

HOUSE OF ASSEMBLY

Tuesday, 3 June 2025

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

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

The SPEAKER read prayers.

The SPEAKER: Before we get underway, I would like to mention to members that the member for Finniss has had some foot surgery, and he has a little trolley down here that he is getting around on, and a frame. He is going to be a little incapacitated until the end of June, so I have given the member for Finniss permission to address the chamber while he is seated. We are still to work out how he is going to flag my attention. He might be waving his arms around a lot, so if anyone notices that he is calling out for some help or for the call, please draw that to my attention. I hope you are up and about soon, member for Finniss.

Bills

EMERGENCY MANAGEMENT (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee.

(Continued from 20 March 2025.)

Clauses 30 to 35 passed.

Clause 36.

Mr WHETSTONE: For clause 36—Amendment of section 31A, recommendation 25 suggests penalties should be raised to match other legislation. What is the legislation used as the basis for the penalty increase?

The Hon. B.I. BOYER: We do not have that to hand, but we can get that. If you give us a moment we will find out what other piece of legislation, or pieces of legislation, that was modelled on. I am sure we can get it for you, but we may have to wait for it. If the member for Chaffey wishes to move on to others, can we do that and I will come back and answer.

The ACTING CHAIR (Mr Odenwalder): I am in the committee's hands—if you are prepared to wait?

The Hon. B.I. BOYER: We should be able to find out.

The ACTING CHAIR (Mr Odenwalder): Were there any more questions on this clause?

Mr WHETSTONE: No further questions for clause 36.

The ACTING CHAIR (Mr Odenwalder): Where then is your next question, if we do not have an answer to this one just yet?

Mr WHETSTONE: I would like to move on to Schedule 1—Transitional provision and review.

Consideration of clauses 36 to 41 postponed.

Schedule 1.

Mr WHETSTONE: Recommendation 28 suggests the act should be reviewed every seven years. Why has the government chosen six?

The Hon. B.I. BOYER: Member for Chaffey, the advice from parliamentary counsel is that they thought that a shorter gap between reviews would be a better idea because it would help to keep the act up to date, as it should be. If we had a review in six-year periods rather than seven-year periods, it would perhaps prevent the need for the kinds of more wholesale changes that we are making now.

Schedule passed.

Clause 36.

The Hon. B.I. BOYER: Thank you for your patience, member for Chaffey. In respect of the recommendation for clause 36 around breach of confidentiality, we have sought some advice. I understand that the commonwealth Privacy Act 1988, which governs the handling of personal information and includes provisions for penalties related to breaches of confidentiality, was looked at.

Although that act does not specify a fixed \$20,000 fine for all breaches, there has been a look at cases in which that clause has been invoked and used, and it has awarded compensation for non-economic loss ranging from \$1,000 up to \$20,000. The advice I have is that that upper limit of \$20,000 in terms of what has been awarded under the national legislation was used as an example of what we should put in place in this act.

Mr WHETSTONE: Just a clarification, minister: the penalty was adjusted to fall under a national act or a federal act, rather than a state act?

The Hon. B.I. BOYER: It was not adjusted to fall under a federal act. Parliamentary counsel looked at other like acts, one of which was the one that governs commonwealth legislation. They had a look, I presume, at what would have been some of the case law around where it had been used, where people had brought action under that act seeking compensation for breach of confidentiality. Where claimants had been successful, the penalty or remedy handed out ranged from, I think, \$1,000 to \$20,000, depending on the severity of the breach and its impact on the individual. It was decided for the purposes of this state act that we would choose \$20,000 as the figure for a breach.

Clause passed.

Remaining clauses (37 to 41) and title passed.

Bill reported with amendment.

Third Reading

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills) (11:20): I move:

That this bill be now read a third time.

I want to thank all those who spoke on the bill from both sides of parliament. I want to thank the member for Chaffey for his very constructive questions as well and the speedy passage of this bill.

Bill read a third time and passed.

BIODIVERSITY BILL

Second Reading

Adjourned debate on second reading.

(Continued from 14 May 2025.)

Mr PEDERICK (Hammond) (11:21): I want to advise the house that I am not the lead speaker on this bill, but I am here to speak about the Biodiversity Bill 2025. This bill has far-reaching implications right across the state, and I believe there will be much debate not just at this stage of the bill but during the committee stage to get some ratification around many of the complex areas involved in this bill.

This bill is quite complex and it does have a broad reach. Just to explain some of that broad reach, I will go through a list. This bill repeals the Native Vegetation Act 1991 and makes

amendments to a significant number of acts, including but not limited to the Biosecurity Act 2025, the Coast Protection Act 1972, the Adelaide Dolphin Sanctuary Act 2005, the Crown Land Management Act 2009, the Dog and Cat Management Act 1995, the Environment Protection Act 1993, the Fire and Emergency Services Act 2005, the Fisheries Management Act 2007, the Landscape South Australia Act 2019, the Mining Act 1971, the National Parks and Wildlife Act 1972, the Pastoral Land Management and Conservation Act 1989, the Recreational Greenways Act 2000 and the Planning, Development and Infrastructure Act 2016.

As I indicated, this is a very complex act which I believe will impact every South Australian in one way or the other. As I indicated, we need to do a lot of unpacking in this place, especially during the committee stage, on what is an offence, what is not an offence and what people can safely do in their day-to-day lives without the fear of breaking the law, so to speak.

Coming into this place as a farmer and coming off the land, I have witnessed changes in legislation over time, throughout my life, and there have been some perverse outcomes with some of those changes over time. I remember coming towards the end of the 1970s and broadacre clearing was coming to an end for farmers who provided that valuable food for our state, our nation and for export and what happened? Because people knew that the legislation was about to change, the anchor chains towed between the bulldozers were going 24 hours a day to clear as much country as they could.

Obviously, since then there have been some very strict rules—and I acknowledge that—around native vegetation clearance and there are some very strict enforcement guidelines if people break the law, but I also want to acknowledge that many farmers have done a lot of plantings. They have also locked up areas for heritage that cannot be utilised for agriculture and they are set aside for native flora and fauna. I think it was in 1992 that my father and I planted six kilometres of trees on the property. Notwithstanding the current drought, they appear to be hanging on, but that is a bit of a recipe of living in the Mallee: things have to be tough to survive at any time, let alone the significant never before recorded drought in this state.

But what we need to be mindful of with the repercussions of this legislation is that the penalties are increased significantly for people who are found not to comply with certain parts of this legislation. Body corporate penalties can be a million dollars and for an individual the penalties can be \$500,000, so we need to make sure that everyone has a good idea of what is happening with this legislation, including what appears to be the right of officers to come onto your land to have an inspection at any time not only for grasses or scrubland or native plants but whether there are certain fungi present, etc. So it could see people turning up on your property for all of these activities.

I do not think this will just affect the broader farming landscape. I think it will affect people across the board because this does affect the Planning, Development and Infrastructure Act 2016. Some people think this is just something that will affect rural areas. Well, I do not think so. We have to have sensible tree regulation right across the board and not only sensible tree regulation in the light of planning decisions but in the light of safety decisions.

One thing I reflect on here is the safety of people during fire events, whether they be in an urban boundary, a semi-urban boundary or a rural living area, because they do impact everyone and that is where the populations are. Certainly, I am well aware of the fires that impact our lands in the broadacre areas. Obviously, we saw the massive fire that burnt half of Kangaroo Island 5½ years ago, which burnt out a massive part of the national parks over there, Flinders Chase, etc., and a lot of private land and that literally threatened Kingscote, which is essentially at the other end of Kangaroo Island.

I am frightened of more perverse outcomes in the management of fire safety and fire management in the broadacre regions. I will tell a couple of stories. I know I have told them here before, but I think they are significant in light of this. From my reading of this bill, for clearance of native vegetation to take place the chief officer of the Metropolitan Fire Service, the Country Fire Service or the State Emergency Service has to give written authority.

When you are in the heat of a fire, you have bulldozers already out there cutting breaks at great threat to the operators who are not on a fast-moving machine, and usually if it is that bad they have a fire truck up behind them to protect their safety. They are cutting breaks. You are out there

trying to control a situation, and it is obvious that some native vegetation, whether it is parkland or scrubland on a farming property, needs to be burnt back to get the desired outcome to extinguish the fire. Yet, people are either too scared to make that decision, because they are frightened of the weight of the law coming down on them, or they believe that they do not have the right to make that decision and do not think or do not believe that they are protected by legislation.

Then you have firefighters questioning the people from the Department for Environment about what they can do. You can end up with some very perverse outcomes—very perverse outcomes. We saw it over 20 years ago with a fire coming out of Ngarkat Conservation Park in the Mallee towards Lameroo. It was on a section of the Mallee Highway before you get to Lameroo, where it was going to come out. It was going to come out, they believed, at 90 km/h. People just wanted to do a back-burn to pull it up, and it would have pulled it up, just like that. They could just light a fire and it would have burnt into the country that it was going to burn anyway, which it did burn.

No, that did not happen. The fire break was decided to be the Mallee Highway, and that was not going to help much in a situation like this. Sure enough, the fire came out of the Ngarkat Conservation Park. It burnt many hundreds of acres of agricultural land, took out many fences and took out lots of wildlife, because there were exclusion fences, especially on one property which had put up very good exclusion fences against the park and, basically, kangaroos and emus. We lost a lot of country and a lot of farming land.

In relation to fighting a fire at Carcuma, out the back of Geranium and Tintinara, a few years ago now, we were out there with private units and alongside the CFS. The fire was burning in scrubland on a property. On the cleared land next to it, there were farmers with tandem disc ploughs ploughing firebreaks to protect that country, behind eight-wheeler tractors. That was all going in place. There was at least one bulldozer cutting firebreaks up one side. It was pretty obvious what needed to happen and that this fire was going to keep, as the wind changed, blowing in different directions in the scrub area up on the hill. It was going to keep going for days and days and days.

It was drawn to a fairly hasty conclusion, I think, because this was 23 December and there was a bit of discussion amongst the various people, including people from the Environment section. They said, 'Well, we will just stick it out and do what we can.' Some of us gave the helpful advice that, 'Well, it's Christmas Eve tomorrow. We are not going to be here tomorrow night.' The sensible decision was finally made to do a burn-back, and we pretty quickly managed the situation by doing what we needed to to control it.

That is just one of the concerns I have with this legislation in regard to real-time management of fires, where people will be too frightened to make appropriate decisions on the fireground, waiting for messages to come from above. I can assure you, as other people in this place on either side of the house can attest, having been involved in the CFS or with farming families with private farm units and have been at the fire face and seen the reality of what has happened or is happening, that real decisions need to be made in real time.

Even with the advances in technology and waiting for authorisation, whether it is written or verbal—and you have to be careful with verbal, because that could be challenged if someone decides that you did a terrible thing by doing a burn-back and you were not authorised—we have that to deal with and we will be asking questions about that in committee.

There also could be some perverse outcomes with the planting of native plants. The legislation is talking about native plants having been planted beyond 20 years—I am not sure how the powers that be are going to identify whether or not the plants are 20 years old; that is a better science than I know of—not being able to be cleared under this legislation, which is a significant change. With my father, I planted six kilometres of windbreak trees and shrubs to assist in the farming capability of my land and to try to protect it partly from wind damage.

We might have a perverse outcome here where people decide—and it might not be in the farming areas, it could be in the peri-urban or urban communities—to simply plant exotic plants, non-protected plants, so that people have protections if, for whatever reason down the track (and it might not be them, it might be a future occupier of the property) somebody wants to remove those plants, whether it is a few or many, to change operations on their property.

There are significant changes under this legislation that include a new general duty ensuring that all South Australians play a role in protecting biodiversity, with stronger native plant laws providing supposedly clearer regulations to safeguard native vegetation and tougher penalties to create stronger deterrence against environmental harm. It includes critical habitat protections by introducing a new process to identify and safeguard habitats vital for the survival of threatened species, and a new process for listing endangered species and threatened ecological communities, which aligns with other Australian jurisdictions and receives expert input from the scientific committee.

As I indicated, that will be one committee that will be formed. There will be four committees formed under this legislation. The first one will be the biodiversity council, which will set the policy direction for biodiversity protection and restoration in the state and provide the government with advice. The bill requires that, in appointing members to the biodiversity council, peak bodies are able to nominate qualified people to ensure that a strong mix of skills and relevant experiences are brought together to provide balanced advice to government.

There is a clearance assessment committee, which will review and assess land clearance proposals. The Aboriginal biodiversity committee will ensure that Aboriginal knowledge informs biodiversity management. A scientific committee will provide technical and ecological expertise. My understanding is all of these committees will need to do an annual report, prepared for the minister of the day and the government.

There are also three funds in regard to this bill, some of which have already been established. The Biodiversity Restoration Fund and the Biodiversity Conservation Fund are largely rolled over from the Native Vegetation Act and the National Parks and Wildlife Act. There is also a new fund to be established under this bill, called the Biodiversity Administration Fund, to provide better transparency and accountability in the expenditure of funds.

Certainly, we have had some feedback from people in the field in regard to this legislation, including Primary Producers South Australia; Dr John Wamsley OAM, a noted environmentalist; and the Australian Land Conservation Alliance. They have provided feedback directly to us. It is to be noted that the repeal of the Native Vegetation Act and inclusion into the Biodiversity Bill occurred between the discussion paper and the draft bill.

There are people from peak bodies concerned about the minister controlling membership of the committees. There are, as I talked about, the possible perverse outcomes involving native plants where people might sow exotic plants. It will be interesting to see how the regulations are rolled out in regard to the removal of native plants of a relevant kind. There were also issues raised by Primary Producers South Australia around the clearance and extra fence lines—four fence lines—and we will need to ask some questions about general duty in regard to this legislation.

I certainly understand what this legislation is looking to achieve with this bill, which is a large piece of legislation. It needs to be debated long and hard in this house so that all South Australians can see what the future looks like under this legislation.

Ms CLANCY (Elder) (11:41): I rise today in support of this bill, which seeks to establish South Australia's first ever biodiversity act. When people overseas think of Australia, more often than not they think of koalas and kangaroos, or our deserts or coastlines. The Sydney Opera House likely sneaks into the top five if we are doing a *Family Feud* situation, but beyond that, it is our natural environments that make us special and we have already lost so much.

More than 10 per cent of South Australia's native species are threatened with extinction and Australia has the highest mammal extinction rate in the world. While so many of us in our community are rightly concerned about the threats caused by climate change, we also need to look to the dangers we face if global biodiversity loss continues.

South Australians take pride in our state's nation-leading history of advocacy for the environment and sustainability, and we can all take pride in this bill which puts South Australia back at the forefront of the protection of nature. From the largest of animals to the smallest of little microorganisms, biodiversity encompasses all species and the way they interact together in the ecosystem.

Biodiversity protection is so vital to protecting the way species work together to maintain environmental balance and, ultimately, our way of life. The loss of this balance causing ecosystems to collapse is the second highest long-term risk facing the globe, second only to extreme weather events.

Protecting biodiversity is not a niche environmental issue; this is an economic issue that impacts all South Australians, with more than 80 per cent of our exports and over one-third of employment in our state depending on nature. These are industries like food, wine, tourism and agriculture, all of which would not survive without protected, healthy ecosystems.

From the bleeding-heart environmentalists like me, to the steak-loving or red wine enthusiasts—I am also one of those; I love red wine—we all rely on biodiversity loss being taken seriously. This bill will ensure that conservation outcomes are fully integrated into how we all live sustainably and prosper. We can and we must not only protect what we have left but begin to restore and put back what we have lost.

This bill seeks to establish a new framework for how we protect, restore and interact with biodiversity in South Australia, consolidating biodiversity considerations previously spread across several pieces of legislation. For example, it brings together the Native Vegetation Act and key biodiversity provisions from the National Parks and Wildlife Act, to ensure they work together to provide stronger, clearer protections for nature.

Our first biodiversity act will also provide for stronger native plant laws and critical habitat protections in establishing a new process for listing threatened species and threatened ecological communities. We are also introducing tougher penalties for a stronger deterrence against environmental harm.

First Nations South Australians have played a crucial role in caring for and living sustainably on country for tens of thousands of years and this bill not only acknowledges that role but respects and enshrines that role into law. Furthermore, this bill provides for a new general duty ensuring that every South Australian plays a role in protecting biodiversity.

In addition to the bill before us today, we will be developing a state biodiversity plan, a strategic roadmap to protect and restore biodiversity in South Australia. This plan will set a long-term vision for biodiversity protection, guiding investment in conservation to ensure that funding goes where it is needed most. With the support of the Biodiversity Restoration Fund, the Biodiversity Conservation Fund and the new Biodiversity Administration Fund, South Australians can rightfully expect better transparency and accountability of the expenditure of funds on preserving our natural environment.

The importance of biodiversity is being increasingly well understood right across the globe, but we are still learning how to protect and manage humanity's needs without causing further loss to ecosystems. To support the bill before us today, our state government, and those that follow, must continue to listen and follow best practices and advice to ensure that our children, and our children's children, inherit a thriving, sustainable environment.

This bill will be supported by four committees, each appointed on the basis of their skills and expertise. These include a biodiversity council, a clearance assessment committee, an Aboriginal biodiversity committee and a scientific committee.

In closing, Mr Speaker, I would like to thank our Deputy Premier and Minister for Climate, Environment and Water, and her team, for their leadership and commitment to tackling climate change and taking biodiversity protection and restoration seriously. Your leadership continues to build South Australia's legacy at the forefront of the protection of nature and you should all be incredibly proud of the legislation before us today. We are very fortunate to have a Deputy Premier and Minister for Environment who is so fiercely protective of what makes our state so special—our natural environment and all that lives within it.

Through this bill the Malinauskas Labor government is showing our commitment to three simple but important objectives: protect what is irreplaceable; repair what is damaged; and share the responsibility. I commend the bill to the house.

The SPEAKER (11:47): Before I call the member for Bragg, I would just like to add a few words to the member for Elder's contribution about our natural environment. I was fortunate enough last week to be up at William Creek with Trevor Wright, who owns the pub there and about 23 aircraft. For anyone who gets the opportunity to get out and see Lake Eyre in flood this year, it is a tremendous experience. I get up to the outback at least once a year and I have never seen it looking so good, and it will be like that through to October or November. So if you get the chance, please do get up there. Thanks for the indulgence, member for Bragg, you have the call.

Mr BATTY (Bragg) (11:48): Thank you, Mr Speaker. I rise to make a contribution on the Biodiversity Bill 2025. In his 2020 book *A Life on Our Planet*, David Attenborough described the spiralling decline of biodiversity as the 'true tragedy of our time'. He said:

For life to truly thrive on this planet, there must be immense biodiversity. Only when billions of different individual organisms make the most of every resource and opportunity they encounter, and millions of species lead lives that interlock so that they sustain each other, can the planet run efficiently. The greater the biodiversity, the more secure will be all life on Earth, including ourselves. Yet the way we humans are now living on Earth is sending biodiversity into a decline.

Our country is home to around 600,000 native species, which, sadly, are not immune from that decline. Many of these are found nowhere else in the world, and our state is home to many of these species. Indeed, according to the latest South Australian State of the Environment Report, more than 1,100 species of flora and fauna are listed as being at increased risk of extinction, with 41.6 per cent of our native flora species and 44.1 per cent of our native fauna species declining. This is getting worse, not better.

The imperative to act is clear. There are three reasons, therefore, why I see a biodiversity bill as important. Firstly, and most importantly, a biodiversity bill can deliver environmental benefits. We owe it to our generation and those who will follow to promote biodiversity conservation and restoration and arrest these concerning trends. At its core, a biodiversity bill aims to prevent extinctions and stop biodiversity loss. These are worthy pursuits.

Strengthened protections, including a general duty to prevent harm to biodiversity, stronger native plant laws, tougher penalties, new critical habitat protections and a nationally aligned process for listing threatened species will be beneficial, as will provisions to facilitate increased restoration found in the bill, including the development of a state biodiversity plan and, importantly, mechanisms for recognising and incentivising private land conservation and restoration.

Secondly, I often view environmental issues with an economic lens. Loss of biodiversity is not just an environmental issue but also an economic issue. Over 80 per cent of our exports—whether it be our food, our wine or our tourism—depend on nature. I have spent years working at the Australian High Commission in the United Kingdom and have seen firsthand that our major trading partners are increasingly linking environmental standards to trade and investment. This is a huge opportunity for South Australia, but only if we keep up with the green economy.

Biodiversity is also a market in itself, and this bill will introduce a framework for creating new types of conservation agreements that I hope in future can adapt to emerging conservation finance models, such as nature markets. The proposed biodiversity register in this bill will record our state's green credentials and highlight high-value biodiversity areas, which will support nature markets and philanthropy and restoration projects. We should be more ambitious in our approach to nature markets, and my hope is that this bill is only the beginning of what we can achieve in this space.

Thirdly, a biodiversity bill aligns with my values and, in my view, with Liberal Party values. I said in a press conference the day after my election that people in Bragg should know that if they care about the environment they can still vote Liberal. I said in my maiden speech that we must constantly be relating enduring Liberal values to the challenges of today, or in this case, to use David Attenborough's words, to the tragedy of our time. So, as a Liberal, I believe in preserving Australia's natural beauty and the environment for future generations.

I am proud of the previous Liberal government's work in taking practical action to protect biodiversity, whether it was our record expansion of national parks, including Cleland in my own electorate that protects habitat; the Greener Neighbourhoods program, delivering thousands of trees

and boosting biodiversity in our city and suburbs; or innovative work with shellfish reefs and seagrass restoration.

I am proud of my own work to protect and preserve the environment, including as shadow assistant environment minister for most of this parliament. In 2021, I was a member of the Australian delegation to the Glasgow COP conference where, for the first time, our country signed up to net zero by 2050. In 2022, I led a campaign to save Park 21 West in the Adelaide Parklands after a proposal from the Malinauskas government that would almost certainly fall foul of the general duty proposed by this bill. The parcel of Parklands saved was the most biodiverse remnant vegetation in the Adelaide Parklands, filled with rare wildflowers and sanctuary to many varied species of birds, reptiles, insects and other fauna.

I get my hands dirty with practical local projects regularly, whether it be planting trees with Friends of Cleland National Park, Clean Up Australia Day at Hazelwood Park, or promoting important recycling projects with some of our youngest residents at Rose Park Community Childcare, as well as some of our eldest residents at Pineview Retirement Village. These small projects can make a big difference.

The Biodiversity Bill has been three years in the making. I have had the opportunity to consult with a number of peak bodies on the bill over the last three years, and I thank in particular the Australian Land Conservation Alliance, Trees For Life and the Conservation Council for their considered input.

In my view, and in the view of many stakeholders, this bill is far from perfect. Many are disappointed that the bill represents an evolution rather than a revolution. Under mostly Labor governments' stewardship over the last two decades, biodiversity has continued to decline in South Australia. If the objects of this act were serious, they would include an object to halt and reverse the decline of South Australian biodiversity to align with national and global commitments to nature. With COP31 likely to come to Adelaide next year, and with the land sector being the only sector that is a carbon sink and with native vegetation being the most effective way to sequester carbon, there is a huge opportunity to attract private investment in South Australian nature.

So what has the government done to drive investment in nature protection and restoration? How will this bill actually help the private sector to invest in nature? Public protected areas for conservation, such as national parks and conservation parks, are important tools to conserve our nature. However, they are notoriously under-resourced by government and, as a result, are often the source of invasive species, such as weeds or ferals, for the surrounding communities. How will this bill help to address these issues?

Many stakeholders have also raised particular concerns about the final drafting of the bill, including the fact the minister is granted extraordinary power under the bill rather than any of the independent committees established by the bill. For example, many in the environment sector welcome the modernising of South Australia's threatened species listings process to broadly match the common assessment method as used elsewhere across Australia. But some have recommended that the scientific committee should be making threatened species listings decisions as a matter of scientific fact rather than as a matter of ministerial discretion, as is currently the case in the bill.

It has also been suggested that the power to set the SEB policy, including the formula and the SEB credit policy, are price-setting instruments that should be in the hands of the semi-independent Biodiversity Council rather than the minister. This is the current policy setting with the Native Vegetation Council. The map of the regulated clearance area is currently contained in the Native Vegetation Act, whereas in this bill concerns have been raised that the minister will determine this via a deposited plan. This is a dramatic step backwards and sets itself up to be prone to interference from vested interests rather than the public interest.

The power of the minister to appoint someone in lieu of choosing the nominees put forward by the LGA, the Conservation Council, SACOME and PPSA has been described by some as a breach of the good faith understanding those organisations had with the government as to how the Native Vegetation Act nomination process was going to be reinstated in this final bill.

It is a shame that the government seeks to ram 176 pages and 184 clauses of this bill through the house this week, notwithstanding a three-year wait before they got around to introducing it. I hope that at least some of these concerns and many others that have been raised can be explored during this debate, and indeed between the houses, because it seems the final drafting of this bill pleases no-one. Nevertheless, the intent of the bill is a start at better protecting biodiversity in South Australia, and we must start.

The Hon. Z.L. BETTISON (Ramsay—Minister for Tourism, Minister for Multicultural Affairs) (11:57): I rise today to speak on the Biodiversity Bill and share my support, especially in my role as Minister for Tourism, as this bill protects and enhances South Australia as a destination for nature and wildlife. You have already heard how this bill repeals the Native Vegetation Act and parts of the National Parks and Wildlife Act and how it ensures that conservation outcomes are fully integrated into how we all live sustainably and prosper for the long term.

One of my election commitments for tourism at the last election was the establishment of the South Australian Aboriginal Tourism Operators Council (SAATOC), and it was through the support of the Tourism Industry Council of South Australia (TiCSA) that we have been able to establish this council. SAATOC, as it is known, was established recognising that traditional knowledge and stories should be shared by the traditional owners, and this bill further strengthens that recognition by enshrining Aboriginal South Australians in the management of land and knowledge ecosystems.

I have made a lot of announcements recently about our increased aviation connectivity, particularly the historical announcement about United Airlines flying directly from San Francisco to Adelaide. We have also seen the reinstatement of Cathay Pacific and China Southern, and of course Emirates is back to flying daily as well. When we talk about these connections, we actually know that our nature and wildlife is what international tourists are really keen to see. Of course, they love our food and wine, but what they talk about the most is nature and wildlife.

The statistics tell us that more than 70 per cent of international travellers are keen to have an authentic Aboriginal experience when they are here, but actually only 20 per cent achieve that. We know that there is a gap in connecting to nature and wildlife, but particularly in regard to our First Nations stories and the importance of their stories in connection to the land, so there is still some work to be done there.

I would like to recognise the work of Haydyn Bromley, Mark Koolmatrie and the team that is there. We are inspired by WAITOC, which is the Western Australian Indigenous Tourism Operators Council, which has seen enormous growth of operators over 20 years. We are just at the start; we look forward to that growing.

Recently, the South Australian Tourism Commission launched our new marketing campaign and brand platform, Celebrate the Simple Pleasures. When we were developing our brand, access to nature and wildlife was a key brand pillar. Our access to diverse ecosystems, both from and within our capital city, is something we often take for granted. I hear time and time again when we are doing international events or people are here for conferences and conventions how easy it is to access nature in South Australia. I could put it to you, as a very parochial South Australian tourism minister, that you do not have to go to any other state—you can just come to South Australia as an international traveller and experience all the best of what you want to see in Australia when you are here.

We know that visitors to our state are in disbelief at how we locals wander through our 'city in a park' with our abundant birdlife—and a few bats as well, of course—seemingly unaware of how unusual it is to have this sort of biodiversity on our doorstep, let alone our metropolitan beaches only a short distance from the CBD where bottlenose dolphins, eagle rays and spotted Port Jackson sharks are regular visitors.

One of the key aspects of this is the accessibility and how in a very short time, just later in the same day, a visitor could hike through the Morialta Conservation Park, where kangaroos and koalas have views of the city skyline. One of the things that we have, which we probably do not even realise is such a great asset in South Australia, is how easily we are connected to nature and that you can drive there in a very short period of time.

The Deputy Premier has described that biodiversity is the foundation of life. Humans are not separate from the environment; we are part of it. Biodiversity is an asset, if for no other reason—and there are many—than our biodiversity is a tourism drawcard. We know more and more that tourists are choosing destinations for their access to nature, wildlife and the biodiversity that we have in abundance. But as this bill goes to, and the importance of the bill is, we must protect it.

For the last few thousand years we have been focused on growth and industry development, often with an impact on nature and animals. Now we have seen what that damage has done and we acknowledge that biodiversity enables us to live together collectively and grow together, but we must value it. I think we have valued industrial and economic growth above nature for many hundreds of years and we have been the beneficiaries of that in the way we live and the opportunities that have been presented to us in a western environment. But now we are recognising the work that has to happen and how important it is. We cannot be here without biodiversity around us.

The Deputy Premier, along with my colleagues, already outlined how the loss of biodiversity is not only an environmental issue but an economic risk and, as we know, it is such a key driver for international tourism. We have the opportunity to be a leader in this space. South Australia has already led the way on climate action, committing to net zero emissions by 2050. This commitment, as well as our use of renewable energy, has been a significant contributor when attracting global conventions and conferences. It is also something we are aware of when talking to airlines and attracting international tourist investment.

This is a great story to be shared. It has not happened overnight; it has been two decades of a focus around renewable energies. This bill adds to that conversation and adds weight to us leading in this space. We can capitalise on becoming a nature-positive destination by taking two key actions: protecting and strengthening what we have and restoring what we have lost.

There are many examples of key tourism drawcards in our state that rely on biodiversity and a strong ecosystem. We are always looking for that winter activation, which is notoriously a quiet time for us. The cuttlefish congregation in Whyalla is absolutely stunning and only available in that winter months period. So that has been a great drawcard.

There is Seal Bay of course, on Kangaroo Island, one of the most sought after activities for Australian, South Australian and international tourists. We also see the wonderful miracle of birdlife returning to Lake Eyre to nest and the desert wildflowers blooming in the Sturt Stony Desert. We know, of course, people have been attracted to connecting with nature, including with the great white sharks off the coast of Port Lincoln.

These attractions and the industry connected to them rely on a healthy environment. They rely on the balance and the recognition that we have to be grateful to have this access. Nature and wildlife tourism is not only about specific drawcard attractions; it is also about the simple pleasures and ease of access to a diversity of environments, from coastlines to forest to scrubland to desert, to the river and our lakes, and, of course, to our beaches and sea. This is what attracts people when they come to South Australia.

Many of us would have heard terms like 'ecotourism' and 'sustainable tourism'. There is a new frontier emerging in this space called regenerative tourism, where sustainable tourism encompasses practices that promote sustainability within the tourism sector. It is defined as tourism that fully considers its current and future economic, social and environmental impacts while addressing the needs of visitors, industry, the environment and host communities. Regenerative tourism is for travellers seeking experiences that can reconnect them with nature and enable them to have authentic engagement with local people and experience the culture and the special qualities of local places.

We know that particularly younger generations are very interested in regenerative tourism. We often call it tourism for good. We are just at the start of exploring what this looks like, but we believe that South Australia could be a true leader in this space. By committing to this bill and enshrining biodiversity considerations into our agencies across government we can step forward as leaders in this space as part of our role as leaders in the green economy.

I thank the Deputy Premier in her role as Minister for Environment for her leadership. It is not leadership in the short term; it is leadership in the long term. Our Deputy Premier has talked about what we need to do to have that balance and to restore for many decades, and I thank her for her leadership.

I look forward to the ways that our tourism industry can fully strengthen our destination pillars of nature and wildlife. Most importantly, I look forward to us going forward to be a global leader in this space. The Biodiversity Bill that we are debating today gives a lot of support for that to become true and for that opportunity to be realised.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (12:07): I rise to address the Biodiversity Bill 2025. I say that because here we are legislating, and in circumstances where there is a government election commitment to legislate in a rolled up way for the integrity of biodiversity in the state—and the government will tell us this is fulfilling that election commitment. It should therefore be addressed with some seriousness in terms of the legislative process, well and truly beyond the title and subject and some of the broader—if I might say so, without being too terribly pejorative—grandiose aspects of context of what we are debating here. This is a matter of legislating and the quality of provision of legislation.

It is not lost on me as well that the government has seen fit to progress this bill in the week that we will celebrate—on Thursday—World Environment Day. So we focus on what biodiversity means, what protecting the environment means and what legislating in this space is likely to do in the interests of not only South Australians but the whole country and the rest of the world.

Korea is going to host World Environment Day on Thursday, and it has a particular focus on the fight against plastic pollution, and so we know that we are going to hear a lot about the pollution of plastics, particularly on Thursday. I expect that might be the case during the week. Just to place that in some context, have a look at what we have done in this state over recent years.

I am very glad that this government has taken up and continued on the practical work that was done by the former Liberal government in saying, 'Alright, we have a plastics pollution problem. What are we going to do? We are going to identify the causes of the worst of plastic pollution and we will introduce bans'—and that is exactly what we did, and you saw single-use plastics commenced to be banned on a scheduled basis. That is, once market and community and all the various necessary systems to avoid major disruption were in place, it could be added to as we went along. It is practical action that can reduce plastic pollution.

We will hear more about that during the week. World Environment Day is coming up later in the week and that particular focus. I say all that because here we are legislating for this overarching addressing of biodiversity. The Deputy Premier, in introducing the bill and commencing the second reading debate a couple of weeks ago—and others who have contributed on the government side—have talked about the objective of the bill to do a certain amount of restoration and a certain amount of protection, and to, in a more coherent way (I think it is fair to characterise the objective) ensure the strength of biodiversity in our state.

I say all this as the member for Heysen in the Adelaide Hills, right smack bang in one of the 15 commonwealth biodiversity hotspots and therefore I am hugely conscious of the fact that this is my local backyard and this is my community, and protecting biodiversity is hugely important. Indeed, with all humility, because I do not claim any particular outstanding achievement, I have co-chaired the Parliamentary Friends of Landcare since I was here on day one. I was also fortunate, and very much enjoyed, a period of years as the Chair of one of our parliament's standing committees, the Natural Resources Committee, and enjoyed some years on that committee together with the Deputy Premier. That committee gave members an opportunity to get deeply involved in all kinds of aspects of biodiversity, as well as natural resource challenges and opportunities across the state.

I am very conscious of the environmental challenge and opportunity that we see very much in my own backyard in the Hills. As is well known, in a day-to-day way, I also bring the perspective of my family background in farming, both locally and interstate. It is very dear to me the care and responsibility of those who live and work on the land and derive their living from the land—whether that be in the pastoral country, in the productive agricultural areas of the state, and all areas in

between—and just how much of a central and vital role they play, and need to continue to play, in ensuring that we have a thriving biodiversity in the state.

