

HOUSE OF ASSEMBLY**Wednesday, 4 June 2025**

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

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

The SPEAKER read prayers.

*Bills***STATUTES AMENDMENT (ASSAULTS ON POLICE OFFICERS) BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 5 March 2025.)

Mr ODENWALDER (Elizabeth) (10:33): I move:

That this order of the day be postponed.

The house divided on the motion:

Ayes24
Noes.....16
Majority8

AYES

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

NOES

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

PAIRS

Boyer, B.I.	Cowdrey, M.J.
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Motion thus carried; order of the day postponed.

*Motions***WORLD ENVIRONMENT DAY**

Mr BASHAM (Finniss) (10:48): I move:

That this house—

- (a) recognises that 5 June 2025 is World Environment Day, which has grown into an event celebrated by more than 150 countries across the globe as a platform for environmental outreach and engagement;
- (b) notes that this year's focus is on ending plastic pollution to protect seas and oceans and agree on sustainable production, packaging and consumption strategies;
- (c) acknowledges that this important day reminds all people, companies and governments around the world to take action to conserve and protect our natural environment through organised 'Clean Up' days, by recycling as much as we can in our daily lives and workplaces and considering more sustainable purchase choices; and
- (d) further notes that we all need to look after the environment, so we can enjoy the environment.

I speak today to very much acknowledge and celebrate World Environment Day, which is observed globally on 5 June to encourage awareness and actions to protect our environment. This year's theme, 'to beat plastic pollution', is particularly important to us here in Australia. It is a very challenging space for us as we go into battle.

According to recent figures from the Australia Institute and World Wildlife Fund, Australia is fast becoming the largest consumer of single-use plastics per capita globally. In 2010, we were consuming 123 kilograms of plastic waste per person. Fourteen years later, we are consuming in excess of 150 kilograms of plastic per person.

Currently, less than 15 per cent of our plastic waste is recycled, which means around 147,000 tonnes of plastic is being introduced into the environment in Australia each year. This affects coastlines and the health of marine life. It affects wildlife, our ecosystems are damaged and our waste management systems around the country are buckling under the growing pressure to find solutions to manage our ever-growing pollution problems.

But amidst the challenges, South Australia can stand proud as an example of environmental leadership, innovation and community resilience. Under the Marshall Liberal government, the Single-use and Other Plastic Products (Waste Avoidance) Act was introduced. It was the first legislation of its kind in Australia and established a framework for a progressive plan to ban the sale, supply and distribution of single-use plastics, including straws, cutlery, stirrers, bowls, plates, cups, containers, cotton buds and shopping bags.

South Australia has long led the nation in sustainability efforts. We were the first state to legislate climate change targets. The environment is important to both sides of government that have operated here over many decades. It is important that we continue the good work as we go forward. We have invested early and boldly into renewable energies. As of today, nearly 70 per cent of our electricity is generated from renewables—wind power and solar—and we are well on the way to seeing even more into the future.

Our state, until recently, was home to the world's largest lithium battery. It is the third largest battery in the world right now, but still the largest battery in Australia, which puts some stability into the grid. The groundbreaking projects in the Mid North of South Australia near Jamestown are very important and it is great to see the work that is being done, which needs to continue.

The system of batteries has certainly stabilised our grid and we are seeing the use of batteries in our homes as well. To put into context how much power is stored in batteries, a light bulb is 40 to 60 watts. One megawatt is a million watts, so that is 150 million watts that can be generated to power light globes. That is an enormous number of light globes.

This was once seen as experimental but is now the model of the world. South Australia's leadership does not stop at energy; it also goes into waste reduction and recycling policies in the country. Our container deposit scheme, in place since 1977, has certainly helped reduce litter and

promoted recycling, and we have seen that spread right across many parts of Australia, as it has been rolled out significantly later than it was in South Australia.

I certainly very much remember travelling around the roads of Australia and thinking, 'Why do we not have cans and bottles on the sides of our roads in South Australia?' whilst everywhere else did, so it has certainly made a big difference to the psyche here in South Australia.

Our commitment to biodiversity is also worth celebrating, from the restoration of the River Torrens and the massive projects that have been there, to the redevelopment of Charles Sturt Breakout Creek that transformed an artificial channel into a natural, flowing and healthy river system, boosting wildlife with significant biodiversity improvements into the future, with more than 200,000 pieces of flora planted into the area. The ongoing protection of the Flinders Ranges and the co-management of national parks with Aboriginal communities are other ways that we have seen the stewardship embedded into South Australia.

Also, for me a really important thing locally is the Our Plover Coast Project that we have seen in recent years with 18 chicks reaching fledgling age and joining adults to improve the species' recovery in the Fleurieu region. The massive effort on the plover coast between Myponga and Goolwa Beaches, supported by Landscapes Hills and Fleurieu, Green Adelaide, BirdLife Australia and the City of Victor Harbor and Alexandrina councils, and a massive number of volunteers, has seen improvement in breeding habits of hooded plovers.

The plover is a vulnerable bird that likes to nest near beaches, which has caused their near extinction as more people and domestic animals have inhabited areas that would have been their nesting sites. Currently, there are 70 hooded plovers along our regional beaches and fewer than 800 across the state, so thank you to those local environmental groups for their continued efforts around the Fleurieu.

Another local initiative I would like to touch on is Trees For Life through the local Bush for Life, who have been progressively planting Granite Island as part of an overall habitat for the Habitat for Happy Penguins Project. I had the opportunity to do some planting on Granite Island and I did get a little bit carried away though. They wanted us to plant 10 trees each, not realising that I had planted about 50 by the time someone suggested that I had done my share. I certainly very much enjoy partaking in those opportunities to invest in the biodiversity of places like Granite Island.

I am sure many people would be aware that the little penguin population of Granite Island has dropped dramatically in recent years and at the last count there were around about 20. It has been indicated that seals populating the area may be a significant problem contributing to the decline, as well as foxes and other predators.

The City of Victor Harbor and local community groups are doing what they can and planting trees to create these safe habitats in a way that helps nurture the remaining penguins there and hopefully see the populations build again. Some eggs have been sighted recently, so there is positive progress, but to get back to the populations of the recent past—and we are probably only talking the 1990s when there were thousands of penguins nesting on Granite Island—when you are starting with a small base of 20 is a significant challenge.

On World Environment Day, we are reminded that protecting our planet is not a choice but a responsibility. South Australia has shown that strong environmental policy is not a hindrance to progress; it is a path to a stronger, more sustainable economy and society.

How can we observe and honour World Environment Day? We can make a commitment to recycle. Next time you grab a plastic bottle or container, have a look to see if it is biodegradable before you purchase. Maybe get serious about setting up and maintaining a compost bin in your backyard. There are many things that we can do. We can plant a tree. Depending on where you plant the tree around your home, you can keep your house cooler and cut your air conditioning costs over summer. We can volunteer. There are many environmental groups around in my electorate of Finnis. I can think of several, including:

- Victor Harbor Coastcare group;
- Friends of Hindmarsh River Estuary;

- Friends of the Hooded Plovers;
- Inman River Catchment and Landcare Group,
- Bush for Life; and
- the Victor Harbor and Encounter Bay rotary clubs, who regularly assist the council with conservation initiatives.

All of these volunteer groups welcome more help from people of all ages, stages and interests. From a health and wellbeing perspective, volunteering for an environmental group usually means you are socialising with like-minded people while outside, walking around, working in nature and enjoying the positive effects of that. World Environment Day is a day to recommit ourselves to the cause of environmental justice, the restoration of our land and a future where people and the planet can thrive together. It is important that we do this work.

It is also important that we recognise there are many people out there doing their bit as well. It is certainly something that I have seen change in my lifetime. Particularly the farming community have very much embraced looking after their land in a very sustainable way. I very much remember as a child that having hardly a tree on farming properties in our area was the norm, whereas today we are seeing not just trees but other plants under those trees also being supported, which has then led to fauna coming back into those areas as well. We are seeing a complete change in the environment in just a lifetime, which is actually a credit to all the people across our regions who operate in these parts of South Australia in particular and Australia more broadly.

Farmers and pastoralists are custodians of such a large part of our country. Generally, most of them are out there trying to improve the environment because there are benefits economically to them as well as benefits to the wider community as a whole. We are seeing significant changes in practice occurring on farms as well, which will see a greater improvement to the environment.

It is certainly something that I was very proud of when I was a farmer. The discussions that have been going on this week made me reflect on how many trees I may have actually planted in my lifetime. My guess is it is roughly between 5,000 and 10,000 trees that I have personally planted. I am really proud to drive past the properties where I have planted them and to see them.

Probably the most hurtful thing that happened to me in this space was when I was at primary school we had a morning of planting trees on the southern end of the Port Elliot Oval along the road verge, and in more recent years, probably about eight years ago, the local council decided to beautify that area and ripped all those trees that we planted as students. It got to me that these were the first trees that I really had the opportunity to plant and they were now gone. It has been beautified with other trees, but I have lost that connection to that group of trees that we planted. We certainly really support the efforts of World Environment Day and support their continuance in this space.

S.E. ANDREWS (Gibson) (11:03): I rise to support this motion and acknowledge a day of immense global significance—World Environment Day, celebrated annually on 5 June. This year, we recognise this important occasion as it is hosted on Jeju Island in the Republic of Korea under the powerful and timely theme of ending plastic pollution.

World Environment Day is more than a date on the calendar. It is a reminder of our shared duty to protect the one planet we all call home. This year's theme brings into sharp focus one of the most pressing environmental challenges of our time: the overwhelming and escalating crisis of plastic pollution. The statistics are sobering. Each year, the world produces over 430 million tonnes of plastic. Of that, more than two-thirds consist of short-lived products—packaging, wrappers, single-use containers—items designed to be used for a moment and then discarded.

Much of this waste does not simply vanish. Instead, it clogs our landfills, chokes our rivers, litters our oceans and poisons our wildlife. Increasingly, microplastics are being found in the most remote corners of the globe and, disturbingly, in the very food we eat and the water we drink. This is not just an environmental issue; it is a human health issue, a biodiversity issue and a challenge for future generations.

I am proud to say that South Australia has not stood idly in the face of this crisis. We are fortunate to live in a state that has long been a pioneer in environmental reform, and I would like to

take a moment to celebrate the nation-leading work of our state government in substantially reducing plastic waste. I recognise the significant contributions of the Malinauskas Labor government in continuing this tradition of environmental leadership.

Under this government, South Australia has not only continued to ban harmful single-use plastics but also invested in circular economy solutions, supported green innovation and strengthened environmental protections. This government's comprehensive approach ensures we are not only reducing waste but also creating new opportunities in sustainable industries, local manufacturing and clean technologies.

However, we must also acknowledge that government action alone is not enough. Our state's natural beauty—its rugged coastlines, ancient forests, rivers and unique native wildlife—is protected every day by the efforts of countless environmental volunteer groups, one of which, the Friends of Sturt River Landcare, Tom and I joined again on Sunday for their annual planting. They got 260 people out to plant around the Oaklands Wetland and Reserve. That included community groups—I saw the Dover Gardens Girl Guides there—as well as individuals and families. It is a credit to the work of that Landcare group and what they do every year and all across the year.

These groups, often composed of everyday Australians, donate their time, energy and expertise to care for our parks, restore degraded habitats, remove invasive species and rehabilitate wildlife. Their contribution is immeasurable, and their passion is the heartbeat of our conservation movement. Without their tireless work, our flora and fauna would not be thriving. They are the quiet achievers, the local heroes who help transform policy into reality, and on this World Environment Day we celebrate them.

As we stand at this critical crossroads, it is incumbent upon each and every one of us to reflect on the kind of world we want to leave behind. Do we want a world clogged with plastic, stripped of biodiversity and plagued by preventable environmental harm, or do we want a future where South Australia and the world embrace innovation, sustainability and respect for nature? I believe we must choose the latter. We all share a duty, a moral obligation to future generations.

South Australia has proven time and again that it can lead on environmental reform. Let us continue to do so with pride, with purpose and with passion. Let World Environment Day 2025 be not just a day of reflection but a renewed call to action. Let it strengthen our resolve to end plastic pollution, protect our natural heritage and secure a more sustainable future for all. I commend this motion.

Mr BATTY (Bragg) (11:08): I rise to speak in support of this motion from the shadow minister recognising that 5 June is World Environment Day, which is of course an event that is celebrated by more than 150 countries right across the globe as an important platform for environmental outreach and engagement. I note that the focus of this year's World Environment Day is on ending plastic pollution, which will help protect seas and oceans, and is looking towards agreement on sustainable production, packaging and consumption strategies.

Globally, an estimated 11 million tonnes of plastic waste leak into aquatic ecosystems each year, and microplastics also accumulate in the soil from sewerage and landfills due to the use of plastics in agricultural products. It has a huge social and environmental cost. In fact, some estimates put the cost of plastic pollution as ranging between \$300 billion and \$600 billion, so it is a very important theme for this year's World Environment Day in focusing on reducing that sort of plastic pollution.

It is also a theme that resonates with us here in South Australia where we have a proud history of being at least a national if not world leader when it comes to waste management in this state. Indeed, we were the first jurisdiction in Australia to introduce a container deposit scheme in 1977, and in 2009 we once again led the nation when we became the first state or territory to ban lightweight plastic bags from supermarket checkouts. That history of being leaders in this space of reducing waste, and reducing in particular plastic waste, continued under the former Liberal government which made South Australia the first state or territory in the country to pass legislation through this parliament to ban the sale, supply and distribution of single-use plastic straws, cutlery and drink stirrers.

The really good thing about that legislation is that it set up a framework for other plastics to be phased out over time. A couple of years ago we saw the next tranche of those measures coming in, including a ban on plastic-stemmed cotton buds, as well as single-use plastic bowls and plates and, of course, the plastic pizza savers in pizza boxes that are apparently particularly difficult to recycle in conventional recycling facilities. We carried on in 2024 seeing various other single-use plastics being banned, including thick plastic bags in supermarkets, plastic beverage containers including coffee cups, confetti, food bag tags and balloon sticks. Encouragingly, the work is not yet done. There is more to come over the coming months where we will see further single-use plastics phased out over the course of this year.

It is not just in plastic pollution and reducing waste where South Australia have been leaders and, indeed, the former government have been leaders. I commend in particular the former government's work in the environment when it came to preserving our national parks. We saw a record expansion of national parks, underpinned by a record investment. I had the privilege a couple of weeks ago of going to an event that is organised each year by the Rotary Club of Burnside where we celebrate some of the people who care for our national parks, both professional park rangers and also volunteers.

This has been a very long-running event organised by the Rotary Club of Burnside, and I want to commend their president, Andrew Bradley, for his work in pulling the event together this year. In particular, I want to also acknowledge Bob Cooper who has been involved with organising the environment awards by the Rotary Club of Burnside for many, many years now.

I want to put on the record my acknowledgement of the winners of those awards and, indeed, the finalists. There are two awards: the first award is the Volunteer of the Parks Award, and I want to acknowledge the finalists, including Rick Coyte, the Friends of Sturt Gorge Recreation Park; Peter Haines, the Friends of Southern Eyre Peninsula Parks; and also Campbell and Elizabeth Black. I particularly congratulate the ultimate winner of that award, Dr Peter Clements, who is the vice-president of Wombats SA/Natural History Society of South Australia.

I also want to acknowledge the finalists of the Leadership in Conservation Award, in particular James White, who is a ranger with Deep Creek National Park; Ryan Hamood, who is a ranger at Murraylands; Kelly Allen, who is a ranger at the Dhillba Guuranda-Innes National Park, as is Mark Davison, a senior ranger at that park; as well as Gemma Carlsen, who is a senior guide at Kelly Hill. I want to in particular acknowledge the winner of the Leadership in Conservation Award, Dr Shelley Paull, who is the marine coordinator from the Eyre and Far West region.

So congratulations to all of the finalists and the winners of the Burnside Rotary Leadership in Conservation Award and also the Volunteer of the Parks Award. I think that is the third year that I have attended that annual event, and it is always a really happy occasion to acknowledge the really important contribution, which probably sometimes often goes unremarked on and unnoticed, that these park rangers make and particularly the role the volunteers play in preserving and protecting what I see as one of South Australia's greatest assets, being our natural environment. So I commend all of those winners, and I commend the Rotary Club of Burnside for providing a forum for us to celebrate those impressive individuals each year. I commend this motion to the house.

Mr HUGHES (Giles) (11:16): I was not intending to speak on this motion, but I did hear some of the words from the member for Finniss and I thought I would like to come down to the chamber and actually congratulate him. I said he should be rightly proud of the work that he has done, especially when it comes to—I am sure a lot of things, but especially—tree planting. That somebody in this chamber has planted anywhere between 5,000 and 10,000 trees is incredibly commendable, and it is a legacy that is going to live beyond him. There is the old Chinese saying: 'When should you plant a tree?' And the response is, 'Thirty years ago'. But to hear what the member for Finniss has done is exemplary.

Like you I was in Trees For Life, until there was some sort of dispute between them and Whyalla that had nothing to do with me and we started the Whyalla Revegetation Group. So there is even politics when it comes regrowth. I think it was more to do with the appropriate times to plant in our region compared to in the more temperate parts of the state. I was a member of the reveg group for a long time and also the friends of the park in Whyalla where you used to do a lot of things:

fumigating rabbit warrens and suchlike. It might upset the animal liberationists that we were using a World War I gas to get rid of the rabbits, but it was a very effective mechanism for a bunch of volunteers.

I think individual effort when it comes to the environment is important, but the nature of the challenges that we face is that a lot of those challenges are structural, and a lot of those challenges have, when it comes to the environment, a whole set of perverse incentives that actually underpin in many areas the destruction of the environment, the loss of our habitat, greenhouse gas emissions—a whole raft of issues that individuals are not going to be able to resolve. It will require government policy at a local council level, at a state level and at a national level to move things in the right direction. And it requires, especially with some of the challenges we face when it comes to greenhouse gas emissions, effective global action to address what is a global issue.

We can be rightly proud of some of the initiatives when it comes to single-use plastics, but when we talk about that we have to look at what the companies are intending to do. What the companies like to do, the big corporates, is put it back to the individual when actually they are driving some of these issues. When we talk about the reduction in use of plastics and we talk about recycling, it often comes back to that individual level, but the corporates involved in the plastics industry intend to massively increase the production of plastics. That is where they make their money from and that is what they want to do.

We see yet again history repeating itself. We do not know fully, or anywhere near fully, what the impact of microplastics is going to be and just how pervasive microplastics are now. The fact is that we can find them in our brains and in just about every organ in our body, and microplastics are present in Antarctica and elsewhere. These are issues that are not going to be solved at an individual level. It is going to require the establishment of government frameworks and the establishment of regulatory frameworks to address these issues.

As someone who used to be on a council, I always found it interesting, when it came to recycling, that the costs were borne by local communities through their rates or through their charges. There is no cradle-to-grave analysis of various products. There is no looking at the life of products. Once again, the corporate sector is escaping free and putting the costs onto local jurisdictions and ratepayers, so we need far more comprehensive approaches.

Having had a go at some of the corporates, I want to acknowledge some of the good work being done in my electorate when it comes to corporates. BHP at Olympic Dam, and now at Carrapateena and Prominent Hill, is a major copper producer. Copper is going to be an incredibly important mineral resource for the energy transition, but it is not just the importance of copper as that important element in the energy transition, it is what BHP is doing at Olympic Dam and elsewhere in order to reduce its emissions.

BHP has entered into contracts with a number of major renewable energy projects here in South Australia, both in the Mid North and just outside of Port Augusta. We have seen a massive reduction in emissions from Olympic Dam as a result of entering into these contracts, and that still has some way to go. Underground, they are also looking at the use of electric vehicles. Not only is that good for the environment but it is good from an occupational health and safety point of view as well because of diesel emissions underground.

Even though they have massive ventilation systems at Olympic Dam—if you have never been underground there, take the opportunity because it is like another world. They have massive ventilation systems, but if you can remove diesel from the equation it would be a very good thing to do.

This state has an incredibly proud and almost world-leading history when it comes to the pursuit of renewables. I note that a previous Liberal government did commit to that 100 per cent renewable target, so I would encourage those opposite to take on the Looney Tunes brigade in your party that seems to have some control at the moment, because I know there are some good people on the other side who are committed to doing the right thing environmentally. Those initiatives that this state has entered into are really good.

When it comes to my electorate and the community of Whyalla, that whole issue about greening the steel industry is a complex issue. It is not an easy issue, but that is the direction we have to go in because we have some very strong comparative advantages in this state and in my region when it comes to greening steel. This is not going to happen overnight and it is going to be complex. Ultimately, it comes back to whether we use natural gas as a transition source and how much per gigajoule is that natural gas going to be? I cannot see it being cost-effective, but we need to. I might be proved wrong, but we do need to continue in one way or the other.

I met with some interesting companies the other day looking at hydrogen, and not necessarily as an energy source but purely as a reductive element in the making of iron. We should not lose sight of that because we do have some advantages in this state, and it will be interesting to see what happens in Sweden as they move—at this stage by 2030—toward the first million-plus tonne steelworks using green iron based on renewables and hydrogen.

People say we have withdrawn from hydrogen. Hydrogen is still going to be incredibly important longer term for greening the steel industry. There are other options as well, but I think in this state it is going to remain a live option, but it is not going to happen overnight. Like many of these things, it is about producing something commercially at scale. Time will tell whether we can do that. I am confident that we will get there because I never underestimate the capacity of some of the really smart people we have in this country to innovate and, at times, to use what has been done in other countries.

My summing up is, yes, it is important that individuals do the right thing, join organisations, do the right thing at home, etc. But these are profound structural issues and, if we do not address these structural issues, we are handing on a legacy that we should all be ashamed of. I always live with a degree of hope and a degree of confidence that, ultimately, after everything else has failed, that common sense will prevail. We only have the one planet and we should do the right thing by it.

Mr PATTERSON (Morphett) (11:26): I also take the opportunity in parliament today to support the member for Finnis's motion, of course recognising that 5 June—tomorrow—will be World Environment Day. It is certainly an event that shines a focus on the environment, and it has grown in importance to many countries. Over 150 countries across the globe recognise this day to put a focus on the environment. This year's World Environment Day has a focus on plastic pollution and the concerning amounts of plastic that are not finding their way into an organised waste stream but just out into the broader environment, and just the damaging effects that can have, especially in the seas and oceans. A lot of plastic is finding its way there.

A lot of it is being driven out of Asia. Again, we talk about this on many occasions. It is the big population growth centre of the world. They are looking to increase their lifestyle, looking to increase their sanitary conditions, access to convenience, safe food and safe water. Plastic, of course, can play an important role in that, but the packaging, if it is not disposed of correctly, can add up into hundreds of thousands of tonnes. We have all heard those stories of a big vortex of plastic making its way effectively in a massive whirlpool congregated in the Pacific Ocean, and the need to halt plastic finding its way into nature.

The motion also acknowledges what an important day it can be for people at an individual level and for companies to take practical action to conserve and protect our natural environment in situ, so where we live locally. One of the points made by the member for Finnis was through organised clean-up days to help out and take practical action in our local communities.

The local community of Morphett, the fantastic electorate that I represent, has beautiful stretches of beach at Glenelg South through to Glenelg North, as well as the nearby Patawalonga Lake. In particular, it has wonderful communities throughout that stretch of beach with Glenelg South, Glenelg and Glenelg North. Both the beach and the Patawalonga Lake play a significant role in many people's active lifestyles, whether that is walking, running or riding, as well as taking time just to enjoy the scenic views and the tranquillity that both the lake and the beach can provide.

The Patawalonga Lake is at the end of Sturt Creek, which starts off in the Hills but eventually makes its way through to Glenelg, unfortunately picking up litter as the water makes its journey to the ocean. Along the beaches there are various storm water outlets, so when there are big rain events—

as we saw only last week—unfortunately some of the waste and litter find its way into the Pat and eventually into the ocean, where it can wash up on the beach at Glenelg North and Glenelg South.

My family and I also live near the beach in Glenelg South and we volunteer at the Glenelg Surf Life Saving Club, so we understand the importance of protecting our pristine coastline and keeping our beaches beautiful. Since being elected in 2018, I have held annual Clean Up Australia Day events on the beach at Somerton Park, Glenelg South, Glenelg and Glenelg North. Last year's event at Glenelg North was very successful, and many bags of rubbish were picked up.

Over the years I have alternated between the suburbs. It is a bit like parents with their children; you love all of them equally, so it does not feel right prioritising one beach over the others, meaning that the others miss out for that year. Quite often locals come up to me after my Clean Up Australia Day events and say that they miss coming out and helping in their local area, and so to overcome that this year I decided to hold two Clean Up Australia Day events to give maximum opportunity for the community to come out and get involved.

This year we held one Clean Up Australia Day event at Glenelg South at the Broadway beach early in the morning and then later, by mid morning, we held another Clean Up Australia Day event at Glenelg North, meeting at Wigley Reserve just near the Little Eatery café. The first event at Glenelg South met just near the locally renowned Broadway Kiosk, where community members could come along and collect a rubbish bag and some gloves to then go off and clean up any litter they could find.

These clean up volunteers went off in all directions. Some went along the beach all the way up to the jetty at Glenelg, combing both the shoreline and also the rock wall where a lot of litter gets washed in. Others took the higher ground and went along the coast park that runs along the esplanade there. One couple who came along knew that I was holding two clean up events, and their aim was to walk along the esplanade all the way via Glenelg and make their way towards Wigley Reserve where they could continue at my next event.

Personally, I started cleaning up in the rock wall in front of the Broadway Kiosk. At first glance these areas look quite clean, especially on the pathway, but it is surprising how many pieces of litter had fallen into the rocks just the other side of the wall adjacent to the path. Compared to previous years there were certainly fewer cigarette butts and fewer single-use plastics; however, there were still a number of takeaway containers and napkins.

Thank you to all the Glenelg South locals who came out and cleaned up, and especially to Brad Flaherty, who helped set up and hand out the clean up items. We certainly left the area cleaner than we started.

I then made my way to Wigley Reserve and I was met there by Rubie, Annabel and their partners, who had already set up the marquee and got the event off to an early start with some keen Glenelg North locals, who set off combing around Wigley Reserve—which has the kids playground there as well—and then headed on to Glenelg Beach in front of the Marina Pier at Holdfast Shores. Others went off in a northerly direction along the Patawalonga there.

As I arrived, the couple I mentioned before from Glenelg South had arrived. They signed in and then kept on cleaning up, this time in Glenelg North. It just emphasises what a connected community we have in Morphett: very community-minded and a lot of synergies between all the suburbs there. I set off along the banks of the Patawalonga, starting near where the replica of the *Buffalo* used to be located and heading north towards the Michael Herbert Bridge.

I make special mention of Brooke Birkby and her fantastic children Olive, Darcy and Mabel. They go to one of the wonderful primary schools in Morphett, St Leonards in Glenelg North. They made a special effort to come out this year and they were there last year as well. As we walked along the rocky shoreline, we picked up all manner of rubbish: lots of clear plastic broken bottles, a smoke detector and lots of microplastics. We even picked up a sock and a shoe, so someone obviously had a difficult walk home at one stage.

It is so important to keep the waters of the Patawalonga clean because the lake has many fish and it also attracts dolphins that come in through the lock gates where boats come in and out of

the Pat. It also attracts birds, and see-through plastic bags floating in the water particularly become a hazard as they can be mistaken for jellyfish.

Overall, we were able to pick up eight bags of rubbish, leaving both Glenelg South and Glenelg North beaches and the Patawalonga cleaner than we started. Thank you to everyone who came along to clean up Glenelg North on Clean Up Australia Day and also to the clean-up event at Glenelg South for making a real difference locally by taking practical environmental action as a community.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (11:36): I rise to support the motion and make the observation, as the mover has, that this year's World Environment Day held on Thursday is hosted by Korea with a focus on plastics pollution. I think it is well to remind ourselves, as we did just now earlier this morning when launching the third edition of Blackmore's that I hope is useful for the chamber and is a great credit to those who have been involved in that project, that South Australia far too often can be overlooked or derided as having a relatively minor place in the universe of things.

Just as it was with some unkind reflections from Victoria about that text, so, too, it is very easy for the rest of the world to overlook the fact that South Australia has in fact led the world on the banning of single-use plastics, certain specific plastics, going back to that groundbreaking legislation under the former Liberal government in 2020 and the schedule of banned plastics that has then come along in the year and two and now more since.

South Australia has led the way, but we need to shout that from the rooftops—not just in this chamber but more broadly—because if we are not careful the rest of the world might look on as other states follow South Australia's lead and we do not get the recognition that we probably deserve. It was really a significant step to identify those single-use plastics to be banned and to take a step towards addressing what is truly a global problem.

Reference has been made to what has become such a global scourge that it is the subject of an acronym, the Great Pacific Garbage Patch: plastics that are assembled in a large area by virtue of ocean currents in the North Pacific broadly between Hawaii and California that we are told occupy an area of about 1.6 million square kilometres—that is more than 1½ times the whole size of South Australia—and contain many tens of thousands of tonnes of plastics. They include that category of plastics that is described as the oxo-degradable plastics.

One thing that is overlooked, or perhaps not as often mentioned, in the reflection on that leading legislation in 2020 under the former Liberal government is that, as well as setting out bans on single-use plastics and a pathway for more single-use plastics to be added to that banned list, that act also created an offence, that is, an offence for the manufacture, distribution and sale of these oxo-degradable plastics. That is the subject of section 9 of the act.

As we saw back on 1 March 2021, the first three specific single-use plastics were banned and then, on 1 March 2022, the next group of four single-use plastics were coming in to be banned. At that time, on 1 March 2022 as well, that new offence came to its commencement. So there is a whole range of things that can be, and properly ought to be, reflected upon in the context of recognising World Environment Day. It is particularly relevant this year to highlight appropriately Korea, being a developed Asian country that is really at the centre of a lot of what we have seen in terms of the growth of the use of plastics over recent decades. The focus is on how to deal with this scourge of plastics and plastic waste.

Of course, the invention of plastics is a relatively modern phenomenon—we are talking not even a full century—and they are extraordinarily useful and convenient. With appropriate innovation and management, they make our lives so much more convenient. But we have to have ways of managing that waste, being smart about the kinds of materials that we use and being responsible about ways to avoid the build-up of waste and pollution. So it is well that there is a focus on that this year.

I want to say something then more broadly about World Environment Day and our responsibility as custodians of our own local environments, those in which we live and work. It is the subject of debate in this place this week. One thing I have learned through my involvement in

particular with Nature Foundation South Australia is that we achieve our best in the environment, in my view and in my experience, when we understand and respect the capacity and the engagement of all of those who are in the environment—working, protecting, enhancing and experiencing living in our environment—in this state.

The various participants in Nature Foundation South Australia include such a wonderful spectrum of people, from those who are academically qualified as experts in knowing all about ecology, fauna and flora, those who have spent a lifetime and perhaps generations of lifetimes earning their income as farmers and pastoralists on the land, to those who enjoy being in the natural environment and any number of others in between. Barbara Hardy's vision in founding Nature Foundation and in being so all rounded, if I might put it that way, in terms of engagement, has led to such tremendous growth and achievement of that group in particular.

I have seen the joy that station people have seen, particularly in the north of the state, in seeing what can be achieved when there is an effective process to if not eradicate then certainly to reduce the numbers of those pest species that can flourish in the remote country, to look at what can happen when smart practices are adopted to manage pasture and when active intervention is taken in the interests of maintaining the sustainability of land for all purposes.

We do well when we avoid a tendency towards the binary when we are talking about the environment. The natural environment is something that we all share. It is something about which we would all do well to increase our knowledge so that we might more effectively interact with it and act as good custodians of it. I encourage everyone in this place to be focused in particular on the World Environment Day priority, that is, the reduction of plastic pollution, but in the broad to engage in ways that can better appreciate and in turn better enhance our thriving natural environment. I commend the motion.

Mr BASHAM (Finniss) (11:46): I would very much like to thank those who have participated in the debate: the member for Gibson, the member for Bragg, the member for Giles, the member for Morphett and the member for Heysen. In particular, I thank the member for Giles for his kind words about me and my efforts of planting trees in my lifetime. I am proud to look at those trees and it gives me great satisfaction when I see those trees out there growing in the big wild world.

As we head to World Environment Day tomorrow, I think it is great if we can all have a think about what we do and what we can do. What small change can we make to our lifestyles to improve the environment tomorrow? As you are putting the rubbish in the bin, just make sure you are putting the rubbish in the right bin. Those little things make an enormous difference to where these plastics can end up, so it is important.

The challenges are not just here locally. As the member for Heysen mentioned, there are plastic issues around the world. Certainly very much embedded in my memory was when I visited the Taj Mahal in India and looked out on the river behind: plastic was literally right across the waterway, whether in the mud or in the water itself—it was quite sad to see. These are all challenges. They all end up in our worldwide system and are the challenges we need to keep addressing. I am very pleased to bring this motion forward and thank again those speakers who have spoken to it and really encourage the volunteers out there, but also every member of the public, to have a think about what they can do to help and improve our environment as we go forward.

Motion carried.

SOUTH AUSTRALIAN CRICKET TEAM

Ms HOOD (Adelaide) (11:49): I move:

That this house—

- (a) congratulates the South Australian cricket team on winning the 2024-25 Sheffield Shield;
- (b) notes that the win is South Australia's first in almost 30 years;
- (c) acknowledges the historic nature of South Australia's double trophy after also winning the state's first One-Day Cup in 13 years;
- (d) recognises the exceptional effort and performance of the entire squad; and

- (e) acknowledges the efforts of the state government, Adelaide City Council and South Australian Cricket Association in transforming Karen Rolton Oval, doubling its capacity for the event.

I think we do need to stop for a moment in this place and recognise what a significant victory this was, not just for the players of the South Australian men's cricket team but for our cricketing community and the entire state. It has been just over two months since South Australia made history, lifting the Sheffield Shield for the first time in almost 30 years, and yet the excitement and pride from that moment remains just as strong in the hearts of South Australians.

For many of us, and certainly for many younger fans, this is the first time we have seen our state win the shield. The last time South Australia claimed the title was in the 1995-96 season—a different era entirely; in fact, I was about 10 years old. That makes this win all the more significant.

The South Australian men's team did not just scrape through; they were dominant, resilient and united across the season. From Brendan Doggett's phenomenal 11-wicket haul to the leadership of captain Nathan McSweeney and the contribution of players like Alex Carey, Jason Sangha and Jake Lehmann, it was a team performance in every sense.

It is also important to acknowledge that this shield win came alongside another huge success: South Australia also won the One-Day Cup earlier in the season. That kind of double victory speaks to the talent, discipline and strength within the squad and the quality of leadership from head coach Ryan Harris in his first year.

Sport is never just about the players. It is also about the supporters: the kids watching in the stands and the local clubs who see a bit of themselves in these amazing achievements. That is why the government's support in making Karen Rolton Oval come alive was so important, with double the capacity to accommodate 10,000 fans and a 300-seat grandstand. The venue was transformed into a vibrant and accessible space with free entry, family-friendly viewing and a festival atmosphere. It allowed thousands of fans to be part of the memorable experience.

Of course, the celebrations did not end there. Proud fans attended Rundle Mall for the heroes' reception on 31 March, a tribute to a group of athletes and to see their accomplishment in raising the Sheffield Shield once more. To the players, coaches and everyone behind the scenes: thank you. You have made history and in doing so you have reminded us again of the power of sport to inspire.

Mr TELFER (Flinders) (11:52): I rise to speak on this momentous motion that has been put by the member for Adelaide. Can I, on behalf of the opposition as well, also congratulate the South Australian cricket team on their spectacular win in the 2024-25 Sheffield Shield. Of course, it is not just the South Australian cricket team; it is South Australian cricket as a whole.

We are pretty parochial in this state—and long-suffering, I guess it is fair to say. As an avid cricket fan and very amateur player, I fondly remember previous Sheffield Shield wins, and unfortunately in my living memory there was only one previous to that. But I was a young man at that time who aspired to be better, looking at some of those heroes in the Redbacks team at the time.

Looking back and knowing the names—and they are names that are probably only known to a small generation of cricket fans in South Australia: guys like Peter McIntyre, a guy who we used to look up to as we used to try to flip the fingers over in the leg spin action. As I have grown up, he is someone who has had a body shape more like mine is now than perhaps many other athletes.

We look fondly at that period in time and I am sure it is the same feeling for those young boys and girls who are cricket fans looking at the achievement of the South Australian cricket team—not just in the Sheffield Shield but obviously the dual wins in the One-Day Cup as well as the long-form game. It is really a special thing that we get to acknowledge.

As I said, I congratulate not just the players but notably the captain, Nathan McSweeney, who is someone who has taken on a leadership role in a state that he was not born in. He had to come in and create that leadership structure. There are also guys like Brendan Doggett, with a record of 11 wickets in a Sheffield Shield final, which is pretty spectacular.

It is not just about those who performed well in the match—and there was a long list; it was a high-scoring match and a highly competitive match that saw some really great personal

achievements. It really reflects on the planning and effort by the coaching staff that has gone into the whole South Australian cricket team. I congratulate coach Ryan Harris on the way that he has led this group of men in coming together to create this amazing achievement, and I also acknowledge Jason Gillespie, a man who put in a lot of the planning, for bringing together the individuals from all over South Australia and Australia to be able to perform to this level.

There was the planning and the coaching that went into that, but I also want to thank and congratulate the SACA team as a whole. I know that, all the way up to the president, the chair and the board, there has been a lot of time, effort and planning put in. I know from conversations with SACA board members that there has been a lot of heartache as they have gone through the process of trying to make sure that the South Australian cricket team is modern, up to date and performing to their highest capacity.

They controversially dropped the Redbacks banner—those of us who have known them for a long time still refer to them as the Redbacks—and went back to being the SACAs, going back to their core base. It really is a privilege to be able to acknowledge their effort, off field and on field, to come together, culminating in that historic double trophy win. There is a level of personal investment that I know each and every one of those individuals has put in, on field and off field, to be able to get this point. Also, I want to acknowledge paragraph (e) of the motion—that it is not just a SACA effort but indeed also the efforts of the government and Adelaide City Council.

Regarding the public discussion about the changeover between the AFL season and the cricket season, for me as a country player it was always: at what point do you put the sand over the hard wicket to go to footy training and away from cricket training? My team was always in the grand final and the footy club was always on our back: 'When can we put the sand out? We don't want our players running across the hard pitch.' But we held out to the last opportunity, to the last weekend, every year.

It was exactly the same dynamic at our great Adelaide Oval—the changeover to the AFL and the wrestle, the attempt, to try to get the two to go together and for both to be able to work at Adelaide Oval. Unfortunately, that could not happen, but there was effort and work done to transform Karen Rolton Oval, which is a great place to watch cricket. Sadly, I could not be there for the final. There were immense crowds there because of the effort by the state government, the Adelaide City Council and indeed SACA to put in extra facilities and extra capacity to transform Karen Rolton Oval into something that will burn for a long time in the memories of especially those young people, as I have said, who aspire to be better cricketers and who will look up to these players for a long time.

As I said, it was the way that the planning was put in to be able to create the structure for a team and to bring players that they saw could fit the mould of who South Australian cricket needs—bringing in guys like Nathan McSweeney from Queensland, Brendan Doggett from Queensland and Jason Sangha from New South Wales. It was a whole range of players coming in to be able to come together and really strive for greatness. Greatness indeed they did achieve in winning both the Sheffield Shield and the One-Day Cup.

It is an opportunity for us here in this place today to acknowledge that: to congratulate them, to acknowledge the hard work and effort that has gone in to get to this point, and to look forward to ongoing success—it is not just a one-off year. Long may the SACA be at the top of the pile when it comes to cricket in Australia. Long may they continue to push back on the elitism that comes from the Eastern States. The hardworking South Australian cricketers will continue to achieve, I am sure, and we in this place will continue to congratulate and acknowledge them and cheer them on.

The SPEAKER (11:59): The member for Flinders mentioned that, like most young Australians, they were out there trying to emulate their heroes of first-class cricket, and I am sure you would have been Boonie, I reckon.

Mr Telfer interjecting:

The SPEAKER: Exactly. I would also like to just add my support for this motion as well. I was fortunate enough to be down there for all of day 1 and most of day 2, and all of what turned out to be the final day. It was a terrific game of cricket. I thought we had it in the bag and then we had a flurry of wickets and I was getting a little nervous.

It is interesting to hear other speakers say they were not born the last time South Australia won the shield. I was actually there covering it as a journo for the ABC, and that was back in 1995-96. We partied hard. Tim May, a great South Australian cricketer and spinner for Australia, had a share in Players Bar with Chris McDermott and Tony McGuinness, and I do not reckon we left Players Bar for three or four days after that shield win; it was terrific.

South Australia has done an amazing job and I am just hopeful. Back in 1996 when the Redbacks won the shield, it sparked a flurry of success. The Adelaide 36ers won the championship that year and the next year, and Adelaide Lightning won three in a row in the Women's National Basketball League. Of course, the following season, 1997, and then in 1998, Adelaide Crows won a premiership. So I am hoping once again that the Redbacks are just going to fire up South Australia's elite sporting teams to more success on the national stage.

Well done to them for winning the Sheffield Shield and also for winning the one-day competition this season. I still like to call it the Gillette Cup. I know it has not been called that since the seventies, but cricket is a game of traditions, looking back and with a historic lens over our national summer sport. So to all of the Redbacks team, thank you.

I might just add that I agree with Les Burdett's assessment that the game should have been played at Adelaide Oval. We had not won a game at Karen Rolton Oval so it was actually not a home deck for us. Adelaide Oval is the Redbacks' home deck. I agree with Les Burdett: that should have been made possible, and I think the SANFL and the Crows might have pulled the wrong lever on that—I think we should have had the game down there. I know it cost the SACA a lot more money to put the game on at Karen Rolton and I want to thank the government for the support that they showed to the SACA to make that happen.

Mr FULBROOK (Playford) (12:02): Thank you sir, for your lovely words and also for the words from the member for Flinders. I also echo your sentiment: long may this tradition continue. Also, congratulations to the member for Adelaide on bringing this wonderful motion to the chamber. It is brilliant when both sides of the floor are in unanimous agreement and I could not be happier to speak on this. I do have a lot to say, so I had better stick to the script.

It does give me enormous pleasure to rise in support of a motion congratulating the South Australian cricket team on their remarkable 2024-25 Sheffield Shield victory and to acknowledge their incredible achievement in also securing the One-Day Cup earlier in the season. This has been an amazing summer of cricket for South Australia and, once again, I do thank the member for Adelaide for bringing this motion to the chamber so we can express how happy we are for everyone involved in the game.

I was 16 years old the last time we won the Sheffield Shield. I could not make it to the match but I remember sitting in front of the television at home, glued to the final balls, wishing I was there in the stands. It's hard to believe that was 29 years ago. So when this year's final came around, I was determined not to miss out again. But, as is often the case, life had other plans.

My Sunday afternoon was swallowed up by my diary commitments and a shopping trip to Elizabeth to buy clothes for my son. At one point, I checked the score on my phone and saw that South Australia was looking good for the win. Hope began to stir, but then I left my phone behind in the shopping centre and had to double back to find it.

What felt like the world's longest lunch followed, and I wondered if I had missed my shot at seeing history being made. Yet sometimes luck smiles upon you. As I dashed to the tram stop outside Parliament House, one pulled up and left just 10 seconds after I boarded. When it stopped at the hospital, the pedestrian light at the Newmarket Hotel turned green, as if on queue, and my son and my staffer Tony Pham joined me with a handful of others to bolt to the gates.

We made it, just in time to see around about the 10 final deliveries. The mood was electric. The crowd erupted when Jason Sangha struck the winning runs. Their unbeaten 126 was a masterclass under pressure and he deserves every accolade. But this was not a one-man show, this was a team effort in every sense and every member of that squad deserves to be recognised and congratulated.

To South Australia's opponents, the Queensland team, I offer a heartfelt congratulations on a hard fought and high-quality final. They played with great skill and sportsmanship and their efforts added to the spectacle and standard of the game. While I do not want to make us sound like bad winners, it is quality opposition like that which make the win even more satisfying.

I want to take a moment to commend the South Australian Cricket Association and staff for the extraordinary job in preparing Karen Rolton Oval for the final. I must confess I was initially disappointed that Adelaide Oval, our spiritual home of cricket, was not chosen as the venue, but after visiting Karen Rolton Oval for the first time, I felt thoroughly impressed.

From the usual capacity of around 5,000, the oval was scaled up to accommodate 10,000 fans for the final and it proved to be a fantastic and fit-for-purpose venue for the match. It was not just fitting, it was brimming with atmosphere. The work done to transform the venue would not have been possible without the support of the Malinauskas government and the Adelaide City Council, and they too deserve recognition for helping deliver such a memorable occasion.

On a personal note, I also have to declare that I have just joined the SACA as a member, and, yes, I have proudly noted it in my parliamentary register of interests. That was a great way to start my membership with a fantastic double trophy in our first season.

While the Shield rightly commands attention, we should not overlook the significance of our One-Day Cup triumph earlier in the season. At a time when one-day cricket has been at times overshadowed by T20 and test formats, I remain a proud supporter of the 50-over game. That win not only adds to our trophy cabinet but highlights the depth of local talent and the strong state of cricket in South Australia.

At the grassroots level, the game is happily thriving. I want to give a special shout-out to local clubs in my electorate, Salisbury West, North Pines and Parafield Gardens, who are doing exceptional work promoting the sport in our community. Their efforts on and off the field ensure that cricket remains accessible, inclusive and a source of local pride.

In Playford, we are fortunate to have a vibrant and diverse population, including a strong and growing community from the subcontinent. It is no exaggeration to say that cricket is played in our community 365 days a year. Organisers like Jaskaran Dhillon, Milan Kapasi and Jass Sandhu have been instrumental in developing local grassroots competitions that go beyond the boundary. They are a joy to watch and a shining example of cricket's role as a multicultural bridge. It is a sport that speaks many languages but unites all who play and watch through a shared love of the game.

I also wanted to recognise SACA's Jasmine Wood for her work in partnering with schools and clubs to grow the game in our suburbs. Through SACA's \$25,000 grant program, schools like Karrendi Primary have been able to build new cricket pitches on their ovals, giving more young people the opportunity to play. Principal Ella-Louise Ailmore has shown outstanding leadership in making this happen and I thank her for her commitment to students and, of course, the sport.

To the other schools across our community, consider this your very friendly warning: we are coming for you next. Let's keep spreading the gospel of cricket and ensure every child has the opportunity to play.

While this motion acknowledges a remarkable win in men's cricket, I also want to highlight the continued strength of our women's competitions in South Australia. Locally, I offer congratulations to the mighty Salisbury West Cricket Club, who recently lifted the Para Districts Cricket Association's Women's Grade 1 and Under 16 premiership trophies. The grassroots of women's cricket is strong and I was thrilled to join them at the Salisbury Downs Sports and Community Club to celebrate the success. I may have even shouted one or two drinks to mark the occasion—just soft drinks, of course, for the under 16s.

This has been a season to remember. I offer my congratulations to all involved—players, coaches, volunteers, supporters and administrators. You have made it all possible. South Australian cricket is thriving, and we have every reason to be proud. I commend this motion to the house.

Mr PATTERSON (Morphett) (12:09): I also take the opportunity today in parliament to congratulate the South Australian cricket team on winning the 2024-25 Sheffield Shield. It has been

a long time coming and really challenging for many cricket lovers to watch the South Australian cricket team in the Sheffield Shield battle through over recent years.

It has been a long time between drinks. The last time the South Australian cricket team won the Sheffield Shield was back in 1995-96, and who could forget that game? It had some legends of not only South Australian cricket but Australian cricket. The side was led by James Siddons but also had in the team Darren Lehmann, Greg Blewett and Paul Nobes. Paul Nobes lives in Glenelg North still, and it is always good to chat with him and reminisce. It also had Jason Gillespie and Tim May, who are fantastic international cricketers.

The home final was at Adelaide Oval at the time. It was back in the day when the team that finished top not only hosted the home final but only had to draw the game to win the Sheffield Shield; they did not have to win. Certainly, they were playing against a strong WA side that also had many international cricketers. It got to the stage where they only had one wicket left, with Peter McIntyre and Shane George having to survive 38 nailbiting minutes to keep the WA side from getting that final wicket and going on to win the game. Peter McIntyre faced the last over against Brendon Julian and just had to block that out. There were obviously great celebrations when South Australia took that home. Between then and now, it has been pretty thin on the ground, to the point where a lot of the time the Sheffield Shield team was much closer to the bottom of the ladder than the top.

As the 2024-25 season went on, obviously as keen supporters of the South Australian team we got our hopes up, but we were always mindful that with such an even competition we were only one or two losses away from losing that opportunity to get into the Sheffield Shield final. It got to the stage where we only had to win one of the last two games to make the final. We secured a spot in the final with a game to play, and then it came down to playing Queensland at Karen Rolton Oval to see who would finish top.

With the Redbacks able to secure top spot, we were able to have the home final. Of course, it ended up being very close to the start of the AFL season, which meant that instead of playing at Adelaide Oval like the team did back in 1995-96, the game had to be played at Karen Rolton Oval. There is conjecture around who should get pre-eminence. I just think it speaks to the fact that SACA and the AFL have to work their seasons out. You have the Adelaide Oval, the MCG and the Gabba where there are also football teams playing, even over in Perth as well. They need to try to ensure that the seasons do not overlap so that these Sheffield Shield cricketers can show their wares on the biggest stages in the state.

Obviously, having the home final did not mean that the South Australian cricket team were assured to win. I remember on the first day I had a listening post out at Morphetville. That was on basically as the game started. One resident was a very keen cricketer, and he was keen to keep me updated of the score as I had my listening post. He came out and told me that the first wicket was down. In fact, even before that, he said that Khawaja had been dropped, which of course was a huge concern, as he is a very good cricketer and you do not want to give him too many chances. Ultimately, though, he fell reasonably cheaply and his was the first wicket to fall.

Through the course of my listening post, which went for an hour, the wickets continued to tumble and I was updated with the great news that by lunch the Queenslanders were down five wickets. That was certainly a great start and it looked like things were on the up for the SA team, to the point where Queensland were bundled out for 95.

That set up the game for the South Australian cricket team, but of course with pitches oftentimes you have to wait until both sides have batted to understand whether it was the bowling team or the pitch that was causing the batting collapse. It turned out that the SA batting team did really well in that first innings and got off to a pretty solid lead, I think all out for 271. That set them up to pile the pressure on to the Queenslanders, which they did.

The Queenslanders, in their second innings, were in trouble, losing wickets early, but then had two significant partnerships which saw them surge to a very large score—445 runs in the second innings—which meant that the Redbacks had to chase down over 270 runs to be able to secure victory. There are two points to make about that. Obviously, 270 would have been the biggest, and is the biggest, score to chase in a fourth innings, but also, different from back in 1995-96 when the

home team only had to draw, the way the rules are now is if it was a draw it would have to go back to a points system, and so SA was by no means assured of winning the game.

Thankfully, while getting into early trouble—I think we were down three for 28 initially in the second innings, so things were not looking good—Alex Carey came to the rescue with a massive 105 in the second innings to be able to steady the ship and get through an over 200-run fourth wicket partnership, which then set SA up for the victory.

So that team will go down in history as a very significant team, but what is worth pointing out, of course, is that the Glenelg District Cricket Club, which is a fantastic and very important cricket club in the electorate of Morphett, supplied five of the 11 Sheffield Shield players in that team. There was the captain, Nathan McSweeney. There was also Alex Carey, whose story is a great story. Brendan Doggett, Liam Scott and Conor McInerney were members of that team. Sadly, Harry Conway, who is also from the Glenelg District Cricket Club, was not chosen for the final, but he was in the squad as well.

Brendan Doggett set a match record in the final—11 wickets taken, six in the first innings and five in the second—and certainly was very instrumental in winning the match. Alex Carey, as I said, scored 105. Conor McInerney scored 38 runs and took a catch. Liam Scott took a wicket and also made a runout. Nathan McSweeney made some runs in the second innings and also captained the side superbly.

Tribute was paid to those players. I attended the cricket club's best and fairest in May, where those players were lauded for their efforts. Over and above that, some of those players were also instrumental in the South Australian team winning the One-Day Cup against Victoria. Again Nathan McSweeney, Liam Scott and Brendan Doggett featured heavily there. This culminated, of course, in South Australian cricket recognising a lot of their efforts.

The Neil Dansie medallist for 2024-25 was Liam Scott. He also won the One-Day Cup MVP, so it was a fantastic effort by Liam and a great recognition of the Glenelg Cricket Club. Brendan Doggett won the Lord Hampden Trophy for his performances in the Sheffield Shield, culminating, as I said before, in the final as well. Not only is the district club of Glenelg there to try to win the championship but it is also there to supply players to South Australia and Australia.

In the time I have left it is worth noting that these players, had they played for Glenelg in the district competition, may well have won the comp. We had the perverse situation where the men's A-grade team won the T20 competition for the whole comp; however, in the actual two-day comp they finished in the bottom two and so were relegated to division 2. I think the way the relegation system works in district cricket needs to be looked at. Nonetheless, I congratulate the Glenelg District Cricket Club on its efforts in promoting cricket in the local area and also in helping South Australia to secure the Sheffield Shield.

Ms HUTCHESSON (Waite) (12:20): I am just rising quickly to support this motion. As a massive cricket fan my whole life, it was absolutely fantastic to see the South Australian cricket team take out the shield. I could not be there for the final hours, but I was there in the morning and it was pretty exciting to see Karen Rolton Oval looking so fantastic. It was sad that we were not able to have it at Adelaide Oval, but it absolutely backed up in one of the most perfect days. The weather was lovely and it was so wonderful to see so many people there to celebrate cricket.

Cricket has been a big part of my life from way back when I was probably about six or seven. My sister and I would watch the Channel 9 broadcast, and every time it went to an ad break we would race each other to write down the names of the cricketers. There could have been some times when I maybe did not make it to school and wandered down to watch a couple of shield games. It is something that I have always loved, and it has been so fantastic to see the cricket team grow and grow over the last couple of years and be able to take out not only this win but also the win of the one-day trophy. What a fantastic achievement.

There are so many people who should be very proud of themselves, aside from the players: all of the coaches and the support staff but also the SACA staff, who do so much to celebrate cricket in our state. Personally, they have been fantastic in my area helping to create places to play for a lot of our young and up-and-coming cricket players. We have had new pitches put in at Coromandel

Valley in Frank Smith Park, and we have also seen them go in at Blackwood High School and also Bellevue Heights.

I am very excited to announce that we were able to help the Coromandel Ramblers to finish finding the funding that they needed to put in a pitch at Weymouth Oval, and thanks to the Premier for his assistance with that. The Coromandel Ramblers are pretty prolific in our area. We have both the Coromandel Ramblers and the Coromandel cricket team and there is a bit of friendly rivalry between the two of them—let's leave it at that.

The Coromandel Ramblers in particular have had a pretty successful year this year. Not only did they win the South Australian Community Cricket Club of the Year with the incredible work they do in bringing community together but they created lots of different opportunities to raise funds through a business program they have, and they are also out doing barbecues and all sorts of things all the time in order for young cricket players to not have to pay their fees—not to have to pay any extra above the already fantastic \$200 that we provide through the sports grants that people can use. They work hard in our community.

I think I have spoken in here before that I have recently been playing walking cricket with the Ramblers as well. They set that up for older people over 50, which I now am, and we do that at the Blackwood Recreation Centre. The Coromandel Ramblers not only took out the state award for Community Cricket Club of the Year but they recently announced that they also won the Cricket Australia Community Club of the Year, which is a huge achievement for our area, so I want to congratulate them.

Coming to the end of the cricket season, Coromandel and the Coromandel Ramblers had to play each other, which put me in a slightly awkward position, but there was to be only one winner, and that was the Coromandel Cricket Club. Congratulations to them—they fought hard. The Ramblers won the T20, so they had one each and that was not a bad outcome in the end.

Cricket is such a huge part of our community, and something that I am passionate about is to see more girls playing cricket, especially in our area. I know that SACA are really doing what they can in that space, not only through their dads-and-daughters programs but through Cricket Blast and in lots of different ways. Girls, get out there and play cricket; it is one of the best sports that you can play. I have always loved having a hit, and it is a good way to get frustration out, too—you can really swing the bat. I know that seeing our South Australian team take out the win is such an inspiration for sports stars all over who are thinking about whether or not they are going to be the next Alex Carey and whether they are going to be able to not only play for South Australia but then set their sights on Australia.

So a huge congratulations to our South Australian cricket team. Very big congratulations to all of the supporters, who I know were incredibly excited, all running onto the field. It reminded me of the old days when I would go to the cricket and you could run onto the field. In fact, I did. I remember doing it once and shaking the hand of Tony Randall, the umpire. I thought that was the most amazing thing I had ever done, but there you go. Down in Rundle Mall there was a huge celebration, and that was really lovely to see the crowd all getting excited about cricket and getting excited about shield cricket, which for quite a long time has not always got the crowds. It was fantastic to see the final, the lead-up to it and everyone getting excited. So, well done, and we look forward to backing it up again next year.

Ms HOOD (Adelaide) (12:25): I just want to briefly thank the member for Flinders, the Speaker, the member for Playford, the member for Morphett and the member for Waite for their comments in relation to this motion and once again congratulate the South Australian men's cricket team on their historic victory. I commend the motion to the house.

Motion carried.

REGIONAL POLICE

Mr WHETSTONE (Chaffey) (12:26): I move:

That this house—

- (a) recognises that every community has the right to safety and protection given by a local police presence;
- (b) acknowledges the bravery and continued efforts of our regional police officers serving our regional and remote communities every day;
- (c) urges the Malinauskas Labor government to review the operations and manning requirements of South Australia's regional and remote police stations to guarantee the safety of our regional communities; and
- (d) calls on the Malinauskas Labor government to expand the attraction and retention of our vitally important police force numbers.

Regional South Australia is covered by 138 police stations across the state. Each one plays a vital role in our regional and remote communities. As we all read and hear, youth crime is on the rise. There is growing concern in the regions with the increased level of crime and with a decrease in police numbers. Some of the images we have seen over the last couple of days, in particular with machete crime, really do raise concerns at some of these violent acts now being dealt with by SAPOL officers, very, very brave and noble police officers, who are doing more with less.

Particularly in our regional scene, there is the ongoing increase in drug usage and domestic violence, and sadly police are now dealing with a growing mental health issue. They are having to attend a lot of crime that has been derived from or based on mental health issues, and that is really taking its toll. Speaking to a number of police officers at all levels, they have real concerns about where this is going and where, potentially, it will end. Ensuring our police stations are manned and fully operational should be a priority of this current Labor government.

In Chaffey, Renmark, as an example, is a town of over 10,000 residents and it has no police station. It has been unmanned for a decade as of this month and unable to provide critical services to Renmark and the surrounding community. Too often I meet with various police ministers—I think there have been three in three years—and my call has been that we need to better understand what the government is going to do to put satisfactory numbers of police officers out there.

We hear that the minister wants police out there on the beat. Yes, that is a given, but if we do not have those police security officers what we are seeing is that police are spending a lot more time filling out paperwork, filling out reports, doing all sorts of statements and the like rather than being out there on the beat, which is exactly what they are claimed to be there to do.

I have held public forums up along the river. There is concern about the police presence and the operating hours of police stations, because we know that SAPOL officers in our regions and in our remote areas are under more and more stress and strain every week that comes past. There is increasing crime with fewer police officers. We are now seeing significantly more focus put onto metro police presence than what we are seeing in our regional settings.

Renmark is an example. It has a population of over 10,000 people without a police station. We expect those residents to accept that there will be a police presence on the beat. It is simply just not good enough. The government is saying that the Renmark Police Station functions as a 24/7 operational patrol response, but that falls completely short of what a community of that size expects and I think rightfully deserves.

My view is that the Renmark station should be manned and fully operational. There should be a level of administrative presence at these police stations so that they can take these reports, take statements and do the paper shuffle that frustrates SAPOL officers who spend a large amount of their time filling that out rather than keeping our communities safe.

For a number of years now we have called on the government to reinstate the police presence at police stations, particularly in Chaffey, but right around South Australia. Recently, the review at the end of last year saw 14 regional police stations have their hours cut. As an example, the Berri Police Station is now a nine to five, and it closes at 3.30 on a Saturday.

There is no 24/7 police station in the entire Riverland and Mallee. That means that if there is a report or if there is a need for the presence after hours they have to go to Murray Bridge. Murray Bridge is a significant drive of over two hours to either report an incident or make a statement with this ever-increasing crime in our communities.

The thing that really disturbs me is that we are seeing a shift from the Riverland. Staff have come to me with concerns that their positions have been terminated or their contracts have not been renewed. In recent times in Berri, the administrative staff have gone from five FTEs to 2½ positions. If we look down the road—and I commend the member for Hammond who is doing great work in his electorate—at Murray Bridge, we have seen administrative staff go from six to nine. So what is the operations outcome for SAPOL in the Riverland? It really is concerning.

We have claims that the ministers want to see police on the beat, but who fills out the reports and who fills out the paperwork? That is something that I think SAPOL officers should not have to spend large consumptive amounts of time doing. They are there for a very good reason, to keep us safe, and I commend the work that they are doing. They are doing the majority of what they can and what is expected of them, but when we see a continual decline in numbers it makes it very hard for SAPOL officers and the organisation as a whole to do their job satisfactorily without putting significant pressure on those officers out on the beat.

As I said, what we are now seeing, particularly now there is no 24/7 police station in the entire Riverland and Mallee, is reduced reporting. We are seeing reduced notification by those who feel unsafe and want to report a crime or go to the police under other urgent needs. For those in our regions, the nearest 24/7 police station, as I said, is almost 200 kilometres away, and people are constrained by time to travel and the cost of travel. Inconvenience is one thing, but the absolute operations of the way that regional policing is being treated, I think, really does fall short of expectation.

In August 2024, I met with ministers and asked for an update on the future of police stations. I also requested an update on police presence in all of the Riverland towns, and I have called for a review of how these smaller stations are operating, and what their staffing hours are to be. The results were quite outrageous. Out of the nine police stations in Chaffey, and this is an example right around regional and remote South Australia, Berri is the only one with dedicated front counter hours. As I said, there has been a reduction in those hours, a reduction in administrative presence, which beggars belief.

Berri and Renmark are the only two towns now with a 24/7 police patrol response, when on call. Swan Reach, Morgan, Karoonda and Blanchetown all have rostered shifts in the day with an on-call commitment overnight. Waikerie, Loxton and Barmera have limited rostered shifts from 7am to 2am, with no on-call commitment. Unfortunately, it is a similar reality for all of our regional communities, and that is why we are calling on the government to review operations and the manning requirements for all of our regional and remote police stations.

I think everyone needs and deserves to feel safe within their community with this increase in crime. Speaking with the member for Hammond, we have seen an increase in crime in some of those remote areas, which is a real concern when you are isolated. The person who is being infringed upon by a perpetrator will feel much more vulnerable if there is less police presence.

What we need to get from the government is an understanding for transparency to guarantee that our regional communities will be safe, and that they will have that police presence there with a satisfactory number of officers on the beat and a satisfactory administrative presence in those larger regional areas, so that we do not have police shuffling paper for hours on end when they should be out there on the beat keeping our communities safe.

It has been widely reported that the government is falling short of recruitment and retention is not being addressed in a satisfactory manner. In my short stint as the shadow minister for police, it was made very evident to me by the Police Association and by individual conversations with police on the ground that we are seeing a huge loss in numbers. The other side of the coin is that we are not seeing the numbers through recruitment and that recruitment drive needs to have more resources put to it. It needs to have a serious effort that I think will make our regional centres safer with a better police presence. It takes the pressure off those fewer officers who are trying to do the best they can with the resources that they have.

This motion is important, particularly to the regional members of this chamber. It is a motion I have brought to the chamber through sheer frustration over the lack of numbers and the lack of commitment by this current government in making sure that regional South Australia is just as well

served by the dedicated SAPOL officers as it is within the CBD of Adelaide or within Adelaide's wider urban boundary.

It has become very evident that a lot of the resources put into these programs have a city focus and the regions again, the country again, remote communities again, are missing out. That is why this motion has been brought to the house today, through sheer frustration.

The DEPUTY SPEAKER: Member for Elizabeth, and a former police officer.

Mr ODENWALDER (Elizabeth) (12:40): Yes, indeed. I rise to move some amendments to the member for Chaffey's motion as follows:

Remove paragraph (a) and insert new paragraph (a):

recognises that every community has the right to feel safe and protected;

Remove paragraph (b) and insert new paragraph (b):

acknowledges the bravery and continued efforts of South Australian police officers, including regional police officers serving our regional and remote communities every day;

Remove paragraph (c) and insert new paragraph (c):

notes the \$334 million investment of the Malinauskas Labor government into the South Australian police force over the past three years; and

Remove paragraph (d) and insert new paragraph (d):

acknowledges the ongoing commitment of the Malinauskas Labor government to invest and grow our police force to ensure they have the resources to keep the South Australian community safe.

I realise, looking at the Clerk now, that is kind of a heavy-handed amendment, but if you look at the detail of the amendment it did not need to be quite so heavy-handed; it still retains a whole lot of the original text—and I am happy to argue that out.

Everybody has the right to feel safe and to be safe in their own community, as the member for Chaffey has pointed out, and the Malinauskas Labor government is committed to ensuring community safety. South Australia Police bravely put their lives on the line every day. Officers are not only physically putting themselves in danger in the line of duty but as new technologies emerge and evolve, there are always those who will seek to criminally exploit them, creating a whole other layer of complex work for police officers.

This is why the Malinauskas Labor government has invested \$334 million in our police force in three short years, demonstrating our commitment to supporting South Australia Police and to keeping South Australians safe. This investment includes:

- \$81.8 million to recruit an additional 189 sworn police security officers by 2024-25 to allow the redirection of existing sworn police officers to priority frontline operations;
- \$12.2 million to accelerate police recruitment and training;
- \$9.3 million to facilitate the redeployment of 24 police officers into priority policing duties by civilianisation of various positions within SA Police;
- \$25.3 million to deliver the National Firearms Register;
- \$19 million to develop and implement the digital police station; and
- \$18 million to construct a new police station in Naracoorte.

This investment in our police puts community safety at the forefront, in contrast to the former Liberal government that imposed almost \$50 million of cuts to South Australia Police during their term in office. In addition, the state government and the Police Association of South Australia reached an interim agreement on a significant package of reforms earlier this year to support the attraction and retention of South Australian police officers. This agreement includes:

- a 4 per cent salary increase to police (which occurred in January 2025);

- a further 4 per cent increase or adjustment to the national midpoint salary, whichever is higher, in January 2026;
- a police-specific retention salary increase of \$2,500 in January 2020;
- a further \$3,500 one-off payment in January 2026; and
- reforms to the extended hours roster, travel and on-call allowances, regional incentives, and the abolition of junior cadet rates.

The substantial funding in our budget so far for the recruitment and retention and the new interim agreement gives a huge boost to SAPOL's capacity to meet their funded staffing levels and to improve retention. I also note just this morning that an extra \$17.8 million is promised in the budget tomorrow to double the number of motorcycle police officers.

The Malinauskas Labor government is committed to supporting SA Police so that they are equipped with the resources they need to combat crime. On this side of the house, we are committed to growing our police force and investing in police to ensure they have the resources to keep our community safe. I commend the amended motion to the house.

Mr TELFER (Flinders) (12:44): I rise to support the original motion. I am a man of process; I like to follow clear and concise steps. To have the gall to come into this place and amend a motion by basically removing all aspects of the motion and putting all new aspects, in my book, does not amount to an amendment at all. It is a completely new motion.

I want to speak in support of the original motion because it is really important to recognise the importance of having a well-supported regional and remote police force in South Australia. We are seeing more and more the challenges of policing within regional South Australia—especially for me as the member for Flinders in the Eyre and Western Local Service Area—the challenges being faced by police officers and the importance of giving proper resources to those officers who are really doing the heavy lifting when it comes to law and order and keeping our community safe. The words of the original motion—'recognises that every community has the right to safety and protection given by a local police presence'—should not be underestimated. You cannot have a situation where safety and protection are given without a local police presence.

This has been well and truly highlighted to me recently with the closure last year of the Minnipa and Wirrulla police stations. These are two remote police stations in areas of my electorate, but there are significant populations that these areas service and significant businesses that add a lot to our state's economy. What we have actually seen in some of these areas where there is a lesser police presence, unfortunately, is that that lesser police presence means there are more unsavoury types moving into those areas because they recognise there is not that local police presence, and these more unsavoury types are starting to be attracted to these townships where that police presence has been removed.

I have spoken in this place about my concerns in my electorate about crime and community safety and the challenges being faced by my people. Some of the work that has been done by police in the further flung areas of the state should never be underestimated. Many people in this place never get the opportunity—well, they get the opportunity, but they never actually take up the opportunity—to actually visit some of these areas and speak one on one with police who are doing that work in places like Ceduna, Yalata and Streaky Bay.

We have a situation at the moment where because of the squeeze of policing—not just the resourcing but also obviously trying to get officers there in the first place—there is an ever-increasing burden on the shoulders of those police officers who are out in that area. I have had conversations with officers who are having to cover hundreds of kilometres of distance. If they are having to go to a motor vehicle accident several hundred kilometres away from their home station, and then something happens close by, they are having to make the decision on where is the most important incident to be at, or they are having to call on their colleagues from even further away to come and help out.

That burden, that obligation and that workload is starting to weigh heavily on the shoulders of many of our regional police officers. Sadly, as has already been mentioned, we are actually losing

a significant cohort of police officers who are experienced, knowledgeable and capable but who are sick of not having the support in place for them to continue to do their job in an effective and sustainable way. Like I said, it is not just about our major centres and it is not just about making sure we get the proper resourcing for our police officers here in Adelaide, it is about those parts of our state that are further flung and continue to be significant contributors to our state's economy.

I also want to make sure that there is a focus on proper investment into the hard infrastructure that supports our police officers. In this place, I have spoken about the need for there to be significant investment in the Cummins Police Station. Cummins is a place that has had a long-serving police officer for a long period of time, ingrained and a significant part of the community, but he was in the end sick of the bureaucratic burden, the workload and the expectation placed on him. Sadly, this is a senior police officer who has left the force completely—and left the state—because of that obligation on his shoulders.

At Cummins, there was a lack of investment into the existing infrastructure. It was a police station where the police house and the station were one and the same on the same block. Unfortunately, there was a significant infestation of black mould within that building. The officer had to leave the building because it was making his family really unwell; they had to find another rental in town, which was difficult in itself. In the end, that culminated in Cummins Police Station being condemned and eventually demolished.

The Cummins police officer who is there at the moment is having to work out of a temporary office in the back of the town hall, which is less than ideal. For the period of time in between the building being condemned and the new temporary arrangements being put in place, the officer was actually having to work out of their vehicle. Imagine having to have a conversation with an individual who is suffering at the hands of domestic violence and trying to work through that process in the local bakery or in the passenger seat of a police car. That was what they were having to do because of the lack of investment.

I was encouraged by the direction, a couple of police ministers back, that they were going to be investing into the Cummins Police Station, but unfortunately I have not heard anymore from that. I have personally asked the police minister to please chase it up, because you cannot expect police officers to uproot their families or go to regional police stations if you do not have the infrastructure in place. We need a new police station at Cummins. At the moment, it is pretty disheartening for the local community to drive past and see a vacant block where the police station was and feel that that is their worth when it comes to policing.

The challenges of filling some of these positions permanently is well and truly at the forefront of the mind of my communities. Towns like Kimba, Cowell, Cleve and Wudinna have had an ever-changing police force. On that section along Eyre Highway—National Highway 1, from Port Augusta all the way through to Ceduna—at times there have been no officers on that stretch for hundreds of kilometres. Unfortunately, we see a lot of incidents on that road. We see a lot of truck accidents, because there is a lot of heavy vehicle movement, we see other vehicles and we see significant swathes of population rolling through there, as well as those who live along that way.

To have no police presence for extended periods of time should be unacceptable, and it should be something that decision-makers in this place do understand. Those challenges of filling those positions permanently are only exacerbated if those officers who are in those positions do not feel like they have the support. If that support is not around them when they are there—not just in the resourcing—if we do not have officers filling those positions, or if they are on leave, then the burden of backfilling or the burden of covering the extensive swathes of land that come with my electorate will continue to weigh heavy on those officers if they do not get that proper support.

I encourage the minister to consider some practical investments which could make a real difference to our regional areas. With the change in the laws around police security officers, there is the opportunity for police security officers perhaps to be supervising holding cells in stations such as Ceduna or Port Lincoln to free up those officers who are having to do that. In a town like Ceduna, if a pair of officers go out, they make an arrest and they have to have someone in a holding cell, there has to be at least one supervisor, and the remaining officer cannot be on patrol by themselves. That takes two officers, one patrol group, out of an already under-resourced area.

Police security officers supervising within regional areas should be something that is considered and there should also be consideration of the review of the regional policing model. I have spoken to officers who have done a lot of work in that place, and they are worried that this body of work is languishing because it has been held up perhaps within the recommendations of the Premier's Taskforce into policing, on which we have not seen anything publicly. This is prominent for regional communities and really needs the attention of the minister of the government to make sure our regional communities are safe.

Mr PEDERICK (Hammond) (12:55): I support this motion by the member for Chaffey:

That this house—

- (a) recognises that every community has the right to safety and protection given by a local police presence;
- (b) acknowledges the bravery and continued efforts of our regional police officers serving our regional and remote communities every day;
- (c) urges the Malinauskas Labor government to review the operations and manning requirements of South Australia's regional and remote police stations to guarantee the safety of our regional communities; and
- (d) calls on the Malinauskas Labor government to expand the attraction and retention of our vitally important police force numbers.

Living in a community that is served by some fantastic police officers over my lifetime, it is sad to see what has happened where we do not have the numbers in place. I talk about not just what is currently in the seat of Hammond but in parts of the area that were in Hammond and even further south into MacKillop.

There is not a police station operating on the Dukes Highway between Tailem Bend and Keith, a distance of about 130 kilometres, on one of the busiest highways in the nation, obviously servicing the Melbourne-Adelaide run. There can be some quite big accidents, sadly, on that highway. As we saw in the space of less than a fortnight, in the not too distant past we had two trucks—some sort of mechanical issue happened and they both burnt to the ground. I will commend not just the police who come out from Tailem Bend to assist, but the highway police, who have been doing their run-throughs and end up working with you at all hours of the night—as I am there with the local Country Fire Service—assisting in trying to contain the fire to not just the truck but to the surrounding environment. They work brilliantly with us to deal with the situation.

It is pretty tough with the lack of resources. That huge stretch of highway is unmanned. Coonalpyn Police Station, about 18 kilometres south-east of my area, has been unmanned for a long time. It is a one-person police station. We know that it can be difficult to get resources and to get people to operate in these places, but there has to be a way of attraction and retention to get people into these stations like Coonalpyn, because it is a vital service for our community. I know it can be done, because Lameroo and Pinnaroo both struggled to get police officers for quite a lengthy period of time, and they are serviced very well now, as they have been for a year or two, with local police officers up there working alongside each other.

At Karoonda just up the road—and I know it is in the member for Chaffey's electorate—Justin has been there for many years serving that community and doing a tremendous job. It just goes to prove what happens when you have a station fully staffed. We can see the results with Tailem Bend having four officers there—from what I am told that is fully staffed—and the reduction in crime locally is to be noted. It has a really significant impact on not just crime that happens in the regions but on community safety in general.

I fully support our regional police officers. They need more support, they need more funding, and they need this government doing better to make sure that we attract the personnel we need to keep our communities safe. As both the member for Chaffey and the member for Flinders indicated, it is a broad-ranging issue right across the state. We are not just an urban population here in South Australia. We have 138 police stations across South Australia and we need to make sure that we keep people safe.

Debate adjourned.

Sitting suspended from 13:00 to 14:00.

Parliamentary Procedure

BLACKMORE MANUAL, THIRD EDITION

The SPEAKER: Before we get underway today, I would like to point out to members that you will have a copy of this book on your desk. It is the updated Blackmore *Manual of the Practice, Procedure, and Usage of the South Australian House of Assembly*. This is the first time it has been updated since 1890. A few things have changed in terms of the running of the parliament, including mobile phones, TV crews, women—

The Hon. S.C. Mullighan: Wigs.

The SPEAKER: Wigs? Yes, there are no wigs and no ties—well, there are still some ties. In fact, there is a whole section on clothing, and there is a note in there that the last person to wear a safari suit in this place was me. There is quite a lot of history there. A minister apparently punched someone in the eye in 1929 in the bathrooms after some sort of debate.

I would like to congratulate the Clerk, Rick Crump; the Deputy Clerk, David Pegram; and Josh Forkert, who have done a lot of work, along with other House of Assembly staff—about a decade's work in pulling all this together. You all have a copy there. I am hoping for a very quiet question time as you read through it.

The Hon. V.A. Tarzia interjecting:

The SPEAKER: The opposition leader asks whether we are going to sign it. We have a copy here because Antony Green is in the house tonight for a function. I would like all 47 members of this place to sign this so that we can present it to Antony for the great service that he has provided democracy in Australia since 1989. I will pass that around during question time. Again, congratulations to all of the staff who have worked so hard on it. Now we will get onto the routine business.

PAPERS

The following paper was laid on the table:

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

Lifetime Support Authority of South Australia—Participant Service Standards Report

VISITORS

The SPEAKER: I would like to welcome to parliament today year 11 students from Pinnacle College, Golden Grove, who are guests of the Hon. Mira El Dannawi. Welcome to parliament. We hope you enjoy question time today. Thank you for visiting us.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr ODENWALDER (Elizabeth) (14:07): I bring up the 63rd report of the committee, entitled Subordinate Legislation.

Report received.

Mr ODENWALDER: I bring up the 64th report of the committee, entitled Subordinate Legislation.

Report received and read.

*Question Time***HOUSING**

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:09): My question is to the Premier. Does the Premier stand by the comments made by the Treasurer today? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: The Treasurer, at a morning media press conference, said, 'I don't think anyone could suggest that the government should be doing more on housing.'

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:10): I thank the Leader of the Opposition for his question. Of course, I think the Treasurer is absolutely right—absolutely right to point out the fact and absolutely right to point out the volume of work that is being undertaken by this government in respect of housing.

Members interjecting:

The SPEAKER: The Minister for Housing, the member for Playford, the member for Morialta and other members who are interjecting, I will remind you that it is disorderly. The Premier will be heard in silence.

The Hon. P.B. MALINAUSKAS: Thanks, Mr Speaker. As the Leader of the Opposition would well be aware, the government has done not just a few little policy tweaks in respect of housing but indeed some very substantial policy reform. It has been a combined team effort within the government. We know, as always, there is more work to be done and we remain very vigilant about opportunities to do more. But it's also true that, when it comes to objective, independent analysis of the government's policy effort, we continue to outperform the rest of the country by a very substantial margin.

Independent organisations, such as the Housing Industry Association, have declared South Australia as the number one jurisdiction in the country for housing policy—number one in the country. We eclipse everyone else, and everybody else in the country envies our record of policy reform to unlock housing growth.

Of course, doing the policy is one thing but there is also making sure that our policy translates into results. I was very pleased to be with the Treasurer and also the Minister for Housing a couple of weeks ago in the Treasurer's electorate, in Seaton, where the HIA formally released its national figures regarding what is actually happening on the ground in terms of housing growth. Yet again, they ranked every state around the country and, yet again, South Australia was number one.

It's not just the HIA; it's also the Business Council of Australia, it's also CommSec and it's also the Australian Bureau of Statistics, which is now frequently releasing data that demonstrates that in housing growth, housing approvals, housing construction and housing completions our rates exceed those of the rest of the country by a very long way—it's not by a little bit but by a long way. We are not ahead of the national average, we are number one—number one.

The Leader of the Opposition, if he had his way, would be turning the taps off and cutting the pipework off in the northern suburbs of Adelaide. That is his policy. If the Leader of the Opposition took the time, for instance, to visit the southern suburbs of Adelaide or the northern suburbs of Adelaide—I acknowledge that Senator Antic was out there, doing his best during the federal election campaign. I am not too sure if that helped the Liberal Party or us, but that is another matter.

If the Leader of the Opposition at least took the time to do what his master did in the last federal election and went to the northern suburbs, he would see pipes, massive pipes that the Minister for Housing can walk through, that are going into the ground as we speak, in a way that hasn't happened for a very long period of time indeed. We are getting on with the task, we are making the difference where it matters, and others are taking notice.

AFFORDABLE HOUSING, FIRST-HOME BUYERS

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:14): My question is to the Premier. Will the government make housing for first-home buyers in South Australia more affordable, regardless of their choice of home? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: South Australia remains one of the only jurisdictions in Australia that doesn't offer stamp duty concessions on established homes for first-home buyers. The Liberal Party has committed to addressing this inequity.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:14): The Leader of the Opposition would well appreciate, I would have thought, the most fundamental tenets of economic policy, which of course are supply and demand. It is true that in South Australia demand within the economy is strong, and it is stronger than it has been for some time. The question is whether or not we can keep pace with respect to supply, and that's what we are focused on. The Leader of the Opposition seems to misunderstand that with respect to housing policy, if you want to make a difference—

Mrs Hurn: How many slabs?

The Hon. P.B. MALINAUSKAS: More than the rest of the country. We are getting on with the task. I don't know if the member for Schubert has been paying attention but we are—

Members interjecting:

The Hon. P.B. MALINAUSKAS: Zero slabs? Okay. Well, the member for Schubert also needs to get in her car.

Members interjecting:

The Hon. P.B. MALINAUSKAS: Yes, I know where you live. Maybe take off—

Members interjecting:

The SPEAKER: Members on my left will come to order!

The Hon. P.B. MALINAUSKAS: Maybe rather than just driving along the Northern Expressway into metropolitan Adelaide, maybe you should drive into Riverlea, maybe you should drive into Playford Alive, maybe you should drive into Prospect, maybe you should drive into Bowden. You drive past all of those on the way from the Barossa Valley to Adelaide, and what you will see—

The SPEAKER: Members on my left will come to order! I can't hear the Premier.

The Hon. P.B. MALINAUSKAS: —is slab after slab after slab going in the ground because what we care about is supply.

Members interjecting:

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

The honourable member for Morphet having withdrawn from the chamber:

The Hon. P.B. MALINAUSKAS: What the Leader of the Opposition would do well to furnish himself with is an appreciation of how you inform housing supply because unless you are doing something about supply, you are doing nothing at all. By providing tax relief to people in a way that doesn't stimulate supply, you in fact might indeed only end up stimulating demand, which exacerbates the problem. So are you interested in the solution or are you interested in exacerbating the problem? I know where we sit in that equation, and we will continue to deliver the policy reform that makes a difference.

Let me assure the Leader of the Opposition that as we approach the next state election we will ensure that the majority of the South Australian public, if not all the South Australian public, are well aware of your policy to curtail investment in water supply provision because without the water getting to the suburbs, without the water getting to the strategic infill, then there is no new housing

supply, which is what preoccupies our mind. There is your policy to continue to bang up more uncontrolled infill in suburbs like Campbelltown, in suburbs scattered throughout your own electorate—

Members interjecting:

The SPEAKER: Members on my left!

The Hon. P.B. MALINAUSKAS: —and the member for Morialta, the member for Bragg, the member—

The SPEAKER: Premier, can you just be seated. With the exception of the member for Finnis, every member on my left is on their final warning. I can't hear the Premier for all the yelling that's coming from your side. We will hear the Premier in silence.

The Hon. P.B. MALINAUSKAS: We see the record of the policy of the Leader of the Opposition, of the member for Bragg, the member for Morialta. They just want to keep cramming uncontrolled infill in the eastern suburbs to residents—

The Hon. J.A.W. GARDNER: Point of order: standing order 98—debate.

The SPEAKER: Well, the final bit of the question from the leader had the phrase 'The Liberal Party has vowed to address this matter', so I think the Premier is well within his rights to discuss, compare and contrast what the views are of the government and what the views are of the opposition.

The Hon. J.A.W. GARDNER: Point of order, sir. The Premier's statement that you are reflecting on that I called the point of order on was directed at three members of the opposition claiming to know their intentions. It wasn't framing it in terms of policy, it wasn't framing it in terms of—

The SPEAKER: The member for Morialta will resume his seat. I have given my ruling and I stand by it.

The Hon. P.B. MALINAUSKAS: The Liberal Party policy is to cut off the water supply to the outer suburbs of metropolitan Adelaide, which unlocks new supply, and the corollary of that policy is to jam in yet more infill in the eastern suburbs of Adelaide. Let me assure you that we will continue to prosecute the case—

The Hon. J.A.W. GARDNER: Point of order: the Premier, in making his claim is not responsible for the Liberal Party policy. He is not saying it correctly—it is debate.

The SPEAKER: The leader asked him a question and at the end of that question he said what the Liberal Party was going to do. The member for Morialta will stop getting up and making—

Members interjecting:

The SPEAKER: Which I have already ruled on and said that I don't uphold the point of order. The Premier.

The Hon. P.B. MALINAUSKAS: The member for Morialta had the opportunity to inform the Liberal Party policy that is taken to the next election. He chose to do otherwise. That is his prerogative. We are getting on with policy that means more supply.

POWER PRICES

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:20): My question is to the Premier. What measures, if any, will the government introduce to bring power bills down for South Australians? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: Labor's Hydrogen Jobs Plan promised to create thousands of jobs for South Australians, build a hydrogen power plant and bring down the price of power. This project has since been abandoned and this week serious concerns have been raised about SA's base load power capacity by ElectraNet.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:20): Mr Speaker, there are a couple of things in that question that I think need to be delved into. First of all, I think he misunderstands the nature of ElectraNet's public statements. I think what he is talking about there is the forecasting ability of AEMO to see a growing economy where there is more electricity demand in South Australia than there has ever been before.

So what he is actually talking about is our economy growing and for the first time in decades there is more industrial demand in South Australia than there has been previously wanting more power. That is a good thing, not a bad thing, and I think that is what ElectraNet is trying to tell the national market bodies that overlook the regulation and framework of the National Electricity Market, of which South Australia is a member.

I think he mischaracterises the understanding about base load power, and I think he also misunderstands the role of base load power now in the new modern electricity network. The days of old coal clunkers operating emitting carbon are over. It is not 1996, it is 2025. It is a different time. The way now we supply energy into the market is through the cheapest possible method, which is renewables, backed up and firmed by either batteries or gas. They are low emission, fast start. They are used rarely and they are there only to back up, which is why we have got our firm program that members opposite voted for.

On the idea that, because the government has suspended the Hydrogen Jobs Plan, to save a city—to save a city—to put that money into the rejuvenation of the steelworks, which every member in this house voted for unanimously, it is a bit rich to turn up today and say, 'Oh, what's your plan?' The members opposite know that we have a plan to go towards net zero, the members opposite do not. We have a plan to decarbonize; members opposite do not. The members opposite are fighting internally about what their energy policy actually is. There are some who are arguing for nuclear power; there are some who are not.

Mr TEAGUE: Point of order 98(a) on relevance, and I refer to the Third Edition of Blackmore's, at page 205, edited by Crump, with the assistance of Pegram and Forkert. The minister needs to respond to the substance of the question. He has now departed completely from that.

The SPEAKER: I have been listening closely to the answer and I think from my reading of what was publicised earlier in the week, the comments from ElectraNet were directed towards AEMO, and I think the Minister for Energy has been addressing that. He is now moving on to other parts of energy policy, which all tie into what the cost of energy will be to South Australians. That is my understanding as a layperson, without the level of knowledge that some others will have on the energy market. So I think the minister is addressing the question and he still has a minute and a half to go. The minister.

The Hon. A. KOUTSANTONIS: Fundamentally, when renewables are operating, the wholesale market is very, very low and the wholesale market peaks and retail markets peak, those who are on time-of-use pricing, around the peak times of demand, in the morning and in the evenings. People go home and they turn their heaters or their air conditioners on. Families use a lot more power, power prices peak. So we have a very volatile system in South Australia, more so than every other jurisdiction. What is setting the price of those peaks is the use of thermal fuel to back up renewables, to meet that peak demand.

The measures we put in place are through the firm which will incentivise through an oxygen process more thermal generation that is being displaced. How is that thermal generation being displaced? It is being displaced by a deliberate government policy of the former government to build an interconnector into New South Wales. That regulatory investment test, paid for by the previous government, said that as a benefit of building that interconnection will be the displacement and closure of the Torrens Island power station.

So we have to turn up now and bring in a new policy to incentivise new thermal generation to back up the renewables that the thermal generation members opposite closed. They dare to get up and complain about there not being enough base load energy. Quite frankly, you are fighting about net zero, you are fighting amongst yourselves—just get a clear, coherent policy and leave the grown-ups to run the system.

GREATER ADELAIDE FREIGHT BYPASS

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:25): My question is to the Premier. Will the Greater Adelaide Freight Bypass be delivered and, if so, when?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:25): The state budget is being handed down tomorrow but we have made clear our position that the state government believes that this is a project that should be funded on an 80:20 spend between us and the commonwealth. We have made our policy position on this rather clear, and we continue to be in negotiations with the federal government.

SA PATHOLOGY

Mr ELLIS (Narungga) (14:26): My question is to the Minister for Health. Can the minister confirm that SA Pathology has effectively halved service to the southern Yorke Peninsula? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr ELLIS: I have been advised by constituents that services at Yorketown have been reduced to two days a week, and Minlaton three days, which has caused considerable difficulty for locals accessing testing, and was a strong theme at the recent Yorketown health inquiry hearings in the Town Hall.

The Hon. C.J. PICTON (Kaurana—Minister for Health and Wellbeing) (14:26): I thank the member for Narungga for his question, and I note his very strong interest in health services on the Yorke Peninsula, and also how important SA Pathology collection centres are for people right across the state, particularly in terms of regional areas.

As the member referred to, we run collection centres in both Yorketown and Minlaton on the Yorke Peninsula and they have traditionally been operating five days a week. Over the past few months, there were some changes, particularly between March and April when the Yorketown centre was temporarily closing on Thursday and Friday while they were recruiting for an additional staff member for that centre. I am happy to report some good news in that that staff member has now been recruited and trained and the Yorketown centre is now currently back up and running at full capacity five days a week, I am advised.

Similarly, we are recruiting an additional staff member for the Minlaton centre. While that is currently closed on Mondays and Tuesdays, as soon as we have that recruitment completed, the aim of SA Pathology is to reopen that centre back to five days a week to provide that important service for the constituents of the member's electorate.

STATE ECONOMY

Ms O'HANLON (Dunstan) (14:27): My question is to the Premier. Can the Premier update the house on the South Australian economy?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:28): I would be very happy to update the house, and I thank the member for Dunstan for her question. The member for Dunstan has a small business background and she understands that it is important for all concerned, everyone within our community, that the economy is performing well, albeit that the economy is not just about business exclusively; it is actually about improving people regardless of their position. To that end, today is an important day with the release of the National Accounts via the Australian Bureau of Statistics, which happens on a quarterly basis.

There are figures in fact that we see in all of the major news outlets and reports are coming through of how the nation's economy is performing. Thankfully, the ABS also breaks down the reporting of state final demand so that we can get a good look at how states are performing when it comes to economic growth. For the March quarter, which are the statistics released today, New South Wales went backwards. The New South Wales state final demand went backwards; Victoria went backwards; Tasmania went backwards; and the Northern Territory went backwards. Western Australia grew by 0.2 per cent, the ACT grew by 0.6 per cent and Queensland grew by 0.7 per cent.

The national figure for growth was 0.2 of 1 per cent, which begs the question, of course, where does South Australia sit?

When it comes to state final demand, our economy grew by 1.3 per cent. We absolutely eclipsed—absolutely eclipsed—the rest of the country in the March quarter in terms of economic growth. In fact, more specifically, we grew by 6½ times the national rate in the March quarter. That is an exceptionally strong figure that I am sure the shadow treasurer is very happy about. I am sure the shadow treasurer is very, very happy about the March results, as I am sure everyone in the opposition is.

But, regardless of whatever their view is, what matters most is of course the view of the South Australian people, because the South Australian people well appreciate that if the economy is performing well it gives us the best possible opportunity to ensure that working people can get access to reasonable wage increases.

That is why, on this side of the house, we were very happy yesterday that the Australian Industrial Relations Commission—Fair Work Australia, I should say—handed down a 3½ per cent wage increase for the lowest paid workers in the country. On this side of the house, we would have been more than happy if that figure was north of that, but 3½ per cent does nonetheless represent a real wage increase for the lowest paid workers in the land.

But here in South Australia the ability for employers to be able to sustain that cost is better aided by having an economy that is performing well, which is why all of these things matter. An economy that is performing well for the economy's sake isn't good enough. An economy that is performing well that informs better and improved living standards is what we are occupied with on this side of the house. Nonetheless, the economy is growing. It is growing exceptionally well, at a rate that outclips the rest of the nation, and that is something that every South Australian has reason to be proud of.

SOUTH AUSTRALIA POLICE NUMBERS

Mr BATTY (Bragg) (14:32): My question is to the Minister for Police. Has the minister increased the establishment number of South Australia Police today or will the additional motorcycle police just be allocated from the existing establishment number?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:32): It was a great pleasure, as the Premier referred to before, to stand with the police commissioner and make another important announcement about what will be included in tomorrow's state budget. Part of the announcements which have occurred to date have had a couple of matters in there of relevance to South Australia Police.

Yesterday, it was about replacing the sidearm that is issued to South Australia Police, given that the current semiautomatic model is no longer in production, funding that and of course providing the funding for training, maintenance, upkeep and so on. Today was about doubling the size of the police motorcycle contingent, and that will take numbers from 33 to 66. This is really South Australia Police's frontline presence on our roads.

They are usually engaged in keeping South Australian road users—motorists and other road users—safe by providing a very visible presence and that subconscious reminder to us all to be careful behind the wheel, as well as conduct other duties, whether it is managing major events in South Australia, controlling crowds, for example, with the Tour Down Under, clearing the way of vehicles and so on for pelotons to come through, or being present here at the regular demonstrations that occur out the front of Parliament House which spill onto North Terrace, and many other duties.

So did we increase it today? Well, there was not a graduation ceremony today. There was an announcement about funding which will occur from the 2025-26 financial year across the next four years, which is the customary way of describing budget measures—because it is not a budget for this financial year, it is not a budget for today, it is a budget for next financial year. It sets out the priorities of next financial year.

I am pleased to say that establishment figures have increased from where they were left to us by the previous Liberal government, and that is welcome news. We have listened carefully to the

very good and strong representations from our police commissioner and his team about the need for the state budget to continue to make as greater resources available for South Australia Police as possible. We have done that in previous budgets.

Members might remember that in the 2023-24 budget we funded an extra 189 police security officers whose principal task after being recruited, really, was to undertake some of the roles which are usually support-type roles that frontline policing duties do not often require, thereby releasing a similar number of sworn officers onto frontline duties. That is really important, because people like to know that police are visible out in the community, on the beat, making them feel confident and secure in their safety but also deterring criminal activity. That is the record of the government.

Today's announcement goes further towards that and—as the police commissioner said in the rest of the audio of the press conference, which the leader of the Opposition for the second day in a row so selectively quotes from and misrepresents in this place—it will be—

An honourable member interjecting:

The Hon. S.C. MULLIGHAN: You can complain about it, but if you don't like it stand up and raise a point of order. As usual, Alex hasn't authorised it, so he stays seated.

POLICE MOTORCYCLES

Mr BATTY (Bragg) (14:36): My question is to the Minister for Police. Will the new police motorcycles be fitted with dash cams? With leave, I will explain.

Leave granted.

Mr BATTY: It was reported last year that frontline officers were resorting to buying their own dash cams for use in police vehicles for their own safety.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:36): This was discussed extensively last year when the member for Bragg tried to promulgate this as an issue publicly. Frontline police do have cameras, body-worn cameras. That has been the most effective way of providing police with additional visual surveillance capability across their various policing tasks and, as we have discussed and as it has been advised to me by South Australia Police, some frontline service staff, including South Australian police, choose to have this. Some choose not to, given the vast array of other equipment that is provided, and that will remain the choice for people. We make sure that police have the operational equipment they need, as advised to us from South Australian Police.

God forbid we get into a situation where those opposite occupy the Treasury benches and they start trying to exercise the discretion which, in the Police Act, is only afforded to the police commissioner to make operational judgements. I know the member for Bragg is new to this place, I know he's new to the role, I know he's new to representative responsibility and is finding his way understanding the responsibilities of executive government, but we have legislation which determines who is responsible for doing what in the community. It might pay him to just read the first 10 clauses of the Police Act and it will be clear.

It will not be up to the neophyte member for Bragg to be telling the police commissioner how things should be done. He cannot seem to prosecute that within the South Australian Liberal Party; I would not expect him to have any success prosecuting it within South Australia Police.

Mr TEAGUE: Point of order; standing order 127(3). The Treasurer might have sat down, but it is clearly an extended reflection on a member. It's impermissible.

The SPEAKER: If the member feels he has a grievance to bring up on a personal reflection, he can make that point himself.

HEAVY VEHICLE FEES

Mr TELFER (Flinders) (14:39): My question is to the Treasurer. What impact will the government's fee increases have on the transport industry and thus to food prices? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: Last week, the government introduced increases of 7.5 per cent in registration for medium and combination trucks, more than triple the national inflation rate.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:39): As the government publicly announced some days ago, we have promulgated the regular increase to state-government controlled fees and charges of 3.1 per cent. The Premier went through some detail yesterday in question time, accurately describing the longstanding process that has been in place since the 1990s and has only been changed with one exception, which the Premier drew people's attention to. Fees charged under the Heavy Vehicle National Law are determined nationally, and they are adopted uniformly by the states and territories. Those are the ones to which the member for Flinders makes reference.

I appreciate the point he is trying to make. He is trying to assert that somehow the state government has taken a discretionary decision to choose to do this. But we have made sure that not only in our first three budgets have we provided very substantial cost-of-living relief to South Australians, in particular those most in need and South Australian families, but we have made sure that when it comes to the fees and charges that we levy, we do it according to that very longstanding practice, which up until the 2019-20 budget has been adopted in a bipartisan way.

Coming into government, we promised to re-establish that process. We have done that. As for fees that are set by national bodies, national agencies, and then required to be promulgated by states and territories that have signed up to the national law—my recollection is it is only Western Australia that is holding out on that, but amongst all of the other states and territories, that is the regime that we have.

ALGAL BLOOM IMPACT ON FISHERS

Mr McBRIDE (MacKillop) (14:41): My question is to the Treasurer. Will the Treasurer provide financial assistance to marine fishers impacted by the microalgal bloom? With your leave, Mr Speaker, and the leave of the house, I will explain.

Leave granted.

Mr McBRIDE: Fishers have expressed concerns about the impact of the microalgal bloom and outbreak on their livelihoods. They have asked for financial support such as hardship payments or the waiving of licence fees.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:42): I thank the member for his question because I think this has been a topic of interest to pretty much every South Australian, the really unusual event that we see across South Australian waters and the effect it has been having on marine life, let alone on South Australians' appetite to enjoy South Australian waters, as well as questions similar to the one that the member for MacKillop has raised.

What does this mean for seafood? South Australia has such a proud history of producing such high-quality seafood. I have been provided some advice from Primary Industries. First and foremost, I think the message is that South Australian commercially caught seafood remains very high quality and safe to eat. There are some specific closures on fisheries, in particular on oyster growers as a result of detected brevetoxin levels, with those farms confined to Stansbury, Port Vincent and American River, I am advised.

Around 95 per cent of oyster growers are not impacted, and their product is safe to eat. As many of us who enjoy oysters would be aware—I realise they are not everyone's, I was going to say, cup of tea; they are not for everyone. I am sure the member for Flinders enjoys oysters, given his electorate's proud history of producing them for the benefit of the state. I should also say that, outside of oysters, there is a 10-kilometre precautionary closure south of the Murray Mouth for the harvesting of pipis. As far as I am advised, there are no other restrictions on fishing as a result of the algal bloom. Recreationally caught species of fish are safe to eat as well, so long as it is alive at the time that it is caught.

There is a strong caution correspondingly that the government is issuing to those people who might come across dead marine life: that may well be marine life that has fallen victim to this

particular microalgal bloom and the toxins that it issues. Clearly, it is not good practice to eat anything that is already perished at any time—if you have found it when it is perished. I don't encourage people to pull it out of the water and rather than going the old Rex Hunt just get straight into it, but perhaps avail yourself of seafood in the customary manner. Don't walk along the beach and find something washed up and then sink the chompers into it, I think is the advice.

Regarding industry assistance, coming back to the member for MacKillop's question, I understand that fishers have expressed some concern to some members of parliament, presumably including the member for MacKillop. The Department of Primary Industries is working with industry associations on this particular issue and the impacts of the bloom on people's confidence to eat seafood or to continue engaging in recreational fishing. I understand that there is a series of round tables that is being conducted.

I don't understand that any other industry associations have made specific requests for financial support, because the closures do not affect the majority of fishers, but we continue to monitor this situation and I will update the house if there are further developments. Hopefully, that development is that it goes away.

DEFENCE SHIPBUILDING

Mrs PEARCE (King) (14:46): My question is to the Deputy Premier. Can the Deputy Premier update the house on action the government is taking to support local companies to enter naval shipbuilding supply chains?

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Climate, Environment and Water, Minister for Industry, Innovation and Science, Minister for Workforce and Population Strategy) (14:46): Yes, I am delighted to answer this question. People across South Australia, but in particular probably in the north-eastern suburbs where there are a lot of people who work in small-to-medium businesses—manufacturing, trades-trained—will be very interested in understanding how the work that comes with the defence industry uplift will spill over and make a difference to a number of parts of our economy and to a number of people who are working within it.

We have always said in this government that we are delighted that there will be an enormous amount of defence work occurring in South Australia, but we need to make sure that that work is not confined to the commonwealth-owned lands at Osborne or at Edinburgh Parks but is in fact something that spreads through our economy—through our manufacturing economy in particular—in order to provide that increase of prosperity across the state.

To that end, the Treasurer recently announced that we will have \$3.3 million in the budget over the next two years to spend on a defence supply uplift program. That program is based on a pilot trial that was done where a number of companies involved or interested in being involved in being part of the supply chain internationally for defence were assisted by the Department of State Development. Five were selected to gain supplier numbers with Huntington Ingalls Industries (HII) to be able to participate in the supply chain for the Virginia class submarines.

We hear a lot of things about AUKUS. One thing that I think isn't probably sufficiently well understood is that this is not about a company that is designing a ship elsewhere and coming here and locating and building it here; this is about a globally connected submarine yard in the US, in the United Kingdom and in Australia, where there will be work that will spread between the three.

This global connection matters, not least because while the strategic imperative to have submarines becomes all the more acute, the capacity of global shipyards to build the submarines is diminishing. Everyone is working flat out, and so to be successful here we need to be participating elsewhere to assist other countries in finishing their submarines, and likewise their workforce assisting us.

Getting our companies up to the standard where they are able to participate in that supply chain is absolutely crucial. And it isn't easy because defence is the most demanding of procurers. The quality of engineering is higher than any other part of the industrial chain. The requirements, therefore, for the companies to be able to participate are often higher than immediately appears possible for a small to medium business based in South Australia.

The Treasurer and I went out and we spent some time with Shane McEvoy at H-E Parts International. This is a company, an engineering works, as we used to call it, an engineering works that supplies mainly into mining. They make gears. They do their own tooling and they make gears. They replace gears. They repair gears. What they want to do—and they now are one of the companies, one of the five, that has a supplier number with HII—is to be able to participate in the defence industry alongside the mining industry, and this government stands right alongside every business that wants to diversify, participate internationally and add to the overall complexity of our economy by better utilising the workforce, lifting skills and lifting prosperity.

SEVEN POINT PORK ABATTOIR

Mr WHETSTONE (Chaffey) (14:50): My question is to the Premier. Has the government met with Jose Batista Sobrinho Australia? With your leave, that of the house, I will explain.

Leave granted.

Mr WHETSTONE: It has been reported that at least 270 workers are set to lose their jobs when JBS Australia cease its operations at the Seven Point Pork Abattoir at Port Wakefield in January.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:51): Can I thank the member for Chaffey for his question because I think a lot of people would have been concerned when they saw the media reports that, as far as the media has reported, as a result of Coles shifting its pork contracts away from procuring from that facility towards other facilities, the 270 workers that the member for Chaffey referred to in his question are at risk of losing their jobs. It's not certain at that point in time. The outlook at this point in time is bleak, I think, unless that activity that was previously being conducted to produce pork products through that abattoir facility can be replaced with other types of activity, perhaps other meats.

If there is any silver lining from such bad news for those 270 workers, it's the opportunity for the pork production facility in the member for Hammond's electorate, Big River Pork, to potentially pick up some of that load and continue to expand in a way in which they have been expanding over the last seven years. The member for Hammond perhaps knows this story a little better than me, given his affinity to Big River Pork's operation in his electorate. Big River Pork was a recipient of some support from the Future Jobs Fund back under the previous Labor government, a scheme superintended by the then Treasurer, the member for West Torrens. They went through a period of rapid expansion, growing like a chemistry experiment, I think, taking on an enormous amount of work.

We are concerned about it. I am not sure whether the government has been directly approached by the business. I will take that away and find out an answer for the member for Chaffey. It is really concerning news, particularly when there is so much additional activity generally happening across the economy, let alone in meat processing, that it looks like a major meat processing facility may lose such a significant customer in Coles. We will take that away and see if there's any anything we can do to try to give them some opportunity to continue their industrial production, albeit potentially with different clients.

AFFORDABLE HOUSING

Mr TELFER (Flinders) (14:53): My question is to the Minister for Housing. Has the minister made any changes to the current rules around affordable rental housing eligibility? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: On 18 March, the opposition asked the minister if he would review the rules around rental housing affordability in light of the case of Miss Jakki Abernatt. Jakki is a 62-year-old single woman who is currently paying 60 per cent of her income in the private rental market. However, she is ineligible for affordable rental housing provided by community housing providers because of the current rule which states that to be eligible you cannot pay more than 30 per cent of your income in rent.

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:54): No, I haven't. These rules were established a long time ago. They come, believe it or not, off the Canadian standards. They applied for the entire time you were in government and they applied prior to the Marshall government during the Weatherill government as well.

What they are designed to do is to basically make sure that family accommodation goes to families. That is essentially what they are operating to do. That can be perceived in a certain way by single people like Jakki. I feel for her and her circumstances, but in this case, if we were to change the rules, as the opposition seems to want us to do, that would result in family homes, three-bedroom homes, going to single occupants, which I don't think would be a very good outcome for community housing or for the like.

So the answer is that basically these rules were applied for a long time and for a good reason. We want to provide housing for people. That is one of the reasons why we are building 100 affordable rental apartments at Prospect—which I think is the suburb where the opposition did their press conference—and of course that is one of many projects in a massive supply of housing. We are happy to talk about it all day, every day if you want. If you want to go down to Prospect, if you want to go down to Seaton, if you want to go down to Noarlunga, and if you want to go to Playford Alive, you can go and see civil works being done, you can see slabs going in and you can see housing being constructed.

Of course it's important to have housing at every end of the continuum; that is one of the reasons why we are pumping in housing through the SHAP program to community housing providers and to public housing. There are any number of projects around. These rules are important and they are established for a reason. Of course, I do think we could explain the reasons behind them better; I think they could be expressed better on the various community housing websites. But the formula and the way and the reasons why it's constructed in that way are all sound.

HOUSING FOR WOMEN

Mr TELFER (Flinders) (14:56): My question is to the Minister for Housing. Did the minister meet with Uniting SA regarding their specialised housing proposal for women over the age of 55 who are experiencing domestic violence? If so, did he request that the development be moved or changed?

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:57): Is this the one at Bowden? Is that the one you are referring to?

Members interjecting:

The SPEAKER: The Minister for Human Services is called to order.

The Hon. N.D. CHAMPION: I think what the opposition will find—they FOI my diaries pretty often, sometimes even with rigor—is that I have met with Uniting SA a number of times. I probably meet with them twice a year as well as going to many of their openings, most recently just off Churchill Road. They have many projects. One of the issues with the one at Bowden was that it exceeded the Planning and Design Code and as a result was running into a fair bit of community opposition at SCAP.

Members interjecting:

The SPEAKER: The member for Chaffey and the member for Flinders will listen to the answer in silence.

The Hon. N.D. CHAMPION: The proposal exceeded the design code, and so one of the issues that they were having is that there was an open question about whether that housing proposal would be approved by SCAP. One of the things we like to do is work with community housing providers to make sure that they can provide the housing required. Obviously, I thought it was best that they meet the Planning and Design Code; I think that is important. We are also working with them on another housing project so that we get a similar outcome across two projects.

SUN TAX

The Hon. G.G. BROCK (Stuart) (14:58): My question is to the Minister for Energy. Can the minister update my communities regarding the suggested sun tax that has been discussed by the federal government, with each state having to implement this tax from 1 July this year? With your leave, sir, and that of the house, I will explain further.

Leave granted.

The Hon. G.G. BROCK: I am led to understand that this new tax is proposed to be implemented on 1 July this year, and will mean that people with solar panels currently feeding into the electricity grid will be charged a fee of approximately 1.2¢ per kilowatt exported back into the grid during peak solar hours.

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:59): I would like to thank the member for his question and his deep commitment to his local community, and indeed to making sure the country is on a decarbonisation path. Retailers have been reducing their feed-in tariffs in response to the lower value of electricity in the middle of the day when solar generation is at its peak supply and outstrips demand. So we are producing more than we need, which is seeing prices in the middle of the day drop dramatically and of course this is causing some physical damage, potentially, to the grid.

Under new rules for distributed energy exports, exports charging could only apply from the start of SA Power Networks' next regulatory period on 1 July 2025, which has now been approved by the independent Australian Energy Regulator. For the upcoming 2025-30 regulatory period, an export tariff has been approved by the regulator as part of SA Power Networks' Tariff Structure Statement. It provides a daily tariff-free threshold of nine kilowatt hours for export from households with an interval meter and an 11 kilowatt-hour threshold for those on the accumulation meter. Unused allowances would carry over within a billing period.

Above that threshold, a 1¢ per kilowatt export tariff would apply between 10am and 4pm for households with interval meters and a 0.75¢ per kilowatt-hour export tariff would apply to accumulation meter households. An export credit would be available for residential and small business customers exporting between 5pm and 9pm from November to March.

The AER considered SA Power Networks justified its need for this pricing, and its proposed tariffs were consistent with the various guidelines pricing principles of the NER, which is the National Electricity Rules. The best way for consumers to take advantage of their solar system is to use their solar energy generation in their home, replacing energy that might otherwise be bought from the grid. So the whole idea is to try and change people's behaviour.

It is important to note that this structure is not unique to South Australia. It has been rolled out in New South Wales for the same period and it has been proposed for Victoria for the 2026-31 regulatory period. There has been significant increase in the volume of solar exports to the grid as households continue to invest in solar systems and the size of solar systems continues to increase. It's producing generally lower and even negative wholesale prices in the NEM during the middle of the day.

Retailers' feed-in tariffs reflect the amount a retailer saves by purchasing customers' solar exports instead of purchasing the electricity from the wholesale market. While retailers have been reducing their feed-in tariffs, what it's simply reflecting is the lower value in the middle of the day. This is not a government decision. This is not something we have imposed on South Australians. The import and export tariffs are set by retailers in response to market conditions and there is no obligation to offer a retail feed-in tariff, nor is there a minimum tariff.

Many customers feel it's unfair that the feed-in tariff is considerably lower than the retail tariff charged for the energy drawn from the grid; however, that comparison is not like for like. The retail tariffs recover a range of costs that retailers incur to supply electricity to customers that is not reflected in the feed-in tariff costs.

The SPEAKER: Before I call the member for Adelaide, the Minister for Child Protection and the Minister for Human Services, I was trying to listen to the minister give his answer and I could

hear you both having a debate across the chamber with the member for Flinders, who's been doing it all day.

CARBON EMISSIONS REDUCTION

Ms HOOD (Adelaide) (15:04): My question is to the Minister for Energy and Mining. Can the minister confirm the South Australian government remains committed to its net zero targets and are there any other views?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:04): This is so last weekend, isn't it? Yes, I can confirm under the leadership being shown by this government, our government remains committed to our net zero targets, especially in the area of energy production. The state remains committed to an emissions reduction target of at least 60 per cent of 2005 levels by 2030 and we support the Albanese government's vision of being net zero by 2050.

I am proud to say that we are on track to achieving our 100 per cent net renewable electricity generation by 2027. That is world-leading. Notice the silence opposite.

Members interjecting:

The Hon. A. KOUTSANTONIS: Yesterday we played a little game about guess who and it was very popular, so I thought I would bring it back for another bit of a rerun. Let me give you another quote and maybe we can guess who said this:

The policy motions went ahead regardless and sadly my predictions have come to pass, that in a press conference today (focused) on state council's decision to include on its agenda a bunch of virtue-signalling motions.

Before you make a guess, I will go on:

Let's break this down. Some people within the Liberal Party decided that it would be a good idea to pass policy motions, among other things, opposing net zero, after:

- One, we have just suffered a massive election loss in which the entire federal policy platform clearly didn't resonate with voters.
- Two, as a consequence, the newly elected federal team has rather sensibly decided to put all policies under review.
- Three, as a state team, we are on the record for supporting legislation to this effect.

This is a very sensible quote. That must have been someone outside the Liberal Party, right? You would think so. No-one inside that party would be saying this after Alex Antic and Vincent Tarzia did so much to make sure that net zero was off the agenda. Of course, it turns out it is the one former cabinet minister of the Marshall government not on the front bench who still has some sense: the Hon. Michelle Lensink in another place. It is remarkable, the sense, that she is speaking out. She goes on:

I have formed the view that there are elements in our party who are—

The SPEAKER: Minister, there's a point of order from the deputy leader.

Mr TEAGUE: It is standing order 98(a); the substance of the question is the test. The question does not even contain any reference to other alternatives.

The SPEAKER: Yes, it did. The question was, 'Are there any alternate views?' and the minister is giving—

Mr TEAGUE: What is the state government's position?

The SPEAKER: And is the minister aware of any alternate views? The minister.

The Hon. A. KOUTSANTONIS: I will start again:

I have formed the view that there are elements in our party who are so ideological, that they refuse to see their rigid adherence to their views (at all costs) is part of the problem.

We have people within the Liberal Party who spend all their time pointlessly trying to win cultural wars internally. That is the reason why I will call out such poor judgement every single time.

While every other South Australian is worried about the cost of living, worried about their children's future, worried about getting ahead, they are fighting about culture wars. They think it's 1996, they don't know it's 2025. This is your own people, speaking. Listen to your own people.

AFFORDABLE HOUSING

Mr TELFER (Flinders) (15:08): My question is to the Minister for Housing. Can the minister provide an update on the tender process to build 33 affordable homes on Sherriff Street, Underdale, and whether the development is on track to be built? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: Development approval was given to 31 allotments on Sherriff Street, Underdale late last year, however, the opposition understands the tender process has been paused.

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (15:09): There are a range of projects that the Housing Trust does all over the city and they have to go before planning. Just down in the member for Morphett's electorate there are some proposals for apartments and there has been community opposition because of the number of car parks, for instance. The member for Morphett has written to me, and the South Australian Housing Trust has responded by basically lifting the number of car parks as part of that proposal.

The proposal on Sherriff Street was a series of very intensive developments along that street—very, very intensive developments—effectively using the pathway that the South Australian Housing Trust has in the planning system which gives discounts on parking and a whole range of things. One of the issues on Sherriff Street was that you had a series of allotments along the road and so very intensive development. One allotment being developed might have been appropriate but the traffic numbers in the street presents a level of intensive development which is a challenge.

It doesn't matter whether it is the apartments on Anzac Highway, in the member for Morphett's electorate, where we are adjusting the design around car parking, or Sherriff Street where we are rethinking essentially the intensity of the development along that street, or whether it is Bowden where we had a proposal that was pushing the absolute limits of the Planning and Design Code, sometimes developments change along the way, and they change for good reason: as a result of community feedback or planning concerns or transport concerns. This happens pretty regularly during these projects.

Grievance Debate

DROUGHT ASSISTANCE

Mr PEDERICK (Hammond) (15:11): I rise today to speak about the drought that is impacting right across South Australia, apart from the far north-east of the state. This is a drought that is unprecedented in human records, right down to when Europeans came to this state. Farmers right across this state are crying out for realistic support after the drought they had last year, and it is not looking too flash this year. I raised this in the house last year, along with my colleagues, and am again raising it this year—the impacts of the drought.

Last year farmers were coming into spring and looking at the forecast from the Bureau of Meteorology, and they were making decisions, putting out urea and liquid nitrogen thinking the rain was coming. But, guess what? In most cases it did not, and we had a severe lack of rainfall but not only that, we had multiple cold days in October with severe frost—stem frost in wheat crops and other crops right across the board.

A lot of these crops had to be cut for hay. I have never seen 80-foot windrows being utilised before so that straw could be put into bales. It was a really dire situation coming out of last year, and very little income was coming in for the massive input costs that farmers had to put into their crops, and not just that, but that lack of rain coming into this year, and preparing for this year's seeding program. In some cases it has been going for two months even in farms near me where people decided early, two months ago, that they needed to get going and get on with the seeding program and sowing dry.

We have had massive winds coming across farmland across this state, taking away the topsoil. But not just that, we have people trying to manage their stock, trying to hang on to their stock so that they can get a wool check down the track so that they can sell their lambs. Talking about lambs, I looked at them at home the other day. The bloke who leases my place has lambs dropping on the little feed that is left. It is just bean stubble, which is essentially just beans laying on the surface of the ground or under the ground. They are really scratching for tucker. In some places there is not even that amount of feed.

People have sold pregnant ewes knowing that they have nothing to feed them. Then, if they do need to get feed in, a lot of it has to come from interstate. I know the price of hay in Western Australia now is \$300 a tonne, and it is \$250 a tonne to get that here. I know of people who are importing hay from Western Australia, New South Wales, Queensland and the Northern Territory.

I know the member for Chaffey spoke yesterday about the impost of \$167 an hour for PIRSA to inspect that hay. Thankfully, with intervention from this side of the house, those fees have been waived back to late last year. Yes, there has been some funding for farmers across this state, but half of the \$18 million for the original grant program was already there for Rural Business Support and the great work they do, and I acknowledge the next \$55 million.

The issue with these programs is that farmers have to spend money they do not have for drought infrastructure, whether it is tanks or equipment to put in more pipework or pumps to access water. What farmers really need is low or no-interest loans, and they need the Malinauskas Labor government to declare drought so that everyone is well aware of what is going on out there.

I want to give a breakdown of some of the low-interest loan programs around different states. The New South Wales Rural Assistance Authority offers the Drought Ready and Resilient Fund, which provides low-interest loans up to \$250,000. In Western Australia, the Western Australian government has introduced a drought relief package that includes \$4 million in interest-free loans for farmers. In south-west Victoria, which is affected like us, they can access increased amounts under the On-Farm Drought Infrastructure Grant Program, which provides financial support for drought assistance programs.

Yes, in South Australia some farmers can access the Regional Investment Corporation, which is a federal fund, for cheaper loans, but they are still 5.18 per cent and it is too dear. It is too expensive. Farmers want a hand up, not a handout. They want to get money either at no interest or extremely low interest so that they can survive not just last year's devastating season but this year, which is looking nearly as bad.

LUCY'S BOOK CLUB

Ms HOOD (Adelaide) (15:16): It is my pleasure to rise for the second edition of Lucy's Book Club, which is an opportunity to share with the parliament the works of creative locals in our community who are published poets, authors and experts in their field. The theme for this edition of Lucy's Book Club is children's books, and I have four books written by locals in my community which I am delighted to share with the parliament today. The authors are sitting in the gallery and I welcome them and their guests and thank them for their contribution to children's literature in our state.

The first book is *Beeing Proud! My Life With Autism*, written and illustrated by Prospect local Sam Bateman. He is joined in the gallery today with his mum, Denise. The book's character, Bonnie Bee, is a young bee girl who is smart, creative, does her own thing and has autism. Sam's idea for the character came about after Sam noticed how much social interaction and cooperation is built into a bee's biology, much more so than in humans, where bees basically cannot survive as individuals but as a collective looking after the hive.

So, Sam wondered, how would this work for a hypothetical bee with autism who wears their individuality on their sleeve and needs more downtime