonym)—State Government Response Report, October 2024

### **VISITORS**

**The SPEAKER:** I would like to welcome to parliament today year 11 Legal Studies students from Concordia College, who are guests of the member for Unley. Welcome to parliament. I hope you enjoy the next hour or so of question time.

#### *Question Time*

### **WHYALLA STEELWORKS**

**The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:03):** My question is to the Premier. When did the Premier first receive advice that the Whyalla Steelworks was losing \$1.5 million a day? With your leave, sir, and that of the house, I will explain.

Leave granted.

**The Hon. V.A. TARZIA:** On 3 March it was reported by *The Advertiser* that the Whyalla Steelworks was losing \$1.5 million a day since July 2024 and bled \$319 million in seven months before the government intervened.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:04):** There are a few different parts to the Leader of the Opposition's question. The short answer to the question, of course, is we didn't officially find out exactly how much GFG was losing per day—and that's an average figure taken over a snapshot in time by the administrator—until we had access to the information. One of the reasons why in parliament in the last sitting week we moved that special-purpose piece of legislation was indeed to provide the very transparency that we had wanted for some time over GFG.

Those opposite, being the champions for business that they are, would well understand that the government doesn't get access to the accounts of private businesses that are not publicly listed. There were iterations of information that were being provided by GFG to us over time, but never the full degree of transparency that we would have liked. We had indications about substantial losses coming out of the steelworks, principally because GFG was telling us that was the case. But in terms of confirmed numbers, that has been facilitated by the administration that this government is funding in conjunction with the commonwealth as a result of the special-purpose legislation we passed through the parliament.

With regard to the Leader of the Opposition's remarks that he made more broadly beyond the question, the inference was, of course, why didn't the government act sooner? The government was very deliberate in its timing in terms of the intervention into Whyalla because there were a range of considerations that we had to put into place. Notwithstanding the challenges technically that the state had to confront in putting the business into administration, we had to do so in such a way that was in concert with the maintenance of South Australia's envied position around the country at the moment as being a good place to invest.

We wanted to work with major partners, who are looking to invest more into this state, so that they understood exactly what the government's actions were and why we were doing it. But, more than that, we wanted to make sure that, should the government take the decision that we ultimately took to put the business into administration, we had a plan to get it out of administration. That of course requires an awful lot of work, not least of which is a huge investment of capital that we know would be necessary for a new buyer to take that interest. I think everybody here would appreciate that that would only be able to be achieved with the support of the federal government.

The federal government in turn had to go through their very substantial processes before they could make a commitment of the size that they did, which is well north of \$1.5 billion. All of those things had to be lined up, and we had to do it with absolute discretion being applied to all of the government's deliberations because we knew that if it was publicly ventilated that would allow the opportunity for other parties—and I think it is self-evident who I am talking about—to intervene in such a way that could potentially derail our plans.

Every action that we have done we have done methodically and carefully because that's what governments do. That is what governments do. They don't come out and just make announcements. We don't immediately accept the advice of Gupta. We understand—

*Members interjecting:*

**The Hon. P.B. MALINAUSKAS:** If the opposition spokesperson wants to insert politics, I would simply point out that it was your position that the government should just hand over money to Gupta. We had a different view, and that's why we came up with a thoughtful policy that the people of Whyalla are better off for today.

#### WHYALLA STEELWORKS

**The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:08):** My question is to the Premier. Has the Premier received any advice on the likely length and cost of the administration of OneSteel Manufacturing Pty Ltd?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:08):** There is no specific timeline, and actually that is something we have turned our mind to in great detail. What we have said publicly to all and sundry—and I'm happy to furnish the Leader of the Opposition with the remarks that are already well and truly on the public record—is that we anticipate this to be a lengthy process. We know that the last time the business was in administration it took 17 months to get out of it. We have no reason to believe that this process will be any shorter. In fact, there is reason to believe that it might even be longer.

We know that the business is in a very different state to what was the case back in 2016 when Arrium went into administration. In fact, the more information that we get out of the administration process, which has a whole range of transparency associated with it, which was one of the reasons why we pursued the course of action that we did—that information that is now being entered into the public realm, for which we are grateful, I think demonstrates that this will be a long process.

We are up-front, and we are honest about this. No-one from the Treasury benches in this place or in the media or, most importantly, on the ground in Whyalla has been suggesting that it won't be a lengthy process. Of course it will be. A new owner will have to do an awful lot of work to be able to assess what they think the business is worth and their capacity to partner with government to deliver the transformation we know is necessary.

They will want to get in. They will want to look at the state of the business. They will want to understand the operations of the plant. They will want to understand the value of the business in terms of its order book. They will want to understand its capacity to ramp up production. They will want to understand what investment needs to be made in the physical capital of the building, everything from the blast furnace's operations to the BOS, the mines and all of the mill—all the associated works. All of that will have to be done and then of course, concurrently, beyond that, there will be a huge amount of due diligence—something I dare say the Leader of the Opposition will appreciate.

We would have loved to see the circumstances that would have allowed us to put the business in administration last week and have a new owner the following day, but of course no new owner buys a business without understanding it in all of its detail. So that will be undertaken, and we will be doing that in collaboration with the private sector. The administrator has made it known publicly that there are already 10 parties that have expressed interest. There are certainly other parties that have come to government as well to talk about how we can engage. We very much welcome that.

Early interest, of course, is very distinct from going through that process I spoke to and finalising a transaction, but the only way that we are able to draw out interest in the business is for the business to be up for sale, and Mr Gupta was never doing that. It was only able to be achieved by a process that would facilitate the business changing hands, which is exactly what this government has been able to facilitate through the actions that we have taken.

If there is a theme out of this in terms of what the South Australian public and broader Australian community should appreciate, it is that this is a state that is on an exceptionally positive trajectory in comparison to other parts of the country economically. We are not going to allow people to hold us back, and we are not going to allow anyone to get in the way of us achieving our agenda and our ambitions for the state, which is why we are willing to take necessary action—difficult but necessary action. We are not going to observe the problem. We have learnt the lessons of governments past. We are getting on with the task and delivering action, and that is exactly what the people of Whyalla want.

### WHYALLA STEELWORKS

**The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:12):** This might be a supplementary, given your interpretation, sir. Since the Premier has given that assurance, has the Premier received any advice on possible buyers for the Whyalla Steelworks and, if so, who are those possible buyers?

**The SPEAKER:** That is not a supplementary; that is a separate question. The Premier.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:12):** I mentioned ABC radio 891—it was there. They said there had been 10. It was publicly articulated yesterday by Mr Sebastian Hams on the radio. The Leader of the Opposition asks, 'Who are they?' For the side of politics that professes expertise in the way the private sector operates—the ignorance. Either you know that so much of this work will be done on a commercial-in-confidence basis between the administrator and the relevant parties or you don't know that that is the case. Either way, you have asked a question knowing the answer, which sort of defeats the purpose of this exercise, or you don't know that in fact that is the case, which demonstrates the complete incapacity of those opposite to be able to occupy the Treasury benches on this side of the house.

Even the most elementary appreciation of how these types of transactions operate in corporate law and in corporate governance in this country would demand a view that that type of question is not being asked in such an important forum on such an important subject as this one.

*Members interjecting:*

**The SPEAKER:** Members on my left will come to order, and the Premier and the Minister for Transport will come to order as well. The leader has the call, and we will listen to the Leader of the Opposition in silence.

### WHYALLA STEELWORKS

**The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:14):** My question is again to the Premier. What plans does the Premier have for the Whyalla Steelworks in the event that no-one wants to purchase it?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:14):** It's a hypothetical question. Again, the Leader of the Opposition with this line of questioning—one of the virtues of this forum is that it is in full public view. The *Hansard* forever will reflect the line of questioning from the Leader of the Opposition on this really important and significant policy question for the state. Our objective has to be in making sure that we get sovereign steel production in this country standing on its own two feet. That is exactly why we have a comprehensive policy, which a range of ministers have been engaged in, with a range of agencies, including across the commonwealth, because we haven't devised a policy just to put the steelworks into administration, we haven't even devised a policy that is about the survival of steel production in this country: we have actually devised a policy that is about its long-term future.

Like anything with the private sector, there are absolutely no cast-iron guarantees. The sole objective that we have taken here is to maximise the likelihood of a long-term, economic, commercially viable steel production business in this country. That's what we've done; we have sought to maximise the opportunity. The intervention we made is not lost on anyone in this place and I take the opportunity to thank the opposition to help facilitate in good faith the passage of the special-purpose legislation.

The actions that the government took, of course, were so significant in nature to reflect the significance of the challenge. We formed the judgement, in conjunction with expert advice, that the business on its current trajectory was approaching a position where it would be irredeemable. The moment we had that advice in hand, it invited us to take a course of action to minimise the likelihood of the business being irredeemable and maximise the likelihood of a long-term commercial, viable proposition. That is what we have sought to do. That doesn't bring with it any guarantees, except to say this: I think we can stand here—particularly given the information that has been divulged publicly by the administrator over the course of the last 48 hours—and say, with a high degree of confidence, that we are in a far better position today than where we were a fortnight ago because of the actions of this government. We know that the steelworks' prospects of long-term survival have been greatly enhanced by us.

*Members interjecting:*

**The Hon. P.B. MALINAUSKAS:** The member for Chaffey interjects. His interjections come second only to the member for Unley's for how welcome they are. The member for Chaffey obviously does not appreciate that the structure of the government's package isn't about bailing out GFG—GFG's debts are their own. What we have done is secure the future of Whyalla by coming up with a thoughtful strategy to protect the interests of South Australian taxpayers, who, of course, would be adversely affected if we had no steel industry at all, and we might have had no steel industry at all if we had gone down the path of signing up to a policy, like the Leader of the Opposition suggested, which was, 'Just give another \$50 million to Gupta.' So we have got a very different approach and a different approach with a very different outcome.

### EMERGENCY SERVICES VOLUNTEERS

**Mr McBRIDE (MacKillop) (14:18):** My question is to the Treasurer. Will the Treasurer consider offering CFS, ambulance and CSS volunteers exemptions from paying the emergency services levy. With your leave, sir, and the leave of the house, I will explain.

Leave granted.

**Mr McBRIDE:** It is becoming increasingly difficult to encourage people in the regional areas to volunteer. My office has been contacted by constituents who believe that offering a concession to those who contribute to the community would serve as an incentive to boost the numbers of volunteers.

**The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:18):** Can I thank the member for MacKillop for his question, because this is a question that gets raised from time to time. Of course, this year, I think, is the 25<sup>th</sup> birthday of the Liberal Party's emergency services levy that they introduced here in South Australia. This is a tax conceived, designed and introduced by those opposite.

*Members interjecting:*

**The SPEAKER:** The member for Hammond, and the member the Unley will come to order!

**The Hon. A. Koutsantonis:** GST and ESL.

**The Hon. S.C. MULLIGHAN:** It was controversial then and it remains, to some people, controversial now. Of course—

*Members interjecting:*

**The SPEAKER:** The member for Hammond can leave the chamber until the end of question time. The member for Florey, you are getting close to your final warning.

*The honourable member for Hammond having withdrawn from the chamber:*

**The Hon. S.C. MULLIGHAN:** Of course, what sits behind the member for MacKillop and his question is the important recognition of the extraordinary work that those South Australians who contribute to our emergency services response provide to their communities, and sometimes also to communities outside of South Australia when the need arises. Of course, with the weather coming in on the Queensland and New South Wales coasts we may well see one of those circumstances again.

Mr Speaker, as you might be aware, the emergency services levy was introduced to replace the old fire services levy regime on comprehensive and third party property vehicle insurance, building and contents insurance policies, and crop insurance. Of course, as we know, now it is levied on fixed property as well as mobile property, usually motor vehicles.

While I am advised that at the time there was consideration given—and there has been periodic consideration over the last 25 years—about whether there should be some recognition through the regime of the ESL about how to recognise the contribution that those South Australians make to our emergency services who are volunteers, some of the challenges that have remained unresolved over the last quarter of a century with that include defining who would constitute an emergency service volunteer for the purposes of a concession; what concession, for example, might be made available to a volunteer who did not own property, and how they would receive a benefit as a result; and what concession would be made available, for example, if there were multiple volunteers in the one household, in the one item of fixed property?

What we have ensured is that the revenue which is generated by the emergency services levy is hypothecated into providing funding for emergency services. While no-one likes any increase in any bill from year to year, it is important to note that all of that revenue from the fixed and mobile property goes directly into the facilities and the services, the equipment and the staffing that is necessary in order for our emergency service organisations, their staff, and the volunteers that support them to continue protecting the state.

#### DEFENCE SHIPBUILDING

**Mr DIGHTON (Black) (14:22):** My question is to the Premier. Can the Premier update the house on South Australia's role in defence shipbuilding?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:23):** I thank the member for Black for his question. Interestingly, it is an important strategy of developing the workforce capability that is required for our naval shipbuilding effort to make sure that people in the southern suburbs of Adelaide feel as though this is a readily accessible exercise. Only this morning I had the great opportunity to be on the ground at ASC for an important announcement and met a southern suburbs resident who was going through the process of receiving their apprenticeship in welding.

Today, the federal government, in conjunction with the South Australian government, announced probably one of the most significant milestones we have seen here in respect of the production of the AUKUS submarines at Osborne, in that we finally, today, turned a sod on the single most important institution that will define the skills production required for the AUKUS pillar 1 effort, and that is with the construction of the Skills and Training Academy.

This is a big deal. This is a \$480 million capital project for the Skills and Training Academy alone. Just think about that for a moment: almost half a billion dollars is being spent on just building the academy before we contemplate any of the operational costs associated with it.

This is a huge piece of work that is being led by the Australian Submarine Agency, led by Vice Admiral Mead. It is being done on the parcel of land that was facilitated by the land swap that was initiated by this government that didn't just see us hand over land to the commonwealth but in actual fact get a lot in return, including in the member for Badcoe's electorate down at Keswick a piece of land that we were told over decades we would never get our hands on, as well as exceptionally important land that the state has wanted to get our hands on at Cultana for a very, very long period of time indeed. That land swap was facilitated by this government in a way that was highly advantageous to the state, and on that land that we gave to the commonwealth we are now seeing a \$480 million capital program being built in return.

The numbers are eye-watering beyond the cost in the investment. There will be 800 to 1,000 people, predominantly young people, every single year going through this facility to get trained up for the AUKUS program—800 to 1,000. It is a very substantial number, and they will be acquiring the most important, discrete and acute level of skills because they will be skills associated with building the most complex machine ever built in human history—and it will be happening right here in South Australia. It is an exceptionally important effort.

Following that meeting this morning, I had the great pleasure at lunchtime to meet with Vice Admiral Mead at the State Administration Centre to talk about the ongoing works that we have planned at Osborne as that program ramps up. It's a bit of a challenge because of the work that is being undertaken down there now—and it's work that I know the Deputy Premier is more familiar with as the member for Port Adelaide, and she sees it firsthand. But you are now on the ground down at Lefevre Peninsula, starting to see it scaling up: you are starting to see the earthworks, you are starting to see the civil works under construction, trucks moving on a frequent basis because it's starting to gear up.

The Leader of the Opposition, who is chipping away there, might not have had the opportunity to go down to Osborne recently, but I encourage him to go around and take a drive because of the amount of activity: 11,000 trucks of soil are going to be moved in order to be able to facilitate the Skills and Training Academy alone—just that facility. Work is happening, this government is facilitating it and it's incredibly exciting for the future of our state.

#### **GFG ALLIANCE**

**Mr TELFER (Flinders) (14:27):** My question is to the Premier. Has the Premier received any advice as to whether all creditors of OneSteel Manufacturing Pty Ltd will have their debts paid in full and, if not, what percentage of the creditors' debt is expected to be received?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:27):** I am happy to furnish the honourable member with the press releases that have explained all of this detail. The South Australian government has stepped in with a support package for South Australian creditors, which I didn't even think they dreamed of it's fair to say, and that feedback was coming through loud and clear on the ground on Monday.

South Australian creditors of GFG are receiving payments of up to \$5 million for any moneys they were owed by GFG. Some of that money has already been transacted, as I referred to yesterday, in a way that's making a material difference on the ground. In exchange for those grants from the state government—not loans, grants—those businesses are consigning over to the state their rights to a dividend through the administration process, so we are assuming that burden for them.

For creditors outside of South Australia, or for creditors who are owed more than \$5 million, they are a small number, but naturally their debts are very substantial. Lots of those companies are publicly listed, and the ones that are talked about on the public record, of course, are NRW Holdings—their trading operation at Whyalla being Golding's, principally around the mine—and also Aurizon and CSL.

These are companies that are owed a lot of money, but they are publicly listed companies. It is not the responsibility of the state to assume their position. They are publicly listed companies that have made conscious and presumably, you would hope, sophisticated decisions about allowing GFG to rack up the debts that they did. That is for them to contemplate. The administration process will determine whether or not they receive any of those debts, where their ranking is, what their relative position is and, of course, what happens to the transaction of the business itself. It requires someone to pay something for it.

We certainly hope that is the case. The more of those debts that can be recovered by creditors—including the South Australian government, which is a first-ranking creditor, included because of the legislation that was passed through the parliament—the better. Again, I acknowledge the bipartisan support for that, for which we are grateful.

That puts our position quite high, and also as the funder of the administrator, in any administration the funder of the administrator becomes the automatic first-ranking creditor for the amount owed through the administration. The South Australian government's position is protected as best as we possibly can and, again, all of that information was actively considered as the government made the decisions we did over the course of recent weeks and months.

#### GFG ALLIANCE

**Mr TELFER (Flinders) (14:30):** My question is again to the Premier. Has the Premier received any advice as to whether entities connected to Sanjeev Gupta will receive payment of their debts before other unsecured creditors through the administrative process?

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:30):** That is a matter for the administrator. I guess what we have sought to do is to secure our position. When I say 'our position', I mean the South Australian government's position, and we have done that. We are a first-ranking creditor. We have first call, along with the commonwealth, through the funding of the administrator, and then our debts, the amounts owed to us through royalties and SA Water, we have a high ranking on. Again, that was to help facilitate—

**Mr Telfer:** And the other secured stuff you have—

**The Hon. P.B. MALINAUSKAS:** In terms of the local South Australian creditors, which is the vast bulk of them that are under that \$5 million range, that will be worked out in conjunction with all the other creditors and will be determined by the administrator.

#### GFG ALLIANCE

**Mr TELFER (Flinders) (14:31):** My question is again to the Premier. Has the Premier received any advice as to whether the administrator of OneSteel Manufacturing Pty Ltd can claw back any previous payments made to small businesses in Whyalla as unfair preferences?

**The SPEAKER:** Can you repeat the question, member for Flinders?

**Mr TELFER:** Absolutely. Has the Premier received any advice as to whether the administrator of OneSteel Manufacturing Pty Ltd can claw back any previous payments made to small businesses in Whyalla as unfair preferences? This is through the process, which you have already spoken about: the legalities, the legislation around it.

**The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:32):** They will be matters that will be determined by the administrator, which of course acts as an independent authority.

**Mr Telfer:** But can they?

**The Hon. P.B. MALINAUSKAS:** They will be matters that will be determined by the creditor under the Corporations Act.



*Members interjecting:*

**The SPEAKER:** The member for Florey can leave the chamber until the end of question time. I think overall the behaviour has been pretty good today. If we can just keep a lid on it, that would be good.

*Members interjecting:*

**The SPEAKER:** Member for Florey, you will leave in a quiet and orderly manner.

*The honourable member for Florey having withdrawn from the chamber:*

**The SPEAKER:** Apologies on behalf of some of your colleagues, the member for Narungga. You have the call.

### QUEEN ELIZABETH HOSPITAL

**Mr ELLIS (Narungga) (14:33):** My question is to the Minister for Health. Can the minister guarantee that the chronic pain unit at The QEH will be returned to a single-location easily accessible unit? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mr ELLIS:** My understanding is that the chronic pain unit at The QEH has been temporarily relocated to make way for 26 new beds. This has meant operating from two different locations, stretching resources and reducing utility. With those 26 new beds presumably there to stay, there is pessimism about the reunification of the chronic pain unit.

**The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:33):** Thank you very much to the member for Narungga for his very good question in relation to pain services at The QEH. What members may know is that one of our measures that the Treasurer put in last year's state budget was to fast-track 36 new beds at The Queen Elizabeth Hospital. As members will know, we are doing everything that we possibly can to expand bed capacity to make sure that patients can get the care that they need.

One of the wards at The QEH has not been used as a ward for beds for the past, I think, at least seven or eight years. That is a ward that has been used for both the pain service and the diabetes service. This is essentially a ward that has been built for bed accommodation. It has rooms, it has oxygen, it has all the facilities available to be used as a ward, it has ensuite bathrooms, but it is being used for pain and diabetes services because there has been nowhere else for them to go, and particularly that happened after the move to the new RAH when those services were located to The QEH.

The funding in the budget was less about redeveloping that area of the ward, which largely can be opened as beds with very minor modifications to bring it up to scratch, and more about the funding to establish the pain and diabetes services somewhere else in the hospital. The team has been working with the clinicians in both pain and diabetes to locate space within The QEH where that can happen, to undertake the plans in terms of what services will be needed to move those services into new accommodation. They haven't moved yet, in terms of the member's question, but there are plans to undertake a temporary move and then a permanent move to new locations. That is under consultation under our enterprise bargaining agreement with staff at the moment.

I did happen to visit the pain services in the past few weeks and speak to some of the doctors and nurses there. What was expressed to me, first and foremost, was that they wanted to see a commitment from the government that that temporary move wouldn't be the permanent move—that there would be the permanent move after that. We were able to give that commitment, and we have achieved the funding to enable that second move to happen. They have also raised some issues such as spaces for group therapy and group sessions with their patients. We are working on that to see if we can incorporate that within the plans.

But I absolutely make very clear to the parliament that we are very serious about making sure that we can utilise all bed capacity in our hospital system. Where we have beds that are not being used for beds, essentially—where we have patient rooms with ensuites that are being used for

nurses' and doctors' offices—that is obviously not the best possible outcome for the system as a whole.

We want to make sure that we have a good service for pain and diabetes and have good, appropriate facilities for those important services to happen, but we also want to make sure that our emergency departments, which face issues in terms of people stuck in them waiting for a bed elsewhere in the hospital system, are able to get access to beds elsewhere in the hospital system. That is why we are so determined to reopen that ward, to fully staff it as new capacity, particularly at a time when we are also seeing more of our capacity in our hospital system taken up by patients who ultimately need to be out in aged-care facilities but are stuck in our hospital system. We need to open every possible bed that we can. We are committed to doing that and also to working with the pain and diabetes services as part of that consultation underway at the moment.

### SA AMBULANCE SERVICE

**The Hon. A. PICCOLO (Light) (14:37):** My question is to the Minister for Health and Wellbeing. How is the state government investment in the SA Ambulance Service supporting the growing population of the north?

**The Hon. C.J. PICTON (Kurna—Minister for Health and Wellbeing) (14:37):** First and foremost, the member will be very aware that we have under construction at the moment the new ambulance station for Gawler, which has been long overdue. Not only have we expanded the ambulance capacity of Gawler but the existing station was far too small for the facilities that we needed, so we have had to invest in building a brand-new ambulance station for Gawler, which has been well welcomed by the community. It is in a location that the SA Ambulance Service believes will give ready access to the community for those emergencies when they happen.

But we also have our mind to the fact that there is an expanding population in the northern suburbs as well, more broadly than Gawler, and we need to make sure that the ambulance services in the northern suburbs reflect that. That is why we are very excited that in last year's state budget we were able to commit to a new ambulance station at Two Wells. Just last week, I was with the member at Two Wells where we released the plans for the new ambulance station, which will be built in a strategic location at Two Wells, designed by Grieve Gillett Architects.

*Members interjecting:*

**The SPEAKER:** The member for Schubert, would you mind listening to the Minister for Health in silence? Thank you.

**The Hon. C.J. PICTON:** I am not sure why they are against the Two Wells ambulance station, but that is typical of their approach to ambulance services over the past seven years.

*Members interjecting:*

**The Hon. C.J. PICTON:** They don't like investment in the northern suburbs. Very clearly, the Two Wells population is growing, there are new subdivisions happening in that area, and in fact the projections are that the Two Wells population will double. They are currently being served by the Mallala volunteer station, which is clearly not going to be appropriate when you are looking at that growing population.

So, not only will we have the new ambulance facilities, but we are also bringing on board the Two Wells ambulance crew, which initially will be based at Gawler with outreach to Two Wells, then once we have built this new ambulance station they will be based in the Two Wells community, providing care for not only that catchment but across Riverlea, Mallala, Dublin, potentially even reaching as far as Virginia, across all of those areas which are expanding very rapidly as well.

The paramedics for Two Wells will begin in November this year based out at Gawler and then will transfer to the new Two Wells station which will open towards the end of next year as well. We were there with the Mayor of the Adelaide Plains Council as well, and there has been lots of consultation with the council about this new development. We are excited to see that development happen to make sure that we can meet that need for those emergencies. I am advised that in just the past year in that catchment area, some 1,500 emergencies were responded to by the SA

Ambulance Service, highlighting why we need to invest in that area to make sure that we are meeting the needs of the growing population.

While I appreciate the member's interest in this and his lobbying and support for this, I was surprised that we never had any advocacy for this from the current member for Frome. In fact, the only time we had any contact from her was after the Treasurer announced it in the state budget when she sent me a letter saying, 'I welcome this investment.' But there was no lobbying for it beforehand. I think that this is something where, clearly, having a member advocating passionately for the area of Two Wells and surrounds is going to be critically important into the future. I thank the member for Light for doing so.

#### **LYELL MCEWIN HOSPITAL EMERGENCY DEPARTMENT**

**Mrs HURN (Schubert) (14:42):** My question is to the Minister for Health and Wellbeing. How does the minister respond to the experience of Mr Allan Haigh at the Lyell McEwin Hospital last week? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mrs HURN:** Seventy-eight year old Allan Haigh reportedly waited 15 hours in the emergency department at the Lyell McEwin Hospital last week, suffering blurred vision, he was unable to walk, with doctors suspecting that he had suffered a stroke. A week later, Mr Haigh remains in the hospital undergoing further tests.

**The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:42):** I am obviously concerned about anybody who has to wait in our emergency departments, and that's why the government is so committed to investing further in our healthcare system to make sure that people can get the care that they need.

That's why at Lyell McEwin Hospital, we have already opened 48 additional beds just in the past few months, and we've got additional beds forthcoming this year as well. Similarly to what we were talking about at The QEH, we are converting other areas of the hospital to new additional bed capacity at the Lyell McEwin Hospital to make sure that people who are stuck in the emergency department, who no longer need to be in the emergency department, can get the care that they need in inpatient beds and people can get treated faster through the emergency department.

In relation to the Haigh family, my office spoke to them on Friday and we committed to making sure that we can have a proper investigation with the clinicians, as we would do if there were appropriate complaints that have been made. They wanted to have a meeting with the clinicians, which we will organise when Mr Haigh is out of hospital. I understand the family have been very supportive and thankful for the care that he has received from the Royal Adelaide Hospital and I understand that the Lyell McEwin will be looking at what happened in this case and will be meeting with the family, and treating it very seriously.

But there's no doubt that we need that additional capacity. That's why we have opened additional beds and hired more doctors and nurses. We know that there's more to do, but I think it is always disappointing when we hear comments from the shadow minister attacking the treatment of our doctors and nurses who work so hard in our hospital system day in, day out.

#### **EMERGENCY DEPARTMENTS**

**Mrs HURN (Schubert) (14:44):** My question is to the Minister for Health and Wellbeing. What does the minister say to patients in South Australian public hospitals who are not seen within clinically acceptable timeframes? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mrs HURN:** The latest Public Hospital Report Card by the Australian Medical Association shows that more than six out of 10 people are not seen in time when they present with an urgent medical issue at our state's emergency departments, with the report showing that:

...emergency departments were performing at the lowest levels in recent memory, with this year's reporting period showing even further declines.

**The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:44):** That is why we are building a bigger health system. That's why we are investing in our healthcare system to make sure that there is more capacity for increasing numbers of patients who are coming to receive treatment in our emergency departments. That's why we are tackling the issue where for decades we haven't seen additional beds committed in a large way in our hospital system.

Already we have opened hundreds of extra beds with hundreds of additional beds to come across our hospital system to make sure we address what is called 'access block'. This is where patients have been in our emergency departments, have received treatment by our emergency department doctors and nurses and are waiting for another bed elsewhere in our hospital system but are stuck waiting for that other bed and then that deprives the next patient either coming from the ambulance or the waiting room into that emergency department cubicle. That delays the care for people who need it.

That is the critical issue. If you talk to any of our doctors and nurses groups, they will outline that as to why we face delays in our emergency departments and that's why we are so focused on tackling that issue. It is why we have opened additional beds. That is why, through the course of this year, we have more additional beds coming. That is why there is a big focus in our plans on mental health capacity with four upgrades to mental health coming through the course of this year at Noarlunga, Flinders, The QEH and Modbury to substantially increase our capacity for mental health because we know that that is one of the drivers of that access block and delay for other patients in our system. That has not been tackled by successive governments, Liberal or Labor, for a very long period of time.

We know, of course, there are other factors that we need to tackle as well. We know it is harder for people to get access to primary care when they need it. We are providing additional options for people in our community, whether that's 24-hour pharmacies, whether that's our health avoidance hubs we have established at The QEH, at Lyell McEwin Hospital, at the Repat or Sefton Park. People can get access to health care without having to go to a hospital, whether it's our virtual care services as well or working with the commonwealth on Medicare Urgent Care Clinics so people can get access to a range of those services without having to wait in an emergency department.

We also know how critical exiting the hospital system is as well. As of this moment, we have over 260 patients in our hospital system who are medically cleared for discharge, have had an ACAT assessment, who are ready to go to aged care but we can't get them into aged care. That has much more than doubled in the space of 18 months. That's bigger than the equivalent of Modbury Hospital taken up by patients who no longer need to be in the hospital system. We need to work further with the federal government to do that.

We are also taking matters into our own hands. We have reopened what was going to be sold off at Hampstead to accommodate many of these patients who otherwise would be taking up acute hospital beds. We are even using beds in the Pullman for some of these patients who are medically cleared to leave hospital but can't leave the hospital system yet because they don't have the appropriate supports to go to.

With every possible measure along the way, we are trying to reduce that pressure on our emergency departments, free up that access block, and provide other avenues of care for people so they don't need to wait in an emergency department. That is not only a big contrast to what we saw under the previous government but a policy vacuum. This is an absolutely policy-focused approach from this government in terms of tackling every element of the system. We haven't heard any objections to any one of those measures that the government is taking. We haven't heard any other proposals or suggestions. We await them if that ever happens.

#### **PATIENT TRANSFERS**

**Mrs HURN (Schubert) (14:48):** My question is to the Minister for Health and Wellbeing. Does the minister think it's appropriate for patients to be transferred between hospitals by taxis after undergoing major surgery? With your leave, sir, and that of the house, I will explain.

Leave granted.

**Mrs HURN:** On FIVEaa radio this morning, it was reported that an elderly man was transferred by a taxi from Royal Adelaide Hospital to Modbury Hospital last week only around a week after undergoing brain surgery to remove a brain tumour. The patient was struggling to walk and was in a wheelchair at the time.

**The Hon. C.J. PICTON (Kurna—Minister for Health and Wellbeing) (14:49):** Well, I back our doctors and nurses in terms of the decisions that they make in relation to patient care, in relation to making sure that our patients are well supported in our hospitals. That's very different to the shadow minister, who time after time attacks our doctors and nurses in the decisions that they make.

*Members interjecting:*

**The SPEAKER:** The member for Unley, you wouldn't want the students of Concordia seeing you evicted until the end of question time. He is usually very well behaved. Maybe he skipped lunch to take you on the tour, but the member for Unley is one of the better performers in here, very well mannered, usually. Back to you, the Minister for Health.

**The Hon. C.J. PICTON:** We've got the shadow minister for health questioning the decisions that our doctors and nurses are undertaking, not raising issues with the government beforehand, no letter to us beforehand—

*Members interjecting:*

**The SPEAKER:** Members on my left!

**The Hon. C.J. PICTON:** —asking for this case to be looked into.

*Members interjecting:*

**The SPEAKER:** Members on my left will come to order! The member for Flinders will leave the chamber until the end of question time.

*The honourable member for Flinders having withdrawn from the chamber:*

**The Hon. C.J. PICTON:** I certainly, as the health minister, will back our doctors and nurses in terms of the decisions that they make around the care of our patients in our system.

## HYDROGEN INDUSTRY

**Mr McBRIDE (MacKillop) (14:50):** My question is to Minister for Energy and Mining. Can the minister inform the house where hydrogen development and industry will land following the Whyalla Steelworks' bailout and deferred green steel election promises? With your leave, and the leave of the house, I will explain, Mr Speaker.

Leave granted.

**Mr McBRIDE:** There have been a lot of expectations around hydrogen, desalination and cheaper electricity prices. There are also businesses and investors wanting to work with the Malinauskas government in directions towards a new energy source.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:51):** Hydrogen is one of those alternative fuel sources that is misunderstood by a number of people. I saw today the former foreign minister, Mr Downer, completely misunderstanding the role that hydrogen would play in decarbonising steelmaking. He thought the process that hydrogen would be used for would be to run an electric arc furnace. Electric arc furnaces are not what hydrogen is designed for. Hydrogen is designed to be a reductant, which will replace coking coal. This is a fundamental misunderstanding a lot of members have about what role hydrogen plays in decarbonising steelmaking. I want to explain to the member for MacKillop some of the basic—

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** Yes, I will trust the engineer. What I wanted to say to the member for MacKillop is that hydrogen's time is coming, and it is coming fast, because every jurisdiction around the world knows that they need to decarbonise steelmaking. Steelmaking makes up between 7 per cent to 12 per cent of the globe's carbon emissions. Steelmaking is not an industry

that is going anywhere anytime fast. The question becomes: what do we replace metallurgical coal with? The first step will be natural gas.

Just to give some basic numbers to the member, when you use coking coal to beneficiate iron ore to iron, you create about two tonnes of carbon dioxide for every tonne of iron you produce. When you use natural gas, that drops from two tonnes of carbon dioxide to about 600 kilograms of carbon dioxide, a lot less than metallurgical coking coal, but still a considerable amount of carbon dioxide.

When you use hydrogen to remove the oxides as a reductant, you produce water vapour. That is the difference. There is no carbon dioxide emitted. This is a proven chemical process. That is the way you will decarbonise iron making. The only way we are going to make green steel is by using hydrogen. The question is: how do you manufacture the hydrogen? Of course, the green way of manufacturing hydrogen is to use renewable energy through an electrolysis process to make the hydrogen. The other way, of course, is the traditional way, where you would use either gas or you would use electricity from the grid, depending on whether it's bought, whether it's green, or otherwise.

The truth is, hydrogen is coming and it is coming fast. Korea, Japan, Germany, all the major steelmakers in the world, including India and China, know that the days of coking coal are coming to an end. Why? Because they know the planet is heating up and that carbon dioxide is a pollutant. Too much carbon dioxide in the atmosphere is bad for the planet. It is a proven scientific fact.

The reason we decided to put our Hydrogen Jobs Plan in Whyalla next to our largest iron ore reserves in the state and next to a steel mill is no coincidence. The reason we chose the steelworks is because we want to see hydrogen decarbonise our steelmaking processes, because if we can decarbonise iron making, we can go up that value chain and export a decarbonised iron product to the rest of the world.

Iron has other applications as well, and I will give you some of them. The shadow minister talked about hydrogen having a really fantastic ability to help clean energy going forward. He said it supports the transition to low-emission energies across not only electricity but also potentially going forward in heating, transport and industry as well. The hydrogen plan is not unique to us. It is just that others opposite attempt to politicise it.

*Members interjecting:*

**The SPEAKER:** Dr Karl, you have had your four minutes.

*Mr Patterson interjecting:*

**The SPEAKER:** The member for Morphett will come to order.

*Mr Patterson interjecting:*

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

*The honourable member for Morphett having withdrawn from the chamber:*

### **SOUTH AUSTRALIA POLICE**

**The Hon. A. PICCOLO (Light) (14:56):** My question is to the Minister for Police. Can the minister please update the house on recent investments into our police?

**The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:56):** I thank the member for Light for his question, because he is a strong advocate not only for his community and the communities surrounding but also for greater investment into the police for the northern suburbs. I was very, very pleased to be with the member for Light as well as representatives from South Australia Police to inspect some of the premises that we have that police operate from in the northern suburbs. I was able to visit not only the police station at Gawler but particularly the one at Two Wells.

Unfortunately, unlike the police station at Gawler, the police station at Two Wells needs some work. The great news is that there has been a commitment for additional investment to upgrade the police station at Two Wells—\$1.6 million. The reason why is because the number of sworn officers

operating from Two Wells is now to increase from three officers to seven officers—more policing resources protecting the community of the northern suburbs—just what the community has wanted.

Of course, this comes on top of the more than \$330 million that this government has committed into our police force over the last three years since coming to government, in stark contrast to the \$50 million of cuts that were imposed on South Australia Police by those opposite.

*Mr Batty interjecting:*

**The Hon. S.C. MULLIGHAN:** I understand the newest member to the parliament, who has just parachuted in in a by-election, says—

*Mr Batty interjecting:*

**The Hon. S.C. MULLIGHAN:** No, you parachuted in in a by-election. In fact, I remember, like the rest of the electors of Bragg, meeting the member for Bragg on that by-election day. It was that community's first introduction to him, and he said, 'See you in parliament, Mullers.' That is the attitude that those opposite bring to this place. It's not a privilege; it's an entitlement for them. What an extraordinary position to take by the shadow minister for nine portfolios, who complains about others allegedly being part-time! He is so popular.

*Members interjecting:*

**The Hon. S.C. MULLIGHAN:** This is the party that releases law and order policy, only to be immediately criticised by the police commissioner. What an embarrassment, not once but twice—

*Members interjecting:*

**The Hon. S.C. MULLIGHAN:** Why would I be careful? Are you going to come up with some decent policy? No, unlikely. There is a lot to learn for those opposite.

I am also pleased to advise the house that we are ramping up the recruitment, because from 2018 to 2022, over the four years they were in government, there were 144 officer reductions in sworn police officers. We have got those back and we are continuing to recruit more.

#### **NEW WOMEN'S AND CHILDREN'S HOSPITAL**

**Mrs HURN (Schubert) (15:00):** My question is to the Minister for Health and Wellbeing. Does the minister guarantee that the new Women's and Children's Hospital will be built and delivered on time and on budget?

**The Hon. C.J. PICTON (Karna—Minister for Health and Wellbeing) (15:00):** I welcome the opportunity to talk about our investment in the new Women's and Children's Hospital, because this will be a hospital which will be bigger and better than both the current hospital and also the plans for the new hospital that the previous government had.

*Members interjecting:*

**The Hon. C.J. PICTON:** It's interesting. It was basically going to be opened by now apparently under their original plan, but the plans for this hospital—how many extra beds do you think, a dozen? No, one—one extra overnight bed.

*Members interjecting:*

**The SPEAKER:** The member for Elder and the member for Newland will come to order.

**The Hon. C.J. PICTON:** That is really thinking for the long term in terms of the investment of health in this state. In fact, when we announced our plans for the new Women's and Children's Hospital, the shadow minister was running around saying, 'We should have kept it going on the old plans, these plans were ready to go.' Nothing could be further from the truth. Not only would that have led to a Women's and Children's Hospital that would have been far too small, but it also would have taken up vital space for the future expansion of the Royal Adelaide Hospital which we know at some stage will need to expand, and that space would have been taken up forever by the new Women's and Children's Hospital.

So we made the difficult decision to move the hospital to the barracks site. I am delighted that stage 1 of those works are well underway. We have seen cranes recently installed on that site for the first stage of those works on that site. The detailed work is still underway in terms of the hospital. Of course, we are working to make sure that we meet those objectives in terms of the timelines, in terms of the budgets and the clinical planning. We have got more consultation to go with our clinicians and more contracting to do with our contractors, but we can absolutely guarantee that this will be a hospital that will set us up for the long term for the future of women's and children's health in this state, as opposed to what was planned by those opposite, which would have been full the day it opened.

### **NEW WOMEN'S AND CHILDREN'S HOSPITAL**

**Mrs HURN (Schubert) (15:02):** My question is to the Minister for Health and Wellbeing. Has the minister received any formal advice in relation to a cost increase for the new Women's and Children's Hospital and, if so, what was it and will it be made public? With your leave, sir, and that of the house, I will explain.

**The SPEAKER:** There are a few questions already, but leave is sought; is leave granted?

Leave granted.

**Mrs HURN:** On 10 February of this year the Under Treasurer, Ms Tammie Pribanic, when asked if she had received a cost estimate that the hospital is likely to blow out, said the following:

We have certainly received cost estimates that show there are pressures on the budget.

**The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (15:03):** That is absolutely consistent with what the Under Treasurer said to the Budget and Finance Committee. This is something where, with any capital works project, we are making sure that we are undertaking the due diligence in terms of making sure that they deliver the best possible outcome for the taxpayer, while also the best possible outcome for the women and children who will use this hospital. That work is underway, as I said in relation to the previous question, as we are going through that detailed planning, as we are going through that detailed work in terms of our contracting arrangements, to make sure that we can get the best value for money.

### *Parliamentary Procedure*

### **VISITORS**

**The SPEAKER:** I would like to give a shout-out to the people in the Strangers Gallery up there, who I noticed were there this morning for about 40 minutes, 24 minutes of which the bells were ringing. I hope you have found question time a little more entertaining and informative, and great to have you in parliament. I bet you are glad you went for the day pass.

### *Grievance Debate*

### **RIVERLAND AND MALLEE VOCATIONAL AWARDS**

**Mr WHETSTONE (Chaffey) (15:04):** It gives me pleasure to talk about a celebration in the Riverland. The 2024 Riverland and Mallee Vocational Awards were held a week ago last Friday. The Rotary Club of Berri, the organisers and the presenters did an outstanding job, I must say. The awards are a celebration of achievement of mostly young people across the Riverland and Mallee, to recognise their success, their endeavour and their enthusiasm, acknowledging the vital contribution they make to our communities.

The awards are the largest of their kind in regional Australia, and the apprenticeships and traineeships continue to be the major form of vocational training in Australia. They are also a major employer in the electorate of Chaffey. It is vital that apprentices and trainees continue to come through because without them the workforce in our state and our country would suffer.

The opportunities for young people are sustainable employment skills, building, construction, electrical, engineering, automotive, hairdressing, cooking and baking, printing and graphics, and many more. Not only do apprenticeships and traineeships provide the next generation of skilled workers but in the lead-up to the presentation of the awards the room was clearly filled with



aspiration—nervous energy, absolutely—and the member for Unley and myself know what that energy is because we are former apprentices in South Australia.

Some of the winners and runners-up and finalists within those awards were:

- Michael Grosser—Apprentice of the Year, an Electrical Industry Award, LecLogix;
- Maiya Rice—runner-up for Apprentice of the Year, Hairdressing Industry Award, Jarahs Hair;
- Cameron Kuchel—Automotive Industry Award, Mitech Automotive;
- Ollie Pearce, a great young river boy—Building and Construction Industry Award, GJ Gardner Homes;
- Stefan Symeonakis—Cookery Industry Award, Renmark Club. For any of you who have not been to the Renmark Club, go there and try some of the cooking that we see Stefan punching out of that kitchen; it is truly inspirational;
- Kaleb Ivanovic—Engineering Industry Award, MayFab Engineering; and
- Dillon Vandergiessen—Painting and Decorating Industry Award, Bristles Painting and Decorating.

Some of the finalists were Morgan Edwards, Nicholas Stockman, Darcy Thiele, Tyson McFeeters, Riley Pontt, Haidar Qambari, and Sophie Wilson who rounded out the finalists for Apprentice of the Year.

The winner of the Trainee of the Year was Charlotte Zimmerman and Toby Johnson was the runner-up. Other finalists were Tahlia Hughes, Jessica Slade, Danielle Cox, Deegan Rothe, and Sakina Qambari. The VET Student of the Year was Zahlee Steele, an outstanding winner and contributor, not only in her workplace but as a volunteer and community member. Sophie Thompson was the runner-up, and Natalie Mackintosh was also in the placings.

The School-Based Trainee of the Year was Mia Depalma, Lachlan Marks was the runner-up, and Ellen Kroehn was an outstanding contributor all year. I have met Ellen on a number of occasions and she, too, is not only a great contributor but also a great community person. The School-Based Apprentice of the Year was Shamon Moroney, Saffron Rumbold was the runner-up, and Angelina Chliaris was a finalist.

I want to congratulate and thank the organising committee, and Bruce Richardson OAM, the club president. He has worked tirelessly over the past 16 years to make sure that these awards remain the premier presentation awards in the Riverland. There are also the judges. There was a raft of panels of judges who did an outstanding job. It was a really tough exercise.

I went along and sat in on some of those meetings and some of those I guess guiding committees to better understand the challenges and how close those finalists are in representing a great region, the Riverland. I thank the sponsors, all levels of sponsors, the media partners and, as I said, the judges who did an outstanding job, but, most importantly, the trainees, the apprentices and the employers who all do a great job.

I want to pay tribute to the parents who give them a driving force. We all know with young people that sometimes it is a little tough to push people out of the door every morning and make sure they turn up for work, but it gives them the drive and the skills to be better people and contribute to our community.

## **COST OF SPORT**

**Mr BELL (Mount Gambier) (15:09):** I rise to talk about the cost of sport. March is obviously a pivotal time when most sports in my electorate change from summer over to winter. Obviously, I am a strong believer in the importance of sport and the skills that are developed through sport, and it goes beyond just the physical capabilities and being active. It gives young people many advantages beyond this, including social skills and how to be adaptable and resilient, it teaches respect and rules

and how to negotiate with other people—but we cannot ignore the fact that numbers in sport are declining.

Clubs are struggling to cover costs and maintain facilities, while many families are finding it harder to afford registration fees, uniforms and equipment. Time and financial pressures are also making it increasingly difficult for children to stay involved. It is vital that we support our clubs, families and participants to ensure that equipment is kept up and sport is accessible and thriving in our communities, particularly in regional communities.

I want to commend the government for extending the existing sports vouchers—I know you, Mr Speaker, were heavily involved in that—to now include two \$100 vouchers per year for students from reception to year 9. But I also want to point out that year 9 is an age where people are about 14, and we see a massive downturn in participation of young people 14 years and over.

In speaking with my local clubs about some of the issues and concerns, we will be working as a community and as an office on some of the following things. That is, there needs to be a greater partnership between our local councils and sporting facilities. Most of our sporting clubs are on short-term lease arrangements, which make applying for grants difficult in terms of who has tenure over those facilities, and a short-term lease does provide some barriers to specific grants that are being applied for. Many clubs talk to me about the dollar-for-dollar contribution, which I support in theory, but it makes it difficult for some clubs who do not have deep reserves to match dollar-for-dollar funding.

Another solution that I want to talk to our councils about—the Grant district council and the Mount Gambier city council—is around signage. Our councils have taken a stance that sporting clubs cannot have signage on external fences. Some of our sporting clubs are in high traffic areas and have had signs facing the road. Drivers who drive past have been able to see who sponsors those clubs, but the removal of that signage has had a detrimental effect on the fundraising ability for a number of our clubs.

I have also been talking to council about allowing entrepreneurial activities on those grounds. Some of our sporting clubs have come to me with proposals that would provide a revenue stream if development applications were allowed to use part of those grounds for commercial activity. I will not go into those, but there have been some very creative and interesting proposals put forward.

One of the biggest issues that sporting clubs repeat to me is the cost of insurance. Most of the sporting vouchers actually go towards the clubs paying for insurance. I think we have an amazing opportunity, as a state government, to be an underwriter of not-for-profit sporting clubs, which would reduce premiums for those clubs and hence cost passed onto families. Whyalla is a perfect example of this, where the state government is providing underwriting abilities, and I would like to see that looked at in terms of our sporting clubs for our young people going forward.

### **MORIALTA CITIZENSHIP AWARDS**

**The Hon. J.A.W. GARDNER (Morialta) (15:14):** Every year, it is my privilege as the member for Morialta to honour and recognise the significant work of students in the Morialta electorate who have been awarded Morialta Citizenship Awards, a prize worth \$150 per campus either to one student or split amongst several and in the form of a book voucher. I trust the certificate that accompanies it is a highlight of many pinboards and pool rooms and, indeed, fridges around the Morialta electorate.

Citizenship award winners for 2024 include 19 students from 14 schools. Their involvement in school and community services has been varied and all are to be congratulated on their endeavours. That service to school and community can, of course, take many forms. Some of them had leadership roles within their schools, maybe house captains or involvement with SRCs. Some of them mentored, tutored, coached and supported younger students. Many had involvement in SAPSASA sports. Some volunteered their time with school tours, Book Week, Harmony Day, debating, the Premier's Reading Challenge and school camps. A commitment to music programs, bands, choirs and dance was also prevalent amongst these talented young people.

The students' extensive involvement in school life has supported many and demonstrates a strong sense and passion for community and justice. Some of these award winners raised money

and volunteered their time to a variety of special causes, such as mental health and wellbeing, aged care, church groups, Second Chances, Rotary, the Cancer Council, Vinnies Sleep Out and other events such as National Reconciliation Week.

The words that were consistently applied as I would go to the graduations and make these presentations were words such as kindness, compassion, dedication, selflessness, excellence and a genuine desire to make a positive impact. They have demonstrated a commitment to their school, to our community, to our state, and very importantly to other young people, so today I am once again very delighted to commend these students to the house. They are:

- Amna Qasem from Athelstone School;
- Arad Haghghatnejad and Mollie Jones from Charles Campbell College;
- Aiden Liebelt from Highbury Primary School;
- Alyssa Naseby and Varunee Choudary from Kildare College;
- Owen Wythe from Modbury High School;
- Lilah Grubb from Morialta Secondary College;
- Aima Kashif from Norwood International High School;
- Aryan Sareen from Rostrevor College;
- a student whose situation unfortunately does not allow me to name them publicly but whose endeavours are most worthy of being honoured and I am so pleased that they could be honoured publicly at the graduation last year at St Agnes School;
- Alessia De Nito from St Francis of Assisi School;
- Aojin Chen from St Ignatius College;
- Lucas Chrisopoulos, Ben Craig, Justin Devkota and Felicity Li from Stradbroke School;
- Chiara Iasiello from Thorndon Park Primary School; and
- Erin Horskins from Torrens Valley Christian School. Erin is notable as a two-time Morialta Citizenship Award winner, having also been the school's identified recipient as a year 10 student three years ago.

These outstanding young South Australians are worthy winners of the 2024 Morialta Citizenship Awards. I congratulate every one of them. I was really privileged to be able to present most of these awards personally. I was gutted that for several of the schools, because of some health issues, I could not get to the ceremonies. Indeed, for Stradbroke, for example, I think it was the first time in 15 years that I had not been able to get to the graduation, but I do express my thanks to my colleagues, including Vincent Tarzia, local councillors and school principals that at those four schools were able to make those presentations on my behalf over that three-day period.

I really cannot wait to see the things that these young people are able to create for our community in the years ahead. In the last 15 years since I have been making these presentations, it has been a privilege to see primary school students achieve great things in high school and beyond and high school students now being leaders in our communities. These awards are a sign of the things that these young people will contribute in the years ahead and I think there are many reasons to be optimistic about what they will do for us all.

#### HUTT ST CENTRE

**Ms HOOD (Adelaide) (15:19):** Last night, I had the tremendous privilege of attending a special event to honour the Hutt St Centre. Last year, the Hutt St Centre marked its platinum jubilee: 70 years of incredible service to our community. The Hutt St Centre was founded in 1954 by the Daughters of Charity, mainly to assist people who were experiencing disadvantage or homelessness, particularly in the south-east of the CBD. It has grown into the modern Hutt St Centre that we know today that assists hundreds upon hundreds of people in metropolitan Adelaide.

Last night, those various jubilee celebration events culminated in the premiere of a new documentary, *Homefulness: 70 years of the Hutt St Centre*, which was screened for the first time at the Piccadilly Cinema. I want to give a huge congratulations and thank you to the person who pulled this incredible documentary together, Lyndal Redman. You could see last night the emotion that she experienced from seeing her documentary screened for the first time to a larger audience in a cinema. To be honest, she was joined by so many of us who felt the extreme emotion that comes from hearing the stories of the Hutt St Centre, its clients, its workers and its volunteers.

I was joined last night by our human services minister, Nat Cook; the federal member for Adelaide, Steve Georganas; and also Senator Marielle Smith. We are such huge supporters of the Hutt St Centre and the work they do. Thank you to its CEO, Chris Burns; former CEO Ian Cox AM; members of the board, including chair Tim O'Callaghan; and in particular Eloise Abraham, who has pulled together all of these various platinum jubilee events.

Amongst those who spoke in the documentary was an absolutely incredible woman, Dulcie Boag. She is 90 years young and has just clocked up 45 years volunteering for the Hutt St Centre, which is really quite remarkable. She attended last night's screening along with her husband. She is an incredible inspiration. Last year, she won the Joy Noble medal, which is the highest distinction for an individual volunteer. Her passion to give back to the Hutt St Centre over these 45 years is truly remarkable. Her stories and her experience in the documentary were amazing.

Also incredibly powerful were the stories of its clients. Among them was my dear friend Robert Eckert. He is a local artist, and the Hutt St Centre was a place for him to get a hot meal and also follow his passion for art. For those who may have heard Robert Eckert's name before, it is because I met him quite a number of years ago at a market in Hutt Street, where I pointed out that I loved one of his artworks. He told me that he made the artwork by sitting on the free City Connector bus. That was his way of getting around the city.

I told him that day: 'One day, Robert, you will see your artwork covering the free City Connector bus.' Just over a year ago, we were able to wrap all of the free City Connector buses in Robert's artwork, as a celebration of what an important service that is for Robert to be able to connect to the services he needs and his social networks and get around the city safely. It was wonderful to see him appear in the documentary.

The documentary did touch on some of the highs and lows of the Hutt St Centre. Obviously, when some of its funding was cut by the former Marshall Liberal government it was a very trying time for the centre—\$1.2 million. Many of us rallied around the centre, and upon being elected the Malinauskas government restored funding to that centre, along with other services like Catherine House. In the recent state budget last year, there was a \$5 million boost to the Hutt St Centre, to continue its important work around the Aspire Program, which takes people from homelessness to homefulness.

I experienced the true meaning of Christmas when I went to the Hutt St Centre just this Christmas gone and spent my Christmas morning and lunch serving Christmas lunch to the clients of the Hutt St Centre. I do not think there was a better way to really celebrate the true meaning of Christmas that day than being able to serve all the wonderful clients and ensure they got a hot Christmas meal on Christmas Day. Congratulations to everybody at the Hutt St Centre. I very much encourage you to watch *Homefulness: 70 Years of the Hutt St Centre*.

### REGIONAL POLICING

**Mr TELFER (Flinders) (15:24):** I want to highlight the concerns of the communities in my electorate about crime and community safety. Firstly, I want to speak about the situation in Ceduna at the moment. I have spoken in this place about the concerns of businesses and individuals in Ceduna dealing with unacceptable situations: daily thefts from shops, individuals who are living in fear for their own personal safety, businesses which have experienced levels of constant vandalism, and people who are witnessing violence, public drunkenness and experiencing personal threats.

These incidents are all too common, impacting the local community and, sadly, we have seen a number of people deciding to leave Ceduna because of it. The vast majority of people within

the Ceduna community are doing the right thing, peaceably living their lives and just want to feel safe in their own homes. Something needs to change.

Policing in regional areas is getting harder and harder because of the resource squeeze that is impacting all of our state but especially regional areas. I will always support police in our regional areas who do incredible work to keep us safe, but they need better support, strategy and resourcing.

It is not just in our major centres, either. Police in our smaller centres are being asked to do more and more, cover more country and deal with more issues. With the closure last year of the Minnipa and Wirrulla police stations, there is a vast swathe of my electorate that is covered by fewer officers. The challenge faced to permanently fill some of the vacant police stations in our regional areas is real in towns such as Cowell, Cleve, Kimba and Wudinna, let alone some of the more remote areas such as Yalata. If any of these stations do not have officers filling their positions, or they are on leave, then the burden of distance is even more onerous on the rest.

The police from Streaky Bay are having to cover all the way out to outback areas of our state. The distances that our officers cover would not be acceptable in any other role, and they include the responsibility for National Highway 1, the Eyre Highway, all the way to the Western Australian border, and the incidents and accidents that inevitably happen with such a responsibility.

The police officers in my region and the communities that they serve are crying out for attention from decision-makers. They must have their resourcing needs understood. They must have appropriate support structures in place. Police in our regions can be meaningful, productive and active participants in our community, but they need to be looked after.

Last month I had the pleasure of attending the SA Grain Industry Awards. I would like to congratulate the leadership of the peak body, Grain Producers SA, on their initiative which put these awards together. It was a really hard 2024 season for farmers across our state. The low rainfall and low production meant that those challenges were certainly real, and the first couple of months of 2025 have continued that way. It was in the shadow of that season that growers and the grain industry from all over the state came together to recognise the innovation and ingenuity of their sector, which continues to excel despite the many challenges they face.

I would like to congratulate the winners on the night. Firstly, Andrew Polkinghorne of Lock, in my own electorate, who was awarded the Grain Producer of the Year. His work as a Churchill Fellow and his leadership, research and smooth transition of his farm to the next generation are truly inspiring. It was special to have three generations of the Polkinghorne family there to celebrate the award.

Jock McNeil from the Mallee was awarded the Young Grain Producer of the Year. His passion for agriculture and innovative use of technology in grain farming is inspiring the next generation, especially his work on integrated soil management and through the Mallee Sustainable Farming group.

Tim Paschke from the Northern Mallee/Waikerie region was the winner of the Sustainability Award, sharing with us some of the work done on the sustainability of his farming operation, especially in a season like last year's, producing a crop on just 60 millimetres of rainfall. That is true dryland farming. It is truly remarkable.

Congratulations also to Professor Chris Preston, someone who is well known in South Australian grain research circles, on being awarded the Industry Impact Award. Lou Flohr from Lameroo was awarded the prestigious Women in Grains Award, highlighting the ever-increasing role women are playing in the grains industry. Sam Trengove from Yorke Peninsula was recognised for his impressive agronomic and research contribution to the industry with the Innovation Award.

As well as those, we also had the inaugural inductees into the SA Grain Industry Hall of Fame: John Lush, Dr Allan Mayfield and the late, great Ken Schaefer, as well as historical inductees John Ridley and the Smith brothers, Richard and Clarence. I do not have time today to even touch on the amount of work that those individuals have done throughout their many, many years of contribution to the grain industry, but those within the industry truly know that those individuals have given so much of themselves and have set up our state and the future of the grain industry. In the

end, we are going to continue to be a vital part of the South Australian economy past, present and future, so well done to Grain Producers South Australia on a successful awards night.

### **SELECT COMMITTEE INTO STILLBIRTH IN SOUTH AUSTRALIA**

**Ms SAVVAS (Newland) (15:29):** I thought I would take a moment today to talk about what a privilege it is to be chairing the South Australian parliament's Select Committee into Stillbirth. We have only just started our deliberative work, but receipt of the submissions over the last few months has honestly been some of the most rewarding work that I think I will do in this place.

I want to place on the record my thanks to the advocacy groups, the healthcare professionals and, of course, the bereaved families who have shared their stories with us, particularly those who have shared really difficult stories of babies loved and lost. Some for the very first time in their lives are sharing the details of what has been an incredibly traumatic experience for not just mothers but fathers and the rest of the family as well. It honestly does feel like a privilege to hear those stories for the first time and to hear the details of their experiences, and also to give an opportunity for those families to give their babies a legacy.

Something we hear all the time is that people had best laid plans for these babies who were due to be born, and obviously they hoped for them to be born healthy, but they were not able to give an identity or a legacy to that child. How lovely it feels to give them the opportunity to contribute something to the greater good in memory of their babies.

I thought I might just comment as well on the maternal perinatal mortality report for 2021 that was tabled in the last few weeks. Basically, it gives an indication about the figures of stillbirth, neonatal death and maternal death related to pregnancy here in South Australia. In terms of data collection, the most recent report that was tabled goes back a little bit so the figures that were tabled related to 2021.

We did see that in 2021 there were 143 stillbirths in South Australia, 40 neonatal deaths and one maternal death relating to pregnancy. Of course, we know that these figures are still way too high, that in South Australia 7.1 out of a thousand babies are born still and that is in non-Aboriginal communities. The figure is, of course, much higher in Aboriginal communities here in South Australia: a figure of 16.3 per a thousand babies born still in Aboriginal communities.

I think it does really highlight for us that it is necessary for governments to do more. Although Australia is very much seen as a leading country in terms of the supports provided and the research that has been conducted, there is still very much more to do, particularly in the hospital setting and the bereavement support space.

I think one of the things that has been really interesting, reading through our submissions as a committee, has been the themes that are so incredibly common. Those are themes from people living in regional communities, from people living in metropolitan Adelaide, from people giving birth at private hospitals, at public hospitals and, of course, they also span quite a breadth of time.

One of the things that was raised was the extensive costs related to the death of a child, whether it be a death certificate, whether it be the fees to bury the child and, of course, the fees to continue that gravesite for a period of time. I would like to put on record an acknowledgement for the Berri Barmera Council who just a few weeks ago actually moved a motion that they would waive fees for stillbirth and neonatal deaths for grave digging, as well as for infant deaths in their cemeteries.

The figure for the infant deaths was about \$250, I believe, and then for child deaths I think around \$375 or so. You can see that in proportion to a regional council that is not actually a significant figure perhaps in terms of a council's budget but does go a long way to recognising the really difficult circumstances and associated financial burdens that are placed on families after they lose a child.

I had the great privilege of speaking to the ABC about this wonderful work done by that regional council. I will be, throughout the process of this committee, speaking to other council-run cemeteries about what they can do to better support grieving families. I think that this is, in theory, a small step in terms of the cost for that council but of course goes a long way to recognising just the toll that it takes on a family to lose a baby or an infant, and I am really pleased to see that Berri Barmera Council have been leading that work.

Again, in the conversations I have heard about some really important work done by some of the other cemetery authorities. I will continue to look at the ways that we can best support grieving families, particularly with those costs in relation to the death of a child, in the best way that the government is able to support them. I want to thank everyone who has contributed to that work over the last few months. It has been a genuine privilege to read through those submissions.

*Private Members' Statements*

**PRIVATE MEMBERS' STATEMENTS**

**Ms PRATT (Frome) (15:35):** The Mid North is as dry as toast, but the government is not listening, and there is an opportunity to set the record straight. Today's ABC online headline stated that the state government will establish three emergency water collection points in the Adelaide Hills as part of a 'temporary emergency response' to local water shortages. From my electorate, the feedback has been flowing all day. To quote David from Leasingham:

I spoke to FIVEaa and the minister on the radio this morning. You had the real feeling that other than a total of three to four water points in the Adelaide Hills, there weren't other areas affected or they weren't aware of them. The water minister needs feedback of the situation.

Martin from Armagh has explained to me that he has one tank left, the bore is salty, his garden is dying—he has to let it die—and water carting of course has a very long and lengthy delay. A Manoora farmer said to me recently:

I have never had water troughs in the paddock [because] I have always had ample water in my dams to feed...livestock.

That is not the case anymore. Nathan from Mintaro/Manoora states:

I am a farmer from the Clare Valley and people are hurting. Water is a major issue as well as there is no recognition that SA is in a historical drought event. There has been next to no media coverage and all the government wants to do is spend money on golf, AFL...[and] The PIRSA Grant scheme is a joke.

A Clare agronomist has said:

27 years as an agronomist and I've never seen it so bad.

We have an Auburn farmer who shared the following statement:

We run a small beef property in Auburn in the Clare Valley. We are needing support from the government to declare a drought...We've had one load of domestic water...Our hay bill [is looking to be] \$50,000.

They have no rain. I think it is clear that the government needs to be listening.

**The Hon. A. PICCOLO (Light) (15:37):** Last Friday, I joined Minister Cook to visit two remarkable community groups in the Clare Valley to view their projects, funded by the 2023-24 Grants SA Social Impact Grants round 2 and the Office for Ageing Well's 2023-24 Grants for Seniors program. The Clare Agricultural and Horticultural Society received a grant of \$9,692 to purchase and install an air conditioner and room furnishings for the sensory and calm room at the Clare Showgrounds. This initiative has created a safe and comforting space for individuals who may feel overwhelmed during events, significantly improving accessibility and inclusivity.

Members of the society spoke passionately about the positive impact this project has had on the local community. Similarly, the Mintaro Progress Association was awarded \$4,000 for their Mintaro Seniors: a Connected Community project. This grant was used to deliver a series of targeted workshops and seminars, focusing on topics like nutrition, physical and mental wellbeing and community resilience. These workshops brought older people together, encouraging them to stay connected, understand available services and develop skills to contribute to their community.

The Mintaro Progress Association, formed in 1935, has a long history of supporting and developing the district's cultural facilities. Their efforts continue to strengthen community bonds and promote engagement. The impact of these projects is already being felt, demonstrating the power of community-driven initiatives in fostering a more inclusive environment for all. Both these community organisations, amongst many others, make a huge difference to the wellbeing and prosperity of our communities.

**Mr WHETSTONE (Chaffey) (15:39):** I want to talk about Fabulous Friday, as I did yesterday. On Friday night, the South Australian press awards were held at the Convention Centre. They saw an outstanding presentation of what country newspapers mean to South Australia. Of course, there are always winners and there are always place getters. The *Murray Pioneer*, a great Riverland institution, did exceedingly well. It won the best newspaper with a circulation over 4,000, a great outcome. The Excellence in Journalism Award was won by Alexandra Bull for her story on Renmark High School. Third place for Best Editorial Writing went to Hugh Schuitemaker. Hugh is a budding journalist, a young fellow who is now the editor of the *Murray Pioneer*, and he is doing an outstanding job.

The *Murray Pioneer* was also runner-up for Best Advertisement and runner-up for Best Community Advertising Promotion, which was to promote the Riverland Rose and Garden Festival. It is a great festival. It is one of South Australia's great country tourist festivals. The *Murray Pioneer* also won third place for Best Front Page and gained special mention for the best publication. I want to thank the Taylor Group, and say well done to Ben Taylor and his editor, Hugh, and their diligent team. They are doing an outstanding job with true and accurate journalism, which is what sells papers.

**Mr ELLIS (Narungga) (15:40):** I rise to give plaudits to Mr Rick Hutchinson, who of his own volition has gone out and secured 500 signatures for a petition calling for the widening of the St Vincent Highway between Yorketown and Edithburgh—not necessarily the whole way, but a specific patch of it, from the Seven Roads intersection through to Edithburgh.

Rick lives in Edithburgh. As we are well aware, he has had the trusty tape measure out and has measured that the road from Yorketown to the Seven Roads intersection is 7.5 metres wide, but after the Seven Roads intersection it reduces all the way in to 5.4 metres wide. He has managed to get 500 people to sign this petition. It was actually 499 until I collected it and signed it myself to bring it up to a nice even number. He has managed to get 500 people to sign this petition to call for the widening of the highway.

It would be a wonderful boom for the terrific community there in Edithburgh who use that road every day to get to the services that they require. I look forward to welcoming Rick into the parliament tomorrow to see that petition tabled. I have tried not to oversell the process, as it is a little bit underwhelming, but he will be here to see all of his hard work laid on the table of parliament. Thereafter, I will do my best to ensure that wonderful work to secure that many signatures on a petition is converted into a good outcome for his community. I would like to thank and congratulate Rick. I look forward to working with him and the community on securing a wider St Vincent Highway heading into Edithburgh.

#### *Parliamentary Procedure*

#### **VISITORS**

**The DEPUTY SPEAKER:** Before I go to the minister, if my eyes are correct, I think I see a mayor in the gallery. I would like to acknowledge Rodney Reid, Mayor of Wakefield Regional Council. Also, I would like to acknowledge Bridget Ransome, the CEO of Northern and Yorke LGA. I will not recognise the other person because he is out of his seat.

#### *Motions*

#### **SESSIONAL ORDERS**

**The Hon. J.K. SZAKACS (Cheltenham—Minister for Trade and Investment, Minister for Veterans Affairs, Minister for Local Government, Minister for Veterans' Affairs) (15:42):** On behalf of the Minister for Infrastructure and Transport, I move:

That for the remainder of the session, the sessional order adopted by the house on 3 May 2022 be amended by deleting the words 'Legislative Review' first appearing and insert in lieu thereof 'a Standing';

Delete the words 'A copy of every petition' and insert in lieu thereof 'When an "eligible petition",'; delete the words 'received by the House,' and delete the words 'an "eligible petition", shall be referred by the Clerk to the Legislative Review Committee' and insert in lieu thereof 'is presented to the House'; and add the following words:



- (a) the Member who presented the petition must give a notice of motion for the petition to be referred to an appropriate Standing Committee;
- (b) the notice of motion must be given for the next scheduled sitting week on a date when Private Members' Business: Committees and Subordinate Legislation has precedence;
- (c) the notice of motion will have precedence over all other Private Members' Business: Committees and Subordinate Legislation on that date and may not be adjourned, postponed or withdrawn; and
- (d) in the event of a motion referring an eligible petition to a Standing Committee being negatived, a subsequent notice of motion must be given by the Member who presented the petition and this notice of motion is governed by (b) and (c) above.

Motion carried.

### *Bills*

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

### *Second Reading*

**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) (15:43):** I move:

That this bill be now read a second time.

I am pleased today to introduce this bill. From time to time, Attorney-General's portfolio bill is required to rectify minor errors, omissions and other deficiencies identified in the legislation committed to the Attorney-General and to other ministers' legislation where such changes are technical in nature. The bill makes various amendments to nine acts committed to the Attorney-General and three justice-related amendments to acts committed to other ministers.

#### Part 2—Controlled Substances Act 1984

Part 2 of the bill makes two separate amendments to the Controlled Substances Act 1984. First, the bill amends section 33P of the Controlled Substances Act to provide that a reference to an offence against part 5 of the Controlled Substances Act includes an attempt to commit that offence in accordance with section 270A of the Criminal Law Consolidation Act 1935. An additional amendment is made to section 33P(2) to clarify that it is not necessary for the prosecution to establish that a person knew, or was reckless with respect to the particular identity or quantity of the controlled substance. This is consistent with the intent of the heading to section 33P which is titled 'Knowledge or recklessness with respect to identity or quantity'.

Second, the bill amends section 51 of the Controlled Substances Act to allow for analysts to be appointed by the minister by way of written instrument published in the *Gazette* rather than by the governor. South Australia is the only jurisdiction which requires analysts to be appointed upon the approval of the Governor in Executive Council.

#### Part 3—Correctional Services Act 1982

Section 71 of the Correctional Services Act 1982 currently provides that where a person has been released on parole from a sentence, the Parole Board may, on application or its own motion, vary or revoke a condition of parole to which the person is subject.

Pursuant to section 74AAA(1), it appears that the Parole Board may only impose a further condition of parole if the Parole Board finds that there has been a breach of parole. The Parole Board has requested that an amendment be made to make it clear that it can impose new conditions of parole where there has been no breach to ensure that it is able to appropriately respond to protect the safety of the community. Accordingly, Part 3 of the bill amends section 71 of the Correctional Services Act to permit the Parole Board to impose further conditions on parole, in addition to its existing powers to vary or revoke conditions, in circumstances where there has been no breach of parole. A transitional provision has also been included to clarify that the amendments will apply to the parole of a person who has been released on or before the commencement of the amendments.

#### Part 4—Criminal Law Consolidation Act 1935

Part 4 of the bill amends section 85B(3)(b) of the Criminal Law Consolidation Act to achieve greater consistency with section 201A of the Victorian Crimes Act 1958, with the intent of tightening the operation of the back-burning defence in relation to the offence of causing a bushfire.

Section 85B(1) of the Criminal Law Consolidation Act provides that a person who causes a bushfire intending to cause a bushfire, or being recklessly indifferent as to whether their conduct causes a bushfire, is guilty of an offence which carries a maximum penalty of imprisonment for life.

Section 85B(3)(b) provides that no offence is committed if the bushfire results from operations genuinely directed at preventing, extinguishing or controlling a fire. Concerns have been raised that this provision may appear to permit a situation where the fire was originally lit by a person for genuine fire prevention purposes, e.g. back-burning, and the person loses control or fails to extinguish the fire and the fire spreads onto a neighbouring property without the consent of the neighbouring property owner and the fire destroys the neighbour's property.

To address these concerns, section 85(3)(b) has been recast to tighten the operation of the back-burning defence in line with section 201A of the Victorian Crimes Act. This will ensure that the defence will only be available where the bushfire is caused in the course of carrying out a fire prevention, suppression, or other land management activity and, at the time that the activity was carried out, there was a provision made by or under an act, or by a code of practice approved under an act, in force, that regulated or otherwise applied to carrying out the activity and that the person acted in accordance with that provision in carrying out the activity and the person believed that their conduct in carrying out the activity was justified having regard to all of the circumstances.

#### Parts 5 to 7, 12 and 13—District Court Act 1991 and related acts

Rule 175.1 of the Uniform Civil Rules 2020 provides that if a presiding judicial officer dies or becomes incapacitated before the final determination of the proceedings, another judicial officer may be appointed to complete the hearing and determination of the proceeding. However, there is currently no equivalent provision in relation to the criminal jurisdiction. The government considers that it is appropriate to ensure consistency across both the civil and criminal jurisdiction with respect to the appointment of a substitute judicial officer in the event of death or incapacity.

Accordingly, part 5 of the bill amends the District Court Act 1991 to allow for a substitute judge to be appointed by the Chief Judge to preside over a civil or criminal trial that has been part-heard, whether the trial is by jury or judge alone, in circumstances where the presiding judge dies or has become incapacitated. Parts 6, 7, 12 and 13 of the bill make similar amendments in respect of the Environmental and Development Court Act 1993, Magistrates Court Act 1991, Supreme Court Act 1935, and the Youth Court Act 1993.

#### Part 8—Motor Vehicles Act 1959

Part 8 of the bill amends the Motor Vehicles Act 1959 to make technical amendments relating to driver licensing.

In December 2022, changes were made to require drivers of ultra high-powered vehicles to obtain a new class of driver's licence within two years, being a U-class licence. An ultra high-powered vehicle is a light motor vehicle, not including a bus or a motorbike or a motor trike, that has a power to weight ratio equal to or greater than 276 kilowatts per tonne.

The bill amends section 74 of the act to ensure that the learner driver provisions of the act interact appropriately with the ultra high-powered vehicle provisions. The bill amends the interpretation section of the act to include that an ultra high-powered vehicle means a motor vehicle prescribed by the regulations as one for the purposes of this definition.

The bill also makes an administrative amendment to section 79A(3)(b) of the act to clearly set out the registrar's requirements as to being satisfied that an applicant has passed testing prior to the issue of a licence. Additionally, amendments are provided to remove the need to separately itemise offences and associated demerit points for camera-detected offences.

#### Part 9—Sentencing Act 2017

Section 59 of the Sentencing Act 2017 allows for the Director of Public Prosecutions or a detained person to apply to the Supreme Court for release on licence in relation to an offender who has been declared unable or unwilling to control their sexual instincts. Part 9 of the bill amends section 59(11) of the Sentencing Act 2017 to replace an erroneous reference to the 'Crown' with 'Director of Public Prosecutions.'

#### Part 10—Spent Convictions Act 2009

Part 10 of the bill amends paragraph (d) of the definition of 'justice agency' in section 3 of the Spent Convictions Act 2009 to replace and update an outdated reference to 'the Australian Commission for Law Enforcement Integrity' with 'National Anti-Corruption Commission.' These changes are consequential upon the commencement of the National Anti-Corruption Commission Act 2022 which came into force on 1 July 2023.

#### Part 11—Summary Offences Act 1953

Part 11 of the bill amends section 43 of the Summary Offences Act 1953 to address concerns regarding an increase in the number of incidents of individuals interfering with or damaging assets to the rail network, including the theft of copper wire and piping. Section 43 of the Summary Offences Act makes it an offence for a person to interfere with any part of a railway or track or any signal or machinery used in connection with a railway, tramway or track. While this offence would likely capture the theft of copper wire or piping that forms part of the railway or track, it is uncertain whether it would capture interruptions caused to the railway network system or processes.

For the avoidance of doubt, part 11 of the bill amends the offence to make it clear that it applies to any conduct that interferes with any signal cable, system or machinery used in connection with a railway, tramway or track, such as the theft of copper wire or piping. A further amendment has been made to increase the maximum financial penalties for this offence from \$10,000 to \$50,000 in recognition of the significant financial impact of this type of offending.

That concludes the matters that are the subject of this bill. It is a bill that covers many different areas and deals with a range of important issues to ensure that our justice system continues to work efficiently and effectively for our community. I commend the bill to this chamber and seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

These clauses are formal.

##### Part 2—Amendment of *Controlled Substances Act 1984*

###### 3—Amendment of section 4—Interpretation

This amendment is consequential on the amendment in clause 5.

###### 4—Amendment of section 33P—Knowledge or recklessness with respect to identity or quantity

The amendment in subclause (1) inserts a reference in section 33P(2) to the quantity of a regulated substance in line with the offences to which that section refers.

Clause (2) inserts a new subsection (3) which provides that a reference in the section to an offence against Part 5 relating to a controlled substance includes an offence of attempting to commit that offence in accordance with section 270A of the *Criminal Law Consolidation Act 1935*.

###### 5—Amendment of section 51—Analysts

This clause amends subsection (1) to remove the requirement for the Governor to appoint analysts for the purposes of the Act and instead makes provision for the appointment of analysts by the Minister by notice in the Gazette.

###### 6—Transitional provisions

Subclause (1) makes transitional provision for the application of the amendments made in clause 4 to proceedings for an offence that are commenced after the commencement of those amendments, regardless of when the offence occurred.

Subclauses (2) and (3) enable the appointment or approval of analysts made by the Governor before the commencement of the amendments in clause 5 to continue as if the appointment or approval was made by the Minister.

Part 3—Amendment of *Correctional Services Act 1982*

7—Amendment of section 71—Variation or revocation of parole conditions

These amendments provide that the Parole Board may, when a person has been released on parole, in addition to varying or revoking a condition of parole, impose a further condition on parole.

8—Transitional provision

This clause makes a transitional provision to allow the amendment in this Part to apply to a person who is released on parole before or after the commencement of that amendment.

Part 4—Amendment of *Criminal Law Consolidation Act 1935*

9—Amendment of section 85B—Special provision for causing bushfire

This clause amends section 85B(3)(b) to clarify the circumstances in which no offence will be committed for causing a bushfire if the bushfire is caused in the course of carrying out a fire prevention, fire suppression or other land management activity.

Part 5—Amendment of *District Court Act 1991*

10—Insertion of section 50C

This clause inserts a new section as follows:

50C—Death or incapacity of Judge during trial

The proposed section sets out the process by which the Chief Judge may appoint another Judge during the course of a civil or criminal trial if the presiding judge at the trial dies or is incapacitated.

Part 6—Amendment of *Environment, Resources and Development Court Act 1993*

11—Amendment of section 15—Constitution of the Court

This clause inserts a new subsection (15) which sets out the process by which the Senior Judge of the Court may appoint another Judge or magistrate during the course of a civil or criminal trial if the judge or magistrate presiding at the trial dies or is incapacitated.

Part 7—Amendment of *Magistrates Court Act 1991*

12—Insertion of section 48C

This clause inserts a new section as follows:

48C—Death or incapacity of magistrate during trial

The proposed section sets out the process by which the Chief Magistrate may appoint another magistrate during the course of a civil or criminal trial if the presiding magistrate at the trial dies or is incapacitated.

Part 8—Amendment of *Motor Vehicles Act 1959*

13—Amendment of section 5—Interpretation

This clause inserts a definition of ultra high powered vehicle in the Act.

14—Amendment of section 74—Duty to hold licence or learner's permit

This clause provides that a person is authorised to drive an ultra high powered vehicle only if they hold a licence class that authorises them to do so. The proposed amendments also clarify that, for the purposes of the offences in subsections (1) and (2) of the section, a person who, immediately before 1 December 2024, held a licence in this State (other than a provisional licence) that authorised them to drive an ultra high powered vehicle will be taken to have been previously authorised to drive a motor vehicle of that class on a road.

15—Amendment of section 79A—Driving experience required for issue of licence

This clause corrects a drafting error.

16—Amendment of section 98B—Demerit points for offences in this State

This clause amends section 98B to ensure that the number of demerit points incurred by a natural person on conviction for or expiation of an offence against section 79B(2) of the *Road Traffic Act 1961* constituted of being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of a prescribed offence is the same number of demerit points that are incurred by a person who is convicted of or expiates the prescribed offence.

17—Transitional provision

This clause makes the amendment to section 98B retrospective in operation.

Part 9—Amendment of *Sentencing Act 2017*

18—Amendment of section 59—Release on licence

This clause replaces a reference to the Crown in subsection (11) with a reference to the DPP.

Part 10—Amendment of *Spent Convictions Act 2009*

19—Amendment of section 3—Preliminary

This clause updates the definition of justice agency to update an obsolete reference as a result of the formation of the National Anti-Corruption Commission.

Part 11—*Summary Offences Act 1953*

20—Amendment of section 43—Interference with railways and similar tracks

The amendment in subclause (1) seeks to clarify that the offence of interfering with railways extends to interference with a cable or system associated with the railway.

Subclause (2) increases the maximum penalty applying for an offence against subsection (1) from \$10,000 to \$50,000.

Part 12—Amendment of *Supreme Court Act 1935*

21—Insertion of section 126B

This clause inserts a new section as follows:

126B—Death or incapacity of judge during trial

The proposed section sets out the process by which the Chief Justice may appoint another Judge during the course of a civil or criminal trial if the presiding judge at the trial dies or is incapacitated.

Part 13—Amendment of *Youth Court Act 1993*

22—Insertion of section 31A

This clause inserts a new section as follows:

31A—Death or incapacity of judicial officer during trial

The proposed section sets out the process by which the Judge of the Court may appoint another judicial officer during the course of a civil or criminal trial if the presiding judge at the trial dies or is incapacitated

**Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (15:54):** I rise to indicate the opposition's support. I indicate that I am the lead speaker, and I will speak briefly. The Deputy Premier has read into the *Hansard* the government's speech and that covers the range of different legislation that is caught by this portfolio bill. As I say, I will not stay to step through all aspects but I will highlight perhaps one or two matters.

First, in relation to the amendments that are the subject of part 2 of the bill that amend the Controlled Substances Act, those amendments are responsive to the Court of Appeal's relatively recent decision in *Kingston v The Queen* and *Maxwell v The Queen*, a 2022 decision. They are there to expand that mental element of attempted trafficking of a controlled substance. I note that in particular. I refer to part 3 of the bill, also, that would amend the Correctional Services Act to give the Parole Board more practical capacity to deal with parole agreements, particularly in circumstances where the parolee has not broken an existing condition that is a request of the Parole Board.

Those are good examples of, in the first case, a legislative response in relation to the efficacy of charges and where a matter has been the subject of judicial consideration. The second one is responsive to the practical task of the Parole Board, and I take the opportunity to express thanks on

behalf of the opposition to all those who serve on the Parole Board and particularly the very longstanding chair, Frances Nelson KC.

The next matter that I address briefly is in relation to part 4. It is a Criminal Law Consolidation Act amendment to section 85B. That section would be very well known to members of this place and deals with the offence of causing a bushfire. The amendment has the effect of requiring a greater level of responsibility to be taken for the prudence of undertaking burning activities. Of course, we all know there is the most serious of penalties that attaches to the causing of a bushfire, and this amendment will apply in circumstances where there is deliberateness and/or recklessness in relation to burning activities.

One thing I would note about what we first saw in the government's speech, when introduced by the Attorney—and I confess, I expect it was contained just now in the Deputy Premier's contribution—is reference to back-burning and a tightening of conditions around back-burning. It is nowhere addressed in the legislation, of course, that this is a provision that applies in relation to back-burning.

I just want to make very clear on the record that there are burning activities that are conducted, including by authorities, that might be, in fact I think colloquially are around the state, described as back-burning that may well be done in accordance with codes of practice, permissions and so on and there should be no doubt or concern in relation to those who are engaged in that necessary fire suppression activity that they are somehow necessarily now becoming the target of legislation.

The circumstances—as I understand it there might be a whole range—that have informed this change are rather more directed to the reckless, if not intentional, lighting of a fire in circumstances where there is really no apparent reason for doing so, and that when that fire gets away the person lighting it might have been able, under the current settings of section 85B, to turn around and say, 'I never thought that might happen,' and at that very sort of superficial level then enjoy a defence that is really only intended in circumstances of a greater level of responsibility having been taken in the first place for the necessity and the prudence of that fire activity. That is an area that we will continue to have a keen eye placed over.

It is obviously vital to ensure for those in our regional and rural communities that responsible fire mitigation activities can take place. Indeed, they are done in order for the very purpose of preventing bushfire disasters and those activities properly continue and ought be as well understood by those of us who are not necessarily engaged in them as part of day-to-day life.

I otherwise acknowledge that the bill amends a wide range of other legislation. As I said at the outset, I do not propose to catalogue that here, much of which would be to repeat the substance of what is just now on the record. With those contributions, I again indicate the opposition's support in those circumstances and commend the bill to the house.

**Mr BROWN (Florey) (16:02):** I rise in support of the Statutes Amendment (Attorney-General's Portfolio and Other Justice Measures) Bill 2025. Omissions, errors and other deficiencies are identified from time to time in legislation that is committed to the Attorney-General as well as to other ministers. Under such circumstances, an Attorney-General's portfolio bill may be put forward to rectify these deficiencies. Given that changes of this sort are technical in nature and minor in scope, it can be more efficient to deal with such matters in a single omnibus bill rather than in separate amendment bills for each act.

The bill before the house seeks to ensure the proper and effective operation of various legislation committed to the Attorney-General and to other ministers by clarifying, removing and updating a number of inconsistencies, ambiguities and inefficiencies that have been identified in existing legislation.

Part 2 of the bill contains two sets of amendments to the Controlled Substances Act, committed to the Minister for Health and Wellbeing. Section 33 of the Controlled Substances Act abrogates the common law requirement for the prosecution to establish that a person knew, or was reckless with respect to, the identity or quantity of a controlled substance for offences committed against part five of the Controlled Substances Act.

In *Kingston (a pseudonym) v The Queen; Maxwell (a pseudonym) v The Queen* (2022), the Court of Appeal held that section 33P does not apply to attempted drug offences as they are not offences against part 5 of the Controlled Substances Act but rather offences against section 270A of the Criminal Law Consolidation Act 1935.

Following the *Kingston* decision, the Director of Public Prosecutions has expressed concern that the prosecution will not be able to rely upon section 33P as an aid to proof in respect of attempted drug offences. Instead, the prosecution will need to prove that the defendant had knowledge of, or was reckless with respect to, the identity or quantity of the controlled substance, as required by common law.

Seeking to address this concern, part 2 of the bill amends section 33P to provide that a reference to an offence against part 5 of the Controlled Substances Act includes an attempt to commit that offence in accordance with section 270A of the Criminal Law Consolidation Act. This will allow for the prosecution to rely upon section 33P as an aid to proof in respect of attempted drug offences under section 270A of the CLCA.

A further amendment is made to subsection 33P(2) to clarify that it is not necessary for the prosecution to establish that a person knew, or was reckless with respect to, the particular identity or quantity of the controlled substance, consistent with the intent of the heading to section 33P. A transitional provision has also been included to clarify that the amendments will only apply to proceedings relating to an offence that were instituted after the commencement of the amendments, regardless of when the alleged offence occurred.

Part 2 of the bill separately amends section 51 of the Controlled Substances Act to remove the requirement for the appointment of analysts to be made by the Governor in Executive Council. Section 51(1) of the Controlled Substances Act provides that the Governor may appoint such number of persons to be analysts as the Governor considers necessary or desirable for the purposes of the act.

Analysts have a range of functions under part 7 of the Controlled Substances Act. These include analysing and making determinations in relation to the weight, amount or quantity of substances that have been seized for the purpose of ascertaining whether the substance is a particular poison, prescription drug, drug of dependence, controlled precursor, controlled plant or medicine, or for any other evidentiary purpose. In practice, analysts are usually forensic scientists appointed from within Forensic Science SA.

South Australia is the only jurisdiction which requires analysts to be appointed by the Governor in Executive Council. In other jurisdictions, analysts are appointed either by the minister or by the functional equivalent of a chief executive, typically by notice in the *Government Gazette*. This bill seeks to bring South Australia into line by allowing for the minister to appoint analysts by way of a written instrument published in the *Gazette* rather than by the Governor. This is similar to the appointment process that currently applies in relation to authorised officers who are appointed by the minister under section 51 of the Controlled Substances Act.

Section 71 of the Correctional Services Act 1982 currently provides that where a person has been released on parole from a sentence other than a sentence of life imprisonment, the Parole Board may, on application or on its own motion, vary or revoke a condition to which the parolee is subject. Under section 71(2), the same powers to vary or revoke conditions of parole also extend to a person who has been released on parole from a sentence of life imprisonment.

Pursuant to section 74AAA(1) of the Correctional Services Act, it appears that a new condition of parole may only be added if the Parole Board finds that there has been a breach of parole. The Presiding Member of the Parole Board has raised concerns that in the absence of a breach section 71 does not appear to allow for the Parole Board to add a new condition of parole and the board's powers are restricted to varying or revoking an existing condition of parole only.

In particular, the presiding member has expressed concern that the inability of the Parole Board to impose further conditions where there has been no breach of parole has the potential to compromise community safety. In response to these concerns, part 3 of the bill amends section 71(1) and (2) of the Correctional Services Act to permit the Parole Board to add new conditions of parole

in addition to the current powers to vary and revoke conditions in circumstances where there has been no breach of parole. A transitional provision has been included to make it clear that the amendments will apply in relation to the parole of a person who has been released on or before the commencement of the amendments.

Part 4 of the bill amends section 85B(3)(b) of the Criminal Law Consolidation Act 1935 to achieve greater consistency with section 201A of the Victorian Crimes Act 1958, with the intent of tightening the operation of the back-burning defence in relation to the offence of causing a bushfire. Section 85B(1) of the Criminal Law Consolidation Act provides that a person who causes a bushfire intending to cause a bushfire, or being recklessly indifferent as to causing a bushfire, is guilty of an offence. The offence carries a maximum penalty of life imprisonment. Section 85B(3)(b) provides that an offence is not committed if the bushfire results from operations genuinely directed at preventing, extinguishing or controlling a fire.

Concerns were raised that this section may appear to permit a situation, for example, where a fire was originally lit by a person for genuine fire prevention purposes and the person loses control of or fails to extinguish the fire, whether through neglect, accident or intention. For the purposes of the example, this in turn leads to the fire spreading onto a neighbouring property without the consent of the neighbouring property owner, and the fire destroys the neighbour's property.

To address this concern, section 85B(3)(b) has been redrafted to tighten the operation of the back-burning defence in line with section 201A of the Victorian Crimes Act so that the defence will only be available where:

- the bushfire was carried out in the course of carrying out a fire prevention, suppression or other land management activity; and
- at the time the activity was carried out:
  - there was a provision made by or under an act, or by a code of practice approved under an act, in force, that regulated or otherwise applied to carrying out the activity, and the person acted in accordance with that provision in carrying out the activity; and
  - the person believed that their conduct in carrying out the activity was justified having regard to all the circumstances.

Rule 175.1 of the Uniform Civil Rules 2020 provides that if a presiding judicial officer passes away or becomes incapacitated before the final determination of proceedings, another judicial officer may be appointed to complete the hearing and determination of the proceeding. However, there is currently no equivalent provision in any legislative instrument in relation to the criminal jurisdiction. It is not difficult to understand how the death or incapacity of a presiding judge in a criminal trial, for example, that has been part heard has the potential to impact on the timely and efficient administration of justice, particularly where the trial is required to be heard afresh.

The Northern Territory, Queensland and Victoria have each enacted legislation to allow for a substitute judge to be appointed in relation to a criminal trial that has been part heard under such circumstances. Given the potential for the situation to arise in relation to both civil and criminal trials, the government considers that it is appropriate to ensure consistency across both the civil and criminal jurisdiction with respect to the appointment of a substitute judicial officer in the event of death or incapacity.

Part 5 of the bill amends the District Court Act 1991 to allow for a substitute judge to be appointed by the Chief Judge to preside over a civil or criminal trial that has been part heard in circumstances where the presiding judge dies or has become incapacitated, whether the trial is by judge alone or by jury.

In particular, the amendments provide that if the reasons for judgement in the final form were prepared by the presiding judge, another judge appointed by the Chief Judge may publish the reasons and grant judgement in accordance with them; or, in any other case, another judge appointed by the Chief Judge may complete the hearing and determination of the proceeding and



rehear evidence and submissions to the extent that the judge considers fit and proper and make orders as appropriate.

Parts 6, 7, 12 and 13 of the bill make similar amendments in respect to the Environment, Resources and Development Court Act 1993, the Magistrates Court Act 1991, the Supreme Court Act 1935 and the Youth Court Act 1993.

Part 9 of the bill relates to the Sentencing Act 2017. Section 59 of the Sentencing Act 2017 allows for the Director of Public Prosecutions or a detained person to apply to the Supreme Court for release on licence in relation to an offender who has been declared unable or unwilling to control their sexual instincts. Part 9 of the bill amends section 59(11) of the Sentencing Act to replace an erroneous reference to 'the Crown' with 'the Director of Public Prosecutions'. This is consistent with all the other subsections in section 59 that refer to the Director of Public Prosecutions.

Part 10 of the bill amends paragraph (d) of the definition of 'justice agency' in section 3 of the Spent Convictions Act 2009 to replace and update an outdated reference to the Australian Commission for Law Enforcement Integrity (ACLEI) with the National Anti-Corruption Commissioner (NACC). The Commonwealth National Anti-Corruption Commission Act 2022 (NACC Act) came into operation on 1 July 2023. Amongst other things, the NACC Act established the NACC and repealed the Commonwealth Law Enforcement Integrity Commissioner Act 2006 (LEIC Act). Upon the commencement of the NACC Act, the ACLEI, which was established under the LEIC Act, was subsumed into the NACC.

Paragraph (d) of the definition of 'justice agency' in the Spent Convictions Act refers to the ACELI or 'any other similar crime or integrity commission body or office or agency established under a law of the commonwealth or a state'. Given this, it is considered that the NACC would likely be caught by the catch-all reference in that definition as a 'similar integrity commission' established under a law of the commonwealth. However, for the avoidance of doubt, it is proposed to remove the reference to the ACLEI and replace it with the NACC.

Part 11 of the bill amends section 43 of the Summary Offences Act 1953 to address concerns regarding an increase in the number of incidents of individuals interfering with or damaging assets on the rail network, including the theft of copper wire and piping. In addition to presenting a public safety risk, incidents of this type have a significant flow-on impact on the rail network, causing unnecessary delays for passengers and costly repair bills to rectify the damage to the network.

Section 43 of the Summary Offences Act makes it an offence for a person to interfere with any part of a railway, tramway or any signal or machinery used in connection with any such railway, tramway or track. While it is considered that this would likely capture the theft of copper wire or piping that forms part of the railway or track, it is uncertain whether the offence would capture interruptions caused to the railway network system or processes where this is a secondary or indirect consequence of the copper wire or piping being stolen.

For the avoidance of doubt, part 11 of the bill amends section 43 of the Summary Offences Act to make it clear that the offence applies to any conduct that interferes with any signal, cable, system or machinery that is used in connection with a railway, tramway or track. A further amendment has been made to increase the current maximum financial penalties for this offence from \$10,000 to \$50,000 in recognition of the significant financial impact of this type of offending.

This is a bill that relates to a number of different areas of law and seeks to address a range of issues to ensure that our justice system works as efficiently and effectively as it can for the benefit of the South Australian community. I commend the bill to the house.

**Mr McBRIDE (MacKillop) (16:16):** It gives me great pleasure to add a few comments to the Statutes Amendment (Attorney-General's Portfolio and Other Justice Measures) Bill 2025 and particularly around part 4, Criminal Law Consolidation Act 1935. Part 4 of the bill wants to amend and change the laws in regard to the words 'back-burning', 'fire prevention' and 'bushfires' and the like that have been mentioned here. I want to make it very clear that the parliament understands what is written here in a number of areas that I think should be concerning for all those who have the chance to witness, listen or observe what has been put before them.

One of the things I want this parliament to understand is that there has been great resistance by fire authorities around back-burning in South Australia. I will add that back-burning in Queensland, Northern Territory and Western Australia is considered commonplace, mandatory, important and part of the firefighting mechanisms of containing wildfires in those three states. That is not the case here in South Australia.

In my briefing this morning about this legislation and this change in this amendment here, I did ask whether there has been a charge or has there been an arsonist pursuing back-burning practices that says he is now doing something different other than being an arsonist and the answer was no. My real concern is: where is this coming from and why is this written before us and changing what is being done?

Everyone in this parliament should be aware that in the case of horrific, catastrophic, fast-moving bushfires in the state, we now have an abandonment of firefighting and we go into a code called protection and wait. What does that mean? It means that a fire is out of control, it is a wildfire. We have had several of them since I have been in politics: Kangaroo Island, Adelaide Hills, Blackford, Keilira, Sherwood, Pinery to name a few that were catastrophic, huge in their intent, really hard to monitor and very destructive.

One of the things that is really, really frustrating to see and observe is that on the positive side of today's technology the government's intent, be it Liberal or Labor, to have water bombers, Black Hawk helicopters, even Boeing aeroplanes dump thousands of litres of water on wildfires are all positive. But the complete abandonment of a fire other than those resources sometimes would beggar belief in today's modern age.

What I mean by that is I am not suggesting for one minute that I want to see life, resources and fire trucks being put at risk like they used to 20, 30, 50 and further years ago. What we are now not seeing is the prevention of back-burning in front of fire fronts, and it will not even be considered. There is good technology and good resources and good science around lighting more fire into the landscape on these catastrophic days. There are some strong supporters in this area that can back it up with science, feel and perhaps old knowledge, including Indigenous knowledge, around back-burning in front of fires for their control.

When the words used here about back-burning as potentially trying to control, navigate and then criminalise, I am going to call them arsonists, and they use the word back-burning—then I think there is a misinterpretation on a huge scale here. I do not want to see and think that the CFS and the volunteers and the farm firefighting units, who potentially can add more fire into the landscape to protect, to stop, to slow down, to hinder these catastrophic fires that have been abandoned and going only into asset protection, are waiting for water bombers to come in place.

I remind this parliament that back in 2019, we had three fires, one on Kangaroo Island, one in the Adelaide Hills and one at Keilira. There was a shortage of resources, and planes were not even able to drop some of their loads of water let alone be in the places where they were needed all at once because there were too many or not enough helicopters or planes, and the idea of adding more fire into the landscape would have been seen as criminal. I see before me right now that the words here in this amendment could put people in jail for life, when instead more fire could have been added to the landscape to prevent a bigger, more catastrophic fire.

Yes, these back-burns can get out of control. Yes, these back-burns can be swamped by a major fire that is coming up behind it. The fact is that what is going on is that there is no-one brave enough, no-one who has the development put in place yet to add fire, potentially, to slow down catastrophic fires because they will then see themselves looking at life imprisonment. We have to be very cognisant of what I can see here in the wording. I raised it in the briefing. I even asked how many arsonists we have in our history of lighting fires who say, 'I'm just doing a back-burn, your honour, I'm innocent,' when they are trying to start a new fire, a fire of some means, and to say, 'I am doing some back-burning'. It does not make any sense at all.

I can tell you that there are very wise hands, knowledge, minds out there in our rural community that have seen and used back-burning, including our Indigenous Australians, to prevent, control and manage fire. As soon as we start using the word back-burning here in the amendment, we can see people who are trying to do the right thing being punished, provoked or threatened with

imprisonment for life, and I just cannot understand that. It just defies logic and makes me very sad that we do not have the intel here to potentially put those who are trying to do the right thing, people who would like to have the options and considerations of more fire in the landscape on these catastrophic days, but might face the full brunt of the law.

I am not saying that you cannot still pursue something like this if you think there is a loophole, that there are criminals out there putting fire into the landscape and that it has nothing to do with back-burning, but they are using it as an excuse. If the back-burning is in front of a fire front, is backed up by volunteer firefighters and units, and is backed up by even CFS trucks, and this fire still gets out of control, but it is a means to an end and an attempt to control the fire, then I do not want to see this amendment being used against those who are trying to do the right thing. They may not have got the authority from the head of the CFS or the head of the fire, or whoever is in charge, because they were not there.

What you do not want in these situations is to say, 'We are going to have a meeting, we are going to have a discussion. You had better meet on the southern eastern corner here. We're going to light a fire,' and by the time you get the okay and the all clear, the damn thing is 40 kilometres down the road. You do not want that situation either.

You think about that permission and that authority. Who is the authority and who is in control? These things are real life. You cannot prepare for all that you are faced with sometimes in these elements. It happens quickly. Wind changes can mean that what was the side of a fire can then be turned into the front of a fire. It happened in Keilira. The Keilira fire started in a spot. It headed south with strong northerly winds. It had a south-westerly change come through, which turned a 15 kilometre side fire into a front. Had they been allowed to do back-burning on that side front, we would not have had a 25,000 hectare fire. We could have saved a house. We did not lose any lives. I think there were 6,000 or 7,000 head of sheep that were burnt, if not more, and cattle and the like. Thousands of kilometres of fencing was also destroyed.

All I am trying to say to those with knowledge of legislation and amendments is please do not restrict, please do not tie people's hands up, please do not add more red tape to capture those who are trying to do the right thing out there in our community. What we are trying to do is handcuff and give life imprisonment to those who are lighting a fire for the simple sake of what arsonists think and do, not people who are back-burning, because that is a practice that is well noted, as I have already mentioned, in Queensland, Northern Territory and Western Australia for the control of wildfire. I do not want to see innocent people, who are trying to do the right thing, finding themselves foul of the law because we did not have a parliament that was representing the good intent of volunteers and those who have knowledge of wildfires and opportunities in the way we can manage fire. With that, I do not need to add any further points.

**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) (16:26):** I am grateful for the contributions that have been made on all three sides of the chamber on this bill. I see that it will be supported across the chamber, and I am pleased about that. I would like to respond more specifically to the member for MacKillop's contribution, because I respect and understand not only his passion in representing other people here but also his own expertise and experience as a very competent land manager.

I appreciate his concerns articulated about people who are in the middle of a bushfire undertaking back-burning in order to help manage that fire being inadvertently caught up in some kind of criminal proceeding on that basis. I would seek on the record to reassure him that that is not the intended nor, in fact, the likely or possible consequence of this amendment. Unless the person is either intending to cause a bushfire or is recklessly indifferent to a bushfire occurring, they are not going to be caught up in this and therefore ought to feel reassured that the back-burning, which can occur in the consequences of a bushfire bearing down on an area they wish to protect, remains part of the arsenal of responses to those circumstances. So, with what I hope is a reassuring response to the very heartfelt concerns that the member has raised, I commend this bill to the house.

Bill read a second time.

*Third Reading*

**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) (16:28):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**SUMMARY OFFENCES (KNIVES AND OTHER WEAPONS) AMENDMENT BILL***Second Reading*

**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) (16:29):** I move:

That this bill be now read a second time.

I am proud to introduce the Summary Offences (Knives and Other Weapons) Amendment Bill 2025 into this chamber of parliament. The safety of the community is a top priority for this Labor government. South Australia has long had strong knife laws, particularly following reforms implemented by the Rann and Weatherill Labor governments. However, this government is committed to ensuring our laws remain up to date and effective. This bill represents the government's unreserved commitment to tackling knife and weapons-related crime in our community.

The introduction of the bill follows the release of a public discussion paper to examine how existing knife laws in South Australia might be strengthened. This public consultation received significant engagement with over 100 YourSAy survey responses and 36 written submissions. The government has worked particularly closely with South Australia Police to design laws that are not only strong but which can be used effectively by police officers on the ground. The result of this extensive work is a package of reforms that will make our community safer and, unlike the Tarzia-led opposition, we are not content to simply take one small measure and call it a day. We know that a holistic package is needed if we are to have confidence in our laws remaining effective.

South Australia's criminal law already contains a range of offences and penalties relating to knives. This bill builds on that strong foundation and has been developed in reliance, both on the substantial public feedback from the discussion paper and through extensive consultation with South Australia Police.

The bill reforms knife laws in South Australia in several key ways. It will expand the ability of a police officer to scan people for weapons by using electronic metal detectors:

- at declared public transport hubs, public transport vehicles and shopping precincts;
- at places of worship;
- at any place where there is a likelihood of violence or disorder involving weapons; and
- at any time on a person in a public place if the person has, in the past five years, been convicted of certain offences or has been a member of a declared criminal organisation.

The bill will amend existing search powers to allow a police officer to detain and search a person who the police suspect, on reasonable grounds, is a person to whom a weapons prohibition order applies.

This bill will allow police officers, by written notice, to request that a person leave certain areas if the police officer apprehends or believes on reasonable grounds that the presence of the person poses a risk to public order and safety, or that an offence of a kind that may pose a risk to public order and safety has been, or is about to be, committed by that person.

The bill will also create a new offence for a person to remain in the area after having been ordered to leave an area or vehicle if they attempt to re-enter the area or vehicle in the 24-hour period after being served the order. The bill will also allow police officers to use necessary and reasonable

force to remove the person from an area or vehicle if they have been ordered to leave and fail to do so or re-enter the area or vehicle.

The bill will create two new offences which make it unlawful to supply a knife to a minor, knowing or having ought reasonably to have known that the minor will use the knife in the commission of an offence. It will ban the sale of knives to all minors, including those aged 16 and 17 with no exemptions. It will require that certain types of knives are subject to storage requirements at retail premises. It will require that prohibition notices are displayed at retail premises. It will make amendments in anticipation of prescribing swords as a prohibited weapon by regulation, meaning that they will be subject to more strict laws around their use and possession.

Also in anticipation of the more strict prescription of machetes as prohibited weapons, again to be done by regulation, the bill will create an exemption to the prohibited weapons offences for gardening and camping purposes, which will apply only to machetes.

Finally, the bill will also expand the operation of offences relating to possession, carriage and use of weapons in schools to apply to 'educational facilities' which are defined to include a childcare centre, a preschool or kindergarten, a primary or secondary school, a place at which an approved learning program is undertaken within the meaning of the Education and Children's Services Act 2019, and a university, TAFE campus or other tertiary education facility. The offences relating to possession, carriage and use of weapons in schools will also be expanded to apply to places of worship.

The search powers in the bill will come into operation on the day on which the bill is assented to by, or on behalf of, the Crown. The balance of the clauses in the bill, being clauses 3 to 7 and clause 11, will come into operation on the day to be fixed by proclamation to allow retailers sufficient time to implement the changes that may be needed to ensure compliance with those measures in the bill. I will now outline each of the measures in the bill in further detail.

Metal detector police search powers: the new metal detector police search powers proposed in this bill require the repealing of sections 72A, 72B and 72C of the Summary Offences Act 1953 that deal with metal detector and weapons searches where the substance of these current provisions, as well as several new metal detector search powers, will be contained within a new part 14C.

It will be an offence to hinder or obstruct a police officer or a person accompanying a police officer in the exercise of powers conferred under part 14C of the bill. It will also be an offence to refuse or fail to comply with a requirement made or a direction given under part 14C. The maximum penalty for each of these offences is \$2,500 or imprisonment for six months.

While this offence already exists in the Summary Offences Act, the bill will expand on the offence to apply to the exercise of the new search powers introduced by these reforms. The searches conducted under the new part 14C must be by the metal detector in the first instance, other than searches relating to anticipated incidents of serious violence between a group or groups of people.

If metal is detected, the police officer may require the person to produce the items detected. If the person refuses or fails to produce any such item, the police officer will be able to conduct a search in relation to the person or property for the purpose of identifying the item as if it were a search conducted under current laws on a person reasonably suspected of being in possession of an item contrary to law.

This is a well-established process under the Summary Offences Act, and the bill expands on its operation to more public areas to better protect our community from violence. The various reporting obligations contained in the current section 72A(7) and 72B(9) of the Summary Offences Act have been replicated in the bill and several additional reporting obligations have been included to reflect the new powers in the bill. The various safeguards contained in section 72C have also been replicated in the bill.

Special measures to prevent serious violence: existing section 72B allows for the search of persons on authorisation of an officer of or above the rank of superintendent where there is or may be an incident of serious violence involving a group or groups of people. For ease of reference in the Summary Offences Act, this section will be repealed and reproduced in new part 14C of the bill.

While there are minor changes to update the language and layout of the provision, the substance and effect will remain the same.

Metal detector searches for the deterrence of violence or disorder in public places: under the government's proposed bill, the Commissioner of Police will be able to authorise the use of search powers, which must be a metal detector search in the first instance in relation to a specified public place, if there are reasonable grounds to believe that an incident of violence or disorder may take place in the area and that the exercise of the powers is reasonably necessary to prevent the incident.

The authorisation will be limited to a period of no more than six hours and must be by written instrument unless the commissioner is satisfied that circumstances of urgency exist, in which case the authorisation may be oral, provided that it is reduced to writing as soon as reasonably practical. Where the authorisation is made in relation to a specified public place, police officers would be empowered to conduct searches of any person who is in or who is apparently attempting to enter or leave the place, and any property in possession of such a person for the purposes of detecting the commission of an offence against part 3A of the Summary Offences Act.

Power to conduct metal detector searches of certain persons: under this bill, police officers will be authorised to conduct a search, which must be a metal detector search in the first instance, of any person who has, within the five years immediately preceding the relevant time, been found guilty of an offence prescribed by regulation or has been a member of a criminal organisation for the purpose of detecting the commission of an offence against existing part 3A of the Summary Offences Act. A police officer will be authorised to conduct a metal detector search of a person who meets these criteria and who is in or is apparently attempting to enter or leave a public place.

Before carrying out the search, the police officer must provide the person to be searched with information including the grounds for a search, and the explanation for the effect of hindering or obstructing a police officer, or refusing or failing to comply with a requirement made of the person, including the penalty for doing so. If the person to be searched so requests, the identification number of the police officer must also be provided.

Power to conduct metal detector searches at certain events and places: this bill would also give new powers to police to conduct searches, again via metal detector search in the first instance, for the purpose of detecting the commission of an offence against existing part 3A of the Summary Offences Act of any person who is in or apparently attempting to leave the following places:

- licensed premises;
- a place of worship;
- a public place holding a declared public event;
- a declared shopping precinct;
- a declared public transport hub;
- a car parking area specifically or primarily provided for the use of patrons and customers of an area referred to in a preceding paragraph; or
- a public transport vehicle providing a declared public transport service.

With respect to licensed premises, the bill reflects the existing powers within section 72A(3)(a) of the Summary Offences Act; however, the definition of licensed premises will be expanded.

Licensed premises are currently defined in the Summary Offences Act to include the premises defined in the casino licence under the Casino Act 1997, premises subject to a licence prescribed by regulation, and premises in respect of which one of the following classes of licence is in force under the Liquor Licensing Act 1997:

- a general and hotel licence;
- an on-premises licence;
- a restaurant and catering licence;

- a club licence; or
- a licence of a class prescribed by regulation other than premises, or premises of a class, declared by the regulations to be excluded.

The current definition of licensed premises does not permit police officers to conduct metal detector searches in many of the licensed premises within which it is an offence to carry an offensive weapon pursuant to section 21C(3) of the Summary Offences Act; for example, those with short-term licences and small-venue licences. Therefore the definition of 'licensed premises' for the purposes of metal detector searches will be expanded by this bill to include all premises within the meaning of the Liquor Licensing Act, other than any that are excluded by regulation.

The police commissioner's existing powers to declare community, cultural, arts, entertainment, recreational, sporting and other similar events occurring in a public place for the purpose of metal detector searches for weapons under section 72A(3)(b) of the Summary Offences Act will remain. However, currently a declaration in respect of a public event must specify that the declaration operates during the period for which the event is held. This means the police are not currently permitted to conduct searches prior to the event time.

The bill has rectified this, so that the declaration must specify the period during which the declaration is in force being a period commencing no earlier than the start of the day on which the event starts, and ending no later than the day on which the event ends. The commissioner will also be empowered through these reforms to declare shopping precincts, public transport hubs and public transport services for the purposes of metal detector searches for weapons so that additional criteria must be satisfied before a declaration may be made.

Before declaring a shopping precinct, public transport hub or public transport vehicle, the commissioner must be satisfied:

- that the exercise of the search powers is necessary or appropriate for the purposes of deterring or detecting the commission of offences involving the possession or use of a knife or other weapons in the shopping precinct or public transport hub;
- that the exercise of the search powers is likely to be effective in detecting or deterring the commission of offences involving the use of a knife or other weapons in the shopping precinct or public transport hub; and
- that the exercise of the search powers will not unduly affect lawful activity in the area.

Additionally, where a shopping precinct or public transport hub has previously been the subject of a declaration, the commissioner will be required to have regard to whether searches carried out previously identified persons carrying knives or other weapons. Declarations of shopping precincts, public transport hubs and public transport services will be in effect until revoked by the police commissioner. The commissioner must revoke a declaration if they are no longer satisfied of the criteria.

The commissioner will be required to publish declarations on the commissioner's website before the commencement of the period during which the declaration will operate. A police officer will be required, if reasonably practicable in the circumstances, to notify a person prescribed in the regulations of the terms of the declaration and the intent to search persons during the specified times or during the specified period for which the declaration is in force. A police officer need only notify the prescribed person once in relation to each declaration, and failure to notify will not invalidate the exercise of the powers.

Weapons prohibition order search powers: the Summary Offences Act currently provides that a police officer may detain and search a person to whom a weapons prohibition order applies as reasonably required for the purposes of ensuring compliance with a weapons prohibition order. The existing search provision will be amended to allow a police officer to detain and search a person or who the police officer suspects on reasonable grounds is a person to whom a weapons prohibition applies.

Request to leave certain areas or vehicles: the bill will give police additional powers similar to those that apply in declared public precincts that would allow police to order a person or persons

in a group to leave a declared area or vehicle in certain circumstances. An order may be made if a police officer believes or apprehends on reasonable grounds that an offence posing a risk to public order and safety has been or is about to be committed or if the person or group of persons poses a risk to public order and safety.

The order must be by notice in writing and served on the person personally and must specify the area to which the order relates or, if the order relates to a public transport vehicle, the public transport service which the vehicle is providing. The order is operational for 24 hours. The bill also makes it an offence for a person having been ordered to leave an area or vehicle to remain in the area or vehicle after having been so ordered or to re-enter or attempt to re-enter the area or vehicle within a 24-hour period commencing at the time the order was served on the person. The maximum penalty for this offence will be a \$1,250 fine.

If the person fails to leave an area or vehicle when ordered to or re-enters an area or vehicle within the period specified in the written notice, a police officer will be empowered to use necessary and reasonable force to remove the person from the area or vehicle.

Unlawful supply of knives to minors: this bill will also create a new offence to supply a bill to a minor if the supplier knew or ought reasonably to have known that the minor intended or was likely to use the knife in the commission of an offence. There is no requirement that the minor actually use the knife in the commission of an offence.

There will be two tiers of the new supply offences, dependent on the type of offence that the supplier is alleged to have known or ought reasonably to have known that the minor intended or was likely to commit using the knife. For the new top tier offence, the supplier must have known, or ought reasonably to have known, that the minor to whom they supplied the knife intended or was likely to commit a serious offence of violence. A serious offence of violence will include various offences within the Criminal Law Consolidation Act 1935 in which harm, serious harm or death is caused to a victim.

For the new lower tier offence, the supplier must have known, or ought reasonably to have known, that the minor to whom they supplied the knife intended or was likely to commit an offence against section 21E of the Summary Offences Act, being possession of a knife in a public place or education facility. The maximum penalty for the new top tier supply offence is four years' imprisonment or a fine of \$35,000. The maximum penalty for the lower tier supply offence would be six months' imprisonment or a fine of \$10,000.

Sale of knives to minors under the age of 18: currently under section 21D(1) of the Summary Offences Act, it is unlawful for a person to sell a knife to a minor under the age of 16. Section 21D(1) will be amended to raise the age at which a person can lawfully purchase a knife to 18 years old, making it unlawful for a person to sell a knife to a minor under 18. The existing defence which applies to section 21D(1) will be amended to reflect this change.

There will be no exceptions for minors under 18 to purchase a knife, even for the purposes of their education, training and employment, and they will need to rely on guardians, employers or training providers to supply knives to them if required for these legitimate purposes. It is worth pointing out that certain knives are already exempt from current section 21D(1) by the regulations, including razor blades permanently enclosed in a cartridge and plastic or wooden knives used for, or intended to be disposed of after, eating.

This new proposed defence to raise the age of sale for knives with no exceptions is an unapologetically strong new measure by this government to protect our community from knife crime. Consultation with the retail sector made it clear that exemptions to the prohibition on selling knives to minors, even if well intended, would create confusion for retail staff. It is our view that a ban with no exemptions is the only way to ensure knives are not able to be purchased by minors.

Certain knives to be kept secured in retail premises: under the proposed reforms, a person selling knives from retail premises will be required to ensure that any prescribed knives stored in a part of the retail premises to which the members of the public are permitted access are either kept in a securely locked cabinet or container, securely tethered, or secured in any other manner prescribed



by the regulations such that members of the public are not able to gain access to the knives without the assistance of the person or an agent or employee of that person.

The maximum penalty for the new offence will be \$10,000 and may also be expiated upon payment of a \$1,000 fine. The new offence will not apply during an inspection of a prescribed knife by a prospective purchaser. As with the prohibition of sale notice requirements, retail premises will include a market stall, a temporary pop-up shop or any other premises or place, or premises or place of a class prescribed by the regulations. The types of knives that will be required to be stored securely will be determined through regulations.

Display of notices in the sale of knives: under this bill, it will also be an offence to sell knives from retail premises unless a prohibition notice is displayed regarding age of sale of knives and other information related to the lawful sale and use of knives. This notice must be displayed in a manner likely to be seen by customers at each point of sale in the retail premises, or at each area in the retail premises in which knives are displayed for sale. The maximum penalty for this new offence will be \$10,000. This offence may also be expiated upon payment of a \$1,000 fee. A retail premises will include market stalls, temporary or pop-up shops, or any other premises or place prescribed by the regulations.

This bill will also create an offence to sell knives by direct sales transaction, being a transaction in which the knife is to be delivered to or picked up from an address in the state. This is unless, in the case of a direct sales transaction taking place over the internet or using a website, the information prescribed by the regulations is published on the website through which the transaction occurred or, in any other case, the information prescribed by the regulations is given to the purchaser in accordance with any requirements set out in the regulations. The maximum penalty for this new offence will be \$10,000 and again this offence may be expiated upon payment of \$1,000 fee.

It will be a defence to the direct sales offence to prove that the defendant did not know, and could not reasonably have been expected to have known, that the knife was to be delivered or picked up from an address in this state. The direct sales offence will ensure that bricks-and-mortar retailers are not unfairly disadvantaged by the provisions and avoid potential displacement issues, such as minors turning to purchasing knives online due to the increased barriers to purchasing knives from bricks-and-mortar retailers and the increased likelihood of their conduct going undetected by police.

The prohibition notice must contain the information set out in the regulations, which will relate to the age requirements for the sale of knives to minors and must be displayed in accordance with the requirements set out in the regulations, including its required size and form.

Removal of reference to swords from the definition of 'offensive weapon': the reference to a sword in the definition of offensive weapon in existing section 21A of the Summary Offences Act will be removed to prepare for the addition of swords and machetes to the list of prohibited weapons in the Summary Offences Regulations 2016. This is a technical change in anticipation of a change to the regulations requested by South Australia Police.

The removal of the reference to swords in the definition will in no way reduce the powers and safety around how swords are dealt with, and will in fact increase the level of seriousness in which swords are ultimately regarded. Section 21A(1) contains a definition of an offensive weapon, which includes a non-exhaustive list of items that are included in the definition. Swords are included in that non-exhaustive list.

This amendment simply removes the reference to swords for consistency and clarity when the regulations are made. Once swords have been prescribed as prohibited weapons by the regulations, it will be an offence to possess them without an exemption. The necessary changes to the regulations to consider swords and machetes as prohibited weapons will occur at the same time as the commencement of this corresponding legislative amendment.

New category of prohibited weapons exemption for machetes: it is intended that machetes and swords will be prescribed to be prohibited weapons by regulation. In anticipation of this change, there will be an exemption for gardening and camping purposes in the schedule of exemptions to the offence of manufacturing, selling, distributing, supplying or otherwise dealing in prohibited weapons.

As previously mentioned, the exemption will apply only to machetes. Again, this legislative amendment will commence at the same time as the corresponding regulations.

Education facilities and places of worship: finally, current section 21C(7) of the Summary Offences Act will be amended to make it an offence to without lawful excuse use or carry an offensive weapon that is visible in the presence of any person in an education facility, a place of worship or a public place in a manner that would be likely to cause a person of reasonable firmness present at the scene to fear for their personal safety. Similarly, section 21E will be amended to make it an offence for a person to, without lawful excuse, have possession of a knife in an education facility, a place of worship or a public place.

Previously, the offences within sections 21C(7) and 21E of the Summary Offences Act were limited to schools, as defined to primary and secondary schools. An education facility will be broadened and now defined to include a childcare centre, preschool or kindergarten; a primary or secondary school; a place at which an approved learning program within the meaning of the Education and Children's Services Act 2019 is undertaken; and a university, TAFE SA campus, or other tertiary education facility.

These amendments will not affect those persons who legitimately need to carry, possess or use knives in these locations for a legitimate purpose which constitutes a lawful excuse—for knives that are offensive weapons—or where the person is exempt pursuant to schedule 2 of the Summary Offences Act for knives that are prohibited weapons.

I am very proud of the government's strength of action in bringing this comprehensive knife crime reform package to this place. This has been a significant piece of work informed by significant public consultation and close workings with SAPOL and the Commissioner of Police. This government is committed to ensuring public safety and this bill is testament to that, containing a comprehensive suite of amendments targeting both prevention and law enforcement to ensure the safety of South Australians against knife crime. I commend the bill to members and seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

These clauses are formal.

##### Part 2—Amendment of Summary Offences Act 1953

###### 3—Amendment of section 21A—Interpretation

This clause amends section 21A of the Act to insert definitions of terms used in the measure, and deletes swords from the definition of offensive weapon.

###### 4—Amendment of section 21C—Offensive weapons and dangerous articles etc

This clause consequentially amends section 21C of the Act following the insertion of the term 'education facility' to replace 'school'. It also makes it an offence to use or carry an offensive weapon at a place of worship without lawful excuse.

###### 5—Amendment of section 21D—Unlawful selling or marketing of knives

This clause amends section 21D of the Act to raise the age at which a person can lawfully buy a knife to 18.

###### 6—Insertion of sections 21DA, 21DB and 21DC

This clause inserts new sections 21DA, 21DB and 21DC as follows:

###### 21DA—Supplying knives to minors that are used in offence

This section creates 2 new offences committed where a person supplies a knife to a minor if they knew, or ought to have known, that the minor would intended or was likely to use the knife in the commission of a serious offence of violence as defined, or an offence against section 21E.

###### 21DB—Certain notices to be displayed where retail sale of knives

This section requires sellers of knives to display certain notices in retail premises.

21DC—Certain knives to be kept secured in retail premises

This section requires retail sellers of knives to keep certain kinds of knives secured in parts of premises to which members of the public have access.

7—Amendment of section 21E—Knives in schools and public places

This clause consequentially amends section 21E of the Act following the insertion of the term 'education facility' to replace 'school'. It also makes it an offence to possess a knife at a place of worship without lawful excuse.

8—Amendment of section 21L—Power to search for prohibited weapons

This clause substitutes a new paragraph (a) into section 21L(2), clarifying that a police officer need only suspect on reasonable grounds that a person is a person to whom a weapons prohibition order issued by the Commissioner applies in order to search them for prohibited weapons.

9—Insertion of Part 14C

This clause inserts new Part 14C into the Act, providing for a series of powers to be conferred on police officers to conduct metal detection and other searches in the circumstances set out in the Part.

Procedural provision is made for declarations triggering the places in which searches can occur, how notice of proposed searches is to be given and how searches are to be undertaken.

A power to order a person to leave an area declared under the Part is also provided for.

10—Repeal of sections 72A, 72B and 72C

This clause repeals sections 72A, 72B and 72C of the Act, those sections now being subsumed into new Part 14C.

11—Amendment of Schedule 2—Exempt persons—prohibited weapons

This clause inserts new clause 25 into Schedule 2, providing exemptions for the use of machetes (which are to be declared to be prohibited weapons by regulation) for gardening or camping purposes.

**Mr BATTY (Bragg) (16:56):** I rise and indicate that I will be the lead speaker for the opposition on this bill. The opposition will be supporting this bill. We will be supporting it, of course, because much of what we find in this bill was our own idea that we presented to the public months ago and, indeed, presented to this parliament months ago. We have been calling for all of it for quite some time, for this government to get on with knife crime law reform.

We are very pleased to finally see this bill now before the house, after what has been effectively three years of inaction when it comes to law and order and knife crime law reform from the Malinauskas Labor government. Throughout that three years of inaction, what we have also very sadly seen is crime on the rise, and particularly knife crime on the rise, across South Australia. Indeed, just last year while we were waiting for these much-promised tough new laws to come into place, we saw knife crime increase by 15 per cent across the state.

For every week that we have waited for this bill, on average 80 knife crimes were committed in South Australia. Indeed, for every week that it appears we are now going to have to wait to see the regulations and actually have the bulk of this bill commence, on average 80 knife crimes will be committed across South Australia. I am not just nitpicking when I say this has been in the go-slow lane; this has a real impact. Behind each of those statistics is a victim, and that is at the heart of what we do here: trying to protect those victims, trying to see fewer victims and trying to keep South Australians safe. While we have been waiting for this bill we have seen a 15 per cent increase in knife crime and we have failed in that duty to keep South Australians safe.

The government has really had no excuse not to introduce this bill sooner and not to get on with knife crime law reform sooner. We have seen so many horrific examples across the state of crime on the rise, but in particular knife crime. I have spoken about a few of them in this parliament before. Mid last year we saw a whole spate of fairly horrific and violent attacks, many involving knives and many involving children, concerningly.

Whether it was at Marion on 23 June where we saw three youths arrested—two of whom were 15 and one was 16—and charged variously with assault, affray and aggravated robbery. Their two expandable batons were seized and the shopping centre was put into lockdown and evacuated—absolutely terrifying for the people trying to go about their shopping in Marion on 23 June.

Where were the government's tough new laws on 23 June at Marion? Or where were they in Arndale on 25 June when we saw six youths arrested for threatening a man? Four of them were 14-year-old children, one of them was a 13 year old, another was 15 and two of them were found carrying knives. Where were the government's tough new laws on knife crime on 25 June at Arndale?

Or Elizabeth? On Friday, 9 August outside the courts a group of teens were arrested for a brawl outside the Magistrates Court. They were aged just 17, 16 and 15 and one of those youths was allegedly wielding a machete. Where were the government's tough new laws on knife crime at Elizabeth in August of last year?

Or at Elizabeth in October last year, when we saw three teens arrested aged 17, 16 and 14 and an 18 year old stabbed and taken to hospital and a large knife with blood was found in a recycling bin at the Elizabeth shopping centre? We had a situation in October last year at the Elizabeth shopping centre where it looks like kids are going around stabbing other kids and total inaction still from this government.

There has also been no excuse not to do this sooner because most of the ideas that have finally found their way into this legislative reform we have known about for quite some time. It was in July 2024 that a discussion paper was first released by the government, which outlined nearly all of the ideas that have now found themselves in this bill. Basically, we are legislating today all of the ideas that were in that discussion paper. That was eight months ago. Why have we waited eight months when we have been in a circumstance where on average 80 knife crimes are committed every week across the state before we have finally acted?

Or in August 2024, when the comprehensive consultation concluded? That was seven months ago. Why did we not act seven months ago in a context where on average 80 knife crimes are committed every single week across the state? Or in October 2024, now over four months ago, when the knife crime crisis got so bad and the inaction from this government became so stark that the opposition was forced to act in this parliament and introduce its own bill in an attempt to fix the knife crime crisis and make our community safer? That was four months ago and has not found any support from those opposite. Indeed, a lot of what we are legislating today was in that deal four months ago. Instead, we have had to endure another four months of Labor's weak knife crime laws and inaction from those opposite before we finally now get to debate this bill before the house.

Or in November 2024? Three months ago, the opposition called for the machete to be listed as a prohibited weapon. Why did the government not think to act then when the opposition sounded the alarm on the machete crisis and the fact that the machete had seemingly become a weapon of choice for youth criminals and criminals more broadly? But no action. This could have been done with the stroke of a pen by the Attorney-General, listing the machete as a prohibited weapon.

We now have the minister in here today promising to do that at some point in the future still. We still have not listed the machete as a prohibited weapon. Again, you do not have to take me begging for it, look at the victims on the streets in our suburbs. In Rundle Mall, in broad daylight on 31 October 2024, we saw a terrifying machete attack that saw the arrest of teens aged 14, 15 and 17. On 9 October 2024, at Gulfview Heights, there was a home invasion by a gang with machetes that left two needing surgery.

In Kilburn on 29 September 2024, we saw a gang of up to 15 machete-wielding thugs who reportedly went on a rampage through a property in Kilburn. At Eyre, there was another home invasion on 27 September 2024. There were three people armed with machetes and that attack saw a teenager slashed across his forehead, but none of this was enough for the Attorney-General to step up and actually list the machete as a prohibited weapon. It took the opposition to call for it, and those calls were ignored; indeed, I think they were mocked at the time by those opposite. A spokesman for the Attorney-General was quoted in *The Advertiser* newspaper describing the ban as:

...unnecessary because existing laws already outlawed machetes in public places.

The spokesperson went on rather politically to say:

Last week the Liberals came out with a policy that we've already announced, this week they want to outlaw something that is already a crime...

Well, here we are, three months later, and they are doing the very thing that we told them to do three months ago. Again they mocked us for it and now they are here doing it because I have finally woken up to the fact that we have a knife crime crisis in South Australia. They have finally woken up to the fact that the machete has become a weapon of choice for dangerous criminals. Why did we not act three months ago? Indeed, after we called for the machete to be listed as a prohibited weapon, merely weeks later, we saw another machete fight in Rundle Mall, which was captured on CCTV, and we have seen it on our televisions a lot ever since. I just do not understand why there has been a total reluctance to prioritise law and order from the Malinauskas Labor government, even in the face of really startling examples of knife crime, of machete crime. It is really not good enough.

As I said, the situation got so bad that the Liberal opposition had to lead the way and introduce our own laws, which we did a few months ago. The government has never supported those laws and instead we have had to endure another summer of fear, another summer with Labor's weak knife crime laws. What have we seen since then? We have seen the 1 November machete fight in Rundle Mall, we have seen the 1 November incident at Yorktown Hospital involving a knife-wielding female patient, and on 15 December a knife-wielding man was arrested at a Woolworths in Goolwa. There are real consequences of the government's failure to act. We have been trying to sound the alarm on this. We have been trying to help. We could have legislated this at the end of last year, but we had absolutely no cooperation or interest from the government in engaging in any knife crime law reform for the past few months.

As recently as last month, about four weeks ago, we were out again calling for these very laws that we are debating today to be fast-tracked. We held a press conference calling for these laws to be fast-tracked. It is only after that press conference that we finally now see a government acting and this bill before the house and, seemingly, we still have to wait for many more days, weeks, months, years—I do not know—before we can see the regulations and have the bulk of this legislation commence. If it has not been bad enough that Labor has dragged their feet for last three years when it comes to knife crime law reform, what are they going to do for the next few months? Where are the regulations? Why can we not legislate it today, get started and have the bulk of this bill take effect to keep South Australians safe?

One of the reforms this bill seeks to make is in clause 5 of the bill, which is to essentially ban children being able to buy knives. This clause was of course the subject of a bill introduced by the Liberal opposition some months ago. Now it has not found support from the government. Curiously, the government seems to take great pride in the fact that there are no exemptions to this clause in the current bill we are debating. They like to draw a comparison that in the bill that the opposition introduced there were some pretty reasonable exceptions, including to allow a 17 year old to pursue, for example, their legitimate profession or education. The example that was often quoted at the time was that of a 17-year-old apprentice butcher who might need a knife to go about his education and training, and indeed his work, and in those circumstances it would be a legitimate reason to be able to buy a knife.

That has been removed from this bill, which is curious, given that on 29 October 2024—you might remember, sir, that is when we introduced our bill on this very topic and could have passed it on that day and been safer for the last few months—the day that the opposition introduced its bill and led the way on knife crime law reform, the Attorney-General went on radio, before reading our bill, to criticise it. His main criticism was the fact that maybe we had not thought about exemptions—there might not be exemptions in the bill.

He was asked about whether he would back Vincent Tarzia's bill. He did not answer that question, but of course we all know the answer now. He has refused to back it for the last three months. In response he said, 'Rushing into something that raises the age probably doesn't take into account things like apprentice chefs, who actually need that and need to be able to buy a knife for their work.'

When we introduce a bill with reasonable exemptions, he criticises us because he has not read it, and says, 'Hey, you have forgotten to have exemptions,' and then three months down the track we are here, and he has done the very thing that he accused us of not doing. It is just totally bizarre behaviour from the Attorney. I do not know what changed in the last three months. Again, I

do not know why he could not have just supported our bill. If he did not think it was strong enough, he could have amended it then.

That was not the only exemption in our bill—legitimate education and professional purposes. There also was one that I think I styled as a 'culinary exemption'. The situation we now find ourselves in is, seemingly in an effort to sufficiently differentiate his bill from my bill and to make him look even tougher on crime, the Attorney-General might have unwittingly banned children from being able to buy a knife to eat their dinner. Under the laws that were passed today, a 17 year old cannot go out and buy a knife and fork to eat their steak and chips. I do not know what this is going to mean for table manners, but I also think we have ended up in a really bizarre situation. I think it is out of a sense of pride almost from the Attorney, trying to differentiate his bill from our bill, that we have ended up in a fairly unusual situation where 17 year olds are not allowed to butter bread anymore under the Attorney's tough new laws, but here we are nevertheless.

This bill does introduce a number of other measures as well, many of which we have been calling for for quite some time, nearly all of which find themselves in the discussion paper I mentioned earlier, titled 'Tackling knife crime in South Australia'. We see ideas like the safe storage of knives and certain display obligations in clause 6 of this bill. That is directly lifted from page 15 of the discussion paper that was released eight months ago. We see an expanded definition of a school in clause 2 of this bill. Again, that is directly lifted from page 17 of a discussion paper that was released eight months ago.

We see a variety of new search powers in the bill. It is sort of half the bill, which is basically new part 14C of the bill. Again, it was directly lifted and canvassed in page 10 of a discussion paper that was released eight months ago. We also see the foreshadowing of listing the machete as a prohibited weapon in clause 11. That was not in the discussion paper, but of course you would recall the Leader of the Opposition's press release from 3 November 24, where we called for this very thing. That press release said, and I quote:

The Summary Offences Act allows the Attorney-General to declare certain weapons 'prohibited'. Currently weapons such as bayonets, flick-knives and nunchakus are prohibited but not machetes.

He then went on to make the case for the Attorney, with a stroke of a pen, making the machete a prohibited weapon, which of course makes it illegal to manufacture, sell, possess or supply. I do not think that was in the discussion paper. It might have been, but it was certainly something that we were calling for some three months ago now.

Basically, all of the ideas in this bill are either lifted from the discussion paper released eight months ago or lifted from suggestions and policy ideas from the Liberal opposition. Despite this, I do not understand why it has taken eight months to end up here. That consultation, that discussion paper, closed seven months ago. We haven't actually ever seen a final report of that consultation process. The submissions of that consultation were never made public, but here we are, eight months down the track, with finally this government waking up to something that most South Australians have known about for the last three years and the Liberal opposition have been shouting from the rooftops about for the last three years.

I think it is extraordinary that it has seemingly taken the Liberal opposition embarrassing the government into taking some action on this issue before we saw this bill introduced and, even then, much of the work that this bill will do relies on regulations that we still have not seen. The bill that was initially introduced in the other place was to commence on some date in the never-never that was not named. Again, it took the Liberal opposition to move amendments there urging these provisions to commence sooner. There is just no sense of urgency from the Malinauskas Labor government when it comes to the knife crime crisis. There is no sense of urgency from the Malinauskas Labor government when it comes to law and order more generally.

So, we will support this bill—half of it we came up with ourselves, the other half we have been calling on the government to act on for a long time now, and we say that the Liberal Party of South Australia will always prioritise community safety. We will always put the rights of victims first and try to make South Australians safer in our streets, our suburbs or in their own homes. It should be core business for any government and I just wish the Malinauskas Labor government would make it more of a priority.

**Mr ODENWALDER:** I draw your attention to the state of the house, sir.

*A quorum having been formed:*

**Ms HOOD (Adelaide) (17:18):** I rise in support of this bill, that would see South Australia have the toughest knife laws in the country. The comprehensive package of reforms includes expanding police powers to conduct wandering searches in shopping centres and at public transport hubs, requirements for the secure storage of knives in stores and the creation of two new offences for supplying knives to minors. These laws have been developed following extensive consultation with SAPOL and the broader community.

Recent tragic events across our nation, and here, closer to home, remind us of the dangers that weapons, such as knives, can pose when they are in the wrong hands. Behind these incidents are mothers, daughters, sisters, wives, partners, husbands, sons, brothers, colleagues and friends. Their names are Pikria Darchia, Faraz Tahir, Ashlee Good, Jade Young, Dawn Singleton and Yixuan Cheng who lost their lives at Bondi Junction, with a further 12 injured, including Ashlee Good's baby girl.

Their names are Julie 'Julez' Seed who, at just 38 years old, was stabbed to death at her workplace in Plympton in December 2023, robbing her daughters of their mother, and her fiancé of his future wife. Julie's colleague, Susan Scardigno, survived the horrific ordeal. Each individual has a story, a family, hopes and plans for the future, and they are a reminder to us in this place about why reforming knife legislation is so important. We do this work in the hope that we will not have to read out the names of loved ones who will no longer go home to their families.

Strong knife laws are an area of the law in South Australia that we have often led the nation on. In 2012, the then Labor government introduced a suite of reforms, such as prohibiting the sale of knives to minors under 16, and banning the marketing of knives in a way that suggested that the knife was suitable for combat. Further changes were made in 2017 regarding SAPOL's ability to conduct metal detector searches when reasonably suspecting a person of carrying a weapon. The reforms in this bill go even further and will see South Australia with the most comprehensive knife laws in the country.

As a result of stakeholder feedback received during consultation, including from the public, targeted stakeholders, and particularly with SAPOL, the following reforms are proposed. The bill will expand police metal detector search powers on declared public transport vehicles, public transport hubs, at shopping centres, and all licensed premises. It will expand police metal detector searches at any public place where there is a likelihood of violence or disorder, and it will expand police metal detector search powers on any person with a relevant history of weapon-related violence or who is a member of a declared criminal organisation.

The bill will increase the age for purchasing knives from 16 years to 18 years with no exceptions. Currently the age of sale to purchase a knife is 16, with exemptions for a razor blade permanently enclosed in a cartridge or a plastic or wooden knife used for eating and intended to be disposed of afterwards. Clause 5 of the bill will raise the age of lawful sale of a knife to 18 with no exceptions, except for the existing allowance for using plastic/wooden knives for eating.

The bill will require the safe storage of knives for sale and also require the display of prohibition notices, both in bricks and mortar and online premises. The types of knives subject to these requirements will be determined by regulation but are unlikely to include knives such as butter knives. Costs will be borne by the retailer, noting this requirement is supported by the National Retailers Association. The bill will create a new offence for supplying a knife to a minor if the supplier knew or ought to have reasonably known that the minor intended or was likely to use the knife in the commission of an offence. The bill will expand offences for carrying and using knives in a manner likely to cause a reasonable person to fear for their safety at schools and public places, to cover childcare centres, preschools, kindergartens, universities and TAFE SA campuses.

It will make amendments in anticipation of prescribing swords as a prohibited weapon by regulation, meaning they will be subject to more strict laws around their use and possession. In anticipation of the more strict prescription of machetes as prohibited weapons, the bill creates an extension to the prohibited weapons offences for gardening and camping purposes which will apply

only to machetes. I believe these reforms will be tough, effective and give police the tools they need to keep our community safe.

I want to acknowledge and thank all of those people who had their say during the extensive consultation on these measures, in particular SAPOL. I also want to recognise the tireless work of our Attorney-General, the Hon. Kyam Maher MLC, in the other place, on this bill, alongside his staff in the Attorney-General's Department, and thank the Premier and the police minister for their support of these reforms. I commend the bill to the house.

**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) (17:23):** I commend the bill to the house.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**Mr BATTY:** Minister, we have heard about the extensive consultation on this bill and the discussion paper and the YourSAy page that received a number of submissions. That consultation, I think, concluded about seven months ago. Is it the intention of the government to formally release a final report or respond to those submissions, and will those submissions be released publicly?

**The Hon. S.E. CLOSE:** No. My advice is that we are at this point not intending to release those nor to issue a response. The response is the bill, I presume.

**Mr BATTY:** Is there any reason why you would not be releasing the submissions in the usual fashion? You also might like to get the website updated, which currently reads, 'The final outcomes of the consultation will be documented here.' Is there a reason why we cannot see the submissions?

**The Hon. S.E. CLOSE:** I am advised that it is not usual practice for them to be published after a consultation.

**Mr BATTY:** Were any of the submissions that were received throughout that YourSAy process against any of the proposals in this bill that we are debating today, and what were they and what were the concerns that might have been raised in the submissions that we cannot see?

**The Hon. S.E. CLOSE:** I am advised that, broadly speaking, the consultation review of the people was supportive of this legislation and there was, of course, extensive detailed consultation with the police commissioner.

**Mr BATTY:** Was this bill actually consulted on—the final form of the bill that was introduced—and, if so, who was consulted?

**The Hon. S.E. CLOSE:** Targeted consultation on a draft bill was undertaken with the Commissioner of Police, the Director of Public Prosecutions, the Chief Justice, the Chief Judge of the District Court, the Chief Magistrate, the judge of the Youth Court, the State Courts Administrator, the National Retail Association, the Australian Retailers Association, the Shopping Centre Council of Australia, and the Shop, Distributive and Allied Employees Association. Substantive responses were received from the Shopping Centre Council of Australia and the Shop, Distributive and Allied Employees Association.

Clause passed.

Clause 2.

**Mr BATTY:** Clause 2 is the commencement clause. Where did the wording of this clause come from?

**The Hon. S.E. CLOSE:** As I understand it, that was the way the clause was amended in the upper house.



**Mr BATTY:** It was amended in the upper house I think by the Liberal opposition, which pointed out that it has taken us quite a long time to arrive at this point when it comes to acting on knife crime and that these laws have been somewhat in the go-slow lane. Of course, we had some concerns that allowing them to commence at a future date means they are going to remain in the go-slow lane, which again is not just trying to be picky; it is about victims out there in our streets and suburbs. Is there any reason why the government was seeking to delay the commencement of this bill that has already taken eight months to end up here?

**The Hon. S.E. CLOSE:** The standard practice, as the member is aware, is that, when there is a reasonably complex piece of legislation, some time is allowed for regulations to be prepared but also for all of those affected by the changes to the law to be fully aware of that. That includes the police in enforcing but also retailers, shopping centres and so on. The standard approach in preparing the draft bill, to which I do not believe there was any objection in the consultation process on the draft bill, was that it would be commenced when all of those matters were lined up. The government had no objection to the change to bring forward some of those clauses and that is why it has resulted in this version here.

**Mr BATTY:** I am glad the government could support our amendment so that these laws could commence sooner. I think there needs to be a sense of urgency when it comes to the knife crime crisis and when it comes to law and order more generally, so I am glad the Liberal opposition can inject a bit of urgency into the situation.

With the rest of the clauses that do not commence on assent, a lot of them will require some education and awareness for the sellers of knives, but a lot of them actually just rely on regulations. I have not seen any draft regulations. Do they exist? Is there any reason why we are not seeing them at the same time as this bill?

**The Hon. S.E. CLOSE:** It is not standard practice for legislation to be drafted until the piece of law is through because of the changes that may well influence what the regulations cover, but nonetheless what is occurring currently is consultation on what will be in those regulations so everyone is ready as soon as the legislation is done and the drafting process will commence with some confidence about what will be in there.

**Mr BATTY:** I guess our point is that the knife crime crisis does not call for standard practice. It calls for some urgency and it calls for some extraordinary practice and I do not understand how we have not had the last eight months to consult on the regulations at the same time that we have been consulting on the bill. So I guess my question is: when do you expect the regulations to be ready because presumably we find ourselves sitting here now and a lot of this bill cannot commence because the regulations do not exist yet? Much of this bill is only effective if we have the regulations in place and I cannot think why they could not be ready today or could not have been ready over the last eight months. So when will the regulations commence and indeed when will clauses 3 to 7 and 11 commence?

**The Hon. S.E. CLOSE:** Clearly, the Attorney-General is in the other place and will determine the timing of finalising those regulations. There has already been consultation on what is going to be in those regulations, as is orthodox waiting for the legislation to be finalised before they are drafted. While I am not going to speak to bind the Attorney-General on specific timing and I am trying not to react too much to the political tone—although I accept there was some in the second reading speech that I gave—the reality is that this is taken very seriously by the Attorney-General and he will in no way be holding up the process to make that part of the legislation come into force as soon as is practicable.

In opposition, it is reasonably straightforward to say, 'This should happen immediately and that should happen,' without having to do the extensive consultation on the actual practical application of the piece of legislation and the regulations and without having to talk to all of the people who are involved. That work has been undertaken. It will be finalised as soon as this legislation is through, and I am sure that the Attorney-General in the other place will accelerate to make this important legislation come into full fruition as soon as possible.

**Mr BATTY:** I appreciate you might not know the exact dates and it is a job for the Attorney, but are we talking a matter of days or weeks or months or years for the bulk of this to commence? It

has taken the Attorney eight months to get here. Is it going to be another eight months before we actually see this—

**The ACTING CHAIR (Mr Odenwalder):** Member for Bragg, I have been pretty generous in giving you more than the allotted number of questions, because I like to see a free-flowing debate, but I think the minister has answered that question.

Clause passed.

Clause 3.

**Mr BATTY:** Clause 3 is the interpretations clause, with a whole lot of definitions being amended. One definition that is not in there is a 'knife', which seems important. Is the minister able to define what a knife is for the purposes of this bill?

**The Hon. S.E. CLOSE:** The reason it is not in this amendment bill is that 'knife' is already defined within the Summary Offences Act. It includes a blade, for example, a knife blade or a razor block.

**Mr BATTY:** The definition currently in the act is an inclusive definition. It is not limited to just a blade or a razor. What other knives are captured by the laws that we are talking about today, I guess, is what I am trying to understand. Is a machete a knife?

**The Hon. S.E. CLOSE:** The definition, as the member points out, is inclusive, and we are not seeking to amend that in this legislation. What we will be doing is using regulations to define the operation of the bill on various kinds of knife in terms of how they might be stored and so on.

**Mr BATTY:** Yes, the bill has some provisions which refer to a prescribed knife, I think, but that is quite a limited application in the bill. The bulk of the bill deals with knives generally. I am not trying to be difficult. I am just trying to understand the scope of what we are legislating today. Perhaps by way of another example, is a butterknife the type of knife that we are considering in this bill, that a 17 year old, for example, would not be able to buy under this legislation?

**The Hon. S.E. CLOSE:** I think it is important to put into context—I do not necessarily mean to get distracted by the cutlery question, but we could spend a bit too much time on the cutlery question—that what we are doing is moving the age from 16 to 18. Any questions about what kind of knife is captured is already part of our law and the operation of our law.

What the regulations will enable us to do is to have some modification of the way in which the various elements of the operation of the act affect different kinds of knives, so exclusion then becomes possible. The fundamental premise is not to alter the definition of what is covered but to alter the age at which it can be bought.

**Mr BATTY:** I understand. So the current definition of knife stays as it is. I guess my question is: under the laws we pass today, are we banning a 17 year old from buying a butterknife?

**The Hon. S.E. CLOSE:** There is an existing regulation. Say we contrast a 15 year old now with a 17 year old after this legislation commences, unless there is any regulatory change then, yes, what a 15 year old now cannot buy a 17 year old will not be able to buy. But there is a regulation that allows 15 year olds to buy razor blades that are fully enclosed, for example, and that excludes them from the definition of 'knife' for that purpose. A decision can be made through regulation to allow a 17 year old to buy something that currently a 15 year old cannot but, as I say, that is not the focus of this change. The change is not about adding in or removing kinds of knives; it is about changing the age at which they can be purchased.

**Mr BATTY:** On a slightly different topic within the same clause, I note that we are deleting the word 'sword' from the definition of an offensive weapon. I understand from your second reading speech this is foreshadowing a sword being listed as a prohibited weapon, with even more regulation requirements.

Is a sword currently listed as a prohibited weapon and, if not, why not? When did government decide to list—well, they have not. When will government decide to list a sword as a prohibited weapon? Would it not make more sense to remove the definition of a sword from an offensive

weapon after listing a sword as a prohibited weapon? Sorry, I have confused you there. Why have we not listed a sword as a prohibited weapon already?

**The Hon. S.E. CLOSE:** I sometimes think I should be given a free law degree for stepping into these kinds of detailed legislative discussions outside my portfolio. Let's just run through the definitions briefly, as I understand them.

An offensive weapon is a lower level, so there can be a defence for having an offensive weapon under various legitimate justified circumstances. A prohibited weapon is a significant level, so you are not allowed to have one. What this legislation is doing is taking a sword out of offensive and putting it into prohibited. That does not mean that a sword could not also be treated as an offensive weapon if it is being used in a way that then brings it into the definition of an offensive weapon.

The reason that there has been this elevation of machete and sword to being prohibited is through consultation. We were asked by the police, while we were making these changes, could we fix what they regard as something that does not quite work.

**Mr BATTY:** Just on that then, I think you said—

**The ACTING CHAIR (Mr Odenwalder):** I think this will be the last question on clause 3. Your questions are succinct.

**Mr BATTY:** Thank you. I think you said that this legislation takes the sword out of being an offensive weapon and makes it a prohibited weapon. I do not think that is quite right. What it does is it stops it being an offensive weapon, but the act of making it a prohibited weapon is done by regulation. When did the police ask for swords to be made prohibited weapons? Why could we not have done this yesterday or last year?

**The Hon. S.E. CLOSE:** You are absolutely correct that the prohibited weapons are identified through regulation, but we have been very explicit in the second reading speech that that is what will be occurring and that we will not be removing it as an offensive weapon until we have made that change. The police, in the context of preparing this bill, asked for it and that is why it is in this bill.

**Mr TELFER:** I am following this with interest. I hope to be succinct as well. Looking at the original legislation that this is actually amending, offensive weapon includes a rifle, gun, pistol, knife, sword, club, bludgeon, truncheon or other offensive or lethal weapon or instrument that does not include a prohibited weapon. It is strange that sword is one that has been taken out of offensive weapon in this context but offensive weapon still includes a rifle, gun, pistol, knife, etc. Why specifically sword from offensive weapon? Are these others included as prohibited weapons? Is it all to do with the scenario that they are in? It is just strange for a non-legal degree individual like myself, the same as many in this place, upon reading that isolated aspect of the sword in particular.

**The ACTING CHAIR (Mr Odenwalder):** I asked this very question four years ago, but I will let the minister answer.

**The Hon. S.E. CLOSE:** The short answer is SAPOL asked for this change, so we are making this change. But I think a reasonable interpretation also would be that there is an entire act dedicated to the licensing and restriction of firearms, so they are already in a different category. The Firearms Act does the work of controlling when and how that is a legitimate item whereas SAPOL have felt that swords are not adequately treated in a sufficiently serious way and have asked us, while making these other changes, to add that change.

**Mr TELFER:** That is around the firearms, so the rifle and the gun aspect of the definition of offensive weapon. You are including sword in the prohibited weapon aspect. Knife is staying in the offensive weapon definition, but then obviously also club and the rest of the ones that I mentioned before. Is it just the case that SAPOL have not requested these other offensive weapons to be included as a prohibited one and if that request came the government would make that additional change?

**The Hon. S.E. CLOSE:** We take seriously any requests that come from the police, but the police had the opportunity to ask for any other changes and clearly what they have asked for is this

one. They presumably find the management through offensive weapon limitations sufficient for bludgeons and knives.

**The Hon. D.G. PISONI:** Minister, are you able to advise on what date SAPOL first requested that a sword be made a prohibited weapon?

**The Hon. S.E. CLOSE:** No, I do not have detailed advice on the date, but it has arisen in the context of preparing this piece of legislation.

**The Hon. D.G. PISONI:** And a machete? What date was that first requested?

**The Hon. S.E. CLOSE:** Similarly, this has arisen during the process of consultation for this piece of legislation.

**The Hon. D.G. PISONI:** What was the date of that consultation?

**The Hon. S.E. CLOSE:** The consultation has been extensive and ongoing for many months. As was identified earlier, when we had the draft piece of legislation, we had further consultation with the Commissioner of Police as well as a number of officers of the courts and shopping centre managers and the relevant union, and so on. There has been ongoing consultation for a long period of time, and through that process these matters arose.

**The Hon. D.G. PISONI:** How often was the minister updated on the process of the consultation? At what stage of the consultation was the status of machetes and swords raised?

**The Hon. S.E. CLOSE:** I do not have advice on that matter for this chamber.

Clause passed.

Clause 4 passed.

Clause 5.

**Mr BATTY:** This is the clause that makes it unlawful to sell a knife to children. There is another bill before the house, that I certainly will not talk about in this context, that purports to do similar but had some exemptions in it, including, for example, an exemption for—I do not have it in front of me—legitimate education and training purposes. When did the government decide not to have any exemptions? Why did they decide not to have any exemptions? Where did this approach come from, is my query?

It is particularly relevant in the context where the Attorney in October last year, I think misunderstanding what our bill did, expressly criticised our bill for not having exemptions at that time, when of course it did. So I was somewhat surprised by this approach, which seems to be a change of heart from the Attorney, who in October last year was very concerned about apprentice chefs who need to be able to buy a knife for their work, but they seem to have been forgotten in this final draft that has made it to the house.

**The Hon. S.E. CLOSE:** The question of exemptions is a legitimate debate to have, obviously. It is legitimate to see both sides of the way in which one might want to restrict by age the access to buying knives. However, in the course of the consultation it became very clear from the national retailers that to seek to have retailers identifying whether or not an exemption was valid—a particular person wanting to buy something be identified not by proof of age but by further other forms of proof—would be too onerous, too cumbersome and, therefore, we listened very carefully to that feedback, because one of the guiding principles in law is that it is able to be applied.

**Mr BATTY:** Thank you, minister, particularly for the insight about the national retailers. We have not seen their submission because we are not allowed to see the submissions, but one letter I have seen from the South Australian Independent Retailers to the Attorney in August last year seems to say the opposite. It says, and I quote:

'In principle' [South Australian Independent Retailers] supports:...

- an exemption or defence where the purchase of such a weapon is required for the child's employment, education and training

Were those views taken into account? Did they change over the course of the consultation period, or are there just simply some stakeholders even within the retail sector who have different views on this issue, and in this case the Attorney has favoured the views of the national retailers rather than the South Australian independent retailers?

**The Hon. S.E. CLOSE:** Indeed there are different views amongst people who have contributed to the consultation, including within the retail sector, but a decision was made that the call for simplicity of application was the wisest course.

**Mr BATTY:** What is the penalty for this offence? Does this bill before the house increase the penalty of this offence and, if not, why not?

**The Hon. S.E. CLOSE:** The penalty has not changed. It is a maximum penalty of \$20,000 or imprisonment for two years, and there was a decision not to change that.

**Mr TELFER:** Minister, I point you to the end of this consideration. Under 21DB(6) there is a line that gives the definition of retail premises, which includes market stall; temporary or pop-up shop (however described); or any other premises or place, or premises or places of a class, prescribed by the regulations. That line opens up the opportunity for there to be additional aspects as appointed in the regulations. Does the government have any particular examples of what those other premises or places might be, or is this basically the opportunity to create a catch-all for any alternate retail option? Is anything envisioned by that wording in particular?

**The Hon. S.E. CLOSE:** It does give us that flexibility. There is no intention at present to have alternative definitions, but that will be the subject of consultation. It may be that something arises that has not currently been contemplated.

Clause passed.

Clause 6.

**Mr BATTY:** Clause 6 deals with a number of things, including notices to be displayed on the sale and also some other obligations on retail premises. New section 21DC uses that definition we talked about earlier of the prescribed knife. When will we know what we are actually legislating for here? What sorts of knives might be prescribed in the first instance? Could you give some examples perhaps and an indication when we will see the regulations? Is it the intention, for example, that a simple kitchen knife be prescribed?

**The Hon. S.E. CLOSE:** I will note that I think the question and answer that we had last was actually on this clause. I suddenly realised why you were asking what you are asking, which is no problem at all. No, we do not want to canvass here what those knives are likely to be. They are currently the subject of consultation, as we have described. We are getting ready to be able to have the regulations as speedily as possible, so that will emerge during that process.

**Mr BATTY:** We keep hearing about the ongoing consultation on what will be in the regulations. How can members of the public engage in that consultation? What does it look like, and how is it different to the consultation which received 100 submissions in July last year?

**The Hon. S.E. CLOSE:** The consultation is targeted consultation with those affected, so particularly retail, the police, the transport sector. They are the ones we are doing the detailed consultation with. There is not, at this stage, I do not think, an intention to do a broad public consultation on the definition of the kind of knife that should be put in storage.

*Sitting suspended from 18:00 to 17:30*

**The CHAIR:** Member for Bragg, the floor is yours.

**Mr BATTY:** I think we are still on clause 6, and we were exploring this definition of prescribed knives and when we might see the regulations and what they might contain. Did the government consider using that prescribed knife language elsewhere in the bill? It might have helped you get around the 'What is a knife?' type questions we were exploring earlier. Is there a reason why it is limited just to this clause?

**The Hon. S.E. CLOSE:** I do not know what might have been in the mind over the course of the development of this legislation, in terms of 'Did the Attorney-General consider?' I could not answer that, but he settled on this version of the bill.

**The CHAIR:** There are no other questions on clause 6?

**Mr BATTY:** Yes, clause 6.

**The CHAIR:** You realise that is your third question.

**Mr BATTY:** This is?

**The CHAIR:** No, that was.

**Mr BATTY:** You are being very generous, sir.

**The CHAIR:** I did not say I was going to give you an extra question. I will give you another question; let's move on.

**Mr BATTY:** I am in your hands, Chair.

**The CHAIR:** No, go ahead.

**Mr BATTY:** Thank you. I think one of the questions I asked before the break was about what types of knives might be prescribed. I just want to return to whether we are targeting the lower end of the knife scale. I put that question to you again about whether a simple kitchen knife might be prescribed and, if not, will the legislation actually be effective?

I think there was an incident at a Coles store in Queensland earlier this year or at the end of last year that sparked a bit of commentary about how knives in supermarkets should be stored. That involved just a simple butterknife or it might have been a steak knife, I do not know, but a kitchen knife of some sort. Is the intention to target your butterknife, your steak knife, your kitchen knife, or is this more at the machete end of the scale?

**The Hon. S.E. CLOSE:** We have not defined it here. We are going to do it through regulations. There is not much advantage in my speculating on where the consultation process that the Attorney-General is undertaking might lead him. The case that was cited by the member will be relevant and be understood about the consequences of that, but my speculating here is of no legal weight and therefore it would be purely speculation.

Clause passed.

Clause 7.

**Mr TEAGUE:** Perhaps this is an opportunity to address the government's reasons for the substitution of 'education facilities' and 'education facility' respectively instead of 'schools' and 'a school'. I think there is a reason for broadening the definition or the scope. Is there some rationale that the government can provide to the committee about that?

**The Hon. S.E. CLOSE:** The current legislation defines a school as a primary or secondary school and, as was canvassed extensively in my fairly lengthy second reading speech for which the member was not there, this use of 'education facility' and the definition that is attached to it enables us to go from preschool all the way through to university, with schools and TAFE in between.

Clause passed.

Clause 8 passed.

Clause 9.

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

Amendment No 1 [DeputyPremier-1]—

Page 10, after line 36 [inserted section 66Z]—After subsection (4) insert:

- (5) To avoid doubt, a reference in this section to a public place includes a reference to a place of worship.

Amendment No 2 [DeputyPremier-1]—

Page 12, line 7 [inserted section 66ZB(1)(b)]—After 'a' insert 'declared'

Amendment No 3 [DeputyPremier-1]—

Page 13, after line 37—After section 66ZC insert:

66ZCA—Declaration of place of worship

- (1) The Commissioner may, by notice in the Gazette, declare a place of worship to be a *declared place of worship* for the purposes of this Division.
- (2) Before making a declaration under this section, the Commissioner must—
  - (a) be satisfied that the exercise of powers under section 66ZB is necessary or appropriate for the purposes of deterring or detecting the commission of offences involving the possession or use of a knife or other weapons in the place of worship; and
  - (b) be satisfied that the exercise of powers under section 66ZB—
    - (i) is likely to be effective in deterring or detecting the commission of offences involving the possession or use of a knife or other weapons in the place of worship; and
    - (ii) will not unduly affect lawful activity in the place of worship; and
  - (c) in the case of a place of worship that has previously been the subject of a declaration under this section—have regard to whether searches carried out under section 66ZB pursuant to the declaration identified persons carrying knives or other weapons.
- (3) A declaration under this section—
  - (a) must specify the area that comprises the declared place of worship (which may, to avoid doubt, include specified premises); and
  - (b) may be subject to conditions specified in the notice; and
  - (c) must comply with any other requirements set out in the regulations; and
  - (d) remains in force until revoked under this section.

**Mr BATTY:** This is in regard to a whole range of new search powers in certain circumstances. New section 67ZE envisages the commissioner declaring certain shopping precincts as declared shopping precincts. Has the government received any advice on what shopping centres might be initially declared, and when this will happen?

**The Hon. S.E. CLOSE:** No, we don't know is the simple answer. The police commissioner needs to determine and go through a range of processes in order to determine what he is likely to wish to declare and, of course, we do not know what in the future might be declared over time.

**Mr BATTY:** I suspect I will receive a similar answer if I went through some of the other provisions. New section 66ZF envisages declarations of public transport hubs. Again, is there any indication that you can provide this committee on when there might be public transport hubs declared and whether this is targeted at any particular place or hub, and what that might be? Has the commissioner, for example, in the course of the consultation process and the new targeted consultation process raised particular concerns with particular areas?

**The Hon. S.E. CLOSE:** I am not aware of any particular locations or areas that the police commissioner might have in his mind and, therefore, it would be pure speculation for me to describe which ones could be considered.

**Mr BATTY:** Similarly, on new section 66ZG, which deals with declaring public transport services, how does this one work? Is this a particular bus route that might be declared or a particular train line that might be declared? Similarly, as previously, is the government aware of any services that might initially be declared? I guess for all of these possible declared precincts, in the course of what we have established as being a fairly extensive consultation—and, particularly with SAPOL, a fairly targeted one—has the government not asked these questions about where there are areas of particular concern?

**The Hon. S.E. CLOSE:** Yes, it is intended to be for a particular bus line or train line in terms of definition. Again, in terms of which ones might be considered by the commissioner, because it will be dependent upon intelligence that would be received any discussion in consultation is not really relevant to a decision that would be made in the future based on intelligence.

**Mr TEAGUE:** I might just say, it is a bit of an unfortunate circumstance of the drafting that here we are. There is a whole lot of substance of the bill that is contained within clause 9 because it is inserting a whole new part, and the shadow minister for police has addressed that aspect of it that is about the declaration of certain areas and services and so on. If I might just go a bit further back up to those searches that are permitted of certain persons, the division 4 searches and what will be the new section 66ZA, that is a provision that is now applying to certain persons, as opposed to prescribing of places.

In terms of the machinery, the persons to whom this is going to apply is a person who within five years immediately preceding the relevant time has been found guilty of a prescribed offence, a person who was a member of a criminal organisation or any other person, or a person of a class prescribed by the regulations. I am constrained to the three questions. I might perhaps pause to ask: is there any consideration at all, any guidance the government can give, as to the kind of person who might be in the frame for being the subject of those regulations? That is, we have someone who is not so long ago convicted of something relevantly bad, someone who is member of a bad sort of gathering and then who knows who else?

*Parliamentary Procedure*

**VISITORS**

**The CHAIR:** I might just acknowledge in the gallery members of Young Labor, who are guests of the Minister for Human Services. Welcome—future leaders.

*Bills*

**SUMMARY OFFENCES (KNIVES AND OTHER WEAPONS) AMENDMENT BILL**

*Committee Stage*

Debate resumed.

**The Hon. S.E. CLOSE:** When it comes to the use of the word 'prescribed' relating to an offence, it is actively being consulted on at the moment with SAPOL which offences might fall into that category to assist with the regulation. With (c), any person or class of person, currently there is no-one particularly in mind. That is a catch-all safety provision in the legislation to enable, should that become useful in the form of intelligence or any other changes that would facilitate a swift shift through regulation.

**Mr TEAGUE:** Okay, that is what it is, clearly. Before I move to subclause (3), the police officer presumably is going to be able to figure that out by some means before going ahead and carrying out the search under the section. Subclause (2) deals with where that person is and subclause (3) is then saying the police officer needs to give certain warnings. The question, I suppose—and this might be just for general interest, present company noted—is subclause (3) is saying that before carrying out the search the police officer has to give the person to be searched some information. It is a question about how the police officer deduces that this person is a person the subject of subclause (1) before undertaking any other inquiries.

**The Hon. S.E. CLOSE:** Bearing in mind that much of this legislation has been drafted in close consultation with SAPOL in order to make sure that it is responsive to the needs of SAPOL to enact, they will have various forms of intelligence that might inform them: a systems check or intel that has been provided to them. Part of the reason why this needs to be stepped out carefully is to make sure that the procedures within police are ready to be able to take advantage of this legislation. But the police clearly regard this as something that is able to be put into operation and will, in those circumstances, be useful.

**Mr TEAGUE:** I guess it might just be a point of curiosity that police can go ahead and search people within those categories. It is not entirely clear, to me at least, how they are going to know that



they are in those categories and therefore enliven the powers. There is the obligation to give that certain information to the person who is to be searched, and then there is a validation provision that says that failure to give the information does not of itself affect the validity of the search. But if the person turns out not to be a person in those categories, as I read it, that might affect the validity of the search.

If the general practice of police is to provide someone who they are searching with grounds for the search and so on, the question of whether or not they have actually hit upon someone they are entitled to exercise these powers on remains somewhat uncertain, unless and until the police officer is actually able to identify the person and take some further steps. That might be rhetorical.

I suppose the question is that in terms of feedback from SAPOL about the way in which they are going to go about this practical measure, is it the case that they are anyway going to be providing this sort of information, the grounds for searching? Would they not ordinarily be giving grounds along the lines of a reasonable suspicion to someone in the ordinary course, and therefore how is this taking us anywhere new?

If there is any example of police departing from that and saying, 'Alright, I don't have any reasonable suspicion but I do know that you're in subcategory (1)(a), therefore you're being searched,' and that's how it all proceeds from there, is that a kind of relevant pathway or are we actually really dealing with de facto circumstances in which police are going to talk about their reasonable suspicion anyway and therefore we are not going somewhere terribly new?

**The Hon. S.E. CLOSE:** I think, largely, the commentary made by the shadow attorney-general is commentary on a description of the way in which this legislation has been formulated and, to the best of my understanding of what he said, it is accurate. Just to be clear, though, this does go beyond reasonable suspicion in the sense that this is what can be used if there is no reasonable suspicion, yet the person falls into those categories, and the police have deemed that there are circumstances where that would assist them in being able to check if the person has a weapon, a knife, where otherwise they would not be able to.

Rather than simply saying that the police can check if anyone at any point has a knife, which is an alternative way of having law, this has been crafted as a means of identifying people who would be regarded as being in a high-risk category for causing violent crime. As the shadow attorney-general rightly points out, there is a provision that says although there is some safeguarding of the approach that requires the police officer to give information and so on, not doing that does not make the search not valid, but were the person not to have reasonably been regarded as being in that category, that would.

This is one of those many pieces of legislation that, I imagine, will at times become the subject of defence lawyers' questions in court and the practice of the police will be sharpened and shifted over time, learning from those experiences, but nonetheless it has been crafted in a way that gives the police the best opportunity to identify someone who might be in a position of attacking someone with a knife that does not, at the point that they are looking at them, constitute reasonable suspicion.

Amendments carried; clause as amended passed.

Clause 10 passed.

Clause 11.

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

Amendment No 1 [DeputyPremier-2]—

Page 20, line 21 [clause 11, inserted clause 25]—Delete '(and for no other purpose)'

**Mr BATTY:** I have some questions on the clause. This is a somewhat curious clause that provides for some exemptions for people for the purposes of an offence involving a machete as a prohibited weapon, which we are legislating, of course, before a machete even becomes a prohibited weapon.

We have learned through the course of the committee earlier that the listing of a machete as a prohibited weapon has come about during the course of the consultation and the police commissioner has raised it. I think the member for Unley asked some questions about when the Commissioner of Police first raised the idea of listing a machete as a prohibited weapon. You were not able to tell us before the dinner break; I wonder whether you have had an opportunity to have a look at when the Commissioner of Police first requested that a machete be listed as a prohibited weapon. Even if we do not have an exact date, just a month, even, would be very useful to understand.

**The Hon. S.E. CLOSE:** No, I do not know when that was first raised. I just know that it was raised in the course of the consultation.

**Mr BATTY:** Of course, an idea that the opposition raised about three months ago now was for the machete to be listed as a prohibited weapon, which, of course, would make it illegal to manufacture, sell, possess or supply a machete. At that time, our idea was dismissed by the government—this is three months ago—when a government spokesperson for the Attorney said that a ban was unnecessary and went on to say that we were trying to outlaw something that is already a crime.

Yet here we are three months later not even listing a machete as a prohibited weapon but at least foreshadowing that a machete will be listed as a prohibited weapon, so it is a step in the right direction. My question is whether you know how many machete attacks we have seen in South Australia since the opposition first called for the machete to be listed as a prohibited weapon on 3 November?

**The Hon. S.E. CLOSE:** No, I do not know.

**Mr BATTY:** Perhaps I might just return to a question I started with about whether a machete was a knife or not. We explored that a little bit in the interpretation clause. I ask it again because of the way that this clause is worded. This provides an exemption for a person to buy a prohibited weapon if they are using the machete for the purpose of gardening or camping.

Getting back to my question about whether a machete is a knife, is it possible that we could end up in the fairly unusual situation after we pass this bill where a 17 year old, if a machete is not a knife, could go and buy a machete if it is for the purpose of gardening or camping, but they cannot go and buy a butterknife for the purpose of making a scone with jam and cream perhaps?

**Mr TEAGUE:** Or spreading butter.

**The CHAIR:** I think you are spreading that one a bit thin.

**The Hon. S.E. CLOSE:** A common understanding of what a knife would be, given the definition of it being bladed and also that it is not an exclusive exhaustive definition, would be the machete would be regarded as a knife. Now, ultimately, that could be defined in a court case but I would be very surprised if, with this legislation, a 17 year old could buy a machete. It nonetheless remains, irrespective of that, a machete is an offensive weapon.

**The CHAIR:** Member for Heysen, you look like you want to say something.

**Mr TEAGUE:** That is quite apt, Chair, if I may, thank you. I was just going to chime in. As I understand it, and I have had the benefit of a briefing, which I appreciate, the issue about the machete is that it is already in this extra serious territory such that you need to be an exempt person in order to be using it and you have your gardening and camping exemption. There is the difficulty about what exactly is a machete, and will it be caught up providing the means for somebody to get access to something that is even more dangerous than the average knife through the gardening or camping exemption?

As I understand it, it is difficult to get a hold of a machete in the first place, and then you are only able to have an exempt purpose if you are using it for certain purposes. Could the minister perhaps just step through the reasons why, if we are establishing that something is a machete, it is actually difficult to get a hold of in the first place, hence the need to create these exceptional purposes? If I am right, it is because it is already in a more serious category.

**The Hon. S.E. CLOSE:** This has directly come from feedback from SAPOL in terms of the operability of elevating machetes as prohibited weapons. The feedback we have had is that they regard that there are legitimate uses, and therefore they wanted to see these exemptions in order to make it a practical piece of legislation.

**Mr TEAGUE:** Just to chime in, given that much of the focus of this bill is about making it more difficult to get a hold of the item in the first place—the knife predominantly—then the means of being able to get a hold of one, ostensibly for certain limited purposes, is a source of concern.

I just relay one example. I was involved in a court case—I was not the accused or anything—about 15 years or so ago, where the main action involved some offensive conduct later on in the night. It started, it was all prefaced, with an altercation involving a machete. If it had stopped there, it would have been relatively harmless. Nonetheless, this was an item that was used to send a fairly clear message—the fact that someone was in possession of it, laying into a car in a drive-through.

It was actually at the Emu Hotel, quite close to the Lonsdale RSPCA. We more recently went and picked up a cat at the Lonsdale RSPCA. I attempted to name the cat after the hotel because it was memorable. I wanted to call the cat after the hotel. Zed the Emu was my favoured name for the cat. That did not last. By the time it got home, those who had more influence at home gave it a new name, but that was temporarily the name of this cat that we picked up from the RSPCA because it was nearby this hotel that was memorable for the reason of the case. It was the altercation at the Emu Hotel that led to the events that occurred later on, and that was all about an attack with a machete on a car.

I suppose the point there is that once you have got a hold of it, even for gardening or camping purposes, if the occasion arises and you find yourself then applying it in other ways, then the purpose of the legislation is able to be defeated. If we are focused on preventing access to knives, including machetes, it is a curiosity that that relatively most serious form of knife might become available, ostensibly for those limited purposes, and then redeployed, for example, in the sort of circumstances that I have just described. I suppose the government might take this opportunity at this time to indicate any assurance that there is not a ready access point for minors and others to get their hands on a machete, albeit for these limited purposes and then used for other purposes.

**The Hon. S.E. CLOSE:** If we regard machetes as knives for the purposes of this legislation, then the idea of a 17 year old being able to purchase a machete becomes moot; regardless of the purpose they are not going to be able to purchase one below the age of 18. In terms of owning a machete, with the exemption that you have it and use it for gardening, if you then use it for something else you are not only committing an offence of violence, you are also committing it with a weapon that is prohibited, and you are no longer protected because you are not using it for that exempted purpose and so the full weight of the law comes down on you, including the fact that you have used a prohibited weapon.

**Mr TELFER:** Just for further clarification: obviously we are taking this into account on the piece of legislation that it is altering and if you are considering a machete is a knife and reflecting on the definitions that have already been provided in the piece of legislation, there is a whole scope within that existing legislation about prescribed weapons and the exemptions for such prescribed weapons. At the end of the clause that has been put in about machetes being proposed it says 'gardening or camping (and no other purpose)'.

However, within the existing legislation there are aspects of existing exemption for prescribed weapons, including for members of Scottish associations, lodges of Freemasons, etc., astronomical purposes, food preparation and New South Wales fisheries officers. So the statement of 'and no other purpose' at the end of the machetes clause, does that exclude those other exemptions for prescription as a standalone, or does the prescription exemption that is existing within the legislation include machetes if we are considering machetes as knives in the definition which you have provided?

**The Hon. S.E. CLOSE:** I think I can help by drawing your attention to the government amendment in my name which removes those bracketed words, so that is caught up I think with the question that you are raising.

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendment.

*Third Reading*

**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) (20:10):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**PASSENGER TRANSPORT (POINT TO POINT TRANSPORT SERVICES) AMENDMENT BILL**

*Committee Stage*

In committee.

(Continued from 4 March 2025.)

Clause 18.

**The Hon. S.E. CLOSE:** I draw attention to the state of the committee.

*A quorum having been formed:*

**The CHAIR:** We are on clause 18. Member for Unley, you have capacity to ask another question if you wish.

**The Hon. D.G. PISONI:** I do not have any more questions until clause 27.

Clause passed.

Clauses 19 to 26 passed.

Clause 27.

**The Hon. D.G. PISONI:** We have had some concerns raised by Uber claiming that despite assurances of consultation no industry engagement has occurred to ensure the new safety duty is practical and achievable for operators. My question is: what consultation has the minister undertaken to ensure the safety obligations are workable and fair? I know you did go into some detail about some of the options that you were looking at the other day. Given the impact of compliance costs on business operations how much notice will businesses receive before enforcement begins? I imagine that that would have something to do with what type of enforcement and what type of mechanism you will be placing. And can you confirm whether any industry recommendations will be incorporated into the final safety framework? I think you have touched on that, but you might want to elaborate a bit more.

**The Hon. A. KOUTSANTONIS:** I have told Uber now three times that the implementation timeframe for security measures would be three to five years. I accept that this is something relatively new to them. I said that I am happy for them to be entrepreneurial about its implementation. I do not want there to be an overly big cost burden on them. I do not want to be too prescriptive about a timeframe. I think as long as we have a timeframe by the end of a period where we have most of the buyout of taxis finished and Uber can come up with a relatively cost-effective way of having some security and safety measures in place I am open to it. I am not interested in this being done overnight. I think if we have a path forward I will be satisfied. So I have told them now on three occasions, twice in person and once by a Teams meeting, that my plan was three to five years.

**Mr TELFER:** Obviously, there is a fair bit of detail in these new sections, 44L for instance. What specific equipment or technology does the minister anticipate mandating, and what is the problem that that mandating is attempting to solve?

**The Hon. A. KOUTSANTONIS:** Apart from cameras we do not have any other suggestions at this stage, but we are futureproofing the act. One of the things I am interested in and the

department is interested in is fatigue: how long a driver should be able to operate a passenger transport vehicle for. When I was at uni and we were driving cabs there were some people who were driving cabs for extraordinarily long periods of time. It is not safe.

I think we need to provide for the ability to have some sort of management of fatigue, but my main concern here is passenger safety, and I think cameras are the best way of ensuring that protection. We are doing that with driver training; we have it in place with taxis now; police have body cams. This is now becoming a standard safety measure where there is interface between a government regulation and the public. So this is just making sure that the department has the tools that are necessary if a later stage we need to bring in some other form of management. It is not being too prescriptive. It is just giving us the ability to prepare for the future.

**Mr TELFER:** Looking at futureproofing, do you envisage that AI may be included in this—self-driving cars and that sort of thing? Is this the sort of open end that you might be envisioning?

**The Hon. A. KOUTSANTONIS:** The legislation here does not cover or regulate or allow automated vehicles—that would need future legislative reforms to be made—but I have seen some trials in the United States that looked very interesting about automated point-to-point travel. I am very supportive of it. I think it makes a lot of sense. I am just not sure that this is the framework for it—that would be another piece of legislation.

**Mr TELFER:** Obviously, if you are looking ahead you have to put the process in place so that it adequately reflects not just the safety of the passenger, the user, but also the fair and practical outcome for operators. It does not have much scope here as far as what the process may be when considering further regulation. Would you envision committing to a public regulatory impact assessment so there is a clear, transparent process when it comes to what further regulations may be considered before implementing any additional new obligations under this section?

**The Hon. A. KOUTSANTONIS:** When it comes to this industry—I am not trying to be condescending—the history lesson here is that the public was overwhelmingly ready for reforms in point-to-point travel well before the legislative framework allowed it. Uber was operating illegally in South Australia—encouraged by some members to operate—and they were being encouraged to enter the South Australian market. The reason the government acted was that they were a phenomenon universally being called on by the public.

If we had brought in restrictive regulatory measures to try to stop or inhibit them, they would have failed. Any regulatory reform we make in point-to-point travel where there is a private contractor attempting to gain public work—there is a demand for this work. If you took taxis and Uber off the road overnight, there would be a public outcry, because people have now come to rely on this form of transport.

I do not think any government—Labor, Liberal or whatever it might be—would ever bring in some regulatory change that would see an overly regulatory burden on this industry, because of the public outcry. That is my personal view. One of the reasons I am making these reforms is that we have these two systems: one that is operating from the 20<sup>th</sup> century and one from the 21<sup>st</sup> century. The legacy industry—the taxi industry—is stuck with a piece of legislation that was written decades ago and is not fit for purpose. They have numbers that are capped, their operating model is too expensive, they cannot compete, their platforms are not as good and their model cannot work with young people.

I get letters to my ministerial office where parents want me to have concierges on every rank because children do not know that they can just jump into a taxi; they cannot find the app they need to download to be able to get into the taxi that is sitting on a rank. I grew up in a time when everyone knew that you just jumped into a taxi if it was there and was empty. If the light is on, you jump in; if the light is off, it is busy—it is very simple.

I get letters from people saying, 'My daughter was stuck at a taxi rank and there were taxis there and no-one would take her home because she couldn't find the app she needed to get into the taxi.' My letter in response has to be, 'She can just open the door and jump in.' I do not think it is necessary, but if it assists the opposition to say that we will do a regulatory impact statement, sure, I have no problem with that.

This is the type of industry where the public overwhelmingly want there to be, for example, security cameras in rideshare. I do not think there would be any debate about that. I think it is something that the public overwhelmingly want. But I also understand that, if I just come down hard and say, 'Right, we need a regulatory instrument that makes it now,' it would be burdensome, it would be expensive and we would lose a large portion of the fleet because of the costs associated with its implementation. I think the politics here take care of the regulatory burden, but I accept there might be a different point of view to that.

From my perspective, what we are basically doing is liberalising the point-to-point system. We are protecting the meter, protecting taxi ranks and ply for hire, and just generally then we are regulating for safety. Those regulatory reforms over the top need to be sufficient to provide the public the confidence that the system is safe, but not too overburdensome that we lose the ability to move people, because I can tell you right now that if we did not have taxis and if we did not have Uber, Adelaide Oval would cease to work, and so would our concerts, so would our nightlife, so would our restaurant economy, so would LIV Golf, so would Gather Round.

We need these forms of public transport, so I do not think there is going to be a time when you have a government come in with a piece of regulatory burden on this industry that is other than regulating for safety in a sensible way, no matter who is in office.

**Mr TELFER:** I guess this is the balance you have to try to make. You have to make sure that there is not overregulation and a potential perverse outcome because of that overregulation. Uber have been in the market now for eight years and consumers are used to a structure and a framework existing, and if we are going to try to meld these two 21<sup>st</sup> century and 20<sup>th</sup> century operations—as you put it before—together you do not want to have a perverse outcome for the one, the point to point, and bring it down.

I was curious especially about this aspect where you talked of other duties or requirements, and you mentioned fatigue management. I come from small business where it is very regulated in HVR requirements as far as reporting and that sort of thing goes, but this industry potentially—and there is a point of debate that you have already articulated as to whether there is still a large component of rideshare operators who do it as a part-time operation as opposed to full-time.

There is the challenge of fatigue management. If you are bringing in an individual who has just worked an eight-hour shift at a 9 to 5, and then hops in an Uber and does a 10-hour shift on the other end, how do you envision getting that sort of fatigue management process in place when your measure point for fatigue cannot be comparable to a heavy vehicle where it is hours behind the wheel, rest hours, and the like? It is a different dynamic potentially.

**The Hon. A. KOUTSANTONIS:** I completely agree. That is why we are not attempting to do that now. That will come later. We are just preparing the groundwork to have the legislative tools there if necessary. You are absolutely right. Students are a great example of this. Students might be at university all day—

**The Hon. D.G. Pisoni:** They don't do anything.

**The Hon. A. KOUTSANTONIS:** Sorry?

**The Hon. D.G. Pisoni:** They don't do anything there.

**The Hon. A. KOUTSANTONIS:** At university?

**Mr Telfer:** They do the Red Bulls.

**The Hon. A. KOUTSANTONIS:** An apprentice, whatever it might be, on a Friday or Saturday night might drive a rideshare or drive a taxi. They could be up 24 hours. The question I am asking is: is that right? I think we all know the answer to that: no.

**Mr Telfer:** But how do you manage it?

**The Hon. A. KOUTSANTONIS:** Would you want your children in the back of that car? No. But we have to be sensible at the same time. I am not going to lie; I do not have the answer to that problem. I am not sure how you regulate someone who has two jobs, one that could be working as a sales assistant somewhere, and at night driving an Uber. I do not know how we regulate that; that

could be very difficult. But Uber, no doubt, would be able to regulate that through the management of their apps, which is why I am saying we need to encourage the entrepreneurship of these companies, because Uber also carries some of the risk here.

Uber's model is disruption: 'To hell with whatever the regulatory standards are and whatever the law of the day is. We are going to operate our model, our global platform here, and we will make it fit. You change your laws to make it fit to us.' That is all well and good because of how popular their app is, but the public now has reached a point where they are expecting and probably anticipating or think there are already in place the same levels of checks and balances that will be in place for other passenger transport systems, and they are not.

So while at the same time we are bringing taxis into the 21<sup>st</sup> century, we are also getting Uber to catch up to modern standards, and those modern standards are the appropriate vehicle checks, roadworthiness, livery to identify drivers, a consistent accreditation, the appropriate standards for that accreditation, zero tolerance on alcohol in blood levels—the foundational checks that should be in place. There are a lot of things we are bringing into place. The next stage will be fatigue. The framework is here but we are not ready to implement any changes to that because it is such a difficult thing to overcome.

Clause passed.

Clauses 28 to 32 passed.

Clause 33.

**The Hon. D.G. PISONI:** I think this is probably one of the most important parts of the bill, minister. It refers to the purchase price for the first taxi plate. Taxi plates have been purchased for significant sums of money—more than \$200,000. Many have been funded through the purchase of business loans. A number of taxi operators have multiple plates purchased prior to any knowledge of rideshare entering the market, a bit like someone who may have purchased property in the vicinity of South Road before knowing that it was going to be the north-south corridor, and of course, have purchased second and third taxi licences well above the \$10,000 figure that has been offered.

We know of people who have retired. They have an asset, their accountant tells them. The department that manages the people's eligibility for whether they qualify for the pension tell them that that asset is worth a figure much higher than the \$200,000 and the \$10,000. Of course, their entire retirement is based on the income from leasing those plates. That leasing money will go. Anyone can get a taxi licence after this. Why would you lease one when you can go and buy one?

The difference is that those who are losing their property through compulsory acquirement on the north-south corridor are getting a true and fair market value, and yet these taxi licence owners are not. Minister, can you advise the house how the \$200,000 figure for the first plate was established, and then why there is only \$10,000 for each subsequent plate and after six plates there is nothing?

I will give you a scenario. You and I are both of southern European heritage. We know the value of property, and this is property. It is not something you can live in but it is an asset, it is property. But imagine if you had an apartment building, a block of flats—a big favourite of southern Europeans for their investment—and your department wants to buy it to do the work on the north-south corridor.

I do not think anyone would accept that they got less than market value for the first flat that they bought in that block, and then they got a fraction of market value for the next six, and then, by the way, you are going to have to give us the last five—because that is the comparison we are seeing here. When these people bought these taxi plates they bought them in an environment that was as rock solid as buying real estate—in their minds. Could I have an explanation of the figures: the \$200,000 figure, the \$10,000 figure and then the nothing figure after six plates?

**The Hon. A. KOUTSANTONIS:** Those are very good questions. I have done a bit of a roadshow, where I have gone out and met with taxi drivers and explained this to them. It is a very difficult conversation to have with people, but this is the truth: it is not real property. They are not buying a property right. They have bought a licence to operate under a regulated scheme; it is not a

property right at all. A property right is very different, and those of us with the southern European backgrounds know that the one thing that God is not making anymore is land, but there are plenty of licences that can be released at any time.

The speculation that was occurring on taxi licences through government auctions was a self-inflicted wound by the industry. I have a great deal of sympathy for taxi drivers. This is not a reflection on the member for Unley, who I know also has a great deal of affection for taxi drivers, but I do remember the then Marshall opposition being quite in favour of the introduction of Uber and the very close friends of the former Premier, Mr Marshall: the Rohrsheims who did a lot to bring Uber in, especially young David who worked so hard to bring Uber into South Australia. I do not remember any tears or concerns about the poor old taxi drivers back then, but that is the past.

Our job now is to make right what was done so unfairly to these people. What people do not see is that an overwhelming majority of taxi drivers own one taxi, a smaller majority have two, and then it cascades dramatically down to third, fourth, fifth and sixth, with only a few people having more than six. So, in effect, if you have six taxis you are getting \$250,000 from the South Australian government, which is a quarter of \$1 million.

What is the value of a licence to operate? Some of the people we are compensating paid very little for their taxis and made a considerable amount of money from them. Others have paid a lot of money for their taxis, over \$200,000 for them, and have mortgages on this regulated licence that is not an asset and not a property right. This is the hard conversation you have with taxi drivers when you are trying to explain to them that it is not a piece of property. It is just not; it is a licence to operate. People who speculate on licences to operate are at high risk because, as you saw with Uber, the government, with the stroke of a pen, can allow a competitor in to smash that regulated licensed-to-operate business model overnight, and that is what happened.

It was done by the former Labor government with the full-blooded support of the then Marshall opposition. The Marshall opposition was then in government and these reforms were not made and no compensation payouts were offered. That is not the fault of the member for Unley in any way.

I had to come up with a scheme. What was the most generous scheme in the country? I think it was \$150,000 in New South Wales, and ours is \$50,000 more than that. The overwhelming majority of taxi owners, I think it is over 80 per cent of the people being compensated, have one taxi. They are getting the highest amount of compensation compared to anyone else in the country—I think the equivalent of having two taxis in Victoria, which are valued at a lot more. If you own two taxis here you are getting \$210,000 as opposed to Victoria, where you got \$200,000.

If we attempted to pay everyone who had a taxi that \$200,000 figure without it scaled down, we would be compensating people for a lot of money and I do not think the scheme would have worked. Is it fair or unfair? I do not know. I came up with a scheme that I thought we could pass through the parliament. I came up with a scheme that I thought would do justice by most of the people who were impacted. We have the ability, under certain circumstances, to look after some of those people who bought taxis at auction. We have special provisions in place for unique scenarios, and if people can show us that there are extenuating circumstances we will be sympathetic to those people.

People have asked me, 'Why are you compensating companies that are proprietary limited?' Why would we not? A lot of people who bought taxis have also written those losses off and received tax benefits from it in terms of capital gains losses through the sale of other assets. They will have a conversation with their tax agent and the ATO post this buyback.

We have tried to be as generous as we possibly can, but I accept what the member for Unley is saying—it is not perfect. There are a lot of people who bought taxis thinking that (1) there would be no way that a conservative government would ever attack business, and (2) the Labor Party, being the party of migrants and that sort of thing, would never do this to us. Well, we both did.

The question now becomes: how do we compensate? This is the best scheme I could come up with, and I agree it is not perfect—I agree. I have had to have some very difficult conversations with people and it is heartbreaking. Member for Unley, I have a lot of sympathy for what you say but in the end it is not a property right, it is a licence to operate, and people speculated on it because the



industry came to the government and demanded that the government cap the number of licences and not release more than was necessary, to try to maintain an artificial value and do a terrible trade on the basis of it. That artificial arbitrage that they insisted the government create, created the ideal scenario and situation and environment for a competitor to come in, like rideshare, and completely smash the model into a thousand pieces.

We had scenarios where there were some people, owners, who were receiving very lucrative lease payments and there were taxis being driven by people working 12 and 14-hour shifts, cars never stopping, they were dirty and never getting cleaned. The breakdown of the connection between the taxi operator, their car and their customer completely vanished, and we saw a drop in service. That drop in service let Uber walk right in and take a massive market share.

What I am attempting to do is to, in one respect, compensate those people but, at the same time, it is going to be a lot harder now for anyone to be able to monopolise taxis because it will be so relatively easy now to start your own taxi. I suspect we will see a bit of a return back to those halcyon days where people operated exclusively in Unley and only very rarely went out of it, and everyone knew the local taxi driver. It might not be that local anymore but I suspect it will be better.

I feel a lot of sympathy for people about the amount, so we have tried to be generous. We capped it at six because the scheme could not afford to do more, remembering that it is going to take a while to compensate everyone, to buy these things back, to pay them the amounts, so it will take time. I do not have a perfect answer for the member because it is a good question and the question is: in any scheme how do you accurately compensate people? How do I compensate someone who bought something in 1974 and was never planning on selling it? Why should I use the internal arbitrage of a government auction as to value? If I use current market value I would be paying a lot less than \$200,000. What we have tried to do is choose a date and time pre Uber's entry into the system to try to maximise the value, but it is not perfect—I agree.

**The Hon. D.G. PISONI:** I am just wondering whether it required any advice from the ATO about tax implications? I know that those who are retired and are getting an income from leasing the plates have an asset of a certain value that might disqualify them from receiving the pension. We know that when you release assets at lower-than-market value there is up to a five-year penalty before you can qualify for the pension. I also know that when the teachers' burnout payment was introduced by the state government, I think when Weatherill was minister, there was an ATO exemption for that being taxed; it was a tax-free payment.

So I am wondering whether you have spoken to the ATO or made any inquiries to the ATO about the impact that this would have on people who did not qualify for the pension because of their asset value and, because their asset has been wiped out, whether they will automatically now qualify for the pension or whether there is a process they have to go through to prove that they did not give an asset away, that it was a mechanism of government that removed it, so they are not penalised or having to wait up to five years before they can be reassessed at that lower asset level?

**The Hon. A. KOUTSANTONIS:** We have sought advice from the ATO and our private commercial lawyers. The ATO advised us this is to be treated as a capital gain or potential capital loss, depending on the capital gains tax applicable to this. I am not sure anyone is not getting a pension because the current market value of these plates is very low—it is about \$10,000, maybe \$15,000 if you are lucky—so I am not sure that the current market value would be excluding anyone from getting a pension. I do not think the lease payments are anywhere sufficient, given their low value, to have an impact, but my advice is that there will be a capital gains tax requirement here.

You might remember that when we gave \$30,000 compensation after the initial change it was treated as income by the ATO. I spoke with then Treasurer Frydenberg when I was Treasurer, asking him to give an exemption. He refused. We basically paid the commonwealth government this \$15,000 and people had to work it out with the ATO, which I think was very, very unfair. This time, Treasurer Chalmers is a bit more sympathetic. I do not know the implications on pensions in terms of the assets—people will have to negotiate their individual situations with the ATO—but this will be seen as a capital return. The ATO will put out a ruling, we have asked them to and sought advice on this, and of course we have informed the ATO that these profits are being realised as part of a government scheme; so we are buying them back.

There is a cohort of people who paid more than \$200,000, so they will have a capital loss that they can then apply. Others will have a capital gains tax detriment, so they will have to pay capital gains tax. That would be no different if we had not introduced Uber and these things were still worth what they are worth. So whatever the situation is now is what it would have been had they sold them anyway or realised their value. This is going to be a very personal outcome between individuals and the ATO, but we have done everything we can to try to minimise it and make sure that this is seen as a capital purchase, which will have capital gains tax implications and not income tax implications.

**The Hon. D.G. PISONI:** If it is in a self-funded super fund that is in pension phase, a capital gains tax credit will not be of any use because they do not pay tax.

**The Hon. A. Koutsantonis:** What is the asset worth?

**The Hon. D.G. PISONI:** That is the question: what is the asset worth? It has come down in value because of changes in government regulation.

**The Hon. A. Koutsantonis:** That's right.

**The Hon. D.G. PISONI:** We know how slow governments can be to respond over time. We also know how strict they are on the deeming rules of value. If you have assets, it is deemed a minimum value of a return. So my question is basically asking if work has been done on that so that people have some form of information.

I know that our own experiences are that particularly some of the older owners of these taxi plates do not have university degrees. They work hard all their lives and they are focused on what is important to them and may not be aware of implications or opportunities that may come out of this, so I am hoping that there is something you are putting in place to at least point people in the right direction.

**The Hon. A. KOUTSANTONIS:** I am loath to give tax advice to people in the parliament, unless it is about parliamentary super, then I am your man. The important thing here is that the wording is correct in the legislation, and the wording has been crafted by both Crown law advice and private legal opinion to make sure that we maximise the tax efficiency for people who will be part of the scheme. I am confident that once the legislation passes the ATO will put out a ruling that will verify what I have been telling you.

We have been liaising with the ATO. There will be information in language for drivers and owners. I can tell you that there are a number of people who are very interested in this, in understanding its implications, and my office is deeply engaged with people, offering them help and assistance and pushing them in the right direction.

We will also have, probably, some sessions for the appropriate industry bodies and tax accountants as well, who deal with a large portion of this work. I accept what you are saying. There are a lot of people for whom English is not their first language who are involved in this scheme. I am very cognisant of it. I am very keen to make sure that they get the appropriate advice, but it is not for government to give people tax advice. That is something they will do themselves, but we are doing everything we can to make sure that this is treated as a capital purchase rather than an income compensation grant.

**The Hon. D.G. PISONI:** In your second reading speech, you said in addition anyone who is not eligible and has their perpetual licence cancelled will receive \$10,000 compensation. Can you explain what that means? For example, those who purchased a licence after April 2016 are included, while those who have not and have been forced to sell due to death, incapacity or bankruptcy are not included.

**The Hon. A. KOUTSANTONIS:** If you are compensating only people up to a point in time in April 2016, whenever the legislation or the regulations were changed to allow rideshare to operate, the question is what do you do with people who came into the industry after that? The initial thinking was nothing. Buyer beware: they know what the system is, why give anything? But they have purchased these taxis for a value, so the question is how do we allow a perpetual licence in place?

We say, 'Alright, you are not getting any compensation, but you can keep your taxi licence operational for ever afterwards and not have to pay any annual fee,' as a gift for those people.

The department quite rightly said, 'That means we'll be operating two schemes and there will be two classes of taxi licence. It is better just to extinguish them all overnight and purchase them all back.' At 11.59 on one night they are all extinguished and then at 12.01 they are reinstated immediately on this annual system. That is why we have the \$10,000 purchase for all the licences for every category.

**Mr TELFER:** Thank you, minister. I do think this aspect in particular is important. I am a regular taxi user—not just twice a week in a parliamentary sitting week but other times as well. It is probably fair to say that when they find out my job the number one point of conversation is usually you, minister, and what you are doing to the industry and the ramifications for their individual finances and status as well. This is why, for this aspect in particular, it is really important that there is clarity around the decisions and the reasons behind the decisions.

You spoke a little bit already after the questions from the member for Unley around the dollar figures—the \$200,000 and the \$10,000—going on. I am curious as to what data was utilised in getting to that point. You sort of said, 'I decided the amount would be X amount,' but I am sure that it was not just off the top of your mind. I would be interested in what data was utilised. Does the department have sale price figures for taxi plates, for instance, and was consideration perhaps given to using that data? Was that the basis, or is that something that could have or should have been used to try to make sure there was a fair level of compensation for this process?

**The Hon. A. KOUTSANTONIS:** That is an excellent question. After we made the election commitment in 2020, I think, or 2021, we were elected in 2022. I asked the agencies that were compiling all this information. The previous government stopped keeping records of all taxi sales—I am not sure why; it was a direction—so it was very hard for us to get accurate numbers on the value and the types of transactions. It used to be quite regular up until 2018. I do not want to speculate on why it was not done anymore, but it was not done anymore, so it was very hard for us to understand exactly what the actual values of taxis were, how many been traded and what they were valued at, so what we were going on was what was going on everywhere else.

If you look at the Victorian scheme, it was \$100,000. Victorian taxis were more expensive than South Australian taxis. Our compensation is double what theirs is, so I tried to be generous for the first one. The first taxi, as I said earlier, was an overwhelming majority. The question is: for the second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth, what value do you put on them? We came down at \$10,000. It was a cabinet decision and a cabinet process. That is as far as I can go into it.

We tried to benchmark this across the country and tried to be as generous as possible for the overwhelming majority of the industry. There was one discussion about whether we would compensate them at exactly what they were bought for. What was the value of a taxi in April 2016? Was it the auction amounts? Did we go by what Cabcharge were paying for these taxis? How many private transactions occurred? When private transactions occurred, could we rely on those numbers? Do we rely on those numbers? It was very hard for us to come at a value.

The truth is, post Uber, taxi licences are not worth very much. They are not worth very much because the overwhelming majority of point-to-point transport done in this state every day of the week is through rideshare, not taxis. I think that can change with this legislative reform. I think you will see taxis come back into vogue because I think they have a better offering than rideshare. So I do not have any more I can give you on that value. I know it is not a perfect answer because it is not a perfect solution.

**Mr TELFER:** Supplementary: you mentioned the 2018 date. Did you use—

**The Hon. A. KOUTSANTONIS:** The 2016 date.

**Mr TELFER:** The 2018 date for the data, the data year. Did you use that pre-2018 data to help guide these figures? You talked about consideration of other structures, including reimbursement of purchase price, etc. I am just trying to get an insight for the people who ask me, when I catch a taxi, how we got to that point, that pre-2018 data, and perhaps was any other

consideration given to a tiered system of compensation based on any other factors as part of that consideration?

**The Hon. A. KOUTSANTONIS:** It was considered on how long the scheme would last and the compensation schemes in other jurisdictions, and it was very hard to understand the value of individual plates at a certain point in time.

**Mr Telfer:** That pre-2018 data: you had that, though.

**The Hon. A. KOUTSANTONIS:** It is impossible to get an accurate number on the value of a taxi licence. Again, this is not a property right, it is a licence to operate. When it is a licence to operate, the truth is that at any stage of the pre-entry of rideshare the government could have released a thousand taxi plates. What would that mean for the value of a taxi? So, then, your value is going on individual arbitrage between two individuals or a government auction for the release of licences, people speculating on them: is that the real value of them? Do you value it on the motor vehicle plus the revenue, which is what you would do traditionally?

I can tell you right now that if you are a stock trader and you are doing stock analysis on what a taxi is worth, you would read the governing legislation and you would say, 'Right, so it's not a property right, it's a licence. Government can issue more licences anytime it likes. Government can allow competition. Government can change these rules at any time and there's no protection in the Australian constitution.'

I am not sure I can give you the answer you want on value. What we did was look at compensation schemes around the country and try to be the most generous. I do not think you can value a government licence and I do not think you can trust the self-regulation of the industry to value a licence to operate that can be changed at a moment's notice. You might argue that that is what the market was prepared to pay for it; that does not mean it is what its value is.

I accept this is not a perfect solution to a very complex problem. I accept that and that is a fair criticism of the government and of me personally. I have just come up with a scheme that is going to compensate an overwhelming majority, well over 80 per cent, of owners. That is the highest level of compensation in the country. That means that 20 per cent might be a bit worse off, but let me put it another way: let's say we had gone through a different tiered system. Let's say we had set \$150,000 for the first, \$50,000 for the second and \$10,000 subsequently. That changes the dynamic a fair bit.

We are all politicians; we all love numbers. What does that do to the overwhelmingly large cohort of people? They get less because they only have one, and people who speculated get more. Is that fair? Why would we reward someone who speculated on a licence? You might argue that they worked hard and they bought another one to grow their income. I accept these arguments. We tried to put as much as we could into that first owner because that covered everyone and it made it the most generous scheme in the country, but it is not perfect.

**Mr TELFER:** I absolutely recognise that. It is probably not dissimilar, though, to some of the other investments that businesspeople and individuals make when it comes to government licences. I compare it to a fisherman who gets a commercial licence to operate and a quota, which is something which is regulated by the government, and so that is what they use to leverage their business and their borrowing and they invest back into the capacity to be able to deliver, to run their business under those structures. This is why when a government changes those sorts of structures parliament as a whole needs to ascertain whether this is a fair level. Like you say, it is not a perfect scheme.

I am very interested, and another question that I will get from my taxi drivers as we are going through this process is: do you have a definitive start and end date for buyback payments to give some clarity for vulnerable licence holders? There has been speculation or direction given around timeframes in the years. This is where I think people probably get a bit nervous as to when they are actually going to get money in their pocket for what they would have considered to be an asset for themselves, so they can reuse that equity for something else. Do you have a start point and then an end point for when all compensation will have been paid?

**The Hon. A. KOUTSANTONIS:** No, that is the honest truth, I do not because it is reliant on collecting the levy and I do not know how much the levy will collect so I cannot give you a start and finish date. I would like to, in a perfect world, have had the levy operational by now where I can collect

money and make two payments in two different financial years relatively close—30 June and 1 July—make two payments and do that again next year and the year after. I would like to be finished in eight, 10 years, but I cannot put a start and finish date on it because I do not know how much the levy will collect each and every year.

**Mr TELFER:** Is that because you do not know how many will take it up?

**The Hon. A. KOUTSANTONIS:** No. What I do not know is how many people get into these vehicles. These numbers fluctuate every year.

**Mr TELFER:** Have you done modelling?

**The Hon. A. KOUTSANTONIS:** We have done modelling. We think it could be eight to 10 years, maybe longer, maybe less. This is the hard part. The total cost of the compensation is close to \$100 million. It is an operating expense. As the shadow treasurer would know, that would be a dramatic impact on the budget. Because it is an operating expense, we need to manage this to make sure we protect the integrity of the budget and that we have a revenue stream alongside it to be able to make sure that it has no impact on the budget. That is why we are doing it this way.

It is an imperfect answer to a good and reasonable question. I get this question everywhere I go. I know exactly what you are talking about. The Greek and Italian communities of South Australia are ground zero in this industry, so you can imagine what my weekends are like wherever I go and talk about this. I would like to be able to say, 'We are paying you all on one day.' I do not have the \$100 million. I have to generate that through the revenue, through the levy, and I cannot give definitive dates because I have to start the implementation of the levy, have to collect it, reconcile it, know how much we have collected for that year and then pay accordingly.

Then, of course, there are the people who have special circumstances. I have received lots of letters from people who have cancer, who are at the end of their life, people who have mortgages, they have mortgaged their house. The one part that the member might not be aware of is that the nature of the licence meant that banks were not lending 80 per cent or 90 per cent of the value. They were lending 50 per cent or 60 per cent at best, if you were lucky. People had to put their houses up as security, or other forms of assets as security, to be able to borrow to buy these things.

I want to look after those people if they can prove that to the government on an ad hoc basis. I do not want to be too prescriptive about this. I want to be generous and make sure we look after everyone as much as we possibly can. That is going to be difficult. I cannot give you a start and finish date. I apologise for that. It is just the nature of the approvals I have in place.

**Mr TELFER:** Further from that, there are different ways to be able to structure something like this. Was consideration given to a front-end lump sum using funds out of general revenue, because you know that there are going to be funds coming in throughout the next eight to 10 or however many years? Was consideration given to a front-end payment, so there was at least a lump sum at the beginning for these people who are trying to make financial decisions, utilising general revenue and balance the budget, as you well put, then using the levy over time to pay that amount back as well as the remainder?

It is a bit like a creditor situation, where we have been discussing the nuances of this sort of thing. A small business in Whyalla that has to keep on operating is similar to a taxi driver who wants to try to utilise future equity that will be drip-fed to them over eight to 10 years. Was consideration given for a lump sum up-front percentage?

**The Hon. A. KOUTSANTONIS:** Yes, it was. The problem I have is that the opposition and the Independents in the upper house are considering time limiting the levy. If we did an up-front payment, I have no assurance the levy will pass. If the opposition want to give me an assurance now that they will let the levy pass and not time limit it, that is a different conversation, but I have to work with what I have.

This is not draughts; this is chess. We have to think long-term here. I have people who are elderly and I have to work out a way to pay them so they get the enjoyment of their asset, not just their estates, which would be unfair. It is heartbreaking, some of the people who have written me letters. Some are near the end, who want to get some enjoyment of this. So I want to rush it, but we

agree to up-front payments and then the levy does not pass in the upper house and then it does tremendous damage to the budget. We have to think of the state's broader interests as well.

**Mr TELFER:** Chair, these are sort of supplementary to answers that have been given. I would appreciate a bit of flexibility if possible on this important clause in particular.

**The CHAIR:** This is question No. 5.

**Mr TELFER:** Thank you, sir. I have two more that have stemmed from answers. I want to especially ask about exceptional circumstances. You have given a broad perspective of what you might be considering. Have you done any work on what sort of percentage of licence holders you think may be in consideration for such special circumstances? Also, what do you envision the process would be for application for those special circumstances? You talk about coming to you, but for some clarity for those who will be paying close attention to this, what do you think the process is going to be for individuals who want to perhaps have consideration of those circumstances?

**The Hon. A. KOUTSANTONIS:** There are a couple of things. If I am too prescriptive, people start falling away and cannot get into it. I will give you four scenarios that are on my desk: marriage break-up; death; auction, where they have paid considerably more and there are remaining gaps and debts that need to be looked after; and then there are other special circumstances that you might place into the bucket of thousands of miscellaneous different scenarios—multiple ownerships on one plate and how do we deal with all this?

I want to be not as prescriptive so that we can try to maximise the intent of the legislation, which is to compensate eligible people for their first taxi with \$200,000. I will give you a scenario without naming anyone. Someone paid \$330,000 for their taxi, and then a couple of months later rideshare comes in and the value of the plate plummets a considerable level, and they can show us debts that are owing, and there has been no write-off or tax benefit, we will consider then a payment that is larger than \$200,000. We will consider it.

If there are people who are about to pass or have a terminal disease and they want a 200,000 up-front payment in advance rather than it being staged so they get the full benefit and enjoyment of that, I will consider that too, and so we should. If I am too prescriptive and say, 'Fill out form A and these are the criteria that make you eligible for circumstances,' there are so many different circumstances and it is going to take time for the agency to go through this with a level of consideration and compassion to come up with good answers.

I want to limit it to probably the last four or five auctions. I think it is 12 or 15 taxis per auction. Some of those exceeded \$200,000, some of them did not. I want to look at those, but I am not interested in compensating people who do not live in South Australia and I am not interested in compensating publicly listed companies that purchase taxis as investments or as an operational. I am not that interested in compensating international investors, so it will exclude them, which gives me the ability to pay out people who are here faster. That is the type of thing we are looking at.

**Mr TELFER:** It is a process for that.

**The Hon. A. KOUTSANTONIS:** The process for that will be once the legislation is passed and we have the regulatory framework in place, there will be obviously email addresses and people will write in and let us know. That is already happening now. I have done a big series where I have gone out and spoken to large assemblies of taxi owners about this and they are already writing to me in anticipation of the legislation passing. But I have made it very clear to the industry that if the levy does not pass the scheme is off, because I don't have the \$100 million otherwise.

**Mr TELFER:** Thank you for your flexibility. I am curious: why were regional taxis not included in the buyback?

**The Hon. A. KOUTSANTONIS:** Because they did not buy their licences and there is no cap on regional taxis.

**Mr TELFER:** One last one. Minister, you talked about the education sessions and the challenges with English not being a first language for a lot of these operators. Do you envision the education sessions will be paid for out of the levy, or will that be a separate budget allocation from the department?

**The Hon. A. KOUTSANTONIS:** It is me and Emma turning up to meetings answering questions of people, so I am turning up myself—I am already paid for, thanks to the generous taxpayer—and the staff come along and we go along and we answer questions. We are talking about 1,000 people, 1,000 licences; it is not going to be that difficult for us to administer this scheme. I probably know about 700 of them personally.

**The Hon. D.G. PISONI:** One more question, if I may. You have mentioned the ownership structure. Let's say, for example, there is a couple and one owns a licence, the spouse owns a licence; is the spouse's licence a second licence or is the spouse's licence their own licence?

**The Hon. A. KOUTSANTONIS:** One taxi, one taxi licence.

**The Hon. D.G. PISONI:** They each own one taxi licence.

*The Hon. A. Koutsantonis interjecting:*

**The Hon. D.G. PISONI:** It is two payments of \$200,000. Okay.

Clause passed.

Clauses 34 to 36 passed.

#### *Parliamentary Procedure*

#### **VISITORS**

**The CHAIR:** Before we go to clause 37, I would just like to acknowledge in the gallery the school student leaders from Nuriootpa High School and their teacher, who are guests of the member for Schubert.

#### *Bills*

#### **PASSENGER TRANSPORT (POINT TO POINT TRANSPORT SERVICES) AMENDMENT BILL**

#### *Committee Stage*

Debate resumed.

Clause 37.

**The Hon. D.G. PISONI:** This refers to certain fares and charges prohibited in prescribed circumstances. Uber have concerns about regulating surge pricing and queue-jumping fees directly impacting their business model, and potentially reducing driver supply during peak demand. We are informed that no other jurisdiction has these restrictions and so, comrade, I would like to ask you this question: why is South Australia the only state attempting to regulate surge pricing. This is off the back of the government's campaign for the last 21 years of being in government of rewarding people for working unsociable hours.

We saw the introduction of the New Year's Eve public holiday and the introduction of the Christmas Eve public holiday because of unsociable hours, yet for the first time in the ridesharing business in South Australia, we have a proposal to regulate surge pricing. I know that there are opportunities to pay extra when you fly to be at the pointy end. There is no restriction on airlines offering that service. You can actually pay extra to avoid the queue where you put all of your luggage through the scan. That is another service that is being offered. At Disneyland, you can pay extra to be at the front of the queue instead of waiting two hours in the line.

They are natural business practices. There are restaurants that charge 10 or 15 per cent more for the penalty rates they have to pay their staff on Sundays or public holidays, for example. Consumers always have the choice of saying, 'No, I am not paying for the pointy end. No, I am not dining out on a Sunday,' just like consumers have the choice of saying, 'No, I am not paying surge prices. I am staying home that night or I am going to walk.' So why is the government interfering in a market industry?

This legislation is about correcting, if you like, when you have seen a market mechanism for the purchasing of licences, but then there is a regulated fee that taxis can charge. It is a very strange situation. Now we are moving into a completely unregulated area, and all of a sudden there is a

regulation about how much can be charged for surge charging, which is a mechanism that works for the provider to ensure that there are enough drivers to meet a demand.

It is a demand economy. It is a demand business. There are a lot more people here when events are here using taxis, using rideshare. It might bring some of those part-timers out. Instead of sitting on the couch, they might decide, 'If I can earn \$50 or \$60 an hour driving the car tonight, I will, but I am not going to bother if it is only \$25 an hour.' That is the question, minister: why is it that in South Australia we have a regulatory process that socialises a market mechanism?

**The Hon. A. KOUTSANTONIS:** I have not been called 'comrade' since Young Labor, when the left used to try to insult me by calling me 'comrade'.

**Mr Telfer:** Every time I walk past Russell Wortley.

**The Hon. A. KOUTSANTONIS:** Yes; he is an old comrade. It is not true to say that South Australia is the only one that does this or proposes to do this: Western Australia and New South Wales have as well. It is for emergency situations, bushfire, flood. During the Lindt siege in Sydney, Uber did not read the room and implemented surge pricing for people trying to get out of Sydney. It was appalling behaviour by Uber.

I accept what you are saying. I am not interested in regulating surge pricing to stop a demand response: I am interested in regulating it in an emergency situation. The reason I have given myself flexibility is that it might not be something that we need to declare a state of emergency to do. We had a statewide blackout in 2016 that members opposite like reminding me of. What would happen if Uber started surge pricing then?

**Mr Telfer:** We didn't have phone service.

**The Hon. A. KOUTSANTONIS:** They did have phone service. Why? Because it was battery operated. My point is that the government needs to maintain the ability to regulate these things in a time of emergency for the good order and conduct of the state. I am not attempting to insert myself into the economic arbitrage that rideshare use to try to get drivers. I agree with you: if there is surge pricing on because some restaurant is hot right now and everyone is trying to get in or everyone is trying to leave, that is their problem. But if there is a fire or a riot or something has gone wrong and people are trying to get out and Uber are trying to profit off the back of it by surge pricing, that is unacceptable.

So I think this is a sensible application where we want some broader powers in place where I can actually not have to declare a state of emergency to take care of surge pricing if there is a riot in the middle of the city or a terrorist event or something that happens quickly and people want to get out. So that is why it is there. It is not there to try to insert myself into the day-to-day management of what Uber charge.

I agree with almost everything the member for Unley has said, but I do note that while he was in office he did not deregulate taxi meters and allow them to compete with Uber and charge variable amounts. If I took your argument to its logical extension and you believe in total deregulation and a free market economy, why restrict taxis? Why did you not deregulate the meter? Why did you allow them to charge a regulated fare? Why?

My point is all I am trying to do here is what New South Wales and Western Australia have done: in certain circumstances that are in the state's or the nation's interest not to allow surge pricing. It is not because of an economic intervention for some sort of socialist outcome but an outcome for the good order and running of the state. There is a difference.

The reason I have made the bill with a bit more flexibility and provided for the situation to be prescribed by regulation is that I do not think we need to automatically declare an emergency to be able to intervene. It could be a very bad car accident—someone blocking the city and people cannot get out; it could be a whole series of scenarios. That is what we are attempting to do.

**The Hon. D.G. PISONI:** Just so I can understand this, when people work for the government, whether it be in the ambulance service or the fire service, if they are entitled to penalty rates because it is after hours or because it is a weekend and everyone has to come in and work, they are all paid



overtime, and they deserve to be paid overtime. So how will the demand for those trips that that emergency might cause be satisfied?

These are not volunteers. Uber operators are not like the State Emergency Service; they are in business, right? If they are not allowed to charge a fee for getting out of bed to go and do this—and they are not paid a standby rate to be ready in case there is an emergency like emergency workers and first responders are—and if the government had this in place and were regulating the fee charged at that time, why would the government not compensate the drivers for the additional money they would get if they were public servants working overtime and that they would be entitled to in order to carry that service out? Is that something that the government would consider in order to make sure that those drivers would be available to go out and deliver that service and be compensated as much as any government employee who is doing that good work for the community?

**The Hon. A. KOUTSANTONIS:** Wages are regulated by industrial agreements, and workers do not get to say, 'By the way, despite the EB giving me double time on a Sunday, I want quadruple time.' That is not how it works.

**The Hon. D.G. Pisoni:** But they get paid more.

**The Hon. A. KOUTSANTONIS:** They get paid more, yes. What I am talking about is not that they will not get paid. If the demand is there and there is overwhelming demand, demand exceeds supply, your argument is that in an emergency they should be allowed to charge more to service that emergency.

**The Hon. D.G. Pisoni:** No. I am saying: how will they be paid more like everybody else is paid more when working on weekends and—

**The Hon. A. KOUTSANTONIS:** First and foremost, if they are working on a Friday night or a Saturday night, there is differential charging anyway. Taxis have a different metered fare and a different flag fare for those nights anyway—they are being paid more already. What has changed other than the emergency?

**The Hon. D.G. Pisoni:** They may have already worked 38 or 40 hours for that week.

**The Hon. A. KOUTSANTONIS:** Then the person is coming after them. We can go around in circles here. I am not interested in regulating Uber's fare structure, I just am not. I am happy for them to compete on the market, charge what they like and they can live and die by their decisions. I just point out this: the drivers cannot decide what they charge, Uber does. Drivers are not taking back 100 per cent of what they are charging.

**The Hon. D.G. Pisoni:** It's all based on analytics.

**The Hon. A. KOUTSANTONIS:** Sure, no doubt. Why should we allow a company to take advantage of an emergency and charge extraordinary amounts of money to move people out of danger? I do not think that is appropriate. They are already getting paid for the service, they are already on the road, they are already in the cars.

But I accept your point—you and I come from different backgrounds. I believe the government has a role in our society and our economy; you believe it does not. Fine, that is what elections are all about. I am not saying that I am attempting to try to permanently regulate rideshare's fare structure. I am saying that under certain scenarios and under certain circumstances, for good order and public safety, we want to be able to intervene and stop surge pricing. That makes complete common sense, and I bet that is what the public expect us to do.

I am happy to have this debate with the opposition on the radio any time they want, because this is an argument you will lose. The public would expect no less. What happened with the Lindt siege was disgraceful, with the way Uber behaved. It led TV news all across the country, about the way they behaved, to a point where Uber voluntarily agreed that they would submit themselves to these types of circumstances.

All I am saying is that I want a bit more flexibility so that I do not have to declare an emergency, because that means waking up the Governor or the police commissioner. Let us be

sensible about this: I am not attempting to regulate fares, I simply am not. I am attempting to make sure that the good order of the state can continue in an emergency.

**The Hon. D.G. PISONI:** My question to you is: what will you do if your regulation stops people getting out of that situation because people are not prepared to work for the fare you have set? It is not Uber who gets the money, it is the driver who gets the money.

**The Hon. A. KOUTSANTONIS:** That is not true. Uber get the money too.

**The Hon. D.G. PISONI:** They get a commission.

**The Hon. A. Koutsantonis:** About 30 per cent, yes.

**The Hon. D.G. PISONI:** But the driver is the one who gets the majority of the money—that is how any business works.

**The Hon. A. KOUTSANTONIS:** Sure, I accept that. But it is like saying, 'How would LIV Golf work without there being drivers in Ubers?' They do. They work, they make money. Tonight is Wednesday night. My guess is there are twice as many rideshare vehicles available right now as there are taxis—twice as many. If there was an explosion somewhere in the city or a major disaster at a concert or an event or a terrorist act and people wanted to get out quickly, your argument is that Uber drivers will not respond to work that is available because they are not being paid a premium.

My argument is they will get paid because they are there to do that work anyway. The question is: can they surge price on top of the disaster and take advantage of it? I do not think it brings more people on, I just think it makes more money, and I think that is the difference and that is a difference in ideology and philosophy. I completely understand it. Part of my brain thinks the same as you, but luckily for me a larger part of my brain thinks, 'Here is my home, in the Labor Party.'

I get what you are saying. Financial signals are very good signals, but there has to be a point where for the good order of our community there needs to be some government intervention where we can step in and say, 'That is unacceptable in this scenario,' and it is based on an emergency situation. It is not based on: you are making too much money, we want to stop you.

**The Hon. D.G. PISONI:** I do not believe there are fairies at the bottom of the garden either. Have you got anything else?

**Mr TELFER:** Me? I have a couple of questions, yes, absolutely. I am just trying to get over that statement. For clarification, minister, I look at it and think, well, if there is a scenario where there is X number of drivers available who are on the road who are doing this service, I see that potentially surge pricing could be used as an incentive to mobilise a larger cohort to service the population within a circumstance of heightened demand. Is this where the difference in ideology is: if there is a cohort who are not on the road at a certain period of time but there is a scenario where there is greater demand and there could be the potential to entice them to involve themselves?

**The Hon. A. KOUTSANTONIS:** Uber has an internal surge pricing mechanism where they go three times the original price. Our mechanism would be to cap them at that.

**Mr Telfer:** So no higher?

**The Hon. A. KOUTSANTONIS:** No higher than that. That is what we are attempting to do. Not that they cannot surge price, but they cannot surge price above what they have advertised would be a surge price. I think we have probably—

**The Hon. D.G. Pisoni:** We have some clarity.

**The Hon. A. KOUTSANTONIS:** Well, it is pretty clear.

**Mr TELFER:** One more from me, Chair. Minister, obviously this talks about prescribed circumstances. You envision the prescribed circumstances would be made in the regulations. You have talked about emergency situations broadly. Can you give any other examples of what you expect are going to be put into regulations? The legislation talks about prescribed circumstances, and it is a little bit—I do not need you to be specific. You can talk reasonably generally, but a few examples of what that might be.

**The Hon. A. KOUTSANTONIS:** The intention is emergencies. That is the intention.

**Mr Telfer:** There are a range of them.

**The Hon. A. KOUTSANTONIS:** Yes, there are a range them, like a terrorist attack in—I do not like ventilating these things in the public—

**Mr Telfer:** What is the base level, perhaps?

**The Hon. A. KOUTSANTONIS:** A train derailment.

**Mr Telfer:** I want to get out of the Adelaide Oval as well, like after a footy match and so—

**The Hon. A. KOUTSANTONIS:** No, hang on a second. You will still be able to surge price at the end of a game if there is demand for it. Like I said, it is what their prescribed levels are that they have published. We are talking about an extraordinary event that means there is a mass shortage, and they are now just profiteering. The question is: what is that event? We have basically designed it around emergencies. I do not want to go through each one of them because someone is going to hear it and think I will go out and do it, so we have emergencies where the government needs to respond to stop profiteering.

Clause passed.

Clauses 38 to 44 passed.

Clause 45.

**The Hon. D.G. PISONI:** There are some questions about the levy, minister. At \$2, I understand the levy is the most expensive in the country for point-to-point transport. You are nodding, so you are confirming that. There is no sunset clause in place. The Taxi Council have raised concerns of a permanent and continually rising levy, which could push costs beyond people's ability to pay, particularly in a cost-of-living crisis. I will start with: what is the size of the levy currently? How much money is in the levy pot and has that done its job now and compensated the \$30,000 payments that were made from 2016?

**The Hon. A. KOUTSANTONIS:** They are the questions I cannot answer; they are better asked of the Treasurer. But, yes, the other part that I want to mention is that it is also the largest compensation scheme in the country in terms of its generosity. So, yes, the levy is larger—

**The Hon. D.G. PISONI:** It is not your generosity: it is the passenger's generosity.

**The Hon. A. KOUTSANTONIS:** That is right, yes. Would you rather the taxpayer pay for it?

**The Hon. D.G. PISONI:** I am just pointing that out. You were saying you were being generous.

**The Hon. A. KOUTSANTONIS:** No, I accept that this is being paid for by passenger transport users, which I would have thought the libertarians on my opposite, the Milton Friedman fan club over there would have loved the whole idea of the user-pays scenario rather than it being pushed onto the taxpayer, but I am open to suggestions if members opposite want to do that. We feel that this is the appropriate way to compensate people. I accept it is an impost and burden on people—I accept that—but it will go to good use.

**The Hon. D.G. PISONI:** Are you able to guarantee that the levy will be used exclusively for the taxi licence buyback scheme, and will there be any cap on levy increases in the future? You mentioned earlier that you were expecting \$100 million to be paid out. You must know how many trips there are annually and what the \$2 per trip will add up to each year. I would imagine you would be in a position where you would have some idea, without Treasury advice as to whether it would continue on indefinitely, whether there would be a need for increases in line with inflation or some other reason in the future.

**The Hon. A. KOUTSANTONIS:** The government has no plans to increase the levy in the future, but I can tell the member that the levy raise will go towards the access disability services as well, the lifting fee, the lifting fee being extended into regional areas. It will also go towards the buyback of access plates as well and taxis. That is the intended use of the levy.

**Mr TELFER:** Is it envisioned that once the purpose of the increase—the doubling \$1 to \$2—passes, that that will revert back to the \$1? It is a bit ambiguous, really, as to what the \$1 goes to at the moment as a standalone, but will it get to eight or 10 years or whenever you think the end point is going to get to and revert back to the \$1 mark?

**The Hon. A. KOUTSANTONIS:** It is hard for us to say given the ongoing nature of the disability services that we want to offer in regional South Australia as well. Let me put it to you another way: there is a growing cohort of people in regional communities who need access to specialised transport because of disabilities. The government is finding it very difficult to have public transport services in regional communities, as many regional members would know, that are able to provide the adequate service to key people as part of that community.

The lifting fee and extending that to regional services is something that will be ongoing post the reforms being completed. That needs to be funded. This is a good measure to make sure we can provide some equity to people in regional and remote communities and our disability community. I do not know how long it will take to pay the compensation scheme out, the buyback out, to people, which is why there is no sunset clause, but we have no plans to increase the levy. We are doing what good governments do, which is leaving as many options open for people as possible, including future governments.

What we are attempting to do is to plug a lot of gaps so that those gaps are no longer under any budgetary pressures. You do not want regional services or metropolitan services for disability services to be reliant on budget considerations. This gives them a funding stream, paid for by consumers of point-to-point transport. It is a good thing to do for the good order of the state, and it will help people reconnect with the community. It will give those regional businesses and access cabs a level of cashflow that makes them profitable to offer services in areas where public transport is rare and difficult to get access to, especially if you are infirm or need the services of an access cab. That is why the levy is not sunsetted.

**Mr TELFER:** I thought the additional aspect of the levy was purely around the buyback scheme over the next eight to 10 years. Are you saying that a component of it is to help subsidise the lifting fee? Is that in the first eight to 10 years? Is it going to be funding both the buyback and the provision of those services, or is it the case that you are envisioning that at the end of that period of time it can be used to fund that service? If it is both concurrently, it extends the period of time where there will be enough funds to be able to pay out the taxi buyback. I am just trying to work out where this balance is and what you are saying.

**The Hon. A. KOUTSANTONIS:** You might have noticed that we have increased the amount we pay for a lifting fee and that we have extended it to regional communities as well. So there is an amount that is budgeted that we already have that will help to pay for that. Increases will be funded out of the point-to-point levy increase. We want to sustain those. We want these services to grow.

I want there to be more of these services throughout South Australia, because the truth is that we are running bus contracts and I think it is fair to say that both governments—in fact, the last four governments—have not got regional bus contracts anywhere near the service delivery aspect that we need to have to deliver any type of service that is worthwhile. Why is that? It is because they are linked budget processes, and budget processes mean that it is very difficult to get the adequate funding you need to sustain these things.

The contractor model is a good one, and the lifting fee is a good incentive to allow people to get out and do the work, so it needs to be funded. So, yes, all of this has to be bundled together. We have to make decisions as a government about how we budget for all of this. So, yes, the increases to try to make this service work are being funded out of the levy—not all of it but a portion of it. The overwhelming majority of the levy goes towards funding the buyback.

I would just say that if you are going to be a future treasurer, or you are going to be a future infrastructure minister, levies like this are of great value to be able to do some of the things that you want to do in communities where it is not cost-effective for the private sector to do them without a subsidy. So I would ask for some long-term thinking on this.

**Mr TELFER:** What is the \$1 levy currently used for?

**The Hon. A. KOUTSANTONIS:** It funds public transport services, as it should. We have debts to fund for the \$30,000 payout, we have rank concierges and we have security services. It goes towards point-to-point and public transport, as it should.

**Mr TELFER:** I have a supplementary on this \$1 amount because it seems like it is funding a lot of different aspects. The levy is going up to \$2. The \$1 increase is going to be funding this but also funding the extension of regional disability services, and that is going to be from the new \$1 not from the existing \$1. The breakup of that component raises whatever the number is, however much you might tell me what it might be a year—in the tens of millions of dollars. What proportion do you envisage will be used to fund the buyback process that you are saying will take eight to 10 years? How much of it as a proportion, as a percentage, do you envisage will be used to fund these other services?

This is the competing interest which you would be very aware of, because there will be taxi licence holders who are waiting for their payout with the increase from this, and they are saying, 'If money from this is used for something else then it is going to be a longer lag time for me to get my payout for the licence that I am waiting for, six, eight, 10 years.'

**The Hon. A. KOUTSANTONIS:** No, and yes. Special days we have lifting fares that go up to \$50. It has gone from \$15 to \$25, and it has been extended to regional communities. That needs to be funded, so the way you would look at this is that the overwhelming majority of the money, nearly 90 per cent of the money, is being used to try and fund the buyback. How long it will take depends on how much we raise, depending on the various cycles, according to the economy—

*The Hon. D.G. Pisoni interjecting:*

**The Hon. A. KOUTSANTONIS:** No, this is designed for those things that I have talked about, the buyback, access cab and lifting fee. They are what we want to fund out of this dollar increase, but not all the lifting fee because some of the lifting fees are already funded. There are increases, so this is a measure to try to maintain these long-term services without them being a burden on the budget.

**Mr TELFER:** One further additional supplementary. This is new information for me. When was that decision made to isolate the 10 per cent, or whatever that component is, to fund this aspect as opposed to the entirety with the buyback of the taxi licence fee? It is genuinely the first time that I have heard that levy increase component funding that aspect in particular.

**The Hon. A. KOUTSANTONIS:** I made it public when we announced it in December of last year.

Clause passed.

Schedules 1 and 2 and title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (21:53):** I move:

That this bill be now read a third time.

**The Hon. D.G. PISONI (Unley) (21:53):** I thank the minister for being thorough with his answers, and we have discovered some new areas where the levy, for example, is being spent. I was the shadow transport minister at the time when the levy was first introduced and the purpose of that was to pay for the \$30,000 grants that were being given to taxi drivers when rideshare came in. That is why taxi drivers agreed to collecting that levy, because they knew it was an impost on their clients, but we are seeing that it is being used beyond what the original intention was.

We also learnt a little bit more about the minister's intentions when it comes to regulating surge pricing, and I think there is a very similar view about wanting to stop gouging in emergency situations. I am very pleased to hear that it will not be used for market conditions but for emergency situations. I am not sure that the minister has done enough work on how a regulated fee for an emergency situation will in fact have the effect of bringing enough people out who are needed for

that emergency situation, so I would be interested to see how that develops. It may very well be that there may need to be a statewide solution, as there is with any emergency.

That is the thing about Australia: when there is an emergency, we have this culture of everyone getting together. Expecting one particular industry or one group of workers within a particular industry to take on an unfair cost of a restriction during an emergency needs to be dealt with very carefully and fairly, and I would be interested to see what the minister can come up with in that situation and of course support the minister in getting an outcome that works and is fair.

This is a significant reform. In hindsight, I do not think you ever would have released perpetual taxi plates in the first place if you had a crystal ball and knew where technology was going. It is a lot like the tariff situation. In Australia, our industries were built behind a wall of tariffs, and it worked at that time, but as those tariff walls came down under the Keating years some industries were compensated and others were not. My industry, the furniture industry, was not. I think in South Australia alone, about 25,000 people lost their jobs over that period.

When I entered the furniture industry, there was a tariff of about 60 per cent on imported furniture and about 80 per cent of furniture that was sold in Australia was made in Australia. The tariff is now 5 per cent. There was no compensation for that change and lots of businesses closed. People who had their businesses supported by mortgages over their homes had to take some pretty drastic steps in order to stay in business or to hold onto their homes at that time. But as the minister said, that tariff acted as a licence, if you like, to be able to manufacture at a certain cost base, and that was changed over a very quick period.

In hindsight, there is no doubt that we are a broader and stronger economy because of that decision on those tariff changes. I am watching with interest the impact it is having in the United States at the moment—the Trump introduction of tariffs on the share market—particularly this week, with all the gains lost that were made this year so far: lost because of the uncertainty that that tariff regime and the motivation for that tariff regime is bringing into the marketplace. It is having a significant effect on the general wealth of those who are investing in their 401 scheme in America, which is like our superannuation scheme here. And, of course, Australian superannuation schemes are being affected by the imposition by Trump of tariffs in Canada, Mexico and China, so we will see where that goes.

Again, these reforms are always difficult. We are very concerned about those 1,000 people who will take a financial hit. The minister is right that not everyone will take a hit, but there will be a number of them that will take a hit. I know, just from my own experience of coming from a migrant family, that it would be a family nightmare, because something that was very simple to do at the time, with the knowledge you had at the time, that you believed would be part of your future and your retirement and something that you could perhaps even hand on to your children, has disappeared through no fault of your own.

You are really a victim of advancement in technology, a victim of circumstance, and it is always difficult for governments to handle. We do wish the industry luck with the changes and we certainly hope that those special conditions that the minister has raised for people who are in difficult situations will be dealt with in a speedy manner.

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (22:00):** I want to thank my agency for the hard work they have done, my office for the hard work they have done, my staff for the hard work they have done, especially Nick Antonopoulos, who has done an exceptional job of helping frame these reforms.

It is fair to say that these reforms are something that I have been hoping to do for a long time. Unfortunately, I was not given the mandate to do them in the previous Weatherill government, but the Malinauskas Labor government has allowed me to do these reforms. These reforms are not perfect, but they do go a long way to righting a terrible wrong on a group of people who did very little wrong. I thank the opposition for their support in the House of Assembly, and I hope that continues in the upper house.

I also want to thank Emma from my agency and my chief executive, Jon Whelan, for the exceptional work that they have done. I thank the South Australian Taxi Council for the exceptional work that they have done. It is fair to say that they are not 100 per cent pleased with the reforms. There is an old saying that if you have not pleased everyone you have probably got it right. I do not know. This is going to be a very difficult piece of reform. We have landed a version of it. I think it is a good compromise, a good work-through, and I hope it has a speedy passage through the upper house.

Bill read a third time and passed.

**SUMMARY OFFENCES (TERRORIST ORGANISATION SYMBOLS) AMENDMENT BILL**

*Introduction and First Reading*

Received from the Legislative Council and read a first time.

At 22:03 the house adjourned until Thursday 6 March 2025 at 11:00.