With all of that in mind, I want to focus my second reading contribution on what I think is work that is needing to be done in relation to the treatment of fungi in the bill. It is a good illustration—among perhaps others we will hear in the course of the second reading debate and as the bill is unpacked in committee—of a test of just how effective the bill is in taking a step towards improvement; improvement in knowledge and practice, and the capacity of individuals who are engaged and who are expert, to do things to ensure that we see biodiversity improvements.

If we look first to the bill as it is presented to the parliament, the first point of contention and concern for those in the community working on fungi and its importance in biodiversity is that the bill is concerned primarily with defining, first, plants and then native plants, and then native plants of a certain kind. We see a lot of flowing out in the context of the bill around that structure of definition.

Plants are defined in clause 3 to include fungi. It also includes, curiously, algae, as well as flowers, seeds, and parts of plants, perhaps less controversially. Key there, therefore, in the structure of the bill, is the incorporation of fungi in the definition of plants.

I turn then to clause 8 of the bill where we see—after clause 7, that sets out objects—that clause 8 sets out the principles that the bill endeavours to give effect to. At paragraph (b) one of those principles is stated as follows:

- (b) that the community has a right to know about and participate in environmental decision-making;

I just put decision-making somewhat in the middle ground for the moment, but 'community has a right to know about and participate in' this environmental work. That is in the context of objectives and principles around working towards an improvement in the state of biodiversity.

What I think is a cause for concern, led by those who are most actively engaged in relation to fungi, is that we then have a wrapped-up definition in which fungi—which might reasonably be described as being fundamental to the maintenance and resilience of biodiversity—is not separately provided for as it presently stands. I understand the department is conscious of this and, in the course of engaging with stakeholders, has had the opportunity to hear the reasons why it is not appropriate to wrap up fungi in that definition of plants and why it is necessary to deal with it separately.

That has not occurred, and it then leads to the concern that—if we are really talking about biodiversity, and we are really talking about the fulfilment of an election commitment, and we are doing it in the context of the recognition of World Environment Day, and we want to be able to say that we know what we are talking about on biodiversity in South Australia—we are not getting to grips with the role of fungi. Then one has to say, 'Hang on, is this more of a wrap-up of existing legislation and a zeroing in on a kind of command-and-control approach to, essentially, tree cutting, or is it really getting to grips with what is going on in terms of the constituent parts?'

I note clause 42 of the bill dealing with regulated acts and activities. It is the clause that, as I said earlier, deals with the structure of definition, including the regulation of the clearance of native plants and including native plants of a relevant kind and native plants of prescribed species. I draw attention to this clause because clause 42(2) refers us to the general category of carve-outs that we then find in schedule 2 of the bill.

There is quite a wide range of those carve-outs, but I will just refer to where fungi gets a mention at division 9 of schedule 2, under the heading 'Miscellaneous'. We see in division 9 of schedule 2, at clause 25 of that schedule, a reference to fungi and algae which provides that 'Clearance or taking of fungi or algae, other than fungi...of a prescribed species' is carved out from that regulation at clause 42, which clause would otherwise regulate its clearance.

Other than a prescribed species, I say that we know that there are about 12,000 species of fungi that are important, locally recognised and required in order to, firstly, better understand what is going on on the biodiversity front and, secondly, maintain biodiversity. The Department for Environment and Water highlights to us at least 10 of those, and yet, the way that this bill is structured and what we are told on the face of it, (1) fungi are included in plants and (2) there is a general carve-out for dealing with fungi, and the only proviso to that is the fungi that might be prescribed.

So it is in those circumstances that it is not surprising that those who are most focused on fungi—and, dare I say, among their number are those most focused on what biodiversity in this state looks like—are concerned about this bill progressing in its present form, absent such proper treatment.

Now my chance to celebrate someone who I hold in particular regard in the Hills: my neighbour. Again, I do not regard myself as a collaborator—she is the expert—but Dr Jasmin Packer is well known in fungi circles and is leading the way at the University of Adelaide in this area. Jasmin is also well known to the member for Waite and has drawn both of our attentions to this matter.

I have been in communication, if not collaboration, with Jasmin for the whole period of my time as member for Heysen, and if I was to look to somebody as an exemplar of what commitment to biodiversity in the Hills looks like, I would be first wanting to seek Jasmin's view, as I am sure would many others. Jasmin has been at the forefront of the project called Fungimap, which would be well known to many in this place, and Jasmin will point as well to the leading work of Tom May, including his work at the Royal Botanic Gardens Victoria. They are just two.

I highlight Jasmin because she is here in Adelaide and she is also in the Hills, but she is part of a group of researchers and volunteers who are leading the way to highlight the central role of fungi in biodiversity in South Australia. I think it is fair to say that Dr Packer's point and Dr May's point, among others, will boil down to a starting point that says, 'It is great to talk about biodiversity, and protecting and enhancing biodiversity in the state is a good idea, but you are not going to be getting over the starting line unless and until you are actually identifying the important difference between fungi on the one hand and plants on the other.' There will be a lot more to say about that, I am sure, in committee.

S.E. ANDREWS (Gibson) (12:27): I rise to speak in support of the Biodiversity Bill. With the introduction of South Australia's first ever Biodiversity Bill, we are taking this necessary move to protect what makes this state so extraordinary: our nature. We are doing this because the stakes could not be higher. We are living through a global biodiversity crisis.

The World Wildlife Fund's 2024 Living Planet Report shows a devastating 73 per cent decline in global populations of mammals, birds, reptiles, fish and amphibians since 1970, and the World Economic Forum's Global Risks Report 2025 ranks biodiversity loss and ecosystem collapse as the second highest long-term threat to our planet, second only to extreme weather.

Here in Australia, the crisis is even more acute. We have the highest mammal extinction rate in the world, and in South Australia alone we have lost an estimated 73 native species since European settlement. But this is not an environmental issue alone. It is an economic risk. Over 80 per cent of our exports and more than a third of South Australia's jobs depend on nature, from agriculture and food production to tourism and wine. If we do not act, not only do we risk our environment but we risk falling behind. Our major trading partners are setting ambitious biodiversity standards. Investment and trade are increasingly tied to sustainability. Failing to act means falling behind in the global green economy. That is why we need this bill and why it matters to everyone.

This bill does not just patch up the old system, it consolidates and strengthens it. It brings together key parts of the Native Vegetation Act and the National Parks and Wildlife Act creating a single, modern framework that finally gives biodiversity the attention it deserves. It includes significant improvements, including:

- a general duty to protect biodiversity so all South Australians play a role, not just government;
- stronger native vegetation laws with clearer protections;
- tougher penalties: up to \$500,000 for businesses that cause serious harm;
- a new process to identify and protect critical habitat—the places that threatened species cannot survive without, and;
- a scientific, transparent process for listing threatened species and ecological communities, aligning us with national standards and backed by expert advice.

But this is not just about laws, it is about having a plan. The bill establishes a state biodiversity plan: a strategic road map that will guide us over the long term. It will set the vision for biodiversity restoration, define indicators to measure our progress, guide conservation investments so we are spending where it matters most, use advanced tools like spatial mapping to direct efforts regionally, align with national and international biodiversity goals and give clarity to developers, planners and landowners by setting clear priorities for development and restoration.

The bill also introduces biodiversity policies—practical guides to help individuals, businesses and communities understand how to meet their responsibilities. These policies will be developed with the community through consultation, ensuring transparency and shared ownership. Importantly, this bill also acknowledges and respects the leadership of Aboriginal South Australians whose care for country spans tens of thousands of years. It recognises their unique role in conserving and sustainably managing the land, and commits to embedding that wisdom in our shared path forward.

So what does this mean for South Australians? If you are living along the coast, this bill gives us stronger tools to protect our homes, ecosystems and livelihoods from the impacts of climate change; if you are watching our cities grow faster than our green spaces, it means smarter, science-based planning that keeps nature in our suburbs and backyards; if you are on the land facing drought and water stress, it means restoring healthy ecosystems that strengthen your farm's future; and if you are young South Australian demanding action on the climate and nature crises, it means real systemic change backed by law, science and vision—because biodiversity is not a luxury, it is the foundation of everything we depend on.

This bill is about creating a South Australia where people and nature thrive together, where our economy grows sustainably, where our cities remain liveable, where our coastal and regional communities are resilient and where future generations inherit not just clean air and water but a rich, living, diverse, natural world. I commend this bill to the house.

Mr TELFER (Flinders) (12:33): I rise to speak on this bill and I do so with a number of concerns about what this means for people, especially people in regional South Australia. I understand and respect the rhetoric that is coming from the government, and the pre-prepared speeches that are talking about the importance, absolutely, of the proper management of our natural environment is well understood across our state, but the best understanding of that comes from the people who are actually living within regional South Australia in particular and those who are responsible for managing significant swathes of that natural environment.

There is no doubt that we need to protect our natural environment, and farmers and landowners have been the ones who have been at the forefront of that and know this better than anyone else. They certainly know it better than decision-makers or bureaucracy within Adelaide because, at the moment, we have a *Yes Minister*-style scenario: 'Here's a problem, there is something that needs to be done about the problem, this is something, so this is the thing that needs to be done.'

This is 175 pages of real concern for me about the long-term impacts on people just going about their lives and their businesses within South Australia. It seems the circular aspect of this piece of legislation is counterproductive and concerning with what the ramifications are going to mean for people within my electorate and within other aspects of regional South Australia. It starts with the definitions that are put in. It is intriguing to try to unpack a bit the definitions around what a native animal is and the definitions around, firstly, what a native plant is:

- (a) a native plant that is indigenous to the State; or
- (b) a native plant that is not indigenous to the State that comprises a regulated tree; or
- (c) a native plant of a class brought within the ambit of this definition by the regulations;

But then we follow on to the other part of the definition within this preliminary part of the bill, which speaks about the fact that a plant includes:

- (a) fungi; and
- (b) algae; and
- (c) flowers, seeds or any other part of a plant;

I have spoken in this place about my concerns about the onerous nature of the existing Native Vegetation Act. Indeed, we are currently debating changes to the Native Vegetation Act in this place. I am on my feet speaking, as far as process goes, on my concerns about the existing Native Vegetation Act and what it means for those who are living in regional South Australia that the act actually affects.

It is all well and good for there to be big speeches made about the importance of proper management and how important it is that we get the balance right, as I have heard spoken about already in the course of this debate, but in reality the people actually impacted are not the people within the metropolitan area of Adelaide: they are the people further out who are having to deal with some of the onerous nature of what I see put forward within this Biodiversity Bill. It is unique because, in the short time that we have had this bill, I have spoken to stakeholders, landowners, industry groups, conservation groups, the whole range of stakeholders, and I have not had one say to me that they think it is a good bill.

There are concerns across the board with, firstly, what powers have been given to the minister within this piece of legislation and, secondly, what it means for landowners and landowners' rights. Throughout the 175 pages, there are concerns about what the reality of the situation is going to be under this act. Let us have a look a little bit at some of the powers that have been given to the authorised officers within this bill in clause 102. There are two pages here of powers that are being given to authorised officers under this bill.

We already know about the structure that has been put in, as I have spoken about, with the definitions of a native plant. It is not just a tree or a significant bush that we might have discussed previously in the Native Vegetation Act but it includes fungi, algae and seed pods. I would struggle to find a piece of land anywhere in South Australia, certainly within regional South Australia, that does not have fungi, algae or seed pods. Under the definition, that is what a plant is in this bill. The powers of the authorised officers are actually really concerning. Firstly:

An authorised officer may, as may reasonably be required in connection with the administration, operation or enforcement of this Act, at any reasonable time—

(a) enter and inspect any place...

They may enter and inspect any place, any piece of property within the state, as reasonably required in connection with the administration, operation or enforcement of this act. This is a massive step. This is a massive step in the capacity of an authorised officer. We do not know who that authorised officer might be. It might be a landscape board officer or a staff member of the EPA or of PIRSA, whoever it might be. They have been given authorisation from the minister to enter and inspect any place and:

(b) enter and inspect any vehicle and for that purpose require a vehicle to stop, or to be presented for inspection at a place and time specified by the authorised officer, and board any vessel or craft...

These are powers that are over and above even what our police force have been given. These are powers 'as may reasonably be required in connection with the administration, operation or enforcement of this Act' to do with a biodiverse South Australia. That includes native vegetation. That includes plants, which includes the whole gamut of plants—all native fungi, all native algae. I am sure there are native fungi and algae that have not even been defined in South Australia that are native or could be considered native to South Australia. The broad nature of the powers that have been given in this bill should ring alarm bells for South Australians in general.

Once again, I get the motivation behind putting together a biodiversity bill and what that means as far as signals to South Australia and the world about how important we see the biodiversity of South Australia and Australia. Speakers before me talked about kangaroos and koalas and all the rest of it. That is all well and good, but what this actually means for South Australians and their landowner rights should be of real concern. The powers of authorised officers, which goes over two different pages, about which I will have a number of questions, as I am sure we all should and will throughout the committee process, are significant. I do not think there is a full understanding within the community, within stakeholder groups, of what those impacts are going to be in the long term.

It is fine to set up legislation with the mind of a minister—and those opposite have been speaking glowingly of the minister who is in charge of this bill—but we as lawmakers should not be

setting up legislation for the judgement of one minister who is in place at this point in time. We should be putting legislation together which actually is appropriate for South Australians, no matter who the minister with the responsibility and authority is, because the powers that have been given to the minister within this legislation could well be abused. They could well be abused on either end. It could be abused in a way which is detrimental. It could be abused in a way which is actually impactful on, as I said, landowners' rights and the potential for what the future economic opportunities for South Australia could be.

It was only last sitting week that we were finalising some of the discussions around the State Development Coordination and Facilitation Bill. The discussion and debate which we had at the time was around the responsibility of government with regard to coming onto people's private property. The changes and alterations which were accepted by the government, which I certainly appreciated, recognised that indeed there is an extra responsibility for government and what that means for the potential damage to private property. They did not go as far as I was hoping, but at least there was a little bit of recognition that indeed there is a responsibility.

If the Treasurer was 'good cop' when it came to landowner rights, unfortunately the minister here seems to be 'bad cop', because this is an over and above, onerous authority which has been given to authorised officers. As I said, that list of powers across the two pages is pretty significant. It includes, obviously, not just coming onto land but taking photos, taking private property. It includes requirements for people in their interactions with these authorised officers. Whoever these authorised officers are, only time will tell.

What my concerns about this bill continue to be are what the impacts are going to be in regional South Australia. That is where the vast majority of our native vegetation and our native flora and fauna are. The reason regional South Australians love to live in regional South Australia is to be a part of the natural environment, to experience it every single day and to not be caught up in the hubbub of this crazy city that I have to come to way too often.

We have to always get that balance of management right in regional South Australia. That also includes the opportunity for residential township growth within the regions. For a long time, I have been a supporter of putting changes in place to take away the onerous nature of native vegetation restrictions on township areas in particular.

Within the existing legislation—and it is only exacerbated within the legislation we are debating at the moment—is actually a disincentive for residential expansion of our regional centres. Why should there be within the township boundaries of a regional city or town an additional cost and obligation put onto anyone who is wanting to expand that regional town, whether that is for residential, economic, industrial or commercial growth? Those restrictions are not in place within metropolitan Adelaide, but they are within our regional centres. It is counterproductive and it is only exacerbating the challenges that have been faced at the moment in the constant debate we have about urban sprawl versus urban infill.

We have more hurdles in place for regional centres that are absolutely unnecessary. What is the advantage as far as biodiversity goes and also when it comes to some of the native vegetation management more generally? I have certainly heard from local government, not just in response to this bill but in the years that I have been in the role of shadow local government minister, their concerns with the existing restrictions on roadside vegetation management capacity because at the moment the restrictions are onerous, costly and unachievable, let alone with additional obligations that are baked into this biodiversity bill.

I am hearing from regional councils that are having to spend tens of thousands of dollars to go through an application process with the department for native vegetation clearance underneath an existing borrow pit—a rubble pit—for road construction or, if they are looking to open up a new rubble pit to provide a safe roadway for their community, the tens of thousands of dollars they are having to expend to go through a bureaucratic process that achieves no positive outcome for native vegetation or biodiversity. All it does is help fund the ever-increasing bureaucratic load that we have in this state.

That is becoming an actual barrier to councils being able to deliver safe roadways in an affordable way. If we have worse outcomes when it comes to road safety, for instance, or productivity

for those agricultural businesses that are having to deal with a lesser quality road because of the green tape and cost that is in existing and proposed legislation, what are we doing as decision-makers? We are trying to pat ourselves on the back for positive outcomes in one area, but we are costing those communities in the long term—gee, even in the short and medium term.

Concerns with this bill as proposed, especially when it comes to emergency management and bushfire management, have already been spoken about a bit and I share those concerns because with an ever-increasing risk of bushfire within our regional centres, anything that adds to a fuel load certainly would concern a local member of parliament, especially those of us who have unfortunately had to deal with bushfires in our area throughout history but also in recent times.

For there to be an extra obligation put onto the decisions that are made in literally the heat of the moment around how to deal with an increasing risk of bushfire, both in preparedness and in response, when we are adding extra obligation to that process, extra levels of bureaucracy in the decision-making, I think that is something that quite rightly should concern not just regional South Australia but the whole state because we know the financial and social impacts that these emergency situations—these fires—will have and have had in the past.

As has already been spoken about, we recognise absolutely that we need to be wise and conscientious environmental managers—absolutely. As I said, you will not find people who are more passionate about a long-term sustainable environment than the people within my electorate, because we are living in it. We have lived in it for generations and we will continue to live in it for generations. However, we should not be putting obligations in place. We should not be putting in hurdles that we know will trip people up. We should not be putting laws in place that people, all too readily, will inadvertently be breaking. We should not be putting that level of obligation onto our communities. We need to get the balance right.

There are 175 pages of this legislation; it could knock someone out if you had a swing with it. If we were to put this in place at the moment, the detrimental effect that it would have, in regional communities in particular, should not be underestimated. I hope there is a mind to adjustment and amendment, not just in this place but between the houses perhaps or in the upper house, to make sure that we get the balance right when it comes to encouraging and ensuring the future biodiversity of our state, and also when it comes to the liveability for South Australians and the capacity for South Australians to have productive businesses and for farmers to be able to continue to provide the food and fibre for our community and not have that extra obligation at the moment.

I hear countless times from people in my community with concerns about the way that they are effectively managing their landholdings and being restricted and constricted by the existing legislation. If we are introducing further hurdles, I think I would be doing a disservice to my electorate, to the individuals, businesses and constituents within my area, if I, as the member for Flinders, was not on my feet voicing those concerns about what impacts are going to be felt and what risks there are with the extra obligations and powers that have been given to those people who are charged with ensuring the administration, operation or enforcement of this act.

That is where the rubber really hits the road: the impacts on what it means for South Australians and the risk factors for them of additional cost. Some of the penalties within this bill are significant—absolutely. Some of the penalties are significant, and I worry people could inadvertently be breaking the law when it comes to this piece of legislation that we are considering. I look forward to the committee stage to try to unpack it and get some reassurance, perhaps, from the minister.

Mr DIGHTON (Black) (12:53): I rise to speak on the Biodiversity Bill. The Malinauskas Labor government made an election commitment to introduce South Australia's first ever biodiversity bill, and this bill delivers on that commitment. Why is biodiversity important? Environments and ecosystems that are more diverse are more balanced and better able to recover from natural disasters, climate change or disease outbreaks. We know that each species within an ecosystem plays a role in supporting that ecosystem and so removing that impacts on its health.

I note that the World Wildlife Fund's 2024 Living Planet Report found on average a 73 per cent decline in global populations of mammals, fish, birds, reptiles and amphibians since 1970. Biodiversity supports food security, medicine supply and a wide range of important businesses in our economy, including agriculture, fisheries, forestry and tourism.

I also note that the World Economic Forum Global Risks Report 2025 identified biodiversity loss and ecosystem collapse as the second highest long-term risk facing the globe, second only to extreme weather events. The importance of biodiversity also extends to other parts of our environment, including helping to manage pollution and soil erosion. Additionally, biodiversity is critical to the advancement in science and innovation. Given that major trading partners around the world are setting ambitious biodiversity targets, we risk being left behind in the global green economy without having this legislation.

As has been articulated, the bill commits the parliament and the government to three simple but profound objectives: protect what is irreplaceable, repair what is damaged, and share the responsibility. Other members have articulated in more detail how the legislation does this, so I will not add too much to that, but I want to emphasise some key improvements of the new legislation:

- a new general duty, ensuring that all South Australians play a role in protecting biodiversity;
- stronger native plant laws, providing clearer regulations to safeguard native vegetation;
- tougher penalties to create stronger deterrence against environmental harm;
- critical habitat protections, by introducing a new process to identify and safeguard habitats vital for the survival of threatened species; and
- a new process for listing threatened species and threatened ecological communities, which aligns with the with other Australian jurisdictions and receives expert input from the scientific community.

The bill also seeks to enshrine, respect and acknowledge Aboriginal South Australians and the role they have played in caring for and living sustainably on country.

I take this opportunity to acknowledge the work of a number of environmental groups within my electorate that currently support biodiversity. Since my election last November, I have made it a priority to visit all of the conservation and national parks, including the friends groups associated with those parks within my electorate. I did so because of the importance that these volunteers play in helping to support biodiversity, and I briefly pay tribute to these groups.

The Friends of the Hallett Cove Conservation Park are a dedicated group of volunteers who have been guardians of this unique coastal park since 1987. Over the past decades their commitment has transformed the park into a thriving refuge for native flora and fauna. The friends have adopted a bushcare method in conjunction with a significant planting program, which has removed invasive woody weeds, such as olives and African boxthorn, as well as feral garden escapees. It has also included a revegetation program, including reconstruction of native woodlands, which formerly covered significant area. Approximately over 35,000 plants have been planted across the park.

The Friends of Marino Conservation Park have supported that park over the past 30 years and helped create two distinct biodiversity zones—coastal heath and open grassy woodlands—which include species such as the she-oak, mallee box and elegant wattle. The habitats support a rich diversity of native plants, including 130 indigenous species, with more than 40 considered of conservation significance. The coastal heath is very significant, because it is one of the largest parts remaining along our metropolitan coastal area. This biodiversity within the park enhances the ecological value of the park and also provides resources for native wildlife and contributes to our overall environment.

The O'Halloran Hill Recreation Park, which recently became part of the broader Glenthorne National Park, connects multiple green spaces across Adelaide's southern region, creating a wildlife corridor and a community resource that has been of benefit and will benefit generations to come. That biodiversity has not happened just by chance: the work of the Friends of the O'Halloran Hill Recreation Park for over the past 30 years have worked to restore and protect the area's native ecosystems. I recently toured the park and got a firsthand appreciation of the systematic process needed to remove invasive species, such as olive trees, from the park. The process includes chopping down the trees and a drill and fill method before a sweep back over the same space—a significant exercise that involves a disciplined and organised approach.

The Friends of Glenthorne National Park—another group who have been dedicated to returning biodiversity to Glenthorne National Park—are very active. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (ENVIRONMENT AND FOOD PRODUCTION AREAS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

SUMMARY OFFENCES (HUMILIATING, DEGRADING OR INVASIVE DEPICTIONS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

MOTOR VEHICLES (DISABILITY PARKING PERMIT SCHEME) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

WHYALLA STEEL WORKS (PORT OF WHYALLA) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

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

Assent

Her Excellency the Governor assented to the bill.

STATE DEVELOPMENT COORDINATION AND FACILITATION BILL

Assent

Her Excellency the Governor assented to the bill.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Premier (Hon. P.B. Malinauskas)—

Remuneration Tribunal—

Conveyance Allowances—Judges, Court Officer and Statutory Officers
Determination No. 2 of 2025

Conveyance Allowances—Judges, Court Officer and Statutory Officers,
2024 Review of Report No. 2 of 2025

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

Community Services Sector Long Service Leave Board—Proposed Portable Long Service
Leave for the Community Services Sector Actuarial Assessment of the Initial
Employee Levy Rate Report 6 February 2025

Summary Offences Act 1953—

Dangerous Area Declarations return pursuant to section 83B Report for
Period 1 January 2025 to 31 March 2025

Road Block Authorisations Return pursuant to section 74B Report for

Period 1 January 2025 to 31 March 2025

Regulations made under the following Acts—

- Aboriginal Heritage—Fees Notice—2025
- Aged and Infirm Persons' Property—Fees Notice—2025
- Child Sex Offenders Registration—Fees Notice—2025
- Co-operatives National Law (South Australia)—Fees Notice—2025
- Coroners—Fees Notice—2025
- Criminal Law (Clamping, Impounding and Forfeiture of Vehicles)—
Fees Notice—2025
- Dangerous Substances—
Fees Notice—2025
- Dangerous Goods Transport Fees (2025)
- District Court—Fees Notice—2025
- Employment Agents Registration—Fees Notice—2025
- Environment, Resources and Development Court—Fees Notice—2025
- Evidence—Fees Notice—2025
- Expiation of Offences—Fees—2025
- Explosives—Fees Notice—2025
- Fair Work—Fees Notice—Representation Fees (2025)
- Freedom of Information—Fees Notice—2025
- Guardianship and Administration—Fees Notice—2025
- Magistrates Court—Fees Notice—2025
- Partnership—Fees Notice—2025
- Public Trustee—Fees Notice—2025
- Sheriff's—Fees Notice—2025
- South Australian Civil and Administrative Tribunal—Fees Notice—2025
- State Records—Fees Notice—2025
- Succession—Fees Notice—2025
- Summary Offences—Fees Notice—2025
- Supreme Court—Fees Notice—2025
- Victims of Crime—Fund and Levy—2025
- Work Health and Safety—Fees Notice—2025
- Youth Court—Fees Notice—2025

By the Minister for Climate, Environment and Water (Hon. S.E. Close)—

Regulations made under the following Acts—

- Animal Welfare—Fees Notice—2025
- Botanic Gardens and State Herbarium—Fees Notice—2025
- Crown Land Management—Fees Notice—2025
- Environment Protection—Fees—2025
- Heritage Places—Fees Notice—2025
- Historic Shipwrecks—Fees Notice—2025
- Landscape South Australia—Fees Notice—2025
- Marine Parks—Fees Notice—2025
- National Parks and Wildlife—Fees Notice (2025)
 - Hunting Fees (No. 2)
 - Lease Fees
 - Protected Animals—Marine Mammals
 - Wildlife Fees
- Native Vegetation—Fees Notice—2025
- Pastoral Land Management and Conservation—Fees Notice—2025
- Radiation Protection and Control—Fees Notice—2025
- Water Industry—Fees Notice—2025

By the Minister for Infrastructure and Transport (Hon. A. Koutsantonis)—

Regulations made under the following Acts—

Harbors and Navigation—Fees—2025
Heavy Vehicle National Law (South Australia)—
Expiation Fees—2025
Fees Notice—2025
Motor Vehicles—
Expiation Fees—2025
Fees—2025
Fees Notice—Accident Towing Roster Scheme Fees (2025)
National Heavy Vehicles Registration Fees—2025
Passenger Transport—
Fees Notice—2025
Point to Point Transport Service Levy
Road Traffic—
Miscellaneous—2025
Expiation Fees (2025)

By the Minister for Energy and Mining (Hon. A. Koutsantonis)—

Regulations made under the following Acts—
Energy Resources—Fees Notice—2025
Hydrogen and Renewable Energy—
Administrative Penalties
Fees Notice—2025
Mining—
Fees Notice—2025
Rental
Opal Mining—Fees Notice—2025

By the Treasurer (Hon. S.C. Mullighan)—

Primary Industries and Regions, Department of—Management Plan for the
South Australian Commercial Marine Scalefish Fishery 2025 Report 2025
Regulations made under the following Acts—
Fines Enforcement and Debt Recovery—
Fees Notice—2025
Prescribed Amounts—2025
Fisheries Management—Fees Notice—General Fees (2025)
Forestry—Fees Notice—2025
Industrial Hemp—Fees Notice—2025
Land Tax—
Fees Notice—2025
General—2025
Livestock—Fees Notice—2025
Petroleum Products Regulation—Fees Notice—2025
Plant Health—Fees Notice—2025
Primary Produce (Food Safety Schemes)—Fees Notice (2025)
Egg Fees
Meat Fees
Plant Products Fees
Seafood Fees

By the Minister for Police (Hon. S.C. Mullighan)—

Regulations made under the following Acts—
Firearms—Fees Notice—2025
Hydroponics Industry Control—Fees Notice—2025
Police—Fees Notice—2025

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

Regulations made under the following Acts—
Controlled Substances – Fees Notice (2025)
Pesticides Fees
Poppy Cultivation Fees
Food—Fees Notice—2025
Safe Drinking Water—Fees Notice—2025
South Australian Public Health—Fees Notice—2025
Tobacco and E-Cigarette Products—Fees Notice—2025

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

Regulations made under the following Acts—
Adoption—Fees Notice—2025

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

Regulations made under the following Acts—
Supported Residential Facilities—Fees Notice—2025

By the Minister for Seniors and Ageing Well (Hon. N.F. Cook)—

Regulations made under the following Acts—
Retirement Villages—Fees Notice—2025

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

Regulations made under the following Acts—
Boxing and Martial Arts—Fees Notice
Education and Children's Services—Overseas and
Nonresidential Student Charges
Fire and Emergency Services—Fees Notice—2025
SACE Board of South Australia—Fees Notice—2025
South Australian Skills—Fees Notice—2025

By the Minister for Consumer and Business Affairs (Hon. A. Michaels)—

Regulations made under the following Acts—
Associations Incorporation—Fees Notice—2025
Authorised Betting Operations—Fees Notice—2025
Births, Deaths and Marriages Registration—Fees Notice—2025
Building Work Contractors—Fees Notice—2025
Burial and Cremation—Fees Notice—2025
Community Titles—Fees Notice—2025
Conveyancers—Fees Notice—2025
Gaming Machines—Fees Notice—2025
Labour Hire Licensing—Fees Notice—2025
Land Agents—Fees Notice—2025
Land and Business (Sale and Conveyancing)—Fees Notice—2025
Liquor Licensing—Fees Notice—2025
Lotteries—Fees Notice—2025
Plumbers, Gas Fitters and Electricians—Fees Notice—2025
Relationships Register—Fees Notice—2025
Residential Tenancies—Fees Notice—2025
Second-hand Vehicle Dealers—Fees Notice—2025
Security and Investigation Industry—Fees Notice—2025
Strata Titles—Fees Notice—2025

By the Minister for Local Government (Hon. J.K. Szakacs)—

Local Council By-Laws—

City of Pt Lincoln—

No. 1—Permits and Penalties

No. 2—Moveable Signs

No. 3—Roads

No. 4—Local Government Land

No. 5—Dogs

District Council of Barunga West—

No. 1—Permits and Penalties

No. 2—Local Government Land

No. 3—Roads

No. 4—Moveable Signs

No. 5—Dogs

No. 6—Cats

District Council of Loxton Waikerie—No. 8—Miscellaneous 2025

By the Minister for Housing and Urban Development (Hon. N.D. Champion)—

Regulations made under the following Acts—

Housing Improvement—Fees Notice—2025

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

Regulations made under the following Acts—

Planning, Development and Infrastructure—Fees Notice—2025

Private Parking Areas—Expiation Fees—2025

Real Property—Fees Notice—2025

Registration of Deeds—

Fees Notice—

2025

2025 (No. 2)

Roads (Opening and Closing)—

Fees Notice—

2025

2025 (No. 2)

Valuation of Land—Fees Notice—2025

Worker's Liens—

Fees Notice—

2025

2025 (No. 2)

VISITORS

The SPEAKER: I would like to welcome to parliament today students from Christian Brothers College who are in the upstairs gallery today. They are guests of the member for Adelaide. Welcome to parliament. I hope you enjoy question time. In the Speaker's Gallery we have students from Nazareth College, who are guests of the Minister for Trade and member for Cheltenham. Wonderful to have you here as well.

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Ms HOOD (Adelaide) (14:11): I bring up the 139th report of the committee, entitled Port Adelaide Grand Trunkway Rising Main Replacement.

Report received and ordered to be published.

Ms HOOD: I bring up the 140th report of the committee, entitled New Mount Barker Hospital Multideck Car Park and Early Structural Works for Clinical Services Building Project.

Report received and ordered to be published.

SOCIAL DEVELOPMENT COMMITTEE

Ms THOMPSON (Davenport) (14:12): I bring up the report of the committee, entitled Inquiry into the Potential for a Human Rights Act for South Australia Corrigendum.

Report received.

Question Time

STATE TAXES

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:13): My question is to the Premier. Does the Premier stand by his election promise that Labor would introduce no new taxes, no tax increases? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: Since coming into government, Labor have implemented a GP payroll tax grab, an increase to SA Water bills of around \$85 per household and \$350 for businesses and last week approved increases to several government fees and charges well above the inflation rate.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:13): I thank the Leader of the Opposition for his question because this is an important area of government policy through which we think we have entirely honoured our commitment to the people of South Australia. That has been evidenced through a number of budgets that the Treasurer has delivered, where we haven't created new taxes, we haven't increased taxes. We certainly haven't done it retrospectively like we have seen occur in a very recent iteration of a government here in the state of South Australia. But also, critically, we have done that in such a way that has underpinned a budget position that has delivered budgeted surpluses, and that has been as a result of a lot of diligent, hard work and consistent policymaking.

With respect to fees and charges, which of course was the central focus of the Leader of the Opposition's question, it is important to understand the history of the way fees and charges have applied here in South Australia in recent times. For a period that was certainly longer than a decade—I think it might be closer to 20 years—throughout the course of the Rann-Weatherill government, and I think even during the period before, in the Brown-Olsen government, there was a set formula that would inform how fees and charges would go up and it was a formula that was informed by South Australian CPI, in conjunction with what was happening to public sector wages here in the state of South Australia.

That was a set formula, and a formula that enjoyed bipartisan support and application in governance across political persuasions, that would result in a rudimentary perfunctory exercise in calculating what would happen to that formula.

The Hon. V.A. Tarzia interjecting:

The SPEAKER: The leader will come to order.

The Hon. P.B. MALINAUSKAS: Then what happened is we had the election of a new Liberal government, the Marshall Liberal government, of which the Leader of the Opposition was a cabinet minister. And what did they do with that formula that applied in the state of South Australia for the better part of 20 years? They ripped it up and then the first thing they did after they tore apart that formula was jack up fees and charges on hardworking South Australians, small to medium business enterprises in the state of South Australia, and develop an increase in fees and charges that was many multiples of the rate of inflation. So the party—the party of small enterprise, the party of low taxes, completely abandoned that political philosophy and at the first chance started jacking up fees and charges at an exponential rate.

And then, if that wasn't enough, they decided then to apply a retrospective grab on land taxes on South Australians aimed at hardworking mums and dads—

The SPEAKER: The deputy leader?

Mr TEAGUE: There is a point of order under standing order 98(a). He is three minutes in and so far it is entirely about anything other than responding to the question, which is about his own government.

The SPEAKER: I disagree, as I usually do, with these sorts of calls, because what we are getting here is a history lesson of where we get to to be in this financial year and the Premier has four minutes to answer the question and it's quite within the standing orders to provide some context and some historical background to the answer that he's giving.

The Hon. P.B. MALINAUSKAS: Which brings us to the election of this government and the commitment that we have made and we have honoured. With respect to fees and charges, we have abandoned the policy of the former Liberal government to have increases in fees and charges that are many multiples of the rate of inflation and we have brought it far closer to the model that was reflected in this state for a long period of time.

Of course, we haven't introduced new taxes. In fact, what we have done is we have sought to cut taxes and the most powerful example of that, of course, is the abolition of stamp duty for new builds for first-home buyers. That was a very deliberate tax cut with respect to planning land and building reform, which of course stands in stark contrast to the retrospective tax increase applied by those opposite.

DROUGHT ASSISTANCE

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:18): My question is to the Premier. Will the government exempt all farming businesses facing ongoing drought conditions from the ESL increase? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: On FIVEaa radio yesterday a farmer named Tom from Spalding, in relation to the increase in ESL fees, said:

It's a real kick in the guts...what we paid last year was \$3,000 in ESL...another price increase on top of no income. I'm a volunteer for CFS and SES, I have been for 25 years, I'm on the land here with my brother, he's the same, and we're just getting taxed more for something we volunteer to provide to our community.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:19): I thank the Leader of the Opposition for his question. As a government, of course, we have demonstrated that we do want to provide tax relief for the men and women who are working the land in the primary production sector, and of course that has been reflected in the \$70 million package that we announced around drought relief as a government, which is a very substantial package, particularly when you compare it to what other jurisdictions are doing who are facing drought conditions not too dissimilar from our own.

Contained within that package there is relief from fees and charges that we apply as a state government. Motor vehicle registrations are an example of that, and we have also made differences around ESL, provided you meet the qualifications around the commonwealth test, which is a net asset test of \$5 million or thereabouts. So we have demonstrated our commitment.

More specifically, in regard to the leader's question around abolishing ESL for volunteers, this is an area of policy that I know has been considered by us when we were in government in the past and I suspect was considered under the former government as well. The challenge with removing ESL for volunteers is it then changes the nature of volunteering per se. This is a challenge that I think there has been consistency across the aisle around how we think about it.

We are keen to provide tax relief to people suffering drought conditions and we have drawn a line about how we apply that, but it's not just tax and fee and charges relief. Obviously, we are making a lot of other investments as well: investment in on-farm drought infrastructure; investing in the culling of pests where we are seeing a greater number of them appear in areas because of the

drought, which has a big impact on primary production; eID tags and the contribution that we are making to that effort; obviously mental health—

Members interjecting:

The Hon. P.B. MALINAUSKAS: No, but we are relieving people of fees. Relieving people of fees is a biosecurity measure. We know that people in the primary production sector, particularly livestock, understand the challenge that we've got in terms of biosecurity, which is really important to preserve businesses. There's the mental health support, the investments in rural financial counselling and the investments that we are making in community infrastructure.

All of these things we have developed in conjunction with industry. I want to take this opportunity again to express my gratitude towards Grain Producers South Australia, Primary Producers South Australia, the Dairy Industry Association, the wine industry, Livestock SA and all of those organisations that helped to formulate that package. We have made it clear that we want to continue to work with them.

We don't see it as being a case of we have developed one package, job done. We have developed another one and we don't see that as being job done either. We want to continue to engage. We are always looking for opportunities to provide assistance where we can, but completely abolishing all ESL for all volunteers, I understand that consistently governments, of both political persuasions, have erred on not doing that because it would change the nature of volunteering.

COST OF LIVING

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:22): My question again is to the Premier. What does the Premier say to South Australian families struggling with the cost of living? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: Last week, the government introduced increases to fees on essential items like driver's registration, learner's permits and licence fees above the inflation rate.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:23): This goes back to the first question the Leader of the Opposition had regarding the formula that informs the adjustments to those fees. The Leader of the Opposition's question was, 'What does the Premier say to the people of South Australia with respect to cost of living?' There's a few things that we would say.

In respect of cost-of-living relief, we have very deliberately as a government not just acknowledged the challenge but sought to make a difference during the course of our budgets, all three in fact. What we have acknowledged is that, as a state government, our capacity to provide the sort of broad-based tax support that we see at a federal level we obviously can't replicate, but we still can make a difference.

We have said that, rather than providing a little bit of difference to as many people as possible, we want to make a big difference to a smaller number of people who are doing it particularly tough. We have had a progressive policy that is consistent with our value system and I guess political philosophy that, as a Labor government, we acknowledge there are people in the community whose capacity to be able to withstand a cost-of-living challenge is less than what it might be for others who might have more disposable income available to them.

So we have had a deliberate orientation towards those people who need it most: we think of pensioners, we think of people on fixed incomes, we think of families with children in school with support that we can provide around sports vouchers or the fees and services charge relief. That is where we have orientated our support and made a big difference—and people can see it. They know it is real; our commitments there are not subject to interpretation.

But also I think what the people of South Australia can draw a degree of confidence from is that these are the issues that occupy the deliberations before us in government, in the caucus and in the cabinet room. There are lots of things that members of parliament can focus their attention on; we deliberately choose to focus our attention on the things that worry South Australians most. When we convene as a party, as a caucus, as a cabinet, we make sure that we have the discipline to ensure

that there is a unity of purpose amongst us about confronting those immediate challenges and then setting ourselves up to withstand them in the long term. I wonder, is that true for everyone in this place?

Over the weekend when we on this side of the house were in our electorates talking to families, talking to businesses and thinking about the policies that we want to take to the next election and we were talking about the real issues, I wonder if everyone else in this chamber was talking and thinking about the real issues? I wonder if everyone else in this place spent their weekends thinking about the value of discipline and the value of unity of purpose? I wonder if everyone else in this place was doing that? I think that is a legitimate question. There may yet be other opportunities during the course of this forum to explore that.

The SPEAKER: Before I call the Leader of the Opposition, I call to order the members for Chaffey and Hammond. Just keep it down a bit—actually, keep it down a lot.

GENERAL PRACTITIONER PAYROLL TAX

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:27): My question is to the Premier. Will the government repeal the GP payroll tax grab? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: This morning on ABC radio the President of the AMA SA said:

We see payroll tax as an imposition on access to GP care. If you make it more difficult for doctors to practise, they'll either have to put a fee, which discourages patients from attending, or they'll stop offering services. Those patients then delay care and end up in EDs, which costs the system more than the revenue raised.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:27): I am very happy to answer this line of questioning once again, because the Leader of the Opposition persists in misleading this issue, just as the Liberals were caught out by the Electoral Commissioner misleading the community during a by-election. Did they apologise? Of course not. It is easier for them to perpetuate the mistruth, including in this chamber.

The things that have changed are the massive increases in incentives for GPs to provide bulk-billing services from the commonwealth government, and the state government legislating an exemption from payroll tax for the first time for general practitioners for the wages earned providing bulk-billed services. That is what has changed. This furphy, this rubbish that is peddled by those opposite that there has been the imposition of a new liability, is plain wrong.

Members interjecting:

The Hon. S.C. MULLIGHAN: You don't have to take my word for it; the Electoral Commissioner has ruled accordingly. They try their hardest during a by-election campaign in an effort to win votes by peddling lies and mistruths, and they get caught out by a statutory officer. What does the Leader of the Opposition do? He laughs about it—laughs about it: caught publicly misleading the community as a political leader, and he is chortling away in here. If we were in the position of the Leader of the Opposition, the last thing he would be doing, after the week that he is having, is chortling.

At least the front bench isn't in hiding today like they were yesterday. At least they are not in hiding today. We even had the remarkable circumstance of shadow ministers putting out press releases and being invited by the media to do an interview and rejecting it—not available. Not available. It's like that bloke on a football field who sees a melee going on, runs in, tries to have a quick jab and then runs off again: it's cowardice.

So for those opposite who are so focused on peddling mistruths and infighting—showing South Australians the proud history of the South Australian Liberal Party and being an absolute rabble unfit either to be elected to this place or to be a party of government—continue on. You will get called out, not just by this government but by independent statutory officers like the Electoral Commissioner.

PORT PIRIE REGIONAL HEALTH SERVICE

The Hon. G.G. BROCK (Stuart) (14:31): My question is to the Minister for Health and Wellbeing. Can the minister update my community on the recent incidents at the Port Pirie regional hospital? With your leave, sir, and that of the house, I will explain a bit further.

Leave granted.

The Hon. G.G. BROCK: Recently, there have been reports of a young woman having serious results from a caesarean birth and, yesterday, a security officer having safety concerns about an incident at the hospital.

The Hon. C.J. PICTON (Kaurua—Minister for Health and Wellbeing) (14:31): I thank the member for Stuart for his question and note his very strong interest in health in his electorate and, obviously, the Port Pirie hospital. It's obviously a hospital that the government is investing significantly in, currently building a new emergency department to serve the community.

As the member has referred to, there have been reports in terms of a violent incident that occurred in that emergency department. The first thing to say is that any violence against our healthcare workers is completely abhorrent and I hope is treated in terms of the full force of the law. Of course, parliament has passed special legislation enshrining that healthcare workers have a disproportionate protection in terms of the penalties imposed in terms of any assaults on those healthcare workers.

Since coming to government, of course, we have extended security across a number of our hospitals, including Port Pirie, as well as, additionally, the Wallaroo, Mount Barker, Mount Gambier, Berri, Murray Bridge and Port Lincoln hospitals all now having additional security in place.

In relation to this specific incident, I am advised that there was a consumer brought to the emergency department who was subsequently placed on an involuntary treatment order (ITO). They were admitted to the ward whilst waiting for a transfer to an inpatient mental health unit, and a patient minder was allocated to the consumer, located outside the consumer's room. The consumer left the room they were allocated to and became aggressive towards that patient minder. Security, medical, nursing and SAPOL attended the ward and assisted with restraining the consumer. This consumer was then reviewed by the doctor and psychiatrist, and a transfer was arranged by the RFDS to the metropolitan inpatient mental health services.

The staff member was provided with support by the Yorke and Northern Local Health Network, and the local management undertook necessary debriefs. Following the incident, the affected staff member and team members were debriefed and the incident was logged. The worker, I understand, has returned to work. Obviously, we are very sorry that occurred to that worker. We would never want that to happen to any of our healthcare workers in our hospitals, and obviously what happened was completely abhorrent.

In relation to the second matter that the member raised, in relation to a constituent, I understand, who has raised concerns in relation to her birth, I have sought some advice on this in terms of the Yorke and Northern Local Health Network. Firstly, we acknowledge, in terms of the concern, that was a distressing birth that the consumer experienced, resulting in an emergency C-section which required a transfer to Adelaide for specialist care and further surgery. Welcoming a new baby into the world of course should be a time for celebration, and obviously it is very regrettable to have anybody have a difficult experience at that time.

Port Pirie hospital is a level 3 birthing service, with a birthing suite serviced by general practice obstetricians, employed specialist obstetricians and Midwifery Group Practice midwives who provide care and treatment before, during and after childbirth. Should a patient experience complications, and their condition deteriorates to the extent of beyond the safety threshold for that particular level 3 birthing service, then advice is sought from the tertiary centres in Adelaide that have a high capacity to provide that level of care. As with any surgery, risk can occur when an emergency caesarean is performed, and these risks are explained, of course, before a surgery.

I am advised that, in this instance, treatment and recovery in Adelaide were clinically recommended and, of course, the best course of action was to ensure the safety and wellbeing of

both the mother and child. Of course, if the patient has any further concerns, we are very happy to talk to her and follow that up with the clinicians and make sure that we learn from the experience that she had to try to improve things for the future.

The SPEAKER: Before I call the member for Waite, I would like to wish her a very happy birthday. I hope you had a wonderful celebration over the weekend, and your birthday present from the chamber is that you get to ask a question.

CARBON EMISSIONS REDUCTION

Ms HUTCHESSON (Waite) (14:35): Thank you. My question is to the Premier. Can the Premier update the house on net zero policy in South Australia, and any alternative views?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:35): Can I thank the member for Waite for her question. The member for Waite—and I think it's fair to say a very significant proportion of her electorate—cares deeply about the environment. I know the member for Waite is not alone in her enthusiasm for this area of policy, but she has a well-established interest in the area and I want to thank her for her advocacy.

In this place, ostensibly there are two parties of government and there are three positions on net zero. On this side of the house we have one, and in actual fact there is a degree of unanimity—a consistency between our position as a state parliamentary party, which aligns with our position within the federal parliamentary Labor Party, and that is that Labor's commitment, state and federal, is to pursue a position of net zero by 2050. We are committed to that, not just being an aspiration but being a goal that we pursue, and we are doing that through thoughtful, pragmatic and responsible policy development. Amongst those opposite, on the other side of politics, the other party in government—

Mr Pederick interjecting:

The SPEAKER: The member for Hammond is on his final warning.

The Hon. P.B. MALINAUSKAS: —there are two positions in respect of net zero. There is the purported position from the Leader of the Opposition that they are indeed committed to net zero, best evidenced by a shadow minister who I think is for net zero or at least is the shadow minister for net zero supposedly coming up with crafting policy to pursue it, and then there is the position of the South Australian Liberal Party more broadly, which is to actively campaign against net zero including from their federal colleagues. So there are two positions occupied by those opposite: those for net zero and those against net zero.

I thought it was a little interesting earlier today when the member for Bragg and the member for Heysen stood up in this place and eloquently argued that they are rather enthusiastic supporters with respect to the environment in the context of our pursuit of the biodiversity act. We had the member for Bragg espousing his commitment to the environment, we had the member for Heysen espousing their commitment to the environment, so I've got to say I was interested to learn coming into the chamber for question time that both the member for Bragg and the member for Heysen—

Mr TEAGUE: Point of order: the Premier is reflecting on a debate that has actually been live in the hours prior, which is very much in the midst of the second reading. Much as that's interesting, he has just referred to contributions to the Biodiversity Bill debate that occurred just before lunch.

Members interjecting:

The SPEAKER: Can we have quiet on both sides, please? The member for Florey, you have been doing it all day. I will listen carefully to the Premier, but the ruling is that you cannot pre-empt debate on a bill. I don't think we have digressed to that level yet, but I will keep an ear out for what the Premier has to say.

The Hon. P.B. MALINAUSKAS: I wonder, on the weekend, what was the contribution from the member for Bragg or the deputy leader of the Liberal Party at the Liberal Party State Council? The deputy leader of the Liberal Party, at the state council on the weekend, I wonder, as a delegate, did he rise to his feet? Did he rise to his feet in support of his own leader's position and actively prosecute an argument around the retention of the position in favour of net zero, or did he go silent?

Did he step back and allow the Antic forces of the Liberal Party to dictate to the deputy leader of the Liberal Party? I suspect that the deputy leader of the Liberal Party said nothing. His conviction for the environment is not too dissimilar to the member for Bragg's conviction for the environment. They stood there and said nothing. They said nothing as the position of their leader was actively redacted by the Liberal Party itself.

Members interjecting:

The SPEAKER: The member for Florey can leave the chamber for the rest of question time, as can the member for Morialta and the member for Chaffey.

The honourable members for Florey, Morialta and Chaffey having withdrawn from the chamber:

The SPEAKER: The member for Bragg has the call.

MACHETES

Mr BATTY (Bragg) (14:41): My question is to the Minister for Police. Why has the government not yet listed the machete as a prohibited weapon? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BATTY: The opposition has been calling for the machete to be listed as a prohibited weapon—something that can be done with the stroke of a pen—since November last year. The government has failed to act, and this week we saw yet another violent machete attack in the CBD.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:41): I thank the shadow minister for his question. Last November, the shadow minister, and I think also the leader, put out a press release asking for the government to change laws to ban the sale of knives to youths—that was it. Now, we are into the revisionism of those opposite in an effort to garner some greater attention. What we did was behave consistent with being in government: speaking with police, speaking with the community and coming up with a far more comprehensive series of reforms.

It wasn't just about banning the sale of knives to minors: it was massively increasing the powers that South Australian police have to search people, to declare precincts where they are entitled to search people, to not just declare knives and machetes as prohibited weapons—not as offensive weapons—if they are carried in public but also put in place a series of regulations and changes that would ensure that if knives are sold in a retail outlet then they have to be secured away from access, tethered if necessary, to ensure that somebody can't enter into that premises and easily get access to them, shoplift them and so on, perhaps not too dissimilar to the changes that were introduced in previous years governing access to things like spray cans.

That is the action of a government that has thought through the issue properly. We passed those laws in April this year. We are now in the process of working with SAPOL and the retail industry, preparing them for the beginning of those laws coming into effect. In the meantime, of course, the carriage of something like a machete, let alone its use in any sort of incident or assault or something more serious, remains a criminal act. Those people who have been arrested will find themselves before the courts and treated accordingly for that outrageous behaviour.

But rather than just do one simple thing, we have come up with a comprehensive series of changes to reform the law in this area, not just about restricting the sale of knives to minors, as the member for Bragg called on us to do, but making sure that police have much greater powers out in the community to search people to see if they are carrying, to restrict not only these items from sale but also to declare precincts and search people who they are suspicious of for carrying them. That is comprehensive law reform.

I realise that those opposite, given the tumult that they have had over the last four days, are desperate to put on a brave face, but we have gone so much further than the very basic, very offhand call that they put to the community in November. We have comprehensive law reform. It's passed through this parliament. Those opposite should be aware of it. We had the deputy leader regaling us

with Mrs Slocombe-like tales of his cat during the discussion of the debate. It's probably only Peds who gets that reference, of those opposite, but, regardless, we passed those laws, and we are looking forward to them coming into effect.

MACHETES

Mr BATTY (Bragg) (14:45): Supplementary: with respect to the laws that we passed in April, did those laws list the machete as a prohibited weapon?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:46): We have now got a situation where, other than reflecting on a debate that has been through this house or asking a minister of the Crown for a legal opinion, it seems like the member for Bragg has engaged in a second reading speech and a vote on a piece of legislation and he doesn't know what he has voted for.

I thought the shambles of the last few days couldn't get much worse, but if the member for Bragg is in need of some legal advice, well, he can approach the deputy leader. I am not sure if, like the previous Deputy Premier, he was still consulting, but perhaps he can avail himself of some advice if he doesn't know what he has voted on.

MACHETES

Mr BATTY (Bragg) (14:47): My question is again to the Minister for Police. Can the minister outline to the house how a weapon is listed as prohibited?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:47): I am happy to liaise with the Attorney-General who has the carriage of this legislation, but my understanding is that there is a prescription of the items as set out in the legislation, but I am happy to provide an answer.

MACHETES

Mr BATTY (Bragg) (14:47): My question is to the Minister for Police. Have new laws on the sale of knives to children and the safe storage and display of knives commenced, and, if not, why not?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:47): So he doesn't read legislation, doesn't listen to answers to questions that he has just asked. I have just answered this question in this house. I have just answered the question in this house about the law reform that he is referring to and the reason why it hasn't commenced. It's one thing to sit upstairs and draft the questions out at 10 minutes to two, but you have to come down here and listen to the answers. You have to listen to the answers. I have told you in some detail why it's yet to commence.

Members interjecting:

The Hon. S.C. MULLIGHAN: I think you need to try harder. He has just asked, 'Have they commenced yet?' I have already answered the question and he said, 'Why won't you just do it?' which seems to suggest that he has some knowledge of the matter. So which of the three positions put forward by the shadow minister does he expect to articulate? No wonder Alex is coming for you.

IPAVE ROAD SURVEY

Mr McBRIDE (MacKillop) (14:48): My question is to the Minister for Infrastructure and Transport. Could the minister please inform the house when the results of the iPAVe road survey will be made public? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr McBRIDE: The iPAVe3 completed a road survey across the MacKillop electorate last year. Data from the survey was due to be available earlier this year but nothing has been released.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:49): I thank the member for his question. As I have said previously in the house, the Department for Infrastructure and Transport contracted the

National Transport Research Organisation to undertake a sealed roads network survey of approximately 13,000 kilometres to test pavement deflection with its state-of-the-art intelligent pavement assessment vehicle, iPAVe, for an approximate cost of \$2.2 million. This vehicle enables the department to collect network-wide deflection data on the department's sealed roads for the first time in the state's history. This data will enable my department to access pavement strength and improve the prioritisation of maintenance activities.

Due to some technical issues with the equipment on the truck that occurred last year—which goes to the first part of your question about why it wasn't released last year—specifically with the Doppler lasers that measure the deflection in the road pavement, the NTRO completed the full 13,000-kilometre survey in March this year. The survey data is now being validated by the provider prior to being released to the department. Once I get it, I will release it. I think I have said previously in parliament that I want to release it in the second half of this year, so anytime after 1 July and before 31 December.

ENERGY POLICY

Ms SAVVAS (Newland) (14:50): My question is to the Minister for Energy and Mining. Can the minister update the house on the government's current energy policy and any alternative views?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:51): I had a good weekend. My weekend was pretty low-key. There were no internal brawls. We all got along really well. We got on with government and the business of running the state. The Premier did his job. All the ministers are doing their jobs. All the MPs are doing their jobs. None of us changed policy at a branch meeting. None of us changed the direction of the state or the party in any way over the weekend. But what we did do is we reaffirmed our policy, which is a mechanism to make sure that we have gas-fired generation able to firm our renewable resources to provide stability and competition within the market through our firm mechanism that passed the parliament.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: How's that going? It's going exceptionally well. I want to read some quotes out. I think these quotes are very important. You would be surprised who they are from. We will play a bit of a game in question time. Are we ready for this?

The Hon. P.B. Malinauskas: Hydrogen, hydrogen, hydrogen?

The Hon. A. KOUTSANTONIS: No, not the 'hydrogen, hydrogen, hydrogen' one. He has had a hard weekend; it's not fair. Let's just lay off. Ready?

We support net zero emissions by 2050, 50 per cent by 2030. We know we've got to do the right thing by the environment.

Any guesses? The Leader of the Opposition. That was pretty impressive. Let me give you another one. Ready?

Australia's energy policy has got to be more sophisticated than simply adopting a slogan concocted by globalist bureaucrats more than a decade ago.

Anyone? The real leader of the Liberal Party, Senator Alex Antic. I will give you another one. Are you ready?

Net zero is a threat to our economy, our security and our country, and I was very heartened by the decision of the South Australian Liberal Party membership to call for it to be scrapped.

Was that the Leader of the Opposition about his party? No. Any guesses? The real leader of the Liberal Party, Alex Antic. This one is my favourite. This one is a keeper:

President Trump, when asked about the South Australian Liberal Party membership rejecting net zero on the weekend, said, 'There's going to be so much winning. You're going to get sick of the winning.'

Who said that? Do you feel like you're winning yet? I hate to correct the Premier, but there are actually three policies on net zero. He forgot to mention one. The federal Liberal Party has gone into a review of net zero, but do you reckon they are going to go down the South Australian path of abandoning it

altogether? I bet you Sussan Ley is not. I suspect she might be smarter than the Leader of the Opposition.

Imagine being in the position where you have a stated policy and you have a shadow minister for net zero and nuclear readiness, despite having lost an election on nuclear energy; nevertheless, it remains on the business card. Imagine this: you stand up in here with 13 other people and say it is a policy of the Liberal Party that we have a net zero, yet your party just voted to remove it. Who are you leading? Who are you leading exactly? Who's in charge here? Who's in charge? Show some leadership. Get up and lead. Get up and tell people what your views are. Rebuke Senator Antic. Call on him to apologise. Call on Senator Antic to pull his head in. Tell him that you're in charge of the Liberal Party, and if you don't, then he is, and he's running it, because, Mr Speaker, a house cannot stand divided. A house cannot stand divided. We are united behind the Prime Minister and the Premier. We have one policy to govern this country and one policy to govern this state.

Members interjecting:

The SPEAKER: The member for Hammond will leave until the end of question time, and the member for Flinders and the member for Morphett are warned.

The honourable member for Hammond having withdrawn from the chamber:

SA DOCTORS' INDUSTRIAL ACTION

Mrs HURN (Schubert) (14:55): My question is to the Minister for Health and Wellbeing. Are SA doctors holding a stop-work meeting on 25 June and, if so, what is the minister's reaction? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: It was reported on Channel 9 News last night that talks between the government and the union had broken down and that the South Australian Salaried Medical Officers Association had ordered a stop-work meeting. On 25 June, 2,500 to 3,000 doctors will walk off the job from 8.30 until 9.30 in the morning.

The Hon. C.J. PICTON (Karna—Minister for Health and Wellbeing) (14:56): I thank the member for Schubert for her question. Obviously, the state government is currently in enterprise bargaining negotiations with the salaried doctors' association, SASMOA. As per all of our enterprise bargaining negotiations, we are undertaking those discussions in good faith. We are meeting regularly with SASMOA to discuss what they would like to see as part of the enterprise bargaining agreement. The state government is putting forward its proposals for what should be part of the enterprise bargaining agreement.

As the Premier has made clear, in all cases of these enterprise bargaining agreements, we want to give our employees real wage increases, and that's certainly what we are proposing in terms of the salaried medical officers agreement, but we also need to be obviously reasonable about that and have a mindfulness for the state budget and taxpayers overall as well.

We continue to have those discussions with SASMOA. What we are not going to do is what was done under the previous enterprise bargaining agreement, where there was an agreement struck with the Salaried Medical Officers Association for our frontline doctors for 1½ per cent pay increases for our doctors. That was the agreement signed by the previous government, below inflation. We are proposing real wage increases for all of our various sectors of the workforce, and we will continue those discussions in good faith with SASMOA and other unions appropriately.

SA DOCTORS' INDUSTRIAL ACTION

Mrs HURN (Schubert) (14:58): My question is to the Minister for Health and Wellbeing. When did the minister last meet with SASMOA, and what action is the government taking to avoid industrial action by doctors?

The Hon. C.J. PICTON (Karna—Minister for Health and Wellbeing) (14:58): I believe it was two weeks ago that I met with the Premier and with the Salaried Medical Officers Association. I also have other regular meetings with SASMOA as well. We are in continued discussions with SASMOA about the enterprise bargaining agreement. Of course, while answering these questions,

I should preface the fact that the negotiations with all unions for all enterprise bargaining agreements are led by the Minister for the Public Sector, who is the Hon. Kyam Maher, but, obviously, as relevant minister for the vast majority of this workforce, I am keeping closely abreast of those negotiations as well.

DROUGHT EMERGENCY DECLARATION

Mr TELFER (Flinders) (14:59): My question is to the Premier. Can the Premier advise whether a formal request has been made to cabinet or the State Emergency Management Committee to consider an emergency declaration for the drought?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:59): I am familiar with the opposition's call for precisely that. Let me just make a couple of things clear that I think are important with respect to this subject matter. As Premier of the state I and my cabinet are very clear there is a drought. As Premier I am making it clear there is a drought. To the extent that the government officially recognises a drought, we have done that.

I think the best example of our official drought declaration, if you want to characterise it that way—and I am very conscious that the Liberal Party are calling for a drought declaration and they continue to campaign for that and that is your prerogative. Many of you are very close to regional communities, a number of you represent regional communities and you campaigned for a drought declaration. I understand that was also one of the subject matters that was discussed on the weekend. Continue to do that; it is your prerogative and you are welcome to do it.

But last November we did that. We did it the moment that we passed through cabinet a decision to put together, in conjunction with the Minister for Primary Industries and the Treasurer and then it was subsequently approved by the cabinet, a first round of a drought assistance program. Obviously far more material, and far more important than any set of words, is the meaningful difference it makes on the ground.

We said at the time that we didn't believe that this would be it. We made it clear at the time we stood ready to have other contributions around the drought and then, of course, we did that only a few weeks ago with an additional pot of money taking it up to over \$70 million of new money in this fiscal period to provide drought assistance.

As presumably the shadow treasurer is aware, and certainly I know other members opposite are aware, who had a familiarity with emergency declarations during the former government, which obviously happened on two occasions—one being the bushfire and the other being COVID; it happened for us in respect of the flood—under the Emergency Management Act, it is not the Premier of the state who declares an emergency, it is the police commissioner as the State Coordinator. They declare emergencies and they declare the emergencies under the Emergency Management Act, as distinct from the official drought declaration that we made in November last year.

In terms of the Emergency Management Act, the State Coordinator would declare a major emergency so as to enliven specific authorities and powers that are bestowed upon the State Coordinator through that piece of legislation to confront various challenges. It has been the State Coordinator's judgement—i.e., the police commissioner's judgement—up until this point, that that would not serve any particular purpose, because what are SAPOL going to do about the drought? They have to respond to various challenges in the community clearly, and police officers are very close to the frontline, but SAPOL ostensibly are not a drought-relief organisation and there are no powers that would make a difference.

So campaign as you might to the police commissioner, but what we have to focus on as a government is actually making a difference on the ground, as distinct from any political rhetoric or radio grabs in the morning. We want to make a difference and that is why we calibrated a package in conjunction with the primary production sector in the state.

HOUSING SUPPLY, COPPER COAST

Mr ELLIS (Narungga) (15:03): My question is to the Minister for Housing. Can the minister confirm whether the 10 new Housing Trust homes in the Copper Coast are completed and tenanted and also provide an update on the nine key government worker houses that are being built?

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (15:03): I thank the member for his question and his passion about regional housing. I can confirm that the Housing Trust commissioned the building of 10 homes on the Copper Coast last year: three homes in Moonta, three in Wallaroo and four in Kadina. All of those homes were built by South Australian builder Constructwell and Constructwell have now handed them to the trust.

All of the homes are two bedrooms, built to the silver standard, which means they are meeting the NCC standards and have fully electric heat pumps installed for the hot water. All of the homes have been allocated. Four have been moved into just this week for next week and two are tenanted and they are working with the tenants about an appropriate moving day. In the regions generally, just to let the house know, the Housing Trust has completed 107 properties and 77 are in the construction phase now. Overall, 182 will be built largely to replace ageing stock, and that was part of the government's election commitment as well.

In terms of regional housing for government employees, this is an initiative that this government created essentially through Renewal SA. Renewal SA had not done much work in the CBD and they hadn't done any work really out in the regions, so this is a very important program I think for both the regions and for government in terms of government employees. We are building nine homes on the Copper Coast, four in Moonta Bay and five in Kadina. They have all been constructed by a South Australian builder, Country Living Homes, which is based in Moonta.

Education have taken four leases in Moonta Bay, the South Australian Ambulance Service has committed to three out of the five homes in Kadina and we are still working on leases for the other two homes. We intend to put those properties out into the market with a government lease attached. The Office for Regional Housing, which is of course based within Renewal SA, it's whole reason for being is to build homes, lease them to government employees and then push them out into the market so that we can recycle the capital and build more homes in the regions.

We know that that's one of the ways that we can build stock in markets that it's very hard to build stock in. Particularly, these markets are attractive once the houses are constructed. Investors don't want to take the risk to construct the house, but what we have found is that they are quite happy to buy into these communities when they can see a government lease with a stable tenant who is employed by the government. It's a pretty attractive investment proposition. That helps the government recycle capital and it helps us build more homes as we are going forward.

The Office for Regional Housing is obviously working with local government in the regions and local government have really stepped up to the plate. I would certainly like to thank all of the regional councils that have a passionate desire to see housing in their areas. Often they have a bit of ability, either through their own land or through their own initiatives, to push housing out and often they just need a bit of help from the government.

Of course, there have been previous allocations in previous budgets around regional housing to do both those things: to construct housing for government employees and also to assist councils in their endeavours to push supply into markets which often have market failure. There's high demand, but the market is unable to respond because of high construction costs, high civil costs or other barriers to housing supply. I thank the member for his question and will keep endeavouring to resolve some of the issues in his electorate.

HOUSING SUPPLY

Mr ODENWALDER (Elizabeth) (15:07): My question is also to the Minister for Housing and Urban Development. Can the minister inform the house of the government's plan to address housing supply issues by unlocking land and investing in critical infrastructure?

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (15:08): I thank the member for Elizabeth for his question. Of course, he sees much of the work that the state government is doing with SA Water and its contractors in his own electorate, in places like Craigmare Road, Elizabeth North and a range of other areas. Of course, what the government is absolutely committed to doing is building a pipeline of housing supply to help the community.

We know that the Greater Adelaide Regional Plan identified the fact that we need 315,000 houses over the next 30 years. We are committed to building the pipeline of housing projects, the injections of supply and the injections of critical infrastructure that will set our state up for success. That is one of the reasons why we committed to the record land release of 26,000 allotments at Concordia, Dry Creek, Onkaparinga Heights and Sellicks Beach.

We have already rezoned 530 hectares of land, much more than the previous government. We have unlocked 8,800 new allotments. We have reformed most recently the boundaries on the EFPA. Ultimately, that releases into the system 61,000 new allotments being available for development in key areas like Two Wells, Roseworthy, Goolwa and Murray Bridge. Most importantly, it aligns the Greater Adelaide Regional Plan with the boundaries of the EFPA so that we get a clear 30-year horizon for housing, because we know we need both private and public sector investment to achieve development in those areas.

That is one of the reasons why we have the State Planning Commission and my department looking into all the infrastructure to support those new developments, and others, in water and sewer, in social infrastructure, in roads and other government services that might be needed. We are not just trying to deliver houses; we are trying to deliver whole communities and, indeed, whole suburbs in many instances. We want to make sure there is a good land reservation policy so that we provide for schools in these growing and expanding suburbs.

We can see the \$1.5 billion investment, which is overseen by a government oversight committee with the UDIA and the Property Council and HIA and the civil contractors to make sure there is a level of transparency over the timelines and what we are doing. We can see that work, as I said before, on Craigmores Road or in Elizabeth North or on Supple Road in Angle Vale. Indeed, you can see it supporting land release in Onkaparinga Heights, which is very important, and in Aldinga as well, and indeed at the Southwark development.

So there is a whole range of investments right across the state, particularly in the Greater Adelaide regional area, which are being supported by that investment. That is one of the reasons why we are number one on the HIA's scorecard, which is a good place to be.

You hear the odd interjection from those opposite, and of course we know that by their own admission they didn't release enough land—

Members interjecting:

The Hon. N.D. CHAMPION: Before—it was a bit of a time lapse, but I knew you would bite. You bite every time. We know that there were some propositions put for further excisions out of the EFPA, including areas like Dublin. SA Water's advice about Dublin—which is low lying, flood prone, adjacent to an international wildlife and birdlife sanctuary—is that the infrastructure for water alone would be \$450 million and sewerage would be \$270 million, so a total cost in excess of \$700 million. Of course, that is just the starting price. Because it is a low-lying area you can't use gravity-fed mains, and because you can't use gravity-fed mains we know that that makes those unachievable.

The SPEAKER: The minister did come close to misleading the house then. All I could hear from up here was a Simon and Garfunkel album, *Sounds of Silence*.

NATIONAL EMERGENCY DECLARATION

Mr TELFER (Flinders) (15:12): My question is to the Premier. Has the Premier written to the Prime Minister requesting a declaration of an emergency under the federal National Emergency Declaration Act? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: The federal National Emergency Declaration Act requires the Premier writing to the Prime Minister and the Prime Minister requesting the Governor-General make the declaration. The Governor-General may then make a declaration, called a national emergency declaration, if they are satisfied that an emergency is causing harm that is nationally significant in Australia, which clearly the drought is.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (15:13): I will take some advice on the interactions between our agencies. We have been in touch with federal government agencies about a number of matters regarding natural disasters in South Australia. Particularly, I know there has been interaction between us and the commonwealth regarding the flooding we are seeing in the north of our state. The irony is certainly not lost on us that in the Far North of our state we are seeing very significant volumes of water, which in some areas is welcome, but of course we are seeing the opposite in the southern agricultural parts of our state that go right from the South-East through to Eyre Peninsula and beyond.

I will take advice on that particular matter. The only thing I would obviously foreshadow is that, as was explained in respect the Emergency Management Act—

An honourable member: That's state; this is the federal.

The Hon. P.B. MALINAUSKAS: Yes, I know, but we want to make sure that any actions we do are not just symbolic; we want to make sure that they are making a material difference. I am more than happy to take that question on notice and seek advice with respect to options with the commonwealth, but I think it is also clear that the Prime Minister visiting a drought-affected community yesterday very much demonstrates his interest in the matter and appreciation that a number of farmers are doing it tough. He made clear in his press conference yesterday, along with Minister Julie Collins, that they are committed to ongoing engagement with the primary production sector in our state, and also at a national level through the NFF, to make sure that government policy is orientated accordingly.

This is a matter that the Prime Minister is very much engaged in and interested in. In his first visit to the state post his re-election, he made drought the priority. There is no shortage of matters about which the Prime Minister could have visited our state, whether it be infrastructure projects in health or in roads, whether it be commitments around AUKUS, or whether it be the work in Whyalla. These are all pertinent matters that would have been perfectly legitimate for the Prime Minister to visit our state about exclusively. He chose to visit the state in regard to drought because he has an appreciation that it's real and that it requires support from all levels of government.

Grievance Debate

PRIMARY PRODUCERS

Mr WHETSTONE (Chaffey) (15:16): I rise to talk about the woes of being a primary producer. South Australia's \$17 billion agriculture industry is going to take a beating. South Australia's economy will be nowhere near the \$15 million that it receives on an ongoing basis.

What I saw last week, after the horrific winds and dust storms on top of the drought and on top of significantly low commodity prices, was a farmer who was out in his paddocks, inspecting fences that were lying over. Those fences were lying over because the wind had blown the mallee soils away from the posts—the ferocity of that wind had seen much of his fencing lying on the ground. On top of that was the frustration of what it looks like at the moment: not only was he dealing with the fencing, dealing with the drought and dealing with the feed and the fodder for his livestock but this was exacerbated by the lack of hay supplies in South Australia.

We are competing with every other mainland Australian state in looking for hay and fodder to feed livestock. This Malinauskas government was slow off the mark, and we are on the backfoot in looking to sustain that. What this farmer has had to do is go and register as a hay importer, which attracted a one-off import fee of \$125, or \$198 if he wanted to bring in more than one load. Then he had to have his hay inspected by government officials before it entered South Australia, with hourly fees being charged by the inspectors. But it is good to see that the government has now waived the fee since last week. The farmer had to keep any hay in quarantine until the inspector could get there to inspect it before feeding it to his livestock.

Sadly, there was no subsidy available to assist with the cost of transport because the government's assistance does not extend past the five charitable organisations. I question whether it is even possible for the five organisations to bring enough hay to adequately support our farmers. This leaves our farmers with no choice but to source hay and pay for the delivery of it themselves,

unlike other drought-affected farmers in other states. The cost to farmers in buying hay and trucking it there under their own steam is almost cost prohibitive.

The extra \$2 million for rural financial counselling, announced by the Prime Minister yesterday, is welcomed, but is that what farmers really asked for? There are calls for further assistance with fodder, low-interest loans, seed banks, rate relief and equity in the emergency services levy. Speaking of the ESL, it is just another blow to farmers. The 4.2 per cent ESL increase in the upcoming budget really is a disproportionate disadvantage to the regional farmer. Currently, the \$157.85 to \$164.55 is what happens in the city, but just imagine if you were a farmer with more than one vehicle. Imagine a farmer with more than one licence, or imagine you are a farmer with multiple properties. The costs continue to escalate and intensify the financial pressures on those households already grappling with the cost of living and the cost of the drought. Currently, farmers are being sluggish with heavy vehicle registration increases of up to 8 per cent.

As a farmer, unlike people in the city—and the Premier and the Treasurer often talk about two cars in an average family; two licensed in an average family—if you go out to a primary producer's farm he has 20 vehicles, he has equipment that has to be registered to be compliant, he has multiple licences, fees and charges that are all going to be impacted by this government's tardy understanding of what it really means to be a primary producer in the regions of South Australia. As I said, a typical household in Adelaide will have a limited impact. A primary producer, a farming family, will see significant hardship and income burden with this upcoming budget.

As I said, some of these farming operations have between 10 and 20 registrations and multiple licences just to be compliant. So my question to everyone in this chamber is: is the government really listening to what the primary producers are needing? The Prime Minister coming to South Australia yesterday was a wasted opportunity—a \$2 million exercise to put more into rural financial counselling to deal with mental health. That assistance is already there in place. So what I would say is that the government need to get off the horse and get on the ground and seriously listen to what the vagaries are around government support. They have already exacerbated the cost and the hardship, and now the government need to step up and actually listen.

CHILDREN'S HEARING SCREENING PROGRAM

Mr BELL (Mount Gambier) (15:21): I rise to speak about an issue that often goes unnoticed, yet has a profound impact on the development, wellbeing and future of our youngest South Australians: undiagnosed hearing loss in children. In Mount Gambier, and across the Limestone Coast, we are fortunate to have strong community organisations like the Rotary Club of Mount Gambier, which is spearheading a new initiative to tackle this challenge head on. Their proposal is to introduce a region-wide hearing screening program using Sound Scouts—a clinically validated, game-based app developed in partnership with National Acoustic Laboratories, the research arm of Hearing Australia.

The brilliance of this program lies in its simplicity and accessibility. Children engage with it like they would any other tablet game but, in doing so, they are undergoing a professional hearing test. It is a modern, engaging and accurate tool designed to pick up hearing issues that might otherwise go undetected in the early years of schooling. The Rotary Club has already committed to funding the required hardware and providing trained volunteers to deliver the testing. This includes completing Working with Children Checks and mandatory online safety training. But what they are seeking is state government support to cover the licensing cost of the Sound Scouts app—approximately \$8,550 per year to test every reception student across public and private schools in our region.

It is estimated that around 10 per cent of school-aged children suffer from some level of hearing loss. That is, one in every 10 students potentially start school with a disadvantage: struggling to hear instructions, participate in class discussions or even socialise confidently with their peers. We know the impact that even mild hearing impairment can have on literacy, speech development and behaviour outcomes. We also know that early intervention is the key. Yet, unlike vision screening, which is routinely offered by Lions clubs across the country, hearing checks are not universally available, particularly in regional and rural areas. This program, led by community

volunteers, presents an opportunity to close that gap and I would argue that it is precisely the kind of initiative this government should be supporting: low cost, high impact and community led.

In Queensland, the state government has recognised the value of the Sound Scouts model and now funds the program in schools. I believe South Australia should be doing the same, starting with a trial in Mount Gambier and the District Council of Grant. This is not a request for millions of dollars; it is a request for a modest investment in preventative health—one that could make a significant difference in the lives of hundreds of children each year.

It is also a demonstration of how government and community can work together to achieve real outcomes for our kids and our communities. I urge the Minister for Health, whom I have also written to, to give serious consideration to this proposal. Let us not allow undiagnosed hearing issues become a barrier to learning for children in our region. Let us give every child the best possible start by ensuring they can hear, engage and thrive in their education.

SAINTS GYM CLUB

Mr BATTY (Bragg) (15:24): I rise to update the house on the plight of the Saints Gym Club and its search for new premises. The Saints Gym Club is a beloved local sporting club in my electorate and is a really important part of our local community. For over 47 years now, hundreds of girls and boys, budding gymnasts alike, have been training at St Peter's Girls' School in my electorate, but they are now desperately searching for a new home.

With over 370 young members and a further more than 500 on the waiting list, the club is absolutely thriving but is now in need of some really urgent assistance if it is going to continue. I had the privilege of visiting the club a couple of weekends ago on a Saturday and seeing everyone in action. It is a very happy and active site indeed. We want to do everything we can to ensure it can continue, so we are calling on the government but also the local community to help identify any potential facilities that the Saints Gym Club can operate out of moving forward.

There are some unique and special requirements around space and ceiling heights, which can present some challenges in identifying a suitable location. We also want to make sure it is proximate to its many members in the eastern suburbs and ideally has space where equipment can be left out. One of the things I observed on Saturday is their very extensive set-up routine, which takes hours in itself and many hours of staff wages to do that as well. Transporting and storing equipment remains a limiting factor at many venues.

The eastern suburbs, we know, unfortunately are just starved of open space. It is a really big problem that many of the local sporting clubs face, and the latest is Saints Gym Club. I first raised this issue with the former Minister for Sport and various local councils about a year ago now, and I want to thank the former Minister for Sport for sitting down with me in the club to try to think of some locations where we might be able to move. I also thank Burnside council for doing the same and, indeed, the shadow minister for sport for meeting with me in the club earlier this year.

There are a lot of very well-meaning people who want to ensure this club can continue and are working hard to try to identify new locations that it can continue at. I am pleased that the club has now had the opportunity itself to sit down with the new Minister for Sport and also with the Office for Recreation and Sport in an attempt to work constructively to identify potential facilities that it can move into. Happily, I understand there are a few live sites that are being considered, and I do hope that at least one of them might be suitable, even if just on a temporary basis while a longer term solution can be considered.

So I call on the government and the Office for Recreation and Sport to keep working with the club to try to identify a site that it can move into because losing this club that serves nearly 400 young boys and girls, young athletes, in my electorate and another 500 on the waitlist would be an absolute tragedy. Also, I call on the local community: if you know of anywhere that might be suitable for this club to move into, a really important part of our local community, I would love to hear from you.

I think we cannot overstate the role the club plays in our local community, a really important role in not only perhaps creating the next generation of young Olympians but also simply keeping local kids active, keeping kids away from screens and devices. It is a key focus of mine; I thought it

was a key focus of this government—well, here is a club working very hard every day to try to do just that. We should support them in any way we can.

I want to conclude by thanking all of those at the club who are working very hard to identify new locations, including Jess and Lucy, and offer them and the wider club community my full support in helping to find a new location for them to move to.

DROUGHT ASSISTANCE

Mr McBRIDE (MacKillop) (15:29): I rise today to reiterate the need for further and more targeted drought support. South Australia is grappling with one of the most severe droughts on record. In many regions, 2024 was one of the driest years ever and no doubt, Mr Speaker, you are not immune from this, being the member for the Fleurieu and Kangaroo Island, and I know that it goes way over there as well. This prolonged dry spell has devastated many farming communities, leaving significant livestock losses, exorbitant feed and water costs, and widespread financial distress.

I just want to give you a little instance when things were really tough in the 1990s in a little area during the collapse of the wool boom in the late 1990s, about five or six years after the shooting of sheep and a six million bale wool stockpile that had to be gotten rid of. A little place called Avenue was one of the poorest postcodes in Australia for revenue and income, and that is exacerbated by what is going on right now in South Australia. No doubt, when those statistics come out, I think you will find that there is regional poverty, and I mean regional poverty in the way of income, lifestyle, expenses and choices that regional people used to make but no longer can because of this dry period.

The state's \$73 million drought relief package, while a positive step, has faced criticism in its limited reach. A significant portion of the assistance is tied to the commonwealth Farm Household Allowance, which has a stringent eligibility criteria. Currently, only 820 South Australian farmers received the Farm Household Allowance (FHA) despite the state housing nearly 9,000 farms. This asset threshold for the Farm Household Allowance has not kept pace with the rising land and equipment values, rendering many farmers ineligible despite facing genuine hardship.

To pick up on what has already been said, I back the words of the member for Chaffey: the emergency services levy could actually be removed through this process, and not only that, it could be removed or paid for by the government or it could be waived for 2025-26. The government could get rid of the 4 per cent increase, which is just another little dagger in the side that makes it harder.

There is also the impact on small regional businesses. We talk about farmers, but small businesses in these towns depend on the farmers, and they are also suffering. Two years ago, a little lawnmower shop in Naracoorte, Limestone Coast mowers and bikes, would usually sell 40 lawnmowers in October but only sold one or two. It was a complete collapse of business. Not only did he have stock on the showroom floor to sell and be prepared for that spring but he had to go into the Field Days event in March to quit stock that he could not move for over six months—and that went well beyond just lawnmowers.

Regional small businesses are really suffering and I think the government needs to consider what it can do for not only the farmers but the businesses that depend on this period and the lack of income that is right around regional South Australia. I am hoping that the South Australian government is looking at what other states are doing. Other states are implementing other measures. For example, Victoria has subsidies for water cartage, and Queensland is talking about interest rate subsidies and loans.

There have been advancements since past droughts, you would have to say, now that we are in this dry period. I can remember at least three: Ash Wednesday in 1983, the Millennium Drought from 2006, and now we talk about 2023-24 going on to 2025. We are doing it better than we have ever done it before. We know how to confine feed. We know how to feed the most important stock. We know how to get rid of the stock that we do not need. We have water infrastructure that will actually meet these dry times more than we used to. That does not mean it is failproof or foolproof, but we are in a better position than we were nearly 20 years ago and in a better position than we were 40 years ago.

There is technology out there to help us do all this with limited staff and with no income, making losses. There is also technology out there that is helping that transition when we are making nothing. Some recommendations for immediate action are to decouple the state from the Farm Household Allowance (FHA) and revise the criteria so more households can participate in this rather than it being such a limited amount.

I talked about the removal of the emergency services levy. It is just one of those obvious things that government could play a part in and say, 'Right, we are not going to tax the farmers that little bit more or impose the fee rise through 2024-25,' because there is no money out there. You are trying to get blood out of stone when there is no blood.

We need support for regional businesses. They are part of the small towns that are going to also suffer from the lack of money for farmers. We need to offer direct financial assistance. That could be fodder, water, freight subsidies, and trying to get grain from one side of the country to the other. Mental health is number one. We saw the Prime Minister come over and give \$2 million extra for mental health. I have seen the state government roll out nearly \$10 million—I think it is \$8 million—towards mental health. It is very helpful because it is tough out there.

One of the things that has been recommended to me, and I have written a letter to the Premier about it, comes from a local farmer up between Keith and Bordertown. We should have a sporting round, a sporting weekend, where the government helps with the gate takings to encourage rural people to turn up, mix, socialise, talk and support their local sporting communities, whatever type of sport it may be—hockey, soccer, whatever the winter sport is—because those sorts of sporting events bring people together. It is tough out there and the more we can do, the better. I hope the government can get on board and work with the federal government to find solutions.

CANDANCE FOR A CURE

The Hon. J.A.W. GARDNER (Morialta) (15:35): On Saturday night, the Adelaide Entertainment Centre was taken over by South Australia's dance community, with 1,700 performers and a full house of paying family members and dance enthusiasts raising money for cancer research at the 15th CanDance for a Cure concert. Created by Rachel Adcroft in memory of her late husband, David, who passed away on 5 May 2004, the mission of CanDance is to raise money to support cancer research. As Rachel wrote in her introduction to this year's program:

He rarely complained about the overwhelming and invasive treatments that he had to go through to help him try to fight something that was unbeatable. To see him not be able to interact with our 3 month old baby without becoming tired after only a few minutes and have to stop being the type of father that he so desperately wanted to be, was so cruel and will always be an extremely saddening memory.

Knowing how helpless you are in this type of situation would never sit well with anyone, so I am hoping that one day CanDance for a Cure can try to help stop others having to battle through the unimaginable disease they call cancer.

Rachel and her family and everyone involved in CanDance for a Cure should be extraordinarily proud of the impact that they have already made. In the first 15 years and 14 performances prior to last Saturday night's big show, CanDance was already responsible for raising well over \$300,000. In 2019, the CanDance Australia cancer research laboratory was opened at the University of Adelaide, and that work will continue and its effects will be amplified in the years to come. I bring this work to the attention of the house today and I hope that current and future governments will work collaboratively with the university, and indeed with CanDance, in all the important work they are doing in this space.

I also want to particularly commend Rachel Adcroft and the team at CanDance, including Kirra Bussenschutt, Millie Burling and so many more for the contribution they have made to South Australia's dance community as well as the mission of CanDance. Bringing so many dance schools together for a massive concert like this every year provides an extraordinary opportunity for the performers to prepare and perform on a massive stage in front of a massive audience. The youngest performers were very young indeed—I am pretty sure I saw somebody onstage who would not have been more than three years old—and, boy, did they ever rise to the occasion.

All the performances were terrific. It is a 3½ hour show, and the finale featuring all 1,700 cast members filling every available area of space on the stage and the aisles, every part of the

Entertainment Centre, was something extraordinary to behold. I hope each of those 1,700 performers are very proud of themselves. They are all listed in the program. I am not going to read out all of the 1,700 names now, but I do want to make special mention of one performer who just turned seven and whose parents were so proud to see her name on the program: young Emma Gardner.

Emma did so well. She hit all her moves with precision, energy and enthusiasm—nailed them, absolutely. Of course, while her mum and dad will support her in whatever she wants to do and apply herself to in the future, if she wants to apply herself to this I have every expectation we will see her on that stage again. I also hope for another reason that CanDance continues for a number of years to come. Emma's younger sister, Eleanor Gardner, has just turned five. She is a precocious and delightful dancer as well. Having heard about everything done at CanDance, she is desperate to get on that stage and have a crack in the years ahead.

I imagine that is a story replicated across hundreds of young families. Some of the dancers are significantly older. We have a number of public schools, with their dance groups participating: Henley High, Golden Grove High, Seaton High School included, and there were some adults in the dance performance as well. For those youngsters, it was something spectacular. A massive thank you to all of the dance groups' teachers, coordinators, host parents and group mums and dads, so many of them volunteers, many of whom had to travel for rehearsals and the show.

I hope I have time left to name all of them. In the order they performed, thank you to the Lucy Mai Dance Company, TK Studios, Stepz Dance Academy, Cheryl Bradley Dance Studios, Le Dance Performing Arts School, Jess Dance Academy, Take 2 Dance Studio, ACPA Academy, Velocity Dance Company, Jay School of Dance, Star Academy, Generation Dance, Dance Crew SA, TIDC Performing Arts Studio (for their 15th year), JL Dance Productions, Ratbag Productions Dance (for their 15th year), Motivate Dance Studio, Clare Valley School of Dance, Seaton High School, Gawler Academy of Dance, Henley High School, Innis Dance Studio, Accent on Dance, Rachel Symons Dance Studio (in their 15th year), DanceArts, Dance Xplosion, Barossa Dance Company. Deborah Kay Dance Studios, Dance Fusion, Golden Grove High School, and Ignite Cheer & Dance. Congratulations to all involved.

NATIONAL VOLUNTEER WEEK

Ms WORTLEY (Torrens) (15:40): Last month, we celebrated National Volunteer Week, Australia's most significant recognition of volunteers. Since 1989, we have highlighted this week to thank the millions of Australians who give their time, skills and energy to support others without expecting anything in return. This year's theme, Connecting Communities, reminds us that volunteering is about more than service; it is about belonging. It brings people together, it builds stronger communities, and it creates lasting relationships. At its heart, volunteering is about service, giving your time and talents to help others or support a cause you believe in. It changes lives, including the volunteers' own, and it offers opportunity to grow, to learn and to make a real difference.

I want to use this time today to thank the many volunteers across the seat of Torrens and also across South Australia for their dedication, compassion and commitment. They are the foundation of so many of the services and support that enrich the lives of our community today. Today, in the time allocated, I want to acknowledge and thank the volunteers, beginning with Northfield Meals on Wheels. It is called Northfield, but it is based in Oakden. It is a friendly crew led by Ann, who have been providing meals to members of our community for many years. I have been a volunteer there myself, packing and delivering meals to our local community, and I know how much their service is appreciated.

The volunteers in our schools, those who come in and help out in our schools, make such a difference. A lot that occurs in our schools would not be able to happen without the support of the parents, grandparents and other community members. I make particular mention today of our school governing councils and the work they do, including supporting sports days, gala days, fundraising events and other activities in the classrooms and libraries. We also have our sporting clubs and the people who volunteer coaching, umpiring, running the boundary lines and fundraising. They do a fantastic job in our sporting clubs, and without them, again, a lot of our community sports clubs would not be able to operate.

I will begin with North Eastern MetroStars Soccer Club, whose home ground is TK Shutter Reserve in Klemzig. I thank president Rob Rende and committee members Adrian Larkin, Anthony Taormina, David Gow, Dr Mario Soteriou, as the club as the club doctor, Filomena Panfilo, Maree Hatedakis, Mimi Duric, Paul Kousiandas, Peter Blanco and Zoran Duric. I want to make special mention today, too, of Debbie and George Laoutaris, who, for more than 20 years, have volunteered with MetroStars.

Sadly, Deb passed away suddenly just a couple of weeks ago, a truly amazing woman. She is greatly missed by everyone at the club, from players to committee members and supporters. At Deb's funeral, there was standing room only, and to honour her contribution to the club there was a sea of MetroStars and Port Power colours. I would often bump into Deb at Adelaide Oval on game day. I offer my heartfelt condolences to George and the boys.

There are many more volunteers at MetroStars, but I will mention them at a later date when I rise to speak on the club's 30th anniversary. The Gaza Sports and Community Club have an amazing team of volunteers. The club has faced some challenging times recently, and together the volunteers have worked tirelessly for the benefit of local families. The committee now consists mostly of women led by club president Natasha Jenke and assisted by chairperson Dominique Downie.

Adelaide City Football Club is led by president Angelo Carrozza. I attended their gala ball on Saturday evening. It was an amazing event with around 500 supporters there. Valley View Tennis Club is again run by volunteers, president Glen Arthur, treasurer Taran, captain Justin Brown and their secretary Rachel Pfeiffer. They are a welcoming team who, with others, organise teams, coaching and day events, also with the club project manager Jim Zissopoulos and for self-managed social tennis, Jo Abbot.

The stand-out long-term Klemzig Neighbourhood Watch, led by Robyn Williams and a dedicated team is one of the most successful in the state, regularly attracting a significant number of community members to their meetings. The recently reinvigorated Valley View Neighbourhood Watch is led by Vanessa Cartland and coordinator Jigs Patel.

Torrens is also home to Blind Cricket SA and we have there Phil Penn, SA's leading umpire of blind cricket who helps visiting opposition players understand the rules of blind cricket. The club's secretary also does an amazing job.

The North East Community Assistance Program has a long history of providing vulnerable people throughout the north-eastern suburbs with groceries in the lead-up to Christmas, food packages and toys. I just want to mention North East Community House, Wandana Community Centre and Technology for Ageing and Disability in Gilles Plains. All of these organisations provide invaluable service to our community and I thank them for their contributions.

Private Members' Statements

PRIVATE MEMBERS' STATEMENTS

Mr COWDREY (Colton) (15:46): A couple of weeks ago the Governor, Her Excellency Frances Adamson, celebrated Ronald McDonald House Charities at Government House. In doing that she acknowledged a couple of volunteers, one of those being Ms Colleen Billows. Colleen is well known to this house for her role, amongst other things, as central to the push to keep the Western Hospital open in my local community.

She is, and I do not use this term lightly, an incredible human being. She puts her heart and soul into absolutely everything she does, whether that be collecting signatures for a petition that garnered more than 20,000 signatures. You would see her down at the West Lakes Westfield Shopping Centre, or at any cafe in the Henley and Grange area over that period of time. She was recognised in this instance for her more than 25 years of service to Ronald McDonald House Charities, where she ran the dinner program for upwards of two decades.

In 2019, at 83 years of age, Colleen abseiled down the Westpac building to raise money for, as she would say, 'Ronnie Mac House.' She was recognised in the Westfield Local Heroes award and was awarded an Order of Australia medal in 2002, and this comes on top of her professional career of more than 30 years teaching at both Siena and St Michael's College.

Colleen has had a pretty tough run over the last couple of months and I know that my community wishes her well and thanks her for absolutely everything she has done, not just in our local community but more broadly for all of South Australia.

S.E. ANDREWS (Gibson) (15:47): I would like to take this opportunity to congratulate the year 5 and 6 students at Warradale Primary School who came on a parliament tour with me just last week. It is always fabulous to show students the people's house and give them an opportunity to have some insight into parliamentary procedure and what it is we do in here and what makes up the building.

Always a great opportunity for students is to participate in a parliamentary debate and they took that on, they read out their scripts and they got dressed up and took on the roles with gusto. Then the Speaker asked if anyone else would like to speak and Benji stood up and he spoke off the cuff, completely unprepared, but gave his contribution to the debate. Other students saw this happen and so another one stood up, and the students supported them, and then another one wanted to speak.

I have honestly never seen a student debate run so long with everyone wanting to have their voice heard and I really congratulate them. It takes courage to speak out, it takes critical thinking to engage in a debate, and that is exactly what these students did. We missed out on some of the tour that was planned after that because I did not want to hold back any student from having their opportunity to speak up in their Parliament House.

Mr TELFER (Flinders) (15:49): I want to speak about what this government is imposing on one of the most prominent and unique ecotourism operators in South Australia. EP Cruises' whale tours at Fowlers Bay have been told by the environment department that, come 2027, there will be no renewal of their permit that they have held for the past 15 years, which has allowed them to approach adult whales to 100 metres and calves to 150 metres, with no detrimental impact on calving, whale migration, population or density in Fowlers Bay.

There have been scientific studies conducted across several seasons, which highlighted a notable population growth and recovery in Fowlers Bay that exceeded any other location. These guys have been operating there for over 15 years and have seen the number of whales and calves grow exponentially over that time. They clearly have not been impacting what has been going on. They are the most conscientious, environmentally aware operators, but they have been told that they will only get a permit to get within 300 metres of these whales, essentially making it impossible to operate due to the average distance between whale groups being 100 to 200 metres.

This was the whole reason why they were originally granted the exemption all those years ago. DEW witnessed and understood that it was impossible to navigate through the bay at Fowlers while adhering to a distance of 300 metres from all whales. Fowlers Bay is nearly 1,000 kilometres from Adelaide, yet the unjustifiable decisions made here have meant that this business will not be able to continue.

So I am challenging Minister Close, Minister Bettison and the Premier to please visit Fowlers Bay and realise what this decision means for one of our unique tourism experiences. It will cost our state and my region dearly.

Ms CLANCY (Elder) (15:51): I want to take this opportunity to speak to something I am really proud of that our government did last week. We announced that we are expanding the mental health co-responder model to the southern suburbs as well. So it now will be in SALHN, CALHN and NALHN. This program is where, when there is a 000 call-out for a mental health crisis, a police officer will attend with a mental health clinician as well, and that means a much better outcome for the person in distress.

It also has meant more than 2,400 emergency department presentations have been avoided. From my conversations with people in SAPOL, it has also changed the conversation around mental health in those stations, which is really great for reducing stigma and improving mental health literacy. So I was really proud that we are going to be expanding that program in the upcoming budget.

I also want to take a moment to recognise someone very special, and that is Danica Gates. She was recently awarded Volunteer of the Year in South Australia and she does incredible work in

Tumby Bay. She has chosen to turn her grief into something really powerful, and I have been proud to meet her a number of times, both in Port Lincoln and in Adelaide, and to recently visit the centre she is running with others in her Suicide Prevention Network in Tumby Bay. So congratulations to Danica and thank you.

Mr Telfer: Hear, hear! Good speech.

The ACTING SPEAKER (Mr Brown): I do note the member for Elder managed to use her entire allotted time and no longer, unlike some other members.

Bills

BIODIVERSITY BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Mr DIGHTON (Black) (15:53): The Friends of Glenthorne National Park is another group that has been dedicated to returning biodiversity, and in this case to Glenthorne National Park. They are a very active and organised group whose passion for biodiversity includes activities to control weeds, assisting in revegetation efforts, identifying different birds that visit the park, collecting seeds for propagation of local provenance plants and protecting historical and heritage buildings and structures that are throughout Glenthorne National Park. I am looking forward to the opening and the establishment of the Friends of Glenthorne plant nursery, which will significantly support their biodiversity efforts.

The Friends of Upper and Lower Field River are two other groups that have provided significant biodiversity activities that help protect our local environment. They are passionate groups who have worked tirelessly to rehabilitate this river corridor, protect native species and improve public awareness. They have focuses on weed removal, erosion control, rubbish clean-ups, revegetation and education with the local community about the river's importance. They have planted thousands of native trees and shrubs to restore habitat for local wildlife, including birds, lizards and insects that depend on that environment.

The Upper Field River has recently been declared one of the state's newest conservation parks. This proclamation of the new park provides a significant opportunity to protect, restore and rewild the metropolitan river valley corridor along the length of the Field River catchment.

I also want to acknowledge the work of other volunteers who support biodiversity through wildlife rescues, and in particular groups like the Southern Koala and Echidna Rescue group and staff and volunteers at the RSPCA. I recently conducted a tour of the RSPCA and saw how their animal hospital was set up so it could accommodate significant numbers of injured wildlife should a disaster such as a bushfire occur—a step towards protecting the biodiversity of our native wildlife.

I also want to highlight the work of our park rangers who do so much to support biodiversity. This legislation helps to support the work of dedicated volunteers and those who choose a vocation in biodiversity.

I commend this bill to the house. It demonstrates that the Malinauskas Labor government is taking biodiversity protection and restoration seriously and ensures that South Australia is at the forefront of the protection of nature. I want to acknowledge the work of the Deputy Premier and her team. The Deputy Premier is a true conservationist whose commitment to our environment is evident in this legislation and also in all she does as Minister for Environment.

Ms HUTCHESSON (Waite) (15:56): I rise today to speak in support of this landmark legislation: South Australia's first ever biodiversity act. This bill, which has already been well discussed here today, is a long overdue framework for how we protect, restore and interact with nature and how we sustain, increase and protect our biodiversity.

Biodiversity is the variety of all life on earth—plants, animals, fungi and microorganisms—and the ways in which they interact within ecosystems to support life and maintain balance in our environment. It underpins the clean air we breathe, the food we eat, the water we drink and the very fabric of our economy. But, sadly, we face a biodiversity crisis.

The World Wildlife Fund's 2024 Living Planet Report found an average 73 per cent decline in global populations of mammals, fish, birds, reptiles and amphibians since 1970. Australia has the highest mammal extinction rate in the world, and here in South Australia an estimated 73 native species have already been lost since European settlement.

Biodiversity loss is not just an environmental issue, though: it also presents an economic risk. More than 80 per cent of our exports and over one-third of the state's employment depend on healthy ecosystems. Industries like food, wine, tourism and agriculture all rely on biodiversity. Our major trading partners are setting ambitious biodiversity targets, linking environmental standards to trade and investment. If South Australia does not act, we risk being left behind in the global green economy.

The bill has been developed over two years, in close consultation with environmental scientists, primary producers, miners, economists and planners, ensuring that the best available science, knowledge and perspectives inform how we protect nature while enabling sustainable development.

The key elements of the bill include a new general duty for all South Australians to protect biodiversity; stronger native vegetation laws and critical habitat protections for threatened species; a nationally consistent process for listing threatened species, guided by a scientific committee; stronger penalties for environmental harm, including significant fines and jail terms for illegal activities; and recognition of Aboriginal South Australians and their vital role in caring for country.

The bill consolidates biodiversity provisions from existing acts and creates a single framework. It also sets up four expert committees and three dedicated funding streams to support conservation. Additionally, it establishes a state biodiversity plan and biodiversity policies developed with community input to guide long-term conservation efforts and ensure that culturally significant biodiversity is respected.

The Biodiversity Bill complements the more than \$15 million already invested in biodiversity data collection, threatened species assessments, and native vegetation protection in the past two budgets. It delivers on our election commitment to ensure conservation outcomes are fully integrated into how we live sustainably and prosper in the future.

As the World Economic Forum's Global Risks Report 2025 highlights, biodiversity loss and ecosystem collapse are among the most significant risks facing humanity, second only to extreme weather events. Alongside climate change, biodiversity loss demands urgent action, and I see the very real impacts of biodiversity decline in my own community every day. South Australia is in the midst of a severe drought. Many parts of our state have experienced little to no rain for months, resulting in a water crisis with tanks and dams running dry. Residents of Upper Sturt have only just managed to hold out this summer, but what about next summer? If we have a dry winter, there will be no chance to recover water supplies.

Without the water our native vegetation and fauna will struggle, and they are struggling. I now have a resident kangaroo that is enjoying the green grass that an Envirocycle provides. With little evidence of green shoots in the national park across the road, we are seeing these animals come out in search of food and water.

But it is not just animals, though: the effects on our landscapes and ecosystems are stark. In particular, dieback in our trees is becoming more widespread, manifesting as browning leaves and, ultimately, the premature death of trees. Researchers like Chloe Bentze and Donna Fitzgerald at the University of South Australia have been observing this troubling dieback in stringybark eucalyptus in places like Belair National Park.

However, the scale of this problem is not yet fully understood. It is most definitely occurring, though, and there is no denying it. I see it every day as I drive home. It is a real problem and it is why the Stringybark Dieback Research Team at the University of South Australia has joined forces with the Dead Tree Detective team at Western Sydney University, led by Professor Belinda Medlyn. They are asking all South Australians to report dieback sightings through the Dead Tree Detective project on iNaturalist or BioCollect, simply by snapping a picture and providing a GPS location.

This community-driven research will help better understand how drought is affecting different tree species and, more broadly, the biodiversity of our forests and woodlands. This urgent work highlights the intimate link between biodiversity conservation and climate resilience—exactly what this bill seeks to address.

In regard to bushfire resilience, this legislation carries forward the essential provisions from our existing native vegetation laws that allow the clearance of native plants to manage fire risk. It recognises the vital role that landowners play in keeping their properties safe by allowing them to clear native plants that are in close proximity to homes and other structures and along fences and to undertake prescribed burning on public lands. These measures are crucial to reducing bushfire risk and protecting life and property, while ensuring that these activities are carried out in a responsible and measured way.

Importantly, this bill also provides for chief officers of the CFS and MFS to approve clearance in additional circumstances where it is reasonably required to reduce fire hazards. In emergency situations, officers acting under the Fire and Emergency Services Act will have the clear authority to undertake or direct the clearance of native plants to protect the community. This includes creating fuel breaks, fire back-burning and the use of heavy machinery to create a bare earth firebreak. Creating a clear strip of land to expose the soil—removing all vegetation, debris and flammable materials and creating a barrier that a fire cannot easily cross—is a crucial element in preventing fire spread and protecting property and lives.

By carefully carrying these powers forward, this bill strikes the right balance, empowering proactive fire safety measures without compromising our broader commitment to conserving South Australia's native vegetation and biodiversity.

We are fortunate to have incredible community organisations leading the way in restoring and caring for our natural landscapes. Groups like the Friends of Sturt Gorge exemplify what it means to take local action for global benefit. Founded in 1999, the Friends of Sturt Gorge work tirelessly to maintain and promote the Sturt Gorge Recreation Park. With more than 100 members, they are actively removing pest plant infestations, conducting recovery programs for threatened plant species, propagating indigenous seeds and replanting native vegetation to restore the park's pre-European habitat.

The Friends of Sturt Gorge also play a vital role in wildlife monitoring, trail maintenance and engaging with the community. Their vision to foster a deep appreciation for nature and inspire best-practice conservation demonstrates the power of grassroots action in achieving the goals of this bill.

Similarly, the Friends of Belair National Park are a shining example of dedicated community conservation. They contribute over 3,300 volunteer hours each year in managing the ecology of the park, including areas like the old golf course, where they remove invasive species like boneseed, African daisy and olive, helping the native ecosystems regenerate. They have even undertaken two small-scale revegetation projects on the 17th fairway and the Tea-Tree Oval sites, despite challenges of altered soils. On both occasions I joined them it was very boggy, and not very much fun, but those trees and those shrubs are trying their hardest to grow.

The area also contains three significant plant communities: a stand of native pines, likely to be remnant survivors; a population of native windmill grass, the only one in Belair National Park; and a rare black bristle-sedge, listed as rare in the Mount Lofty Ranges. We also see the inspiring work of the Friends of Belair National Park supporting younger environmental leaders like Xavian Parr, who has been making possum and bird boxes from recycled wood to create homes for local wildlife.

Xavian began his project as part of his Urrbrae High School application, inspired by concerns about deforestation and habitat loss. He combined his passion for carpentry with conservation, and donates 10 per cent of his profits to the Friends of Belair National Park, as well as to Minton Farm wildlife rescue. Last year, he was also the recipient of my Environmental Warrior Award, and he is now working on a new design for bee hotels to support native pollinators. His story is a powerful example of the next generation of conservation champions.

Importantly, I would also like to highlight the work of the Sturt Upper Reaches Landcare Group's Bandicoot Superhighway Project. The community-driven effort is protecting the endangered southern brown bandicoot—the last surviving member of the bandicoot and bilby family in our region. Each bandicoot can dig through up to four tonnes of soil per year, playing a vital role in supporting native plant growth and soil health.

The Bandicoot Superhighway Project is creating a network of connected habitats by planting native vegetation, fencing off important remnant areas, setting up cameras to monitor bandicoot movements and predators, and trialling reintroductions of bandicoots into safe spaces. It is a true community effort, and simple steps like keeping pet cats indoors at night can make a huge difference in giving these threatened marsupials a fighting chance.

Finally, I want to acknowledge the exceptional work of the Waite Conservation Reserve along the bottom of the freeway. Dedicated to conservation and scientific research, it protects the best remaining example of grey box grassy woodland and is home to rare and vulnerable plant species, as well as kangaroos, koalas and echidnas. Adjacent to it, the Waite Arboretum is an extraordinary living collection of over 800 species, freely accessible to the public, and a testament to how science, education and biodiversity conservation go hand in hand.

The impacts of drought-related dieback, the inspiring community efforts to restore habitats, and the innovative research underway at our universities underscore the importance of this biodiversity act. These challenges and opportunities show us that, while legislation provides the framework, it is the collective effort of people on the ground that brings this vision to life.

I, too, would like to pay my respects to our park rangers. They do an incredible job of looking after our national parks and recreation areas. Not only do they have the passion inside them but they also educate others. Just on Saturday they joined us and took over our park run and spoke about the work that they do, so I want to take this time to thank them personally. But let us remember the future of our planet depends on protecting what biodiversity we have left and on restoring what we have lost. This act sets the tone for a future where nature and people thrive together. I commend the bill to the house.

Mr WHETSTONE (Chaffey) (16:07): I would like to make a contribution to the Biodiversity Bill. It is an important place/space that we all live in and all expect it to go along as it should. I do note that the government have come into power with a commitment to introduce the first biodiversity act here in the state, and I think it could be commended, should it be introduced, and carefully considered in the way that it is introduced.

Many of the contributions today have talked about the threats to biodiversity and the threats to whether it is a species, whether it is an animal, whether it is a plant, whether it is the soils or whether it is the things that are growing in those soils. I think it is very important that we carefully consider what this biodiversity act will mean and potentially how it will benefit, and also how it will impact on the day-to-day lives of those who will be impacted by what the introduction of this bill will mean to them—whether it is to their lifestyle, whether it is to their business or whether it is to the landscape that they are living in and living around.

A concern I have is that we have a government patting themselves on the back with this Biodiversity Bill, and that is fair, but what I would like to better understand is the duty of the government. What is the duty? I think for much of the time I have been in this place, governments always introduce penalties, hardship, red tape and green tape, but I do not ever see the incentives that I feel that this bill should have. It is not about introducing new penalties. It is not about making it harder to navigate, to run a business, to look after the landscape, to look after the challenges that we face.

Living in a regional setting, we face challenges every day, and a lot of those challenges are biodiversity challenges that we have to deal with. The carrot-and-stick approach is always my business model for any piece of legislation, any law that we introduce in this chamber, bring here and pass, that the wider population then has to deal with. What I would like to see, what I would like to better understand, is that there has to be a carrot-and-stick approach. That carrot-and-stick approach must include that the Biodiversity Bill has penalties for those who are not doing the right thing, but what are the incentives for those who are doing the right thing?

What are the incentives for those who are providing better biodiversity in our landscapes, in the world where we live? Where are the incentives? As an avid regional person, I do go out there and mix it with a number of community groups that go out there on bird watch for bird counts. There is fish watch for fish counts. We look at native trees and tree counts. We look at the impacts of what has come past our landscape, whether it be bushfire, drought, flood and natural disasters, if you like, or whether it be pests and diseases that we have to deal with at every corner.

Not only does the natural environment have to deal with a lot of introduced species, introduced issues and problems, but we have to actually manage, and I think better manage, the biodiversity. I think there are some sensible ways to do that, and I think there are some other ways that are not as sensible. What I must say is that when I went on the website and had a look at the YourSAy for consultation and giving feedback into this process, for 180 pages of legislation, the consultation was open for 27 days.

We had the usual contributors into that consultation process: a lot of conservation groups, a lot of community and environmental custodians, if you like, that like to put their two bobs' worth in on a consultation process. I must say that a lot of the stakeholders do have a vested interest. A lot of those stakeholders like to voice their concern or they like just to hear the sound of their voice so that they feel good about making a contribution to the consultation process. But many of us live in amongst it and understand intrinsically about the betterment of biodiversity. We promote biodiversity as primary producers, as regional communities, as environmental groups and as tourism businesses.

I have a very well-known tourism business up in the Riverland, the Murray River Trails. The proprietors of that business, Tony and Susie Sharley, do an outstanding job not only showing off the pristine environment, showing off the pristine biodiversity that they operate their business under, but also being the eyes and ears of their business, where they take people, where they show people some of the great environmental assets that this state has on the banks of the River Murray, on the plains of the River Murray, on the flood plains of the River Murray and also some of the high country.

What we can see is some of the historical artefacts and some of the native vegetation, how it is regenerating, how it is succumbing to some of the pressures of invasive species or invasive weeds and invasive pests, if you like. Obviously, many of us would understand what a lot of these invasive pests are. Whether it be a rabbit, whether it be foxes, whether it be deer, whether it be a native animal, whether it be an introduced animal, they all put pressure on the biodiversity of our landscape.

If they are not managed, then we put unwarranted and unneeded focus on an area that needs to be better managed. Who is probably going to do that? The landowner, the farmer, those community groups, those environmental crusaders, if you like. Many of them will do it for a reason and in most instances it is not about the monetary gain—there is probably usually no monetary gain—they are doing it for the betterment of the biodiversity, they are doing it for the betterment of the environment and the landscape that they live on and live under.

On a day-to-day basis, I see people out there, keeping an eye on waterways, keeping an eye on rivers, keeping an eye on the natural landscape, the flood plains. They do report in exactly when they see inconsistencies, when they see activity that is of detriment to that biodiversity or that landscape. Usually they will have a voice and they will cast that voice normally with a level of opinion. There is always an opinion when there is a voice and some of those voices and opinions are good for the future, and some of those are quite obviously not so good for the future, because some of it is unsubstantiated and some of it is warranted with a level of expertise.

What about the life cycle of biodiversity? I heard the member for Waite talking about some of the diseases within native trees, browning. We have all sorts of insects that get in under the bark, get into the wood and then create a tree that will then have a limited life, but that also poses risk for people who walk under it, camp under it or walk past it. Potentially, a lot of those trees will then have a lot of deadwood which invites campers to look at the opportunity for firewood. That is just human nature and I do not think in any way, shape or form that this bill will stop the human intervention of opportunity.

The life cycle of that of biodiversity is no more prevalent than it is on open landscape, landscapes that are surrounded by rangeland, bushland, flood plains. I hope in this consultation

process that there is a good balance of the management within that biodiversity. Obviously, what we hear and see a lot about the natural environment, particularly out of the department, is there are two types of tape: there is red tape and there is green tape, and in many instances I think that there should be a role for government to reduce that burden. A big pair of scissors is what we really need to be able to cut it out of the way and simplify the activities around this bill.

I will be watching very carefully the landowners' rights and the impact on landowners. They have always, in most instances, been good custodians of the land they own, the land they maintain and the land they love, so that will be very interesting to see. With the carriage of this bill, the minister will obviously oversee it and the management and the enforcement will, I think, be watched very carefully around how that is managed and the unintended consequences.

I live on the banks of the River Murray; I live and breathe it. I came into this place on a platform fighting for the right to have a healthy working river and it is no different than looking at the right to have a healthy working biodiversity. It is about regeneration, it is about the life cycle and it is about the natural phenomena that we live with and live under every day, but it is also about managing the unforeseen circumstances, managing natural events and managing human intervention.

As I have said, managing pests is probably one of the biggest issues in a healthy biodiversity, whether it is disease, a natural incursion or something that has been introduced. Here in Australia we have, by and large, introduced a lot of the pests that have become plague-proportioned and have needed significant management in order to keep a healthy biodiversity and a healthy environment. We know that plants, forests and parks regenerate. The flood plains and the waterways all regenerate, but they also go through an element of change and unforeseen natural phenomena.

With the most recent flood that hit the main channel on the River Murray, what we saw was a flood event that has seen a change in the shape of the river corridor. It has seen a change in the shape of the flood plain. There are some newer species and some plants, trees and bushes that were not there before. A lot of the landscape, the shape of the landscape, was never there before. There are large deposits of different mediums, such as sandbars, that were never there before. I guess the reckoning is what was before the flood, we endure the flood and then we pick up the pieces after the flood.

I did want to touch on the River Murray. We talk about biodiversity, we talk about waterways and we also talk about the management of those waterways. What I saw with the floods in late 2022 into 2023 was a significant detrimental impact on a lot of the river trees and the population of trees. We saw a lot of the river red gums fall into the river. We saw a lot of regeneration on some of the flood plains.

It was great to see some of the black box population. The black box population is something that is far away from the river. It is a tree population that receives water every number of decades. It is unlike a river red gum that needs water every four to five years to keep its feet in good condition so that it can survive and continue to grow and be part of the magnificent landscape that the river corridor offers.

What I would like is to make sure of the way that the same department that is going to implement the biodiversity act manages the river at the moment. I get a sense that it is a little bit of experimentation, the way that weir pools manipulate that river, the way that we undercut the banks. A lot of the blame for this is put on human intervention. But it is not about human intervention—being on a ski boat, being on a jetski, being on a houseboat, setting up camp, or bringing your boat onto the bank. This is about raising and lowering weir pools. What it is doing is undercutting a lot of that, a lot of the banks, and we are seeing huge bank slumping, and then we see more trees falling into the river. We see more erosion and we see huge impacts that I think are all about a department experimenting with the management of the river corridor.

I think the river is very much a telltale of its environment. As I have said, with the most recent flood, we have seen a real phenomenon of what regeneration means on a flood plain. We have seen huge regeneration of lignum, we have seen huge regeneration of native trees and native bush, but we have also seen a huge regeneration of native animals. Many of those animals have moved to higher ground. I can attest to that, that after the high river all the rabbits, all the snakes, a lot of the reptiles have all moved to higher ground, and a lot of that higher ground is my property.

So what I would say is that, if we are going to put a biosecurity act in place, we are going to have to further manage a lot of our landscape. We are going to have to make sure that we have a healthy working biodiversity and a healthy working river, that we have a healthy working flood plain and also a healthy, working environment. Whether it be in a paddock, whether it be on a hill, whether it be in a forest or whether it be in a park, I think that there will need to be much care and consideration that this bill does not create work for the sake of creating work, that it does not create green tape for the sake of creating green tape, and that it does not just introduce red tape and create a burden for all of the population that is part of that biodiversity. I will be very interested to see how this act is introduced, and I hope it is with the least amount of burden put onto landowners and land users.

Time expired.

Mr COWDREY (Colton) (16:28): I rise today to make my contribution to the Biodiversity Bill 2025, an issue that is of importance across my electorate. You do not have to go too far in terms of the area in the western suburbs to see a couple of pretty diverse but also interlinked habitats, landscapes or ecosystems, to speak of a different river to the member for Chaffey's, who has discussed in great detail the River Murray. The River Torrens is essentially right down the centre of the electorate of Colton. From time to time, we have been very proud of what the River Torrens has become, in particular over the last couple of years, with the clearing work that has been undertaken on the river itself, particularly down on the western end, with regard to the last in a schedule of three projects that have culminated in the redevelopment of Breakout Creek.

For those who are unaware, the River Torrens previously did not quite look as it does today in terms of the river mouth coming out to the sea in between the suburbs of West Beach and Henley Beach South. It had meandered through what were reed beds down towards Port Adelaide as opposed to that cut that was made in the early 1930s.

One of the significant projects that had been undertaken by a range of governments, over what has been a pretty significant period now—it started in 1999—was this work to rewild, revegetate, replant and essentially change what had been a man-made outlet. That has taken a significant period of time, probably longer than anybody would have liked to conclude that project.

The project that I am particularly proud to have seen when I was in government was when that last stage of works was funded and then delivered, seeing the clear and significant change in what that project has been able to deliver: 15-odd hectares of land returned for public use and community enjoyment, but, more than that, in terms of what has been achieved from an ecological perspective in ensuring that land is now more closely matched to what it should have been previously, being able to see significant wetland areas returned through that system for the purpose of not just improving water quality but trying to rewild and introduce species back into the River Torrens.

I will not speak in detail of the project that has been undertaken by successive governments around the platypus. It is one that I am sure some will potentially talk on further, but there are significant works being undertaken across that whole stretch to the extent of returning and creating that new habitat where more than 215,000 native plants have been inserted into that stretch of land.

Something that has been well received from the community, of course, is the opportunity to access the area in a way that has not been done previously to bring people closer to that space. The community also felt part of that journey, with multiple opportunities to plant and see the continued revegetation of that area. It is not just secluded to that end of the River Torrens. From time to time, usually aligning with Arbor Day, there are various groups that go out and do other planting exercises around parts of the river further to the east, but still in the general western suburbs area.

There are many organisations, community groups and volunteer groups that are obviously incredibly passionate about ensuring diversity in our landscape, but more broadly as well across the area. Whether that is coastal dune planting that occurs through not just my electorate but more broadly across the coastline, both in metropolitan and regional South Australia, those groups do a fantastic job in supplementing the work that is done in growing coastal plants through the various agencies within South Australia, through to dune care groups such as the Henley Dunes Care Group in my particular area. There are, of course, others across the metropolitan coastline as well.

A more recent addition to our area is the Henley Beach Greening group, which is doing something fundamentally different in terms of approach. That started completely outside of government, whether that be local or state, but it is effectively finding local council verges and planting as many natives and other plants that they can possibly source into those areas. Marion Kilsby does a fantastic job with that group. It has significantly changed the face of many a verge through the Henley Beach suburb to this point already and with the opportunity to increase that planting exercise, I am sure she will continue to grow it over the future years as well.

As I said, the two particular landscapes, whether that be the river through the middle of the electorate through to the coast, are interconnected. That is why I am incredibly passionate about improving the quality of the water and the management processes that come along with the intersection between the two, the area where the River Torrens comes out to the sea. For many years, unfortunately, we have had to describe our role in the River Torrens system as essentially the butt end of the river system. All of the debris and the items that come into our stormwater system and make their way into the River Torrens, it is not that we see parts of that, we see all of it basically down at the western end.

We know that the quality of the water needs to be improved. There have been many instances of the management of the blue-green algae system within Lake Torrens itself that have resulted in effectively a channel needing to be cut in advance, when that gets passed through each summer, hoping that it is not the case that it does get to that point. Again, I would encourage the government to continue to research and find ways that we can improve the quality of the water within Lake Torrens.

Every time we need to flush the blue-green algae in the Torrens Lake we see a release of water further upstream that then pushes through the system and makes its way through my electorate and out into the sea. I am not sure that we necessarily understand the full effects of what that does, but certainly, from the perspective of local residents and more broadly those who use the beach, it is not that nice, it really is not.

Unfortunately, to this point there is not an easy solution to that problem, but it is something that I would certainly encourage the government to continue to work on in the short term. I do thank the minister for calling together a group of interested parties in putting forward some solutions to improve the management of that process. With the cutting of the river out to sea, it does go dry during most of the summer months in anticipation of that happening. We can always improve and we can always do better, and I am glad that everybody is open to improving that process.

West Beach is also home to the South Australian Research and Development Institute (SARDI), which is heavily invested in research that is geared towards improving biodiversity outcomes in South Australia, whether that be aquatic or terrestrial ecosystems or more broadly with inland waterways and catchments. As locals, we value the fact that we have SARDI there in our local area, that that work is being undertaken in the western suburbs and that that contribution of science more broadly is happening there.

I am not going to go into too much detail in regard to the coast itself. From the many contributions that I have made across the years in this place, it is clear that more needs to be done to improve our coastal and sand management processes in South Australia. Over the last couple of weeks in particular, we have had some severe storm and weather events that have battered the coastline right the way down.

However, it is not untrue to say that the better job that we do in managing sand and beach management processes the better we set up the condition of our beaches to deal with those significant storm events that are going to happen more frequently as we start to move into the years ahead. That is not disputed. We know that those events are going to happen more frequently. It is the very reason why we need to get coastal management and sand management right. That is exactly why we need to ensure that our beaches are best placed to deal with those ongoing events into the future.

I am happy for this bill to progress through the house. I strongly support the intent of the bill to improve biodiversity outcomes in South Australia. I am sure there will be opportunities to improve

the bill from a range of interested parties in the other place; there is no doubt that that will likely come. I look forward to the continued debate as the Biodiversity Bill makes its way through this place.

Mr PATTERSON (Morphett) (16:39): Thank you, Mr Acting Speaker, for the opportunity to speak today on the Biodiversity Bill. It is a bill that is designed to protect and enhance biodiversity in South Australia but also gives consideration to restoring biodiversity. That is certainly applicable in the electorate of Morphett, which is where European settlement in South Australia really first started, certainly from a metropolitan Adelaide point of view.

The electorate of Morphett is also very important because it has some of the most beautiful beaches in the state, certainly in metropolitan Adelaide. The beach ecosystems are very important ecosystems to help both from the ocean's point of view but also terrestrially because, as is the case in Morphett with estuary systems, it actually brings together those two ecosystems in the one place and you go from a saline environment through to a freshwater environment.

In the electorate of Morphett's case, that is the Patawalonga lake system, which basically sees the termination of both Sturt Creek and Keswick Creek. These are creeks that meander, you would say, their way through metropolitan Adelaide. Obviously, on the plains Adelaide is very flat, so these creeks are not the big rivers that you see in Europe or other continents, but they are very important in terms of the role they play in the ecosystem.

Going back to my original comments, European settlers came up the coast looking for a place to set up a settlement. One of the important aspects of having a settlement is finding fresh water, so the Patawalonga was the first real freshwater source of a substantive nature that got the interests of those Europeans who came to set up the colony of South Australia.

In fact, going up the Patawalonga and through the Sturt Creek at the time, the mangrove system that was there—the dry land where the proclamation of South Australia first occurred—was at the Old Gum Tree Reserve, for those of us in this chamber who attend that ceremony. I go to that ceremony on 28 December each year. That is about a kilometre inland, so it gives a bit of a sense that when Europeans first came to set up in South Australia the first real firm land from the perspective of Holdfast Bay was about a kilometre inshore. The rest of it was the estuary system that is the Patawalonga.

It is a haven of biodiversity but, of course, with European settlement came urbanisation: cement, bricks, roads. Where Morphett is, it is heavily urbanised. That caused a real change in the biodiversity of the ecosystem there. It also caused a change in the actual oceans themselves.

Now, you see the satellite views looking overhead and you can see that the sands and the dunes system that was once there extends out for a good number of metres—hundreds of metres—before seagrass starts to appear. A lot of that is because of all the nutrients that are either getting flushed out from roads or flushed in through Sturt Creek or Keswick Creek. You would think that nutrient richness would be a reason for promoting the seagrass growth in those very near areas of the ocean, but in fact it is the opposite: you will find that, to some extent, it is a desert beneath the waves there.

So there are real issues around restoration. I spoke about that when I first opened my comments around the efforts to restore biodiversity in Morphett. I am not saying that we should exclusively only be talking about Morphett, of course. We have members in parliament who represent all areas of the state, but I will keep most of my comments just to my electorate, to give that flavour and reinforcement, and let others speak for their own areas.

Maybe I will talk about Sturt Creek from the outset because it is such an important part of the electorate. It effectively runs through the entire electorate of Morphett. Initially it goes underneath Oaklands Road—certainly it starts its way in Morphett, from Park Holme—then it makes its way through Morphettville, where you will see it predominating, then it goes under Morphett Road and gets to Glengowrie and makes its way to Novar Gardens before finishing at Patawalonga in Glenelg North. You can see that it is a really important water source.

Again, in days gone by it was a meandering river. There are pictures of what Sturt Creek used to look like that you can see at Cummins House, which is where Sir John Morphett lived, whom the electorate was named after. Cummins House was established in 1842, which was very shortly

after settlement in 1836. You can see from the pictures of the time that it looked basically like you would expect most creeks to look: just carving their way through the landscape with trees abounding, and being a source of waterholes for animals and attracting native fauna and flora. Of course, as happens in Australia, which is a land of droughts and flooding rains, oftentimes the river would be dry, especially in the summer months, but in rain events you would get flooding.

Sturt Creek itself starts in Coromandel Valley, in the Mount Lofty Ranges, effectively like the green island for metropolitan Adelaide and of course where most of the rain falls. That rain makes its way to Patawalonga and, as a catchment area, collects more and more water along the way and then floods. Back in the fifties and sixties, the design was to protect housing as Adelaide grew, and Sturt Creek was basically converted into a big cement drainway. I do not think it is unfair to describe it as a large drain, because that is effectively what it looks like: a scar making its way through. While that allowed the water to be controlled and the volume that it could handle was quite large, it also meant that the water actually ran quite quickly from Coromandel Valley all the way to Glenelg. So, while it achieved the effect of not spilling the banks and flooding houses that were adjacent to Sturt Creek, it caused trouble in that it put a whole lot of water into the Patawalonga Lake, and that needs to be managed as well.

The point is that humans have come in and changed the ability for that creek to be rich in biodiversity. The other effect is that, as you go along Sturt Creek, it is quite barren on either side. There was very little vegetation put there, deliberately so, to allow water to make its way down. That turned what was a nature corridor into a pretty barren landscape, if truth be told.

So back in 2021 there was a really concerted effort led by the Friends of Sturt River Landcare Group to turn, as I said, this barren area into a more natural green corridor along the Sturt River, especially in the suburb of Glenelg North, with the aim to plant local native species that would then provide vital habitat for birds, insects and small mammals, and also try to improve the health of the river system there as well and effectively try to rewild it to some extent and turn it back into a nature corridor.

In 2021, the first of those plantings was at Fordham Reserve in Glenelg North and I was able to join the Friends of Sturt River Landcare group there. With a number of volunteers, we planted over 1,500 new seedlings around that reserve. It took it from being basic grass and gum trees to actually having a fair bit of undergrowth that supports effectively the food source and also habitat for native birds, animals and insects. Nesting boxes were also put into the surrounding gum trees to again promote birds to effectively have a safe haven and really accelerate the native birdlife to set up in those groups.

Moving along, there was another planting day, again held by the Friends of the Sturt River at Bob Lewis Reserve in Glenelg North. Again, this was just a very grassy reserve. I have talked before about drainage and run-off. This drain, to basically get stormwater and flush it into the Sturt Creek, had been effectively split up into two and carved out with a rocky depression in that reserve to try to break up the stormwater a little bit. But it was still very barren—it was basically a whole pile of rocks.

The planting at the Bob Lewis Reserve was around planting strappy sedge and wetland plants into those rocks. They basically needed to get auger drills because the rocks themselves were quite heavily compacted. They used the auger drills to drill in and then put in those wetland plants, again with the aim to attract wildlife, and frogs especially—there is not so much of an opportunity for frogs to be in the Morphett parts of the Sturt River because it is basically concrete lined, but here was an opportunity—and also dragonflies and insects as well, and the aim was for the plants to improve the drainage even further. On the other side of the Sturt Creek is Stewart Avenue Reserve. Plantings were also undertaken there, again basically to provide a number of opportunities for this nature corridor to be built up.

Finally, moving closer to the Patawalonga is Shannon Avenue Reserve in Glenelg North, just up from Kibby Reserve and Kibby Avenue where you have the primary school; and the Baden Pattinson kindy is set up there. You also have the Kibby Veterans Shed set up there as well, so it is a great activity and source of volunteers. Between them and the locals, the planting was done on

Shannon Avenue. That basically lasted over a period of three years and it was fantastic to be able to join the Friends of Sturt River Landcare to be able to help set those up.

In fact, it was also very opportune to be able to attend the completion ceremony that was held in November last year at the finishing point of that greening project at Shannon Avenue Reserve. We had Professor Chris Daniels come along and commend all the Friends of Sturt River for their work in basically providing a nature corridor. You can see the growth over time. Fordham Reserve has had three years of growth behind it and you can see what a difference that has made compared with Shannon Avenue, which was only done in July. Obviously it has not had a chance to mature and build out, but it gives hope for that.

Thank you to all the volunteers for the dedicated efforts over three years to plant thousands of native seedlings. It certainly will go a long way to enhancing local biodiversity along the Sturt Creek in the Glenelg North region. Their work that they are doing directly supports the goals of this Biodiversity Bill in terms of restoring native vegetation, enhancing biodiversity and helping to build resilience as well in the suburbs. They are a community-driven environmental care group, and they certainly remind us that biodiversity protection can be done at a grassroots level as well. It does not have to rely just on a top-level approach.

Talking of nature corridors, another corridor that is available for planting of native species is along the tramline that runs from Glenelg all the way into the city. We have some fantastic volunteers who help green areas of our transport corridors, especially along the Mike Turtur Bikeway, which runs adjacent to the tramlines. It really is very shady for people, so it encourages people to get out and just enjoy being outside. It also provides natural habitat. All these gum trees are quite significant.

As more developments are being undertaken on private housing blocks, more and more of those bigger gum trees are making way for houses, so these corridors become sanctuaries. I was out doorknocking only recently, in the last couple of weeks. I spoke with, as it turned out, Brian and Kayleen Light. They told me that over the years they have really enjoyed and worked hard at doing tree plantings along the tram corridor. I commend them for their work as well.

Another great example of biodiversity in Morphett is the Glenelg shellfish reef. I talked earlier about all the nutrients that get flushed out and have basically made a bit of a wasteland under the ocean in the first few hundred metres from the shoreline. Previously, before a lot of this urban build-up had occurred, there were a lot of natural oyster beds all the way along the coast. One of the projects under the former Liberal government was to invest quite significant money, over \$1 million, in creating a shellfish reef the size of Adelaide Oval. There is quite a substantive amount of native oysters there.

Not only will it stabilise the seabed and try to slow down that sand drift that naturally occurs heading north but it will also help to filter the seawater and prevent coastal erosion. It takes the energy out of the waves that go over and also provides habitat that supports not only fish but other sea life such as crabs and sponges. It is located about a kilometre out from the mouth of the Patawaalonga. There are opportunities there, once it gets established, for people to go out diving with tour operators such as Adelaide Ocean Safari. Those are the opportunities that are opened up there.

So they are some of the really important aspects of biodiversity in Morphett. I look forward to further debate on this bill. I note from some of the contributions of others, as we provide support to progress the bill, that it is about getting the balance right between biodiversity and lifestyle, especially for those in other regions, especially rural. They basically make their living off the lands, so of course biodiversity is important to them. There is also the ability to make sure that their farming processes are not overly held up by green tape or any hurdles that are created. With this bill, we will have to work through how it deals with the impacts and risks to biodiversity, the obligations that have been put in place by this and how that balances out. I look forward to those questions being put in the committee stage as this bill progresses.

The Hon. D.G. PISONI (Unley) (16:59): I rise today in support of the core intentions behind the Biodiversity Bill 2025 and also to raise concerns on what could be, if passed in its current form, a landmark legislative effort aimed at safeguarding South Australia's irreplaceable nature and heritage but missing the target and delivering the social licence for compliance and enthusiasm.

This bill rightly recognises that biodiversity conservation is a collective duty, an intergenerational responsibility and a moral imperative, yet while we must applaud its bold framework, we must also pause to critically and constructively consider whether the methods proposed may produce unintended consequences. We must ensure that this well-meaning legislation does not falter under the weight of ambiguity, bureaucracy, or uneven enforcement, or inadvertently displace or disadvantage the very communities and ecosystems it seeks to protect.

Biodiversity matters. South Australia is home to unique ecosystems, coastal wetlands, arid deserts, river systems, mallee woodlands, all teeming with native species found nowhere else on earth. Our biodiversity is not simply a biological inventory; it is the very pulse of our landscapes, central to our economy, our culture and our wellbeing.

Biodiversity supports our food security through pollinators and soil microorganisms. It supports climate resilience through carbon-sequestering ecosystems like seagrass meadows, forests and mangroves. It supports tourism through the multibillion dollar industry that we have that is heavily reliant on our state's natural wonders. Biodiversity also supports mental and physical health in our homes and streets, and especially in regional and Aboriginal communities, and yet South Australia is in the midst of a biodiversity crisis.

Let me share some sobering figures. Australia has the highest mammal extinction rate in the world. Over 100 native species have gone extinct since European settlement. In South Australia, more than 1,100 species are currently listed as threatened—that is about 20 per cent of our state's known native species. According to the 2021 State of the Environment report, South Australia's biodiversity condition has continued to decline due to land clearing, climate change, altered fire regimes and, importantly, introduced species.

Of course, extinctions have been caused by introduced animals. One of the most devastating threats to our native biodiversity is predation by introduced species. Of these, none is more damaging than the domestic and feral cat. A 2020 survey by Australian National University and the Threatened Species Recovery Hub found that feral cats kill an estimated 1.5 billion native animals annually across Australia—that is a very big number. They have been directly implicated in the extinction of over 22 Australian mammal species.

In South Australia alone, they are a major threat to the western quoll, the southern brown bandicoot, and the greater bilby. Other introduced threats include European red foxes, responsible for major declines in small ground-dwelling mammals; rabbits, which outcompete native herbivores and degrade soil; and deer, altering understorey vegetation in sensitive bushland. We must acknowledge that many of these species were introduced through negligence or ignorance, but it is now our responsibility to mitigate their harm using the best science available.

The Biodiversity Bill 2025 repeals the Native Vegetation Act 1991. It establishes multiple statutory bodies, such as a biodiversity council, a scientific committee, and an Aboriginal biodiversity committee; however, the minister's ability to ignore stakeholders for appointments is concerning. It introduces innovations such as environmental benefit credits and threat abatement plans, and recognises Aboriginal knowledge as integral to conservation efforts.

The bill's objectives are clear: to improve the state of biodiversity, build ecological resilience and share responsibility across society. But what is unclear in this bill as it stands is whether it will meet those objectives. This should be a visionary document that, if implemented properly, could become a model for biodiversity legislation in other jurisdictions; however, it falls a long way short of that aspiration.

There are potential unintended consequences. Even the most noble legislation can falter in practice. I will outline three key concerns. The first is ambiguity and overreach. The bill defines 'harm to biodiversity' as any direct or indirect adverse impact that is not trivial, but what constitutes trivial? The lack of definitional clarity could invite both legal challenges and regulatory overreach particularly affecting small landowners, Aboriginal land managers practising cultural burning or farmers conducting routine operations under tight margins. If protections are implemented with rigidity rather than nuance, we risk alienating the very stakeholders whose cooperation is essential.

While the bill introduces a robust permit system for any regulated activity involving native species or habitat, the cumulative result may be an administrative bottleneck. Every land clearing, grazing adjustment or fire management plan could be subject to approval by multiple overlapping bodies. This poses a real danger of delayed conservation actions, frustrated landowners and enforcement gaps in areas where swift decisions are vital.

Despite acknowledging the damage caused by introduced animals, the bill is relatively mute on specific strategies for controlling invasive species. The language surrounding the taking or disturbing of protected animals, while appropriately cautious, risks being weaponised against practical wildlife management, particularly culling programs targeting feral cats or deer. We must ensure that compassionate, science-based management is not stymied by a one-size-fits-all set of legal provisions.

Let us never forget the species we have already lost due to inaction: the Toolache wallaby, *Macropus greyi*, extinct by 1939 and driven to extinction by habitat loss and hunting; the lesser stick-nest rat, *Leporillus apicalis*, once common in South Australia and now extinct due to predation by cats and foxes; and Gould's mouse, *Pseudomys gouldii*, extinct across its former range largely due to introduced predators.

Those still clinging to survival include the Mallee emu-wren, endangered due to fire and habitat fragmentation; the Mount Lofty Ranges southern emu-wren, down to fewer than 500 individuals; the yellow-footed rock-wallaby, threatened by feral goats and foxes; and the western pygmy possum, vulnerable to climate extremes and habitat destruction. Each of these species tells a story not just of ecological loss but of a system struggling to keep pace with human progress.

How do we move forward? We need precision in legislation, clarifying terms like 'trivial harm', 'reasonable measures' and 'critical habitat', and ensuring exemptions for cultural practices are well defined and researched. We need to tailor permitting systems to risk levels—routine agricultural practices should not face the same scrutiny as land clearing in critical habitats—and empower local landscape boards and community organisations to act decisively with appropriate oversight.

The bill's inclusion of an Aboriginal biodiversity committee is historic, but only if its recommendations hold actual legal weight. Of course, we should fund Aboriginal ranger programs and traditional owner-led restoration projects. We should legislate clear mandates and funding for feral animal control programs, encourage community participation in citizen science and talk to farmers, conservationists, adventurers, campers and tourism experience providers. We should introduce backyard cat-containment initiatives. It needs resourcing and accountability, ensuring that the three proposed committees and their funds for restoration, conservation and administration are transparently selected and managed. It will require regular public reporting on specific recovery plans, extinction inquiries and full allocations for these programs.

Let's be clear: the bill is not merely a legal document. It is a statement of values. It should be a testament to how seriously we as South Australians take responsibility for the care of our country. As it stands, it is not. Legislation alone will not save a single species unless it is implemented with clarity, care, balance, courage and wisdom. Let us ensure that, in our outright zeal to protect biodiversity, we do not choke under paperwork or paralyse it with procedural uncertainty. Let us listen to the land, to the traditional owners, to the farmers, to the scientists and the quiet voices of the flora and fauna whose future depends on our management of their environment. The government has the tools. As a community, we have the knowledge. Now, we must have the resolve to get this bill right.

Surprisingly, I have spoken a lot about the loss of diversity. Interestingly, when I was preparing this speech, it reminded me of a lecture that Professor Chris Daniels gave to FOCUS, the Friends of the City of Unley Society, about diversity in metropolitan Adelaide. When people think about diversity, they think about what was here first, about native plants and native animals. Of course, he did make the point that diversity in Australia has grown, particularly with the introduction of imported flora, our trees, obviously the food that we eat and the flowers that we grow and enjoy in our gardens and in our homes.

Let's not throw the baby out with the bath water when we are talking about diversity. Yes, it is very important to protect our native diversity, but it is also important to have diversity beyond what

was here before European settlement. You only have to look at the difference that manicured parts of the Parklands have for enjoyment compared to those that are left to nature's devices. Both are important, and so we need to cherish them both. I would like to see more manicured Parklands. I think that they are safer, they are more inviting. As the city grows, as we see more urban consolidation through apartment living, in particular within the City of Unley and other inner suburbs, the aspiration to grow the north-west corridor along the tram line and the train line will bring more people into the city.

The aspiration of Adelaide City Council is to double the number of people who live in the city. They will need a Parklands that is diverse and comfortable for them to use. Whether it is walking, whether it is having a picnic, whether it is playing sport with the kids, we need to have that diversity of both the introduced species and native species.

One of the things I have certainly learnt as the member for Unley over the last 19 years is the value of introduced street trees. There are trees that have been identified around the world that survive best in the urban environment and plane trees are one of them. I think anybody who travels to the airport along Sir Donald Bradman Drive would be pleased that 30 or 40 years ago the City of West Torrens, as it was then, made the decision to plant those plane trees en route to the airport. We would be pleased to drive down there when we are returning from the airport or dropping somebody off or in a cab coming back.

Victoria Avenue, and a lot of other streets in Unley Park, also have benefited from the introduction of more diversity in flora in South Australia. Interestingly, Professor Daniels went on to explain to members of that FOCUS group, the Friends of the City of Unley Society, that one of the reasons why Unley has so many trees and such a dense plantation of trees is because the council had nothing to do with it. The residents got together and decided, through a discussion process, what would be the most appropriate tree to plant in their street and they all took that project on board and planted the trees in front of their own properties. Whether they thought one or two was the requirement, they would do that and they would all agree on the same species and it has worked extremely well for the cooling effect.

I know in Opey Avenue there is a big difference in the shade provided by the very large jacaranda trees to that provided by the stunted growth box trees that were planted to replace some jacaranda trees that died about 40 years ago. There is a significant difference. We have even got beautiful English oak trees in some of our streets in Unley and they have an enormous impact on shade.

They are also a habitat for birds. We had some friends stay with us many years ago from Iowa in the United States. Coming from a small forest city of about 5,000 people you would think in a town that size there would be plenty of wildlife and plenty of birds, but one of the things they noticed on their first morning after waking up were all the birds they could hear in the garden.

It is something I think we take for granted as Australians, regardless of where we live. Whether we live in the city, whether we live in the suburbs, whether we live in regional South Australia, I think we take for granted the access we have and the enjoyment that our biodiversity, our flora and fauna give us. With those remarks, I will complete my contribution.

Mr McBRIDE (MacKillop) (17:18): It gives me great pleasure to speak on this Biodiversity Bill and the wide spectrum of what this bill represents. Perhaps before we even start and acknowledge it, this is a wide-reaching piece of legislation covering many areas and obviously it would have been quite challenging.

I think, in general, as someone who comes from a regional area like MacKillop, from our regional southern high rainfall areas, I think that it is a bill that appears to address perhaps a narrative from a city-based population's perspective, which I cannot argue and I am never going to win that debate because we are outnumbered. But as a bill I think it is looking to reinforce, protect more, create a greater level of penalties, including fines, moneys, dollars, rehabilitation—and I even hear that there is change to jail sentences in this regard to extended periods.

First of all, from the perspective of MacKillop, my constituents and how we battle native vegetation/biodiversity, we live and work in this area with trouble and perhaps with difficulty. It is

cumbersome, slow and my constituents have to have a tremendous amount of patience working it in around their life, their investments and the opportunities that come up. Over the next 20 minutes, I am going to highlight some of these challenges that the Biodiversity Bill may not touch on, but perhaps could have touched on, and maybe they could even address them later on. I would say that that could be an opportunity.

My endeavour here is not to ridicule or to throw this bill out the window and say how ridiculous it is. That is not my intent, because obviously there are people who have constructed this, who are going to be affected by this who may be very pleased, satisfied and happy with where they have landed. It may be more workable and there might be some great results out of this bill. It might be great for them to be able to say that they were part of this process. In 10, 20 or 30 years' time, the community in that period of time may look back and say, 'What a life-changing and huge impact this bill has had on where we have landed today.'

I want to emphasise a comment that was said to me when I was out in the northern parts of my electorate at Lameroo and Pinnaroo. I was talking to a trucking businessperson who runs trucks and transport. I said, 'How are you finding the southern Mallee Highway?', and he said, 'They've done some major works on it.' I said, 'Yes, I've heard.' He said, 'It's really good now. They've taken some bumps and lumps out and they've put some shoulders on. It's not smooth, but it's good enough.' I said, 'Well, geez, I hear a lot of complaints.' He said, 'You've got to give people something to complain about, so don't worry. Leave it there and they'll be talking about that rather than something else.'

In regard to this type of legislation, that is probably what I am really going to allude to. By living in regional and remote South Australia, we represent a population of around 400,000 people in a state of 1.7 million, so we are the minority. I think if the 400,000 were able to put a biodiversity bill up and tell the 1.3 million people in Adelaide what to do with their biodiversity bill, this would not read like we are reading today, because they have a different perspective around biodiversity.

This is the one thing I will say: if we were all to pack up as humans or Homo sapiens and say, 'We're going to leave South Australia and never populate it again,' it would return back to its natural state at one time or another in the future. I do not know whether it would be a thousand years or a million years, but it will go back without our watch. It might have some introduced species that we stuffed up and let in and so forth, because they were not here in the first place, and there might be some other things that might be there that do not look like they did before we arrived.

However, in general, if you could flatten everything down, take the houses away and rip the roads up, and not even replant or reseed, it would go back to where it was. This is the bit that I think is lost for city folk, when they put up their high-rises like they are going to alongside here at 32 storeys, they lose sight of the gum trees and the native vegetation, that it actually is growing out there beyond the city perimeters and it is something we have to work with and we have to battle with.

I have worked with the minister and her staff and we brought up some issues. I will give you a classic example where we already know in our regional areas that we have a housing problem. Actually, we have an economic failure around housing in regional areas because it is not happening fast enough and the economics around it actually says, 'No, if you want to build houses and you want to make maximum money and have a great investment, do not build it in the regions because you will make more in the city.'

On top of that, we could stick five gum trees on a block in the little town of Naracoorte that likes to build in a north-south direction, and this will add you \$150,000 to that build just like that. Those five gum trees are worth \$30,000 each to the builder and the developer to turn that block into housing. There are trees all out beyond Naracoorte. There are some beautiful big red gums out beyond Naracoorte. These are not red gums, yet these trees are the difference between that block of land being built and no houses being built there today because of the cost of those trees. This is where I hope this Biodiversity Bill addresses the difference between city life and how they do want to see a greater, greener Adelaide.

I have been very privileged to sit on the Environment, Resources and Development Committee, chaired by the member for Badcoe. She does a fantastic job and puts her heart and all the inference that she can into the Environment, Resources and Development Committee. We are looking at greater greening Adelaide, we are looking at forestry of Adelaide, we are looking at tree

management of Adelaide, and we are talking about the leafy green eastern suburbs of Adelaide and how we would love to transfer that over to the western suburbs, northern suburbs or the southern suburbs.

I get it. I know that that can mean a greater, more liveable suburb. I know it can be a greater, more liveable life, it can be cooling, it can be aesthetic, it can be mental health, it can be livability, it can be the prices of houses, it can be the prices of suburbs. I understand.

So then I made a suggestion—I do not know whether they will take it up, but I suppose what I am going to say and ask is—that when we look at the Native Vegetation Council, which is now going to become the new Biodiversity Council, I am hoping and I have my fingers crossed that there is some sort of representation for our regions on that council. This is not saying there will not be, but if there is I will endorse it and I will say thank you. If there is not, please consider, because what goes on beyond Adelaide is a tough life and it is a different world to the city of Adelaide. We do have these struggles.

I have talked about housing being an issue with native vegetation. I could then go on and say the Biodiversity Bill touches on the Mining Act, only in an ever so slight way. It might be about rehabilitation; it does not matter, it just touches on it. The Mining Act does deal with native vegetation in a really tough way.

Down in our region, we have low-cost quarries and mines that have pits of sand, which is used for cement and filling and house blocks. We have pits of rubble, which is used for roadworks and foundations and the like. We have black metal, which is used for highways. We have dolomite, which is used for agriculture. We have pits of lime, which is also used for agriculture. I am not really sure if there are any more; they are to name just some of the quarries and things that we do dig up in our region that is made very hard to extract out of our region—so hard that we actually find it easier to go to Victoria and buy these products rather than in South Australia because the native vegetation rules are too tough to work with.

They are too expensive. To knock over native vegetation, e.g. virgin, it would be prohibitive for a mine to expand when digging up the products I have just said, because they are only worth about between \$20 and \$50 a tonne. They are of low value. This is very important, as if they were more expensive we would not bloody use them. But it does not allow that mine to actually expand and work with the Native Vegetation Council, which will be the new Biodiversity Council.

These are the sort of inputs I am hoping, with this amendment and this bill here, will actually see some changes to recognise the different economic environments that we are talking about: that regional South Australia is not the same as Adelaide.

The other one I would like to touch on is that it does talk about our Indigenous Australians. It is allowed to and I hope it works well. I hope that they are engaged, I hope it is respected, I hope it gives them traction and I hope they feel that they are being recognised as the original landowners who arrived here 60,000 years ago.

However, here is a classic. We have recently heard in my electoral office that there is land south of the dog fence up in the arid lands of South Australia (the south means it is a dog-free zone) not far away from Roxby Downs—I think it is even owned by BHP—that is harbouring and looking after around 400 dingoes. These dingoes should not be south of the dog fence. Yes, I can understand they are a protected species where they are meant to be protected, but this is not part of that zone.

I hear landowners know about these dogs being a problem; they are predators. They actually have sheep businesses surrounding these leases and this land, and they need to put up their own dog fence: a second dog fence inside the dog fence area. Yet that is being made very hard in terms of Indigenous access and making sure that they work with the Indigenous owners, elders and communities.

It is hard to get them on board. They say yes one day—a property owner who was working with one gentleman does not see the end of the project. I think this property owner has 150 kilometres of dog fence to do and has 50 more kilometres to go, and the representative they were dealing with no longer belongs to the Indigenous community and committee as a representative. He has been pushed aside. A new gentleman comes in and says, 'No, you may not put that fence up.' So we now

have a hole of 50 kilometres in the fence that is not dog proof, and so there are dogs coming through this area and attacking sheep on properties beyond this property. I hope that when we look at this Biodiversity Bill—and I see a number of points made around Aboriginal communities and the Aboriginal biodiversity committee—it has the traction to go well beyond that.

The other problem that I also hope the bill covers and gains traction in is that there is a huge opportunity in the arid lands for carbon capture. This is where we are going to keep sheep off property—or off the areas that are going to be capturing carbon, not necessarily the whole property. We are going to keep goats off the property and we are going to keep cattle off the property and the paddocks and then allow the regrowth to take place. It has to grow to two metres. This could be quite lucrative for landowners in the arid lands in what are now very tough times. It is really hard to make these arid lands work at the moment. With the shortage of labour, costs, the tyranny of distance and seasonal conditions it is now costing us \$17 a sheep to bring sheep from 400 kilometres north-west of Port Augusta to Murray Bridge to be slaughtered. So, before we even start, there is \$17 just in freight and transport.

These sorts of things are getting harder and harder, and there might be this really good opportunity to have carbon capture. But in carbon capture you have to deal with the Indigenous communities. In the example that I know of, we have a boundary between two tribes or communities, and they will not talk to each other. If you deal with one community they say, 'Yes, it's alright, you can go along and capture carbon,' and we will look after them and pay them an amount for the privilege. But if you then talk to the other one they are not happy because we have done a deal over there already, and so we do not get a deal. So we go back and start again and we talk to the other community, and they will say, 'Yes, we are all happy with that,' and then you go and say to them that you have a deal and they say, 'No, it's no good. We can't do a deal,' and so we get nothing.

I am hoping that this is the sort of traction that this new Biodiversity Bill will actually capture: that we do need recognition of communication strategies, that people do turn up and sign-off and that we can invest and move forward in these areas.

Moving more into my neck of the woods, in agricultural terms this bill talks about the penalties going up exponentially. I have to say that I think they are already quite onerous. I think they are very expensive if you get caught out, and I think it is up to the courts to consider jail time. May I say that I think that is reaching too far in this field. It is a huge deterrent, but what gets lost when you potentially start putting people in jail according to native vegetation acts and laws and breaking those laws and rules? It does become really quite fearful. It is a fearful type of process for operators. I really hope that this sort of thing is there in writing but potentially may never be used and just stays with the fining system.

We have landowners who would like to put in centre pivots, and the removal of trees for massive irrigation circles, as they are called, is so expensive. It is so expensive to put these circles in that the cost of the removal of native vegetation rules out the development, and the development then does not take place and the irrigation is lost. They might have a water licence, but too bad. I heard of one centre pivot where there could have been, I think, about 40 to 100 poorish old trees, which the landowner would claim have a limited life span, for which you would have to remediate 60 hectares for a 40-hectare pivot. What does that mean? You have to lock-up 60 hectares of native vegetation—bushes, rushes and reeds—to be able to water 40 hectares and knock over trees that are not native vegetation; they are isolated paddock trees.

We are not dropping a circle down in pristine native vegetation and saying, 'We are clearing this area for good.' It had never been touched and it was what they called virgin native. That is not happening. But these are the sorts of things that we are struggling with in our electorate. We know that landowners, people who try to grow lamb, beef, wool, crops, seed crops, are all suffering under the current rules. I am not saying that this Biodiversity Bill is absolutely going to put the nail through this and it is not going to happen. What I am asking is can it make it easier? Can it work with these landowners better than it is today? Do we have to have such onerous rules?

There was a big housing development in Robe, and I think they have had a really good win. Robe lives on the sand dunes right on Guichen Bay, and in the 1930s, 1940s and 1950s the sand dunes were all grazed by sheep. If you can remember the heydays of sheep in the 1950s—pound

for a pound—they were running sheep wherever you could run sheep. This country was all cleared—barren, it started to blow, perhaps deteriorated. It was not the greatest practice in the world. It has certainly stopped. It is now a national park.

Robe is really beautiful, pretty and attractive and it attracts a lot of people for retirement and their holidays. It has growing pains. We had an area of land that had low-lying bush, two metres high maximum, maybe three—not virgin—yet they found it really hard to expand and actually get approval to build houses on this native vegetation. I know there are growing pains there for the Robe council in water and wastewater and the like, but I am hoping again that if we have good representation by this Biodiversity Bill, if this Biodiversity Bill brings in people who actually understand this dilemma, understand the opportunities that may be out there in our regions and gives it fair consideration, that these developments could and should take place.

We are not losing our pristine environment and the native vegetation that has never been touched and was virgin. It is regrowth. The town is really desperate to grow and have people develop more houses, and the council is looking for greater developments to be more viable in a really changing landscape. So this will all depend on the reference of what this Biodiversity Bill can achieve and what it should achieve.

The other point I would like to touch on is feral animals. We know we have wild dogs—and I do not say dingoes—foxes and rabbits. We know that we can try to obviously remove them from the landscape. I did ask the question whether this Biodiversity Bill had any traction with the landscape boards and apparently it will not touch them. I think that is a little bit of a missed opportunity because a lot of people say that the landscape boards do a wonderful job talking about all the problems, writing down all the problems, but they are very, very thin on the ground for action. I am talking about roadsides with native vegetation, I am talking about roadsides with weeds, I am talking about roadsides with vermin, I am talking about rail corridors with fire control and weed control, and I am hoping that this Biodiversity Bill is able to consider, look at or hopefully bring better management of what our native vegetation has to offer.

Mr BASHAM (Finniss) (17:38): I want to thank the Speaker for earlier giving me the indulgence of the chamber under standing order 105 to be seated while addressing the chamber as I recover from my foot surgery. I also note that I am the lead speaker for the opposition and that the opposition will certainly support the passage of the bill through this chamber but will consider possibly amending it and then deciding on whether we support it fully due to some concerns we have that we really want to unpack through the committee stage, making sure that this bill does what it is intended to do.

Biodiversity is very important, and I think it is important that we are moving from, in particular, the Native Vegetation Act, very focused on the vegetation that was native to Australia, to talk about biodiversity, because we cannot remove the exotic plants and animals that are now in the environment here in Australia. Biodiversity has been changed forever in this space, and we cannot go back from that, so we need to make sure that we are having a holistic approach to its management going forward. The opposition is very supportive of looking at that sort of move.

I have some concern about parts of language in the bill and particularly the use of the word 'restoration'. To me, restoration of biodiversity to something that now has been changed is, as I said, almost impossible. I do not think 'restoration' is the right word. We can increase biodiversity, we can decrease biodiversity, we can make sure that we do not lose further biodiversity and we can also enhance biodiversity, but I am not sure 'restoration' is the correct word that we should be using through this piece of legislation.

We have to be very careful, because what point in time are we trying to restore to? Are we trying to restore to a point prior to settlement? Are we restoring back to 1400 AD, which is a date that is referred to in the bill for becoming native to Australia? To me, it is a really challenging concept around restoration. That is certainly one thing that I want to unpack when we go forward.

Another part that I really feel is important to pull apart is the understanding around the definitions. I met yesterday with the member for Heyesen and a constituent of his who has a passion for fungi, and they are very concerned about the inclusion of fungi and algae in the definition of a plant because, scientifically, they are not plants. They are very concerned about fungi and algae

being treated in the same way as plants without further unpacking that. To me, that is the starting point around the definition of plants that I feel we really need to have a good deep dive into.

There is also the understanding of the definitions of 'native plants' and 'native plants of a relevant kind', understanding through this legislation how, where and when they apply. For example, there is certainly an area where we are talking about what requires approval for a regulated activity such as clearance and we have plants that have been planted by someone. They were not naturally growing there: they have been physically planted. Is a native plant that has been planted covered by this? Is a native plant of a relevant kind also covered by this?

To me, it really needs to be unpacked because it could lead to significant adverse outcomes. If the native plant of a relevant kind instantly becomes protected because it is not considered a native plant under the clearance rules, that could lead to the perverse outcome that people may choose not to plant South Australian natives. They may actually choose to plant other natives that are not South Australian or plant exotic plants instead. I think we need to make sure that we get the understanding of that really quite clear, because I have been racking my brain over the last couple of days trying to work my way around the legislation to see where it is meant to land.

I know what the intent is; I am pretty sure the intent is to allow people to continue doing the relevant thing of planting native plants without putting an extra burden on them, but I just think the way it is currently worded is a little unclear and could lead to that perverse outcome.

To me, likewise, it is so important that we continue to actually think outside the headspace that we all get in in this space, and that is thinking about trees. There are so many other plants and animals, but it is probably more in the plant space where we actually get tied up to thinking about just the living tree structures because we can easily see them.

There are many other plants out there. It is something that I became very well aware of when we had our farm at Mount Compass and we had some native scrub that surrounded our house and we managed that quite differently. We destocked it. We tried to thicken it up by removing the undergrowth, which it did. Interestingly, once you thicken it up by spraying the undergrowth out, the undergrowth that came back after we did that was native orchids and things like that were appearing, so we were enhancing that native vegetation to be there.

It was a real eye-opener to see that in trying to minimise fire risk, etc., and also thicken up the canopy by giving it greater protection, we saw a complete change of what was there underneath the native trees themselves. So, to me, we need to make sure that we continue to understand and promote more than just the thinking of trees.

Another example really comes to mind in this space about trees and people's thinking—and it comes back to the word 'restoration' again. There is a piece of land that my family has a long history with down between Port Elliot and Middleton, which has been for about 40-odd years a park called the Ratalang (Basham's Beach) Regional Park, managed by the Alexandrina Council. They have done a great job of turning it into a nice environment for people to walk through and they keep using the words 'restoring the native vegetation'.

On all the historic maps and in all my family history, and even talking to some of the local Indigenous people of the area, that area was native grassland—it never had a tree on it. Quite interestingly, it is having trees placed on it but it is not being restored to its original state, which to me is fine, but it is about making sure we acknowledge that we are doing that and making sure that we are not tree focused in this space, that we are actually looking at biodiversity and at what is the appropriate biodiversity to aim for for particular ecosystems and environments that surround us.

I have certainly had significant feedback in the last week in relation to this bill and from people I was not necessarily expecting to receive feedback from: rec fishers, four-wheel drivers, from farmers to conservationists, to many other people. It is a real challenge to actually pull all that together and try to ask questions on their behalf.

Unfortunately, we do not have more time to actually do this as we are heading into the committee stage. We will keep working with those groups as we expect this piece of legislation to pass this place this week. We will keep working to manage that and make sure that we try to get their views heard because there are some significant concerns out there. I guess both the farming sector

and the conservation sector that have come to me very much have concerns about placing so much of the control of this act in the hands of the minister of the day, that the minister of the day gets to appoint members of the council. Yes, there are recommendations of three names from each of the bodies that want to have people on that council, but the minister of the day may choose not to accept any of those names and appoint someone else.

Likewise, there is concern over the environment benefit credit structure and how the minister will have control of that going forward as well. That would be much better in the hands of the council themselves to actually assess the pricing around those credits, etc. So I think there is still a lot to unpack in relation to those things and how we can make sure we see the right outcomes and the right benefits in this space.

We also need to make sure that people are able to continue to do what is necessary in their environments. Looking back over the history of South Australia, we have had a very large change in thinking on how we should do things. It was not that long ago that we were opening up land in South Australia. My family farm that we were on for many years in the Mount Compass area was only cleared in the 1930s. There was much of the Fleurieu that was still being cleared through the 1960s. At that point in time we thought that was the right thing to be doing, to make that land active farming land—and it is great farming land—but it was certainly putting a challenge into the biodiversity.

For basically all my lifetime there has been a change the other way. I very much remember how my parents really instilled in me that as property managers we had a big responsibility to make sure we looked after the property, not in a farming capacity but in the ecosystem of the property as well to make sure that we were trying to keep things in balance.

I may be challenged by one or two in this chamber, but I am pretty confident that I have probably planted more trees than anyone else in this chamber. I was trying to estimate it and my guess is I have planted somewhere between 5,000 and 10,000 trees in my lifetime. It is a lot of trees. I remember relatively recently there was a tree-planting exercise on Granite Island that people were invited to, and I was invited as the local member. They had done a great job; they had actually pre-dug all the holes and placed a tree beside every hole. They were expecting us to take about an hour to plant these trees, but I planted about 50 to 100 in something like 10 minutes.

They were wondering what I had been doing and how I had done that, but you actually get pretty good at it when you have planted a lot of trees. I am pleased to see going around Granite Island that those trees have survived, too, so it is not as though I had rushed the job and not done it properly. You can actually get pretty prolific at planting trees when you have done as many as I have.

It is really important that we understand that property owners, particularly farmers and pastoralists, are in most cases great custodians of the land. They not only do fantastic work to provide food for the people of Australia and the rest of the world but also do a great job of making sure the land is managed well. As we learn as farmers and pastoralists, we also do a better job of making sure we do not put our properties at risk. A great example of that is: yes, we have seen some dust storms recently, but certainly if you go back to my memories in the 1980s it was a regular occurrence that we saw dust storms. That is just a measure of what we have seen as an improvement in our land management.

I guess that then leads me to the general duty section of this bill. I certainly understand that its intent is to encourage people to do the right thing. Effectively, even though there is no direct penalty for doing the wrong thing attached to it, there is the ability for people to be directed to correct, or do something to try to correct, any damage that they may have done in their position on general duty. The challenge here is that it could have a very significant impact on the individual.

We need to ensure that we are making people aware that doing the right thing is there to make sure that we do protect the biodiversity, but we do not want to make it such an onerous thing that effectively it becomes the threat of the big stick leading us to those perverse outcomes, that we choose not to do things, we choose not to plant native plants because we are worried that we could get hit by the big stick down the track. To me, we are still balancing a very fine line here. Again, it is those things that I really wanted to significantly unpack as we work through the committee stage.

Going back to the stakeholders, there were certainly some things that were raised with me, and some of them have been in the Native Vegetation Act and just a carryover in relation to the Native Vegetation Act. Primary Producers SA, for example, raised the issue of fence lines only being a metre on a boundary fence, and certainly understand that we do not want significant removal of vegetation to put up fences. I guess the challenge is whether a metre is enough. In their eyes they thought it was not quite enough, that maybe it should be a little bit more. Their comment was that you could not even ride a motorbike down that space along the fence. As you are doing things on the fence, sometimes a quick way to get down the fence line is to whizz down on a motorbike, as you are straightening it up, etc., so maybe a metre is not quite enough.

If we can look at and ask questions on those sorts of things—for example, the three metres from a dwelling. I was thinking that the width of a lane on a road is 3½ metres, so to get a vehicle down the side of a dwelling, is three metres enough? Do you need that little bit more? I am just trying to understand whether those numbers are actually quite where they need to be. To me, this is something that we certainly need to go through and continue to unpack. I think that the committee stage hopefully can help us understand the intent of this and make sure that we are achieving what is necessary to help and promote biodiversity within our ecosystems around South Australia. We do not want to see that negative impact occurring as we go forward.

I am happy to wind up my remarks at this point and then continue with a contribution in committee.

Sitting suspended from 18:00 to 19:30.

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) (19:30): I am delighted to close the debate on the second reading, and I will go fairly quickly because I know there will be a number of questions and I also know that we would all like to have reasonable hours.

I could indulge myself by talking about the politics of hearing the different views, the divergent views, shall we say, on the other side, about the environment in this bill specifically, but I imagine that there will be others in time who will draw attention to those apparent internal contradictions that seem to be playing themselves out. I will stick purely to the commentary on the legislation and seek to answer a few of the questions that were raised in the hope that that will make the committee stage more straightforward.

Just to remind everybody, the purpose of this legislation is, first of all, to both modernise and simplify two existing pieces of legislation. While much was made of: 'It's 176 pages,' in fact, the vast majority of this bill is the combination of existing legislation that has long since been the law.

It is also the purpose of this legislation to strengthen some of the provisions and I think we are all acutely aware of the need to better protect biodiversity. The most recent example of biodiversity being in strife with the algal bloom—and it looks very likely it has made its way into the northern lagoon of the Coorong—reminds us that we need to make sure that our biodiversity is as strong as possible in order to be resilient when external shocks like that are put onto it.

There are two additional purposes of the legislation, one being that we need to increase our capacity and, in fact, the requirement to collect accurate data and to share it in order to ensure wise decision-making, and the other being that we need to create a restoration framework.

I will not get distracted by the semantics of the terminology 'restoration', but the shadow minister, who is a thoughtful man and a man of good faith when it comes to this portfolio, did not particularly appreciate the terminology 'restoration'. I will just say that while one interpretation of that word could mean to replicate exactly something that had existed previously, no-one, in fact, uses that word when it comes to ecological restoration.

It is entirely about seeking it to be stronger, seeking the ecology, whether it is of a species or an ecosystem or a bioregion, to be more resilient, healthier and more functional. Much of that does involve bringing back species that had evolved over time to be in this environment, but it does not mean recreating some past that is long since lost and, after all, the history of life on Earth is that it

has been constantly changing. So I will continue to use that terminology, but acknowledge that the shadow minister does not prefer that term; but, as I say, it is widely used.

The process that this legislation has gone through is worth just a brief bit of attention. As I pointed out, it is really two pieces of existing legislation, one covering flora and the other covering fauna, that then together form the biodiversity on which we all rely. For that reason, as I say, although people are concerned about 176 pages, they ought to be well aware that many of the elements that they refer to specifically have been law for a significant period of time.

There was extensive consultation on this bill over the last three years. Some people on the other side drew attention to the month-long official consultation process that occurred at the beginning of this year on the draft bill. This, of course, has evolved since then as a result of that consultation. I acknowledge that one month does not appear to be long, but when you consider that it is off the back of the significant work, including the discussion paper that went out, lots and lots of discussions with stakeholders, then you also know that many of the stakeholders provided their feedback after the month had elapsed. We accepted that, but we needed to start getting to work because we only had a finite number of sitting weeks, which again is why we are needing to get this piece of legislation through now.

In terms of process, other stakeholders have raised the legitimate concern, which occurs in most pieces of legislation but I understand it particularly for this one, about what the subordinate legislation—largely the regulations—is going to look like. For every piece of legislation that is of any significance that has regulations that will follow, I understand that stakeholders have said, 'We don't know if we like the bill until we have seen the regulations,' and no government ever produces the regulations until the bill is through, not least because we do not know entirely what the final version will look like.

However, I have given a written commitment to all of the significant peak body groups that this process of subordinate legislation will take a long time because there is a lot of it—it is likely to take up to two years, during which time we will segment parts of this bill to commence so that the act will commence over a period of time—and that we will have a stakeholder group that they will be invited to be actively part of. This will not be a case of now we just hand it over to the government and goodness knows what will come out, but we will take the same approach of in-depth consultation and discussion with those stakeholder groups as we develop that subordinate legislation.

We will create and make widely available the project timeline for that, because some stakeholders raised with us that they will be particularly interested in some elements and not at all in others, and they need to know when their resources will need to be deployed. They have found it frustrating with other reforms that have occurred that they have not had that, and we have committed in the environment portfolio that we will do that.

There were some specific questions that were raised, and I hope in answering them now we might foreshorten the process of the committee stage. One question was about what is an offence and what is not an offence? I think that was raised by the member for Hammond. The offences in the bill are demarked by a following maximum penalty. Section 53 of the Legislation Interpretation Act provides:

- (1) A penalty set out at the end of a provision of an Act...indicates that—
 - (a) an offence mentioned in the provision is punishable on finding of guilt...or
 - (b) if an offence is not mentioned in the provision, a contravention of the provision is an offence punishable on finding of guilt...

Examples of things that are not an offence under the act but constitute a breach which might be subject to a civil or administrative order include: a breach of the general duty or a breach of the terms of the biodiversity agreement or a biodiversity management plan, so they are not offences.

Several members opposite raised the question of new protections causing the perverse outcome of people not choosing to plant native plantings. The new protection recognises that vegetation that is more than 20 years in existence acts in an ecosystem sense largely as if it were continuous vegetation and therefore ought to be protected as that. There were concerns that that would mean that people might not plant and would plant perhaps exotics.

What we have done is recognise that could well happen in the case of landholders who know that they are quite likely to want to knock over that bit of vegetation at some stage, for example, windbreaks on a farm. You know that you might at some point want to reconfigure your holding and not have the windbreak there. Therefore, where you might have planted natives that would be doing a useful job while they are there, if we had not dealt with this you would not have planted natives because you think you might want to clear it later. What we have done is to create exemptions to take account of that so that windbreaks would be able to be cleared. Farm, forestry, floriculture and so on can all be exempted so that we do not see that.

The alternative to the question of the perverse outcome of people not planting is the perverse outcome that many people fear and that we had a lot of feedback about, which is that they are concerned, having planted and put their all into seeing this bit of land come back, that in the future it may be cleared. That is one of the elements that is important for us to create the mechanism that was spoken about I think by the shadow minister for police in particular about seeing that this might be the opportunity for true investment in biodiversity restoration efforts in South Australia.

That is one of the absolute reasons that this act is taking place: we want to make sure that we can capitalise on that kind of investment. If we do not have this kind of protection clause, then people who have planted really healthy scrub that has grown over 20 years would be unable to declare that that was something that was safe and protected by legislation because it was not remnant. That is the alternative of the perverse outcome. As the shadow minister identified, these are fine lines that we are always working in when we are doing good legislation.

In terms of identifying plants that are over 20 years old, which was also a question that I think the member for Hammond had, our view is that our science and our understanding are likely to be up for the job. It is partly on the size and the nature of the vegetation that changes over time. It is also useful to be able to use satellite imagery if there is a debate.

There is no object that says 'halting and reversing biodiversity loss'. There is no 'no species loss' strapline, which is occasionally used and is a difficult one, given that we know how many species are going extinct around the planet. But nonetheless, protecting what we have and restoring is actually the recurrent theme throughout this piece of legislation.

The question of authorised officers and tripping people up with green tape was raised a few times by a couple of the members who represent more rural and regional seats. The provisions for the authorised officers have long been in place, and I would expect that any landholder who understands about vegetation clearance, should they need to use it, is aware of the legislation.

Although there are some very minor additions to that section, it is essentially intact. Certainly in terms of the strength of the provisions, to in the second reading speech act surprised that these provisions might come into being misunderstands the legislation that has been in place since 1991, and in fact provisions of which exist in other pieces of legislation, including what was the Natural Resources Management Act that became the Landscapes Act under the previous Liberal government.

There is no intention to trip people up. In fact, as I said, the first goal of this is to modernise and simplify this legislation so that a number of what had been read as inconsistent regulations, schedules and legislation relating to native vegetation have been simplified and consolidated in order to make the consideration of wise decision-making much more straightforward.

There is no intention of being punitive towards landholders. As several members on the other side pointed out very accurately—and in fact as I emphasised as well in my maiden speech, my first speech a number of years ago now—landholders are often the best people to know exactly what the challenges with the environment are. They live and breathe it, and we should show respect to landholders for that.

But in doing that, we have to have a collective responsibility, which in part is about setting standards so that a landholder is not annoyed that the person down the road is able to get away with doing something that they know is not okay for the environment in the long term when they themselves are doing the right thing. It lifts the standards in order to be fair to everybody.

There was a question about fungi, and I am imagining that that might be something that comes up in the time that we have in the committee stage. But can I just lay on the record that I understand very clearly—and the scientific side of my brain actually finds it delightful—that there is an entire kingdom of fungi and that they are an entirely separate kingdom to plants and animals. I do not know that that is widely appreciated and understood, but it is magnificent that it is so.

I recently launched a book, I think it is called *Fungi of Kangaroo Island—And Beyond*, at the Botanic Gardens. It is a labour of love by a scientist and her husband, who took the photographs, and the diversity and magnificence of fungi—largely but not exclusively on Kangaroo Island—was a wonder to behold.

What we are dealing with is not some sleight of hand attempting to redress a taxonomical conundrum. It is a legal device that was urged upon us by parliamentary counsel, who were very clear that this is a legal definition for the purposes of this legislation, not an attempt to redraw the conventions of determining that fungi are their own kingdom.

It is in order to not, at every point where the word 'plant' is used, add 'and fungi'. It was determined it made much more sense to simply say at the beginning that when in this piece of legislation we use that term 'plant', this is what we also mean. I do hope that the people who are very intimately aware of the complexity of the world of fungi appreciate that. Although they may dislike that legal device, this is nonetheless a protection that they have long called for.

As we have been assured by parliamentary counsel, in terms of practical application the use of the definition to simplify the legislation does no harm to the protection levels that those people are seeking, as we all are. I think with that I will close the second reading. I will no doubt be offering more thanks and gratitude as we eventually get to the end and we are into the third reading. I would like to move on to the committee stage and hope that we will be able to move at a reasonable pace, but nonetheless acknowledge that there will be many questions.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr BASHAM: Thank you to the minister for her wrap-up that hopefully may speed up the answers to some of our questions going forward. A question just on this Biodiversity Bill, once approved, is: how will it interact with the recent federal legislation going forward, the federal nature repair market act in particular?

The Hon. S.E. CLOSE: At this stage, there is no direct interaction between the two. I do not believe that legislation has commenced yet. I think they are working on all of the subordinate legislation, and that has obviously gone over a period of an election. Our legislation is not aimed at creating a biodiversity market at the national level. Only the national government can do that. Ours is about creating a voluntary market that has legislative soundness behind it in order to attract investment, looking for that kind of legislatively approved market.

Mr BASHAM: I am just unpacking that a little bit further. If there is a federal market operating, how will the biodiversity credits here be protected from being double-counted, for example, going forward, being included in the federal market?

The Hon. S.E. CLOSE: When we first started this three or so years ago, four years ago, we thought that maybe the federal government would do the job of creating that kind of market for us. We recognised that the pace that was happening at the federal level was not going to get us there, and so we have created a system that works at a state level. We are aware that, over the next two years, as we start to turn bits of this on and we work through all the subordinate legislation, the federal government may or may not move and we will then react to that. So what we wanted was to have no regrets, that we have a good system that works regardless of what happens at the commonwealth level, but can be modified so that the double-counting does not occur.

Clause passed.

Clause 2.

Mr BASHAM: You outlined this just a moment ago to a certain degree. I guess it is the consultation in that once the act is proclaimed, and I am assuming that you are wishing to proclaim this before the end of this year—not necessarily? Well, how do you envisage the timeline of proclamation and then the regulations being rolled out gradually, as you described?

The Hon. S.E. CLOSE: As I outlined in my close of second reading speech, our intention is to turn on or proclaim different parts of the act over the next two years as we prepare subordinate legislation. It will not be fully proclaimed by the end of the year. I doubt very much that any of it will be in action—possibly, but the next job for us now, as soon as it gets through, is to do that work. Rest assured, as I said, that stakeholders will be intimately involved in each stage of preparing the subordinate legislation.

Mr BASHAM: Again, on that process, this is eventually to take over the Native Vegetation Act. When is it envisaged that the Native Vegetation Act will cease to exist and this will take its role?

The Hon. S.E. CLOSE: We need to get everything in order before we could switch off the Native Vegetation Act, and the transitional provisions will work that through. Transitional provisions are part of what the stakeholders were concerned about understanding, and that is where we have given firm commitments as well for their engagement in that. This is quite complex behind the scenes, as you can well imagine and understand, and that is why we are going to take our time to get this through. But it will, as the department has said, likely take two years before we are fully into the new system.

The ACTING CHAIR (Mr Brown): Any further questions, member for Finnis? No. Any other contributions on this clause?

Mr McBRIDE: Minister, in regard to commencement you said it is going to be a couple of years. For clarity around that two years, we obviously have a native vegetation board, committees and process, and we are moving to new committees, plus I can see there are a number of other committees that are going to be formed by this biodiversity amendment bill. Do you think that, after the two years, everything will be in place as has been stated or is it the beginning of the process and it could even go beyond the two years?

The Hon. S.E. CLOSE: Without binding whoever is the minister after the election—so you have to acknowledge that there will be a democratic process in between—I expect it to take two years fully. We will do the project planning as soon as the legislation is through, and that will guide whether there are elements that are commenced earlier, but it is unlikely that it would take longer than two years. Although, as we are all impatient people, we would love it to be faster, I think it will probably take all of that to get all the subordinate legislation organised.

Mr McBRIDE: I would ask this probably further in the bill, but I might miss it and I would not know where to ask it, so I am going to ask about it in regard to commencement dates and I am sorry if this is going to seem a little bit confusing. You would know that in my electorate I have a great advocate around biodiversity, marine life and aquatic-type science, and they would love to be able to develop a university around the Lower Lakes: science, carbon capture, the algal blooms that we have seen on the coastal foreshore and dead fish, the science regarding all that, then collecting and working collaboratively around this with universities.

In this commencement of the biodiversity act, do you think there is an opportunity to have other things that are not listed here but are in the greater good of the state around biodiversity? Do you think other types of plans and opportunities could also be part of this commencement process, or do you think this is going to shut them out and we have to wait for this to be all completed and done and dusted?

The Hon. S.E. CLOSE: No. The task of the environment department portfolio and all of us to make nature stronger, particularly in the face of climate change, does not sleep and certainly does not wait two years. The kind of work that is being spoken of in terms of the Coorong, which has become still more acute given the likely presence of *Karenia mikimotoi* in the North Lagoon, requires us to continue to work and to continue to resource.

We have had a good three budgets thus far for the environment, particularly last year's budget, which put a lot of money into national parks and into biodiversity. The year before, the money went into creating the biodiversity database that is required for us to be able to do a lot of the work here. That effort continues. I do not have an answer for that group on whether we are going to be able to do a wet lab. We have looked for money from the feds. That is a separate question and we can discuss that later, but I understand their desire for it.

Clause passed.

Clause 3.

Mr BASHAM: This question goes really to the heart of this bill in particular and is about the definition of 'biodiversity' itself. Reading this definition, if we were looking at this room, it is literally everything in this room right now. That is effectively what the definition talks about.

The Hon. S.E. Close interjecting:

Mr BASHAM: But it is the whole ecosystem as well, so it is the air and it is literally everything that is right here right now. It is very much about right now. The definition of 'biodiversity' is 'as it is, at the moment it is'. Again, this was my question around 'restoration'. When using 'restoration' with this definition of 'biodiversity', how can it be restored if it is a point in time that the biodiversity is actually describing?

The Hon. S.E. CLOSE: The definition of 'biodiversity' actually reminds me a bit of the E.O. Wilson book that we had at school on biology. Biodiversity is the full variety, hence 'diversity', of life forms, hence the 'bio' bit. That is what biodiversity is. It is all of the life forms, whether they are feral as we might term them or native as we might term them. It is everything. The challenge I mentioned in the close of the second reading with the terminology of 'restoration' is that in no part of the planet is it in any way going to be like it was before humans found agriculture. Everything changed from that point. In fact, there are arguments that it changed before then with the megafauna going wherever humans turned up.

So this is not about trying to recreate the past. What this is about is recognising that nature is stronger when the ecosystems are intact and functioning, which means that the different species there and the processes between them work to the extent that they are able to continue to perpetuate life. That does not work well in a monoculture, and it does work well in a diverse bit of scrub. That is what we are trying to understand: how we can make our nature more resilient.

I have just spent time in the break speaking to a group of 350 to 400 people who are right now watching the film *Ocean* by David Attenborough. They will all be in tears now because of what has happened to the ocean. So none of us are living in a fantasy land where we think that we can magically go back to something in the past.

What we are all recognising is that if we do not make nature stronger, we will not have the basis for our lifestyle, our livelihood or even our lives to continue long into the future. The terminology we use is commonly and well understood by people, however imperfect they are, given the rapid transformation of what is happening on this planet.

Mr BASHAM: Just following on from that, I guess I would just add that a definition of 'restoration' here may be helpful just to get that clarity forward. But that is not the question that I pose. The next definition I just want to seek some clarity on is the 'substantial damage' definition. I raised this during the briefing and want to get it on the record. It appears in reading this that a dead native plant is protected more than a live one, just the way, when you get down to the 'but' at the bottom of page 21, it talks about the dead ones having a slightly different protection. I am just wanting to understand.

The Hon. S.E. CLOSE: The first section (a) to (e) refers to living or dead plants. It is not material whether they are alive or dead at the time. You do not have to prove that they were alive or dead at the time, those activities to a native plant. The differentiation for the last three is in the case of living ones, if you have caused the death.

Mr BASHAM: I just wanted that clarified so it is on the record. The next question I have is very much around the definition in relation to native plants of a relevant kind and the inclusion of the

indigenous plants to South Australia—which is fine—but then I guess it is the definition of classes brought in by regulation. What plants do you envisage in this space that could be brought in under this part of the definition to effectively protect them as though they are our own?

The Hon. S.E. CLOSE: Essentially, this is future proofing for climate refugees. We are seeing Goyder's line moving south, and we are seeing animals and plants moving because they are recognising the change in climate. So we would imagine in time across borders that species that we would not normally have here will start to take up residence here, and we want to not simply say, 'If they come, that's fine, we can't touch them,' because some may in fact be damaging to the local ecosystems.

For example, I am not very fond of Tasmanian blue gums. When you look at what they have done to Kangaroo Island, it is devastating. So simply because they are Tasmanian does not make it okay, but it may well be that we will recognise that species need to be protected because that is now the place that they exist and they no longer exist elsewhere.

Mr BASHAM: So that could effectively include exotic plants from elsewhere in the world, that this is the only place they could exist?

The Hon. S.E. CLOSE: No, it does not. It does only mean native to Australia. It is just the artificial lines of our borders might mean that plants will shift.

Mr TEAGUE: Having raised the point about the definition of 'plant' and brought to the house's attention in the course of the second reading the concern of—I am not presuming that it is every single one of those participants in the Fungimap project, but they have subscribed to a common submission. Fungimap, bearing in mind, includes a wide range of leaders and I will just note them: Atlas of Living Australia; the government of South Australia; Botanic Gardens and State Herbarium, and that is the Tom May connection; Culture to Country; Hills Biodiversity; Landcare; Landscape South Australia Murraylands and Riverland; Willunga Environment Centre; Our National Parks; Second Nature Conservancy; Trees For Life; and University of Adelaide Environment Institute.

Fungimap has gone out of its way to say, 'Here's the Biodiversity Bill; where is the separate treatment of fungi?' I hear the Deputy Premier has referred to an urging in relation to a legal definition—and I cannot help but observe that we have almost got the band back together in terms of the Fifty-Fourth Parliament Natural Resources Committee, so we are bound to be achieving something here this evening—and I have referred then specifically to the representations recently of Dr Jasmin Packer about the importance of dealing separately with fungi.

Obviously we will get to the, at the moment, more or less general carve-out in the schedule for the clearance of fungi, but dealing first with the imperative as the government has seen it to define 'plant' to include fungi—notwithstanding that we all know that they are not plants—is this perhaps the most convenient time for the government to put on the record the reasons for that and perhaps an explanation as to why that is not an inadequate treatment of that subject?

The Hon. S.E. CLOSE: I feel I did do that in my close of the second reading. This is a legal expression of the definition that was urged upon us by parliamentary counsel and we accepted that that was a reasonable legal approach. It is not a taxonomical approach; it is a legal definition in order to make the legislation more straightforward to deal with.

Mr TEAGUE: That is there on the record. We have, therefore, got to wrestle with every reference to 'plant' as inclusive of fungi, and then we will go to clause 42 down the track and then to the schedule carve-out. Again, is it convenient at this point to explain why, having included fungi in the definition of 'plant', is it then regarded as appropriate by the government to deal with fungi by way of the generalised carve-out? Again, we deal with it in more detail in the schedule, but are we then to see some kind of treatise on the 12,000 valuable local fungi being prescribed when it comes to the schedule? Is there some other wisdom associated with the connection between the definition and the generalised carve-out at clause 25 of schedule 2?

The Hon. S.E. CLOSE: So the practical application of one way of interpreting the question would be the suggestion that fungi ought to be protected in the way that native vegetation is and therefore anyone digging any soil would be required to seek clearance consent because there is

likely to be fungi in it. That probably would trip over some of the concerns that some of the members had about the constraints that would be placed and the reasonableness.

However, there are species of fungi that we know we will want to list as protected species under this legislation and therefore we need to have them in the definition to be able to recognise that they are a threatened species that we may choose to prescribe at a later date. It gives us that power to do it which previously did not exist.

Mr TEAGUE: I will therefore take up my full complement in relation to that particular aspect of the definition. So we have a clue from the Department for Environment and Water just based on what is published that there are 10 fungi, I think from memory, that the department would draw attention to as being significant local fungi. I understand from Dr Packer and from Fungimap that the number is more like 12,000 but that great efforts have been made to highlight that one of the key things about fungi is that they are understudied and that there are huge amounts to learn and develop and all the rest of it.

The government has indicated there is an urging to wrap up fungi under the definition of 'plant'. Can I ask at this point whether there is any body of work—and I understand that Fungimap and others were engaged by the department and the government in the work that has led up to the bill—to deal with fungi in a standalone way and to provide a pathway by which the development of understanding of fungi in the context of this bill might have been developed and has the government consciously chosen to go another way? If there is anything to add then I invite the government to put that on the record as well.

The Hon. S.E. CLOSE: Without exhaustively going back through every consideration over the last few years, this was regarded as a straightforward way to take a kingdom of creatures that currently cannot be recognised as threatened species under South Australian legislation and make it so that they can be. That is the great shift.

My adviser rightly pointed out to me that I have been using the terminology 'definition' for this opening section but it is of course 'interpretation' which is an important distinction in language that this is how one interprets these words. So it is not saying that fungi are plants, it is not defining them that way; it is saying the legal interpretation in this piece of legislation is the legal nicety. The purpose of doing this is to enable us to recognise that when we are going to declare threatened species for which, as we will find as we get on later, there might be a decision to do a threat abatement plan or to have a management plan for threatened species. It may be that there is an extinction inquiry. All of that would not have been able to be applied to fungi if we had not done something in this legislation, and the mechanism that we have used is regarded as the simplest legally and does the job that is required to achieve those goals.

The Hon. D.G. PISONI: Native plant means 'a plant species that is indigenous to Australia'. My previous employment means that I am aware of indigenous trees, for example indigenous to Australia that are also indigenous to New Zealand, like kauri pine. If you were having to deal with a kauri pine tree whose parent may have been brought over from New Zealand rather than from Queensland, how would that be treated in this instance?

The Hon. S.E. CLOSE: It may be that the botanical knowledge of the two of us is not sufficient to answer this question, but we will attempt it. If a species is regarded as native—and that is the question of how do we determine what is native—but if the species is regarded as being native to Australia, then it is a native plant, irrespective of whether it is also native to other countries. It is only protected from clearance without consent if it is native to South Australia, with exceptions as we have just discussed.

I think your question is specifically: if that individual plant itself has a lineage that could be traced back to a plant that comes from elsewhere, does that make it less native? The question in terms of 20-year planting is interesting because could it have been there for 20 years? But the point being, it is the species that matters, not the lineage of the individual tree.

Mr McBRIDE: Still on the interpretations. I do not know how you describe the numbers, but it is number 30 on page 15 where it talks about the ERD Court, which means the Environment, Resources and Development Court. It has been alluded to here that the penalties are becoming

stronger, the fines are becoming larger, and there are jail terms in regard to breaking the rules in this new Biodiversity Bill. My understanding is there may have already been jail terms for breaking certain rules prior to these amendments in this Biodiversity Bill.

Minister, my question to you, perspective-wise: is the ERD Court big enough, bold enough and strong enough and can it give good reason to incarcerate South Australian citizens if they do break the law, if they do break the biodiversity amendments that we have here, or even previous ones, and/or should these penalties be going to other levels of the legal jurisdiction, because I hope that we are not incarcerating people because of some sort of joy ride or fulfilment that people get when they pull a tree out, kill a wrong animal, do it badly or have a bad day?

The Hon. S.E. CLOSE: Yes, the member is correct in one of his subclauses of that question, which was whether or not it is already the case that people can be sent to jail. It is already a punishment that can exist. I am not sure if anyone ever has been, but my simple answer is yes, the ERD Court is more than capable of doing that. It is the court that has the expertise, and expertise is necessary.

The idea that this would be used frequently, if at all: it is very unlikely. But the degree of seriousness with which we need to take biodiversity protection has not diminished from the original act, being the Native Vegetation Act, and therefore I do not resile from continuing to have that as a possible punishment. We have increased some of the penalties on the basis that it has been a long time since this legislation has been revised. For some reason in South Australia we do not do units that increase, as many other states do, so it is only when legislation is opened up that you get to update the penalties and that is why we have done that.

Mr McBRIDE: In regard to the interpretations, and particularly what takes my eye here is the description for wombat, which means an animal of the species *Vombatus ursinus*. With the wombat variety being mentioned here, we know, as does my colleague alongside me who is from Narungga, that there are issues with wombats on the Yorke Peninsula and we have wombats as an issue right through the Limestone Coast, either in agricultural pursuits or in road users using the road where they are on the road and they cause an immense amount of damage. My question to you then, minister, is: with the fact that wombat has been put in the interpretations here, does that mean that the wombat species is an endangered species and does it need protecting?

The Hon. S.E. CLOSE: The interpretation of the word 'wombat' is here exactly as it is currently in the National Parks and Wildlife Act, remembering that a lot of this new bill has come over from the wildlife part of that, so nothing has otherwise changed. I think that one of the two species is on the endangered or threatened list, but I will not answer that definitively for both of them.

I also want to clarify my previous answer in terms of jail term that it is in the wildlife side, that jail terms are threatened rather than in the clearance in the legislation that was brought together to make this.

Mr McBRIDE: I am seeking some clarity in how this act will work with the changes. I know there was an incident in the past where an Indigenous gentleman was either filmed, seen or recorded stoning a wombat, like they might have done 100 or 1,000 years ago. With the species being listed here and determined like this—because I do not see the red kangaroo, echidnas or corellas but we see the wombat—does that mean that the wombat does have a special place in this Biodiversity Bill? Are you telling me that there is a variety of species of wombat perhaps and there may be more endangered species than others?

For clarity, the question here is: is the wombat considered some sort of icon in this Biodiversity Bill and is it looking for greater protection or law and order to manage or to protect—like the example I gave of the Indigenous man where maybe that would have been a cultural practice 100 years ago to stone a wombat, but I am sure it did not come across that well when it was filmed in recent times?

The Hon. S.E. CLOSE: I do not want to traverse over something that was quite a painful period for a lot of members of the community, but my understanding is the concern about that incident was an animal welfare concern rather than a taking of the animal. There are specific clauses here

that refer to the rights of Aboriginal people when they are not taking for commercial purposes. Yes, there are indeed at least two species of wombat.

Clause passed.

Clause 4.

Mr BASHAM: Can the minister please explain any circumstances that would lead to the Fire and Emergency Services Act 2005 where there are inconsistencies that would stop this act performing its role?

The Hon. S.E. CLOSE: I think the way that we read that is quite the reverse. This is probably but perhaps not exclusively relating to clearance preparing for a fire or clearance during a fire that, if there should be any inconsistency that is identified by a landholder in a specific circumstance, it is the Fire and Emergency Services Act that prevails. For an abundance of caution, people have occasionally been fearful that they are not able to protect themselves because of that, and we wanted to be very clear. I think this is likely to have come over from the Native Vegetation Act. That has always been the case and it still will be the case.

Mr BASHAM: Again, is this out of an abundance of caution and future planning or are there any other circumstances where there is believed to be any conflict that would require this act overriding?

The Hon. S.E. CLOSE: I think the likelihood of what might be perceived of as an inconsistency is often at a point in time. So a piece of land that you would not normally be able to clear, in the event of threat of fire, existence of fire or preparation for fire you would be able to clear. As I say, this has been the legislation—I presume since 1991 when it was first put through—that this is the case. We recognise the risk of fire in our landscape and we want to be explicit. There are also in schedule 2 some more details about the way in which those provisions work. But we are very conscious that being safe with fire is the most important thing.

Clause passed.

Clause 5 passed.

Clause 6.

Mr BASHAM: Can the minister explain what activities or circumstances would lead to this act being enforced on someone's doing outside the state?

The Hon. S.E. CLOSE: I think mostly when the second reading speeches occurred on both sides, this was as if this is an update of the Native Vegetation Act. We have to remember that the wildlife provisions have come in from the National Parks and Wildlife Act. This is most particularly likely to happen under those provisions where someone is trafficking a species that they should not be and they would be selling it not only interstate but possibly overseas.

Mr BASHAM: Are there any intergovernmental agreements that exist that would also be relevant in this space?

The Hon. S.E. CLOSE: I do not know that there are any intergovernmental with other state agreements, but with CITES there are international agreements about trafficking of wildlife, and that is what this is really referring to.

Mr BASHAM: Clause 6(4), just understanding the reasons for the addition of that: is that to protect native title rights per se? Is that the purpose of the addition of that provision?

The Hon. S.E. CLOSE: This is just a clause, in explaining the operation of the act, that native title rights are not in any way taken away from through the operation of the act, and then there are some specific references to that under the plants and then the animals later.

Mr TELFER: Clause 6(2) provides that the act will operate throughout the state. Can the minister explain the new mechanisms which will see that the majority of the metropolitan area will be effectively exempt from the operation of the Biodiversity Bill? You talk about a lot of the things that are transposed over from the Native Vegetation Act. This is the unique nature of this aspect in particular.

The Hon. S.E. CLOSE: I appreciate that is probably—and I do not want to put words in the member's mouth—coming from the place of regional towns feeling that the city is exempt from having to deal with native vegetation, and they have to. I can understand where that has come from; however, again, I remind people that this is a piece of legislation that also has as its parent legislation the wildlife part of National Parks and Wildlife, all of which binds.

There is also the general duty of care to not harm biodiversity, and there are opportunities for projects that are about prioritising biodiversity restoration through the biodiversity plan that will be developed over the next two years, that there are many projects—in fact, many members on the other side spoke about those projects in their own electorates in the city—that are about strengthening biodiversity, and these provisions will support that and, we expect, create a mechanism for funding.

Mr TELFER: Yes, indeed. I am looking at this particularly as a regional MP and the differences in the operation of the legislation between the metropolitan area and the regional areas. As you are very much aware, most regional townships have a few defined blocks of land that are centres of commerce, not-for-profit bodies, community organisations, sporting activities, activities in regional towns, including schools and medical facilities, and obviously provide federal, state and local government services and are the focus area for local economic development and growth. My question is: can the provisions of the bill be used to exempt defined blocks in regional towns in particular from the operation of the bill in the same way that the metropolitan area is effectively exempted from the operations?

The Hon. S.E. CLOSE: The way that the act is going to operate in reference to clearance restrictions is that a map will be lodged with the General Registry Office (GRO). There will be a map—there is an existing map that has been around I think since the beginning of the legislation—that will be the base of what is lodged. But there are reasonable discussions about some movement on the edges of what that will look like. There is also the question of blocks near regional towns that perhaps should not have been listed as being suitable for residential when they are covered in native vegetation. It is not a reasonable thing to say to developers, 'This is for residential, but you can't clear any of it.' Trying to work that through is part of what will be happening over the next couple of years.

There is no intention to have large disruption to the way in which things are currently working because this is about adding certainty rather than creating uncertainty. We are working as quickly as we can to finalise that map for lodgement. It will be done through a consultation process. We are seeking to add data to the layers that are available publicly to people to understand not only where there are protections but on what basis and what it looks like so that they can again make better decisions up-front about where they want to invest their resources.

Mr TELFER: You speak a little bit about where it is currently working. I see areas where it is not working and it is an impediment and is actually creating greater uncertainty through the process. You spoke about the opportunity to be able to add to or alter existing maps. Is there a mind to be able to potentially designate areas outside, not just in close proximity to the existing boundaries but islands of potential exemption around the state? I look at some of the potential regional centre growth areas, which are currently constricted because of the obligations of the Native Vegetation Act.

At the moment, effectively the bill is a handbrake on economic opportunity within regional areas. If there is a possibility for there to be an expansion or an addition to the exempt areas, as you spoke about with the mapping, what would the process look like as far as engagement goes for a local government area, a city council, or whatever it might be, to try to obtain such an exemption or a changing of that map? If this is something which would be accepted, what criteria could they use for that to be considered as far as any potential change goes?

The Hon. S.E. CLOSE: I just want to be very clear that this is not an invitation for us to suddenly redraw where native vegetation applies. This is the interesting contrast I heard in the speeches from the other side earlier where members were earnestly saying not only that they are great environmentalists themselves but that this legislation does not go far enough, and then there were members who were characterising it as being a handbrake on development and a concern.

These members were on the same side, which is just an interesting dynamic, sitting inside that party room I presume.

This legislation is not an invitation for us to redraw the boundaries of native vegetation protection. This legislation is a biodiversity act that is about protecting our environment. In fact, even the members opposite who talked about the concerns about the speed of development, and so on, also acknowledge that one of the great virtues of living regionally is that you are surrounded by nature and that that is one of the reasons that people want to go and live there.

What we are doing here is far more important in my view, which is making the decisions more obvious and simple for people, so that the data that is held that is understood about where biodiversity is and what its values are is made available so that wiser decisions can be made up-front rather than suddenly saying, 'Well, we are just going to allow all of that to be cleared even though previously we wouldn't.' That is not what this legislation is about.

There is always a process of engagement with local government in particular, which is in many ways a proxy for the ways in which a community wants to develop, on what kind of information they require, how it is provided and where there might in the planning system be overlays that are helpful or unhelpful. This legislation is saying, 'We recognise that biodiversity is necessary, we already have a good protective mechanism through the Native Vegetation Act, but it has some complexities in it that have made it really hard for people to navigate.' We have added in, as we will come to, a capacity for people to go to review if they disagree with the decision, which has not happened before. So we are all about better, clearer and streamlined decision-making, rather than a redrawing of maps.

Mr TEAGUE: Just to take up where things have been taken so far, in terms of focusing on subsection (1), the structure of this bill is providing for the act to apply to the whole of the state. That is subsection (1), and that is subject to what else is provided for in the bill. Is it right, therefore, to say, 'Well then, that is where you turn to schedule 1,' and you see that schedule 1 contemplates and indeed requires that there is to be lodged the map that we are familiar with in terms of native vegetation as it currently stands. Schedule 1 requires:

(1) The regulated clearance area will be defined in a plan or plans deposited...and identified by the Minister by notice in the Gazette...[and that] will be known as the Regulated Clearance Area Plan.

If it is the case that that is actually what clause 6(1) is talking to, then why is it not possible for that to be legislated and subject to scrutiny, including in the course of this process, and what is to stop there being future change that is just within the control of the executive, whether that is to expand or contract the relevant area?

The Hon. S.E. CLOSE: Any future changes to the plan will be subject to being disallowed by parliament.

Mr Teague interjecting:

The Hon. S.E. CLOSE: After the plan has been lodged with the GRO, any future changes to that would be disallowable by parliament.

Mr TEAGUE: I understand that. That is just a way of saying that they are the subject of regulation, so entirely within the remit of the executive within the power of the relevant minister. These concerns may not be confined to any particular group; it is just an issue that is raised as a matter of structure. I appreciate how that works. What is the rationale from the government's point of view for that not to be included in the legislation and therefore for future changes not necessarily having to come back to the parliament to be legislated, or at the very least for there to be a current status included in the legislation and that changes might be the subject of regulation?

The Hon. S.E. CLOSE: Just to trace how we have got here, the current legislation has a word description of where native vegetation applies, and then in the regulations there are maps. They have always been able to be changed through regulation. What we have determined is that that is complex. As I have said, part of the motivation is to make things simpler, more streamlined and more evident to people. To have something that sits in legislation that is wordy and then regulations with maps has caused confusion for people that we seek to simplify by having a single map that is lodged.

Having done that, which will be substantially if not entirely as it is now, then it will be treated as a regulation, which enables parliament to disallow if it is not happy with it.

Mr TEAGUE: Also, without referring to legislation before the parliament but just to take it as an example, under the current arrangements, take the EFPA as an example. How will a future change to the EFPA be directly or indirectly implemented via this bill?

The Hon. S.E. CLOSE: Should our advice change between the houses, I will let you know, but my understanding is the EFPA is a planning instrument that does not change the status of native vegetation beneath it. Just to clarify, earlier, when I referred to the changing of any map once it is lodged, I described it as a regulation because it is—it is subordinate legislation—but technically it is an instrument rather than a regulation.

Clause passed.

Clause 7.

Mr BASHAM: I had a series of questions, but the minister has effectively answered them previously. Here in the objectives is really where it stands out to me that it would be very useful if there was an interpretation of the word 'restoration' to make sure that people understand that we are not taking it back to a point in time in the past, to actually help understand these objectives. That is more a comment than anything else.

Mr PEDERICK: In reference to this clause, will Aboriginal people be exempt from prosecution under this act?

The Hon. S.E. CLOSE: It depends on what they are accused of having done. There are special provisions that relate to Aboriginal people having an entitlement to do things that non-Aboriginal people do not, but otherwise they are subject to the same legislation as everybody.

Mr PEDERICK: I acknowledge that answer, minister. As has been a cultural pastime of Aboriginal peoples for thousands of years, will burning of land be exempt from prosecution?

The Hon. S.E. CLOSE: If we are talking about cultural burning, at the moment cultural burning exists in a legally difficult land. It does not trigger in itself an exemption from the Native Vegetation Act currently. What is being envisaged here is that the policy that says what is and is not cultural burning will be developed once the relevant committee has been established and that will then enable a pathway to being allowed to do it through exemption. But currently it does not exist as an exemption.

Mr PEDERICK: I am assuming, with that answer, that the government will rely on the advice from one of the four committees, being the Aboriginal committee, for that advice, or will the government have other internal guidance on what activities may be exempt or not?

The Hon. S.E. CLOSE: Although the committee will be involved in designing the policy, it is approved by the minister and therefore the minister can seek advice elsewhere as necessary.

Mr McBRIDE: Minister, in regard to 8(c) 'that Aboriginal people with a strong connection to Country will be engaged', I can understand the sentiment—I actually know why it is written—but the example I will ask as a question is: up in the arid lands or pastoral zones, which are not really local council but a different type of management strategy, the roads are graded and it is my understanding that Aborigines have been engaged to watch the grading of roads. These are roads that are already in existence.

My question to you is: does this Biodiversity Bill mean a greater engagement with Indigenous people around what we already do in maintaining infrastructure such as grading roads? The example I give is that apparently a grader did a U-turn, but the road is not wide enough for a grader to do a full U-turn within the road boundaries and the Indigenous people were upset by the grader going out onto native unroaded area—in other words, it was not the road, it was native bush and the like.

This is where it gets really quite awkward, but the reality sets in when a road does not just require a grader and it does not just require a driver but it will require Indigenous representatives to watch what the grader does at a cost per day for observation. Does the government recognise the extra costs that might be incurred by greater engagement, and does the government then place this

in their budgets to not just have one person as a grader driver but maybe also two or three Indigenous representatives watching that the grader driver does not go into land or unroaded area that might cause damage?

The Hon. S.E. CLOSE: This reminds me that in my close of second reading I meant to address some of the questions that were raised by the member that related to exactly this kind of issue. All of that is the Aboriginal Heritage Act; none of that is guided by this legislation.

Mr McBRIDE: In regard to the definitions, I have received a message from a councillor who is listening to us live at the moment about how one of the members—I think it may have been the member for Heyesen—went really strong on the idea of preserving fungi. The councillor wants to know how councils will know, when they are doing roadworks and earthworks and the like, that they are not going to damage or interfere with any type of fungi, and how will they find out whether the fungi is protected or they are breaking the rules or they have done something bad where this Biodiversity Bill says the fungi, whatever fungi might be being talked about, is either protected or needs protecting but the local council or worker was not aware of this?

The Hon. S.E. CLOSE: Member for MacKillop, we did traverse this; I think possibly you were not in the chamber at the minute when we did it earlier on. I do not know exactly what the member for Heyesen's views are on this—I think he is conveying concerns that have been raised with him—but on the question of whether all fungi at all times ought to be protected in the same way that native vegetation is, i.e. that you would need a clearance consent or to be in defined areas where there is no coverage, that is not what this legislation does, not least because there is fungi everywhere and every time you turn over soil that fungi will be there.

In the interpretation, by referring to fungi at the same time as plants, what this does is enable the protection of individual species that have been identified and their location is known and, as we invest more and more in proper geospatial mapping, to tell people that that is where they are so that we do not lose species. It is not about generally changing the way in which people are going to make their decisions about a development activity from a fungi perspective.

Mr McBRIDE: This is just to get clarity. I like your answer, and this is not to say that your answer is incorrect and you have misled me or anyone else, but on principles in clause 8 is it a principle that this Biodiversity Bill will be out there to protect certain species—be it animal, vegetable or fungi—and unless it has been mapped already and highlighted to either councils or the Arid Lands or the Pastoral Board or those who are working to maintain, for example, roads and infrastructure like grading, then no-one can really get in trouble unless there is a map saying, 'There is fungi here or a special tree or a special habitat'? Then that local grader, that operator, whoever it is working around, and this is a principal question, they will all be able to find out where these rules are so that they do not get themselves into trouble. Is that what you expect with this process in the Biodiversity Bill and how it shall act?

The Hon. S.E. CLOSE: In terms of plants and animals, broadly the protections that are there and the rules that are there continue to exist in the unification of those two parent pieces of legislation.

In terms of fungi, it is complex. We do not currently list fungi as being threatened because we do not have the legislative power to do it, so day one does not change anything. What this does is enable us to find ways to protect species that ought to be protected in a way that is reasonable.

The period of time that it will take to take this piece of legislation through to full commencement will also include addressing how we manage the question of threatened fungi, their recognition, their identification and making sure that we are not inadvertently putting people at risk of breaking the law when they do not have the information. But that is confined to the question of fungi and is something that will be worked on over the next couple of years.

Mr TELFER: Looking at clause 7(a), the statement at the very start speaks about biodiversity conservation and restoration as a 'responsibility equitably shared by all of society across all sectors and supported by individual accountability'. I find it a little bit concerning when the obligation of so much of the operation of this bill in particular pertains to regional South Australia. How can this be a

value, an object of the act, when there are significant swathes of the population—and obviously in the metropolitan area they are actually exempted from responsibility under this biodiversity act?

The ACTING CHAIR (Mr Brown): Minister, I think you have addressed some of those sentiments earlier. Do you have anything else to add?

The Hon. S.E. CLOSE: I am largely going to take that as comment. I appreciate that that is the member's focus. Just a reminder again that this is not just a native vegetation piece of legislation; it is broader than that and therefore does affect everybody. It is also the case that even people who live in the city have an interest in and care about the health of all of South Australia.

Mr TEAGUE: Just a question of structure: we are at clause 7 where we are dealing with objects and at clause 8 in a minute we will deal with principles, and there is some overlap. I just make the observation that this is a bill that lots of interested parties have really observed is placing a lot of power in the hands of the minister and specifically insofar as it goes as far as in clause 13 to carve out certain ministers that are not to administer the act. There is a lot of power in the minister and then in turn in those that minister chooses to comprise the relevant newly created groups that will do a lot of the determining of what is to be applied in the body of the act.

So, if it is about power and control—and I just make it clear that I raised fungi as a matter of detail by way of important example. I think the minister has indicated that not a lot is known about the range of fungi and therefore the fungi that might be prescribed for the purposes of clause 25 of schedule 2 might be a work in progress, but it is a question of: trust us until then but those things will be determined as and when they are identified as being sufficiently valuable to be carved out of the general permission to clear fungi in due course, but none are identified yet.

In terms of the objects in clause 7, and paragraph (c) in particular, if a primary object, an overarching object, is to achieve the protection, restoration and enhancement of biodiversity in the context of a bill that is all about decision-making and the exercise of power in that direction, if push comes to shove and there is an expert view that in fact all of that is wrong and consistent with the objectives—and particularly objective (c)—the protection, restoration and enhancement of biodiversity is best achieved by doing something entirely contrary to whatever the specific group has determined is the right thing to do, or what is left by the bill, absent the prescription of certain fungi, to take that example, surely the interested party is going to want to have recourse to that very general provision if someone is interested in achieving those ends before they are provided for specifically.

Otherwise, we are all left to sort of say, 'Right, well over to you, minister, and over to those who are going to make decisions in due course.' There might be a whole lot of interested parties in the meantime who would be interested in getting ahead of the game. Are they going to be able to rely on clause 7 in order to achieve those outcomes?

The Hon. S.E. CLOSE: Again, it feels more like a vibe comment. I am sure the member is not asking me for a legal interpretation, of a hypothetical court case maybe, that relies on a particular clause.

Mr Teague: No.

The Hon. S.E. CLOSE: There is the language used of power and control coming from the minister, which does not appear in object 7, and I am aware that we are trying to hasten along—not least because my good shadow minister is increasingly suffering as we are talking.

I have explained in some detail that there is a significant amount of subordinate legislation that is attached to this act and that I have given a commitment about the engagement of stakeholders in its development. I am not sure who the hypothetical third party would be, or interested party who would lean on this clause in the act in order to say that we should be going faster or slower. I am not certain that everyone on that side of the chamber would want to see something going further.

It is such a vague question that I am really struggling to give a clear answer, but I will leap to—and doubtless we will come to this question—who is appointed onto the various councils that will give significant advice and the manner by which that occurs.

I can say that although I have no amendments here, I am aware that there will be amendments in the upper house that will look to give greater authority to the council in determining

when a species might be regarded as a threatened species that the scientific committee ought to be able to be in a position to make a scientific judgement about. I am perfectly prepared to entertain that kind of proposal. I think it was the shadow minister for police, the member for Bragg, who raised that specifically as an example of a change that he may like to see.

These clauses are the objects of the act. They are objects that are entirely about better protecting the environment. They do not mention the minister, they do not give any particular power to the minister and therefore I think perhaps the sentiment of the question is misplaced at this clause.

Mr TEAGUE: I guess it comes down to the variety of custodians of the land over time. To take one example: in the southwest of Western Australia, in the 1980s, it was discovered among farmers, in a fairly broad-ranging district, that there was a rising salt problem. It was the farmers, working together with those who were thoughtful about the problem, who worked out the means by which to dig and develop drains and make certain plantings that then had the effect of lowering the salt table and restoring the land for the purposes of agriculture and for the purposes of enhancing the capacity of the land in all sorts of ways. That process was one that was discovered in the course of that custodianship of the land well ahead of what might have found its way into the specific provisions that, according to the structure of this bill, might meet certainly the criteria of the objects of clause 7(c).

That is one form of custodianship. Another one is to look at a local friends group. I have been at the Mylor reserve where there is work done to single out the local wattle from the endemic interstate wattle and take away those interstate versions, leaving the myrtifolia to thrive in the reserve, and so on. The point I am getting to, I suppose, is that there is capacity for a variety of custodians to determine what might constitute the restoration of biodiversity that might get ahead of and/or be contrary to what might emerge more specifically from the structures provided for in the bill.

I have belaboured fungi in the early stages because that is one that is just a completely blank page at the moment on the face of the bill. Fungi is included in plants. There is then a complete carve-out for the removal of fungi and then there is the capacity for prescribed categories of fungi to later find their way into the statute by the minister's dictate.

Focusing on the effect of the objects, are we going to head down a pathway where it is going to become less and less possible for those who have a specific local knowledge and interest to be able to take action without having to refer to a body of direction that will be built up over time but which is not at the moment particularised in the many variety of ways, but including in relation to fungi?

The Hon. S.E. CLOSE: The simple answer is no. Of course, these objects do not prevent people from acting locally to help protect the environment or to restore elements of it. In the case of fungi, if the effort is to identify fungi, to draw to people's attention their existence and their rareness, that is only to be encouraged and celebrated. However, if what is being looked for is the protection status of that species and therefore its consideration in clearing consent, that actually requires lawmakers to be involved, and for the first time that pathway is available.

In no way does that mean that actions on the ground which have happened before and will continue to happen are somehow stifled by these very pro-environmental objects. The state biodiversity plan, which will be written as a result of this legislation requiring that one exist, will in fact be able to prioritise where there is the greatest advantage in being able to put big effort into restoration, which may then direct even more investment into that area. This can only add to the efforts of people on the ground, who I think in many cases have been waiting for a piece of legislation that more firmly places before us a prioritisation of finding investment pathways to help restore nature.

Clause passed.

Clause 8.

Mr BASHAM: I have a quick question in relation to clause 8 and the principles, particularly clause 8(b). How does the minister envisage the community knowing about and participating in decision-making in the environmental space?

The Hon. S.E. CLOSE: This is where I was making reference earlier to the requirement for the minister to really gather and make public data that is held by government about what nature, what biodiversity, what threats and what opportunities exist. That includes investments that this government has already made in BioData SA, it will exist in the state biodiversity plan and it may exist in the form of threatened processes being identified or management plans for threatened species. All of that needs to be made public in order to assist with decision-making.

The principles are that the community does have a right to know so that they are able to participate. Where they do not know that there are threatened species that exist, or that there is a stand of native vegetation, if they do not know they are less able to make wise decisions. So that is one of the guiding principles of this legislation.

Mr TELFER: This is obviously principles talking generally about the aim and, as has already been spoken about, with the objects as well—the principles of this bill; what it is aiming to do. There are a few aspects within this that I find a bit uncertain because of the lack of definition. In particular, I have a couple of questions around how you, as the orchestrator of this bill, see how this would actually work in practicality. Clause 8(d) provides:

(d) that decisions should be based on the best available evidence—

and talks about including local knowledge—

...and be made having regard to the potential long-term, medium-term and short-term impacts of climate change.

I get that this is only a principle, but how in practicality are you going to garner local knowledge to be able to have that input into what are significant community impacts, potentially, which have been put out in this piece of legislation?

Through all of this, the frustrating part for me—reflected in both my second reading speech and also some of the questions—is that there is this disconnect between those, especially those who are actually living out in regional areas who are managing the local environment in a practical way and an ongoing day-to-day way. This talks about a principle of leaning into local knowledge. How is it actually going to be achieved by the government?

The Hon. S.E. CLOSE: It is interesting to marry up the two questions, where the member for Heysen has given some examples of the way in which local knowledge adds value to understanding what can be done for the environment. This is probably best read not as guiding whether or not a piece of native vegetation can have clearing consent, because that is fairly rigidly determined already, but is most useful when looking at the state biodiversity plan, which will look at prioritisation for investment in restoration where people on the ground best understand land that has the opportunity to be developed, to be revegetated, to be protected and where both ecological and climate credits—carbon credits—can best have value. Local knowledge also in terms of management of salt is often more clear than remote knowledge about that.

One of the reasons that we have the natural resources management system is to have the landscape boards who are located out close to the community, people of that community working on ground, working with landholders who know best what is going on. That is the reference for that principle.

Mr TELFER: Subclause (c) under 8—Principles talks about 'Aboriginal people with a strong connection to Country'. Once again, I get that it is a principle. Who is going to be making the determination about whether an individual or a group have a strong connection to community? To add that as an extra definition, I think actually adds ambiguity rather than certainty. Can you give me some insight into how you believe that that will be a process which will be forthright and able to be proved, this strong connection to country?

The Hon. S.E. CLOSE: Although the member has also referred to the fact that these are principles, this is a principle of approaching how one ought to engage in order to make this act work in the best way possible. It does not in itself confer any particular rights, and so there is no question of proving connection to country. This is acknowledgement that for most, if not all, of South Australia there are Aboriginal people, Aboriginal groups, native title holders, traditional owners, who do have connection to country, who, when they are being engaged, it ought to be done in a respectful way.

Mr TELFER: Just one more on this. I am not trying to be pedantic about it, but you used the word. It is not trying to infer any particular rights, yet subclause (b) actually states in it that the community has a right to know. There is this ambiguity. I get the overall umbrella principles of an act, but on one hand you are saying a principle of it is that there is a right and on the other hand it is not a right. Can you just provide some clarity for the committee?

The Hon. S.E. CLOSE: I spoke a little loosely in the sense that I was talking about subclause (c), saying that the question was: how would it be proven that an Aboriginal person has a connection to country? We are not talking about whether or not there is a history in the connection to country that would then confer any right or entitlement to do X or Y when it is engaged in the principles. It is perfectly true that the language has been used in terms of that the community generally, as a principle, has a right to know, and generally has a right to participate in environmental decision-making. That is separate to the language that I intended to use when I was speaking about Aboriginal people or traditional owners.

Mr PEDERICK: Subclause (c) talks about the 'historical and persisting impacts of colonisation' on Aboriginal people. I find it an interesting comment. Can the minister describe what positive impacts that colonisation has had with Aboriginal people?

The Hon. S.E. CLOSE: I do not think that is something that needs to be canvassed in this piece of legislation.

The ACTING CHAIR (Mr Brown): Any further contributions?

Mr PEDERICK: I missed that.

The ACTING CHAIR (Mr Brown): The minister has given a response. If you want to ask the question again, you can go ahead.

Mr PEDERICK: Seriously.

The ACTING CHAIR (Mr Brown): I cannot force the minister to answer another way you might like.

The Hon. S.E. CLOSE: I can repeat it. Sorry, I was just distracted by a message. I said I do not think that question is something that belongs in this piece of legislation, and so I do not think we need to engage in it.

Mr Pederick interjecting:

The ACTING CHAIR (Mr Brown): Order! Member for Hammond, do you want to make a further contribution?

Mr PEDERICK: No.

Mr TEAGUE: The member for Flinders might have already put it better than I can, and I have sort of gone there in the context of clause 7. But can we turn to subclause (d) and its reference to local knowledge or subclause (b), the community having the right to know about and participate in environmental decision-making.

The concern that I have is it is a sort of an indignation that, when we are talking about community and we were talking about local knowledge in large areas of the state—as we all know, I have talked about the band getting back together—we are talking about people who live and work and manage and preserve parts of the state, that without their presence and activity would be suffering all kinds of failure to manage degradation, the overrunning by a pest species, etc., and yet we see a structure in terms of the principles for the purposes of this clause.

There is a reference to local knowledge, there is a reference to community participation, but there is not the sort of overt recognition that these people know best in many cases and have demonstrated that over time because it is their life and livelihood, and yet we see specific reference to Aboriginal cultural practice, and otherwise then very much a disposition in the bill that is about directing what people who live and work on the land are going to be permitted to do and prevented from doing. So I couched it in terms of clause 7 in terms of the overall tension.

If somebody who has local knowledge, who is a member of the community, spent their entire life in a local area and knows how that ought best be managed in accordance with the words of these objects and principles, and takes that view contrary to what might be particularised by the committee process that is the subject of this bill, then what are we left to do? It is really left in terms of the exercise of power by a government over those communities and those with local knowledge, notwithstanding these statements in the principles. So the question I suppose is that the principles are liable to be overruled by the particular provisions that follow clauses 7 and 8 in particular, is that not the case?

The Hon. S.E. CLOSE: I mean no disrespect, but it is sometimes really hard to understand what the question is.

The ACTING CHAIR (Mr Brown): I can ask the member for Heysen to rephrase it if you wish.

The Hon. S.E. CLOSE: Can someone with local knowledge be overruled by the provisions of this act? There are provisions that have come from the Native Vegetation Act and provisions that have come from part of the wildlife part of the National Parks and Wildlife Act that prevent people from doing some things. That has long been the case in both acts. So maybe someone with local knowledge who does want to catch all the snakes and sell them to Europe is not allowed to—yep. But is this about depriving people who well understand how to well manage their land from continuing to do that? Nope.

I am not sure how else to answer this, because what I love is amendments that answer what the opposition would like to see, because trying to get this party room to agree any amendments to this act would be quite the popcorn event because the questions are coming from such different perspectives. I understand there may be some that will happen in the upper house, and I will be fascinated to see how they address some of these questions.

Mr TEAGUE: Perhaps to put it simply, is the best and only way to interpret the legislation in terms of the overarching expression of objects and principles in clauses 7 and 8, and the restrictions in 42 cross-referenced against the general exceptions in schedule 2, the way that the whole thing is going to be run? That is what is going on. We see a whole range of carve-outs in schedule 2 that run as exceptions to prohibitions in clause 42 and that then interpret, it would appear, the objects and principles in clauses 7 and 8.

If that is the case, then at least people know what they are dealing with. If they need to rely on, in the case of fungi, for clause 25 of schedule 2, the prescription of certain fungi, or in the case of clearance for fire, fence management or track management, they need to go and refer to a particular carve-out in schedule 2, what further work has local knowledge to do? What further work has community participation to do? Do they need to get themselves a gig in schedule 2 before they get a look-in in the bill, and if not, what other general work do clauses 7 and 8 have to do?

The Hon. S.E. CLOSE: I understand, thank you. I believe the member is describing the way that native vegetation has long operated since 1991. This has tidied up some of the complexities so that it is much easier to understand how native vegetation works, and in that sense is doing, I think, the state a service to make things more straightforward, with less having to refer to lots of different places. But by no means is that the entirety of this piece of legislation, and that is why there are these objects and these principles, because this is more than the Native Vegetation Act tidied up a bit.

This is a biodiversity act, and it is an act that is new to this state and is doing work that we are expecting will evolve over time because we are watching increasing pressure on biodiversity, not least, but not exclusively, because of climate change. We are creating a piece of legislation that accepts that this is a field that is changing before our eyes. We are setting up wise counsel through the biodiversity council and the committees, and we are setting up objects that recognise that biodiversity is important to this state and principles that recognise, amongst other things, that local knowledge does matter and that people should know what is happening with the environment.

Then we are setting up various mechanisms, including a state biodiversity plan that will be able to further elaborate and articulate what the priorities are at any given time. That will evolve over time as we deal with new circumstances, new priorities or new opportunities. If it were just the

consent requirements for native vegetation clearance, then I would understand the puzzlement of why you would bother to have these principles and these objects, but it is more than that. Not only is it providing an explanation of why we require careful consent for any clearance—because biodiversity matters—but also it is doing more work than that, and that work will evolve.

I appreciate the frustration that members of this chamber will feel and that members of the community may feel that we are not fully defining everything in a fixed piece of legislation. We are creating a legislative architecture that will first of all be filled out through the development of the subordinate legislation and that, through instruments such as the state biodiversity plan, will evolve and adapt over time because we are dealing with changing circumstances when it comes to the environment.

This is seeking to futureproof, in the bad sense because we worry about the direction of biodiversity and in the good sense because we are certain that there will be more and more opportunities, particularly in attracting finance from elsewhere to invest in the way in which we can conserve biodiversity in a way that is sound and reliable. That will help businesses, particularly primary producers who export, who will increasingly be subject to requirements from export markets to demonstrate ESG credentials. We are creating the architecture to help them do that, and in doing that we need objects and principles like these that guide future governments in the way in which that occurs.

I think that at least attempts to answer the questions that have challenged the member. As I say, if there are specific amendments that the member thinks might make this still more clear, then I would be interested in seeing them.

Clause passed.

Clause 9.

Mr TELFER: Minister, do we have a state biodiversity plan?

The Hon. S.E. CLOSE: No, that is one of the elements of subordinate legislation that I have described and have mentioned several times.

Mr TELFER: Yes, and that was what my understanding was. Is it a strange process to go through to create the legislation specifically referring to and obligating a piece of legislation to act consistently, in this case, with the state biodiversity plan when the state biodiversity plan is not actually in existence? It is sort of a bit—

Mr Pederick: Hypothetical.

Mr TELFER: No, it is just a bit backwards as far as process goes because this is enshrined in legislation and there may be an assumption and a plan to do a plan, but you are putting in a piece of legislation in reference to something that does not exist.

The Hon. S.E. CLOSE: With respect, I think it is entirely in the right order. This legislation creates a requirement that there be such a plan and articulates the role that that plan plays. So you need to require something to exist in order to then make it exist. It will also change over time, and that is why you would not put it into the legislation as a plan, but you say that it exists, then create it, and you know why you have created it: because the legislation has dictated that.

Mr TELFER: From my reading of it, you do not know what you are creating. It is referring to something that will be created. It actually does not add any specificity as to what actually is included within a state biodiversity plan, from my reading. There are 175 pages of it—I get it. The plan itself will be something which I am sure there will be a vast array of consultation on throughout the process. Clause 9 talks about:

...act consistently with, and where appropriate give effect to, the State Biodiversity Plan in making decisions under this Act.

It seems like it is a strange framework to be putting in place. Once again, it is more a comment, an observation, but that is my perspective on it.

The Hon. S.E. CLOSE: I just refer the member to clause 173 that gives much more detail about the characteristics of the plan.

Clause passed.

Clause 10.

Mr BASHAM: Can the minister just explain what 'Aboriginal knowledges' are in the context of this bill? I guess to put it in context, I will ask the other part of the question in this clause as well at the same time, and that is if in the state biodiversity plan there is a conflict between Aboriginal knowledges and where the plan lands, does the state biodiversity plan take precedence over it? I guess an example of that is in thinking what might be Aboriginal knowledges—for example, camels and donkeys are appearing in storytelling now, whereas they are considered pests.

The Hon. S.E. CLOSE: This requires us to respectfully seek the knowledge, but the biodiversity plan is not dependent on that knowledge.

Mr McBRIDE: In regard to clause 10—Aboriginal knowledges, with the engagement and discussions around Indigenous and Aboriginal knowledge and perhaps what is considered sacred or important to their culture, is the minister, and then perhaps even the government, aware of what extra costs will be involved in either changing activity, acknowledging what might be considered sacred or important and what sorts of behaviours might change in the way of fencing, building, road infrastructure and the like around these Aboriginal knowledges? Is there any sort of budget awareness of the costs involved here, minister?

The Hon. S.E. CLOSE: We are just struggling to think of examples that might cause a financial consequence—and I think again we might be straying a little bit into the Aboriginal Heritage Act more—but no, we do not anticipate any budget impact.

Mr TELFER: Minister, this aspect is a little bit roundabout because it is referring back to definitions that have preceded this clause. Regarding 'the identification, approval and management of Culturally Significant Biodiversity Entities'—and it is in capitals, it is a formal process and it is referred to in the definitions—in the definitions it is a little bit circular as well, which is why I am trying to get a little bit of clarification. It is defined as:

Culturally Significant Biodiversity Entity means a native species or ecological community—

a native species or ecological community—

to which some or all Aboriginal persons—

some or all—

attribute cultural value and which is critical to their relationship with, and adaptation to, Country that is—

- (a) identified by the relevant Aboriginal persons as a Culturally Significant Biodiversity Entity in accordance with the biodiversity policy relating to the identification, approval and management of Culturally Significant Biodiversity Entities; and
- (b) approved by the Minister as a Culturally Significant Biodiversity Entity in accordance with the biodiversity policy referred to in paragraph (a);

It refers back to paragraph (a), which talks about 'the relevant Aboriginal persons as a Culturally Significant Biodiversity Entity'. So when I am referring to some clarification about the identification, approval and management of culturally significant biodiversity entities, which is paragraph (a) within this definition, for my understanding and for the understanding of the committee can you try to frame out a process for what this might look like step by step? I am struggling to work out the circular nature of where a starting point is to identify, approve and manage a CSBE in reference to the definition that is provided in an earlier clause.

The Hon. S.E. CLOSE: I appreciate the question because this is a new concept, so it is complex. The intention is that the Aboriginal biodiversity committee will propose a policy that would then be accepted by the minister as a guideline on what constitutes a culturally significant biodiversity entity.

There will be a biodiversity policy that will be for culturally significant biodiversity entities that will be approved by the minister but will be developed by that committee. Once that exists, an Aboriginal group might say to the minister, 'I would like to have this particular species or this plant

community recognised as a culturally significant biodiversity entity,' and if it conforms with the policy that has been established, the minister can approve that.

Part of the question is probably: what is the consequence of that? There is no consequence in terms of it then crops up in planning legislation that therefore something can or cannot happen because of that existence. It is not like the Aboriginal Heritage Act where there are planning considerations that are required, consent that is required. This does not have that weight.

We are allowing a community to identify that this is important. It might well be that in a landscape plan, when they are proposing to undertake some work, they would be interested to know and therefore approach that work in a particular way knowing that that is culturally significant to that community. It might be in a national park. I was just down at Dhillba Guuranda-Innes National Park a couple of weekends ago and the co-management board there has commissioned a number of statues celebrating important species to the local Narungga people and they are now part of a tourism trail and they will be regarded as culturally significant biodiversity entities. It creates a category that enables planning decision-making to be aware of them rather than constraining in any way.

But as I understand the question, and trying to understand how this works, it is new and it will be worked out over time. I think that probably suffices for now.

Mr TELFER: So, minister, the committee which will be formed to make recommendations will make recommendations broadly about parameters, outlines, scopes of what a culturally significant biodiversity entity could be, broadly. They will make that recommendation to you, or the minister. The minister will agree to or alter or will set the parameters for the culturally significant biodiversity entity and then there is a capacity for a relevant Aboriginal person and whatever relevance is going to be—that is for later to be worked out.

But a person can then come and say, 'You have set a culturally significant biodiversity entity as this genus of mallee tree,' and I come in from my area and say that I want the specific type of mallee tree that fits under that umbrella to be specifically defined as a culturally significant biodiversity entity under the umbrella framework which has been formed as a policy—I will use the right noun—which has been formed after the decision from the minister after being informed by the committee which has been formed by the minister.

The Hon. S.E. CLOSE: Essentially. I do not want to constrain what it might be in speculating, but I will just go a little bit into that territory to help explain the way I understand it to be. So the committee might determine that culturally significant entities would need to be agreed to by the native title holders or the traditional owners. They might define who might be in a position to make that kind of recommendation. They may or they may not choose to do that. They may or they may not say that they would only consider entities that are native to South Australia or native to Australia, so that might appear as being one of the items that would guide the policy.

So then you have a policy that says, 'If you are going to suggest a culturally significant biodiversity entity, it needs to be that that policy gives permission for that.' So the minister having accepted that the policy is an appropriate one then individuals could, given that that policy exists, propose individual entities such as the emu in a particular area. That is the way that it would work.

Mr TELFER: When we are talking about a specific native species, within the definition it also talks about an ecological community. Can you provide a bit of clarity for me on what you would envision as the minister an ecological community might be? Can you give me some parameters, because an ecological community in my mind—it is a pretty broad definition, it could be across a pretty broad land area potentially. Can you give some clarification and certainty to the committee as to exactly what is envisioned by the terminology of 'ecological community' and perhaps, without being too specific, give an example of what you envision an ecological community might be under the definition of the culturally significant biodiversity entity?

The Hon. S.E. CLOSE: I can imagine that it might be a spring that has an ecosystem built up around it. That might be an ecological community, so it is an interdependent biodiversity forming an ecological community that is regarded as being culturally significant to the people who live there. That may well be something, if it conforms to the policy that will exist under the policy, where we would say, 'Yes, we recognise that that is the case.'

Mr McBRIDE: Just picking up on the question from the member for Flinders about this and your example then, minister, where you talked about a spring, which then tells me it is about water, I am going to talk about arid lands and I am going to talk about pastoralism. Perhaps I will imagine that the member for Hammond owns a big pastoral lease out there where he is running a few dorpers, unfortunately, and he needs some stock water for his dorper ground lice, and the Aboriginals obviously may have come across somehow this spring of sacred significance.

Does that mean that they will have the powers to say to Mr Pederick, the member for Hammond, the pastoralist, that he has got to fence this area off, he has got to find some water somewhere else to keep the dorpers out and obviously stop the use of such an important sort of area? I just wonder if that is the way that this could be used, as an example. That could threaten some valuable resources in our regions.

The Hon. S.E. CLOSE: A culturally significant entity does not imply any change in lawful activity, it does not constrain or alter any decision-making process in that sense, unless someone would like to if they choose to because they are aware that it is a culturally significant entity.

Mr McBRIDE: This one is a really good interesting one, and I hope I actually get a positive answer to this. At clause 10 where it talks about Aboriginal knowledges, we talk about preparing and implementing plans following the listing of native species, so we can talk about pelicans and the native fish on the Lower Lakes, and we can talk about the introduction of, and now seeing, the New Zealand fur seal. We could have the Raukkan Aboriginal community suggest that fur seals are an animal and species that was never there in their time or knowledge, and they wish now to put a plan in place to have the New Zealand fur seal removed from the Coorong, Lower Lakes barrages and the like.

To do that we are going to turn these New Zealand fur seals into hamburgers, and we are going to have barbecues and whatever it is so we can turn this resource into a money-making venture. It will be backed up by an Indigenous cultural invasion by these New Zealand fur seals. If you go to clause 10(e), it talks about carrying out an extinction inquiry. We could turn it around and say we want the fur seals extinct from the Coorong and we will not stop until all these New Zealand fur seals are gone because the Indigenous populations around the Lower Lakes say, 'They were never there, but they are now causing a massive nuisance to us.'

I do know, and we have heard, that Indigenous Aboriginals have got themselves into a spot of bother taking out the odd seal. If they could work through this process, as an example, could they do what I have just suggested?

The Hon. S.E. CLOSE: There is a lot in there. If I just take the question as relating to culturally significant entities, again the answer is no, because it does not make a legal difference. We could go down the pathway of acknowledging that the animals to which he refers are regarded as native species to Australia regardless of the name, but that may be a diversion that I will regret, so let's stick to no.

The ACTING CHAIR (Mr Brown): Does the member for Hammond want to ask any questions about seals?

Mr PEDERICK: No, I think Nick covered it exceptionally well.

Mr TEAGUE: A question for completeness: other than pursuant to section 39(1) of the First Nations Voice Act notification of the introduction of the bill, has the State First Nations Voice been consulted on the bill and, if so, has it expressed a view? Are we likely to hear further, including by way of contribution to the debate?

The Hon. S.E. CLOSE: Yes, I think we were the first to use the template that they derived. We were not the first bill, which was one that the Minister for Education had, but after the template was derived we were the first, I think, to use it. They said that they did not require any further engagement on it. Therefore, we take from that they felt that the consultation that we had extensively undertaken with Aboriginal people had been sufficient.

Clause passed.

Clause 11.

Mr BASHAM: My understanding of general duty is that it is trying to bring in effectively a way of making sure people do the right thing, as a general way of describing what is implied here. There are technically no penalties, etc., here directly, but there is the ability for corrective action to be directed to be taken. Am I right that, if people fail to follow those directive actions, there would be penalties in relation to them?

The Hon. S.E. CLOSE: Yes, that is right. Breaching the general duty itself does not constitute an offence, but if the minister says that you now need to fix what you have done by replanting, say, then if you do not do that you have committed an offence.

Mr BASHAM: In seeking to understand what trivial or not trivial means in relation to this clause, I note that I have had some stakeholders particularly raising questions about camping, fishing or mountain biking leading to something that may cause harm that is not trivial. Would they be caught up in this just through their activities?

The Hon. S.E. CLOSE: The advice I am receiving is no, they would not be caught up in this.

Mr TELFER: Looking at clause 11—General duty, specifically I am looking at what potential impacts or otherwise there might be on local government in particular, and at what point councils need to act in the public interest and be protected from administrative actions against them for potential biodiversity loss. This is this balance of obligation. Would a clearance approval be required from the Clearance Assessment Committee if a native tree was deemed unsafe in a council reserve where the act applies and require removal?

The Hon. S.E. CLOSE: This clause does not refer to that, because what the member is asking about is exemptions from having to apply for consent for clearance, which is quite a bit later in the legislation. The general duty does not cover the circumstances that the member is describing. Rather than hold people up now, I can perhaps draw to the member's attention when we get later into the bill where that kind of exemption would sensibly work.

Mr TELFER: Thank you, perhaps I will just follow on a little bit then. The general duty says:

- (1) A person must not carry out or undertake an act or activity that harms or has the potential to harm biodiversity unless the person takes all reasonable and practicable measures to prevent or minimise any resulting harm.

This is around the circumstances where the obligation—once again, it is on local government and it is obviously on officers within local government in particular. Under what circumstance could a tree be removed if it is not an immediate hazard but likely to become a hazard to the public—a tree that has been recognised and identified as potentially weakened and at the next soaking rain or the next storm that comes over the risk is that it would be an immediate hazard? We see plenty of examples of this where there are preventative measures put in place. Are there circumstances here in which a tree could be removed if there is a likelihood of it becoming a hazard?

The Hon. S.E. CLOSE: Clause 20 in schedule 2 identifies where there is the safety of persons and property that enables the removal of a tree. But just to take us back to clause 11, you cannot be accused of having breached a general duty of care to not hurt biodiversity if you are acting in accordance with the act or any other act. So if you are doing something lawful, which clause 20 of schedule 2 enables you to do in the circumstance you have described, then you cannot be got on the general duty of care breach.

Mr TELFER: Just for clarification, because if there is some crossover between the two I do not know when we will get to schedule 2, clause 20, how does the general duty operate to provide for councils to act to remediate risks to the public without the possibility of being sanctioned for potential biodiversity loss?

The Hon. S.E. CLOSE: If we look at schedule 2 clause 20, there is a list under 'Safety of persons and property', a number of instances, where the plants are able to be removed because of danger. If you look at clause 11, which is the one that we are discussing, subclause (4) says a person will be taken not to be in breach of the duty if they are acting in accordance with the requirements under this act or another. So what prevails is that it is being done lawfully under an act, and therefore that subclause (4) means that the general duty of care does not apply.

Clause passed.

Clause passed.

Clause 13.

Mr BASHAM: Can the minister explain why the Minister for Mining and the Minister for Planning cannot administer this act; and, in the same context, for example, why can the Minister for Primary Industries?

The Hon. S.E. CLOSE: The reason that the Mining Act minister is in this is that they are in the National Parks and Wildlife Act. So the Hon. Tom Koutsantonis can never act for me while we hold the two positions that we hold, because I hold the National Parks and Wildlife Act. That is why that has come over. The reason for that and the reason that we have now proposed to add in the planning minister is the abundance of caution to ensure that there is no perception of conflict of interest in the duties of the minister. There are exchanges of decision-making that occur between the planning minister and this minister that it is better if they are clear-sighted about the objects of the act that they are applying in their decision-making and, therefore, that the two sit separately. That is why we have included both of them.

Mr BASHAM: Again, why not primary industries, for example?

The Hon. S.E. CLOSE: I think it is because the responsibility of the primary industries minister does not involve making legally consequential decisions under an act that have an interaction with this act. There is an interaction over biosecurity, and that is carefully mapped out with the Landscapes Act because there is overlap, but with this piece of legislation there is no formal legally sanctioned decision-making that would see that it would be impossible. It is not necessarily that a conflict of interest exists, but there is just the necessity to ensure that there is the perception that decisions are being made fully within the terms of the act that the minister holds.

Clause passed.

Progress reported; committee to sit again.

At 22:04 the house adjourned until Wednesday 4 June 2025 at 10:30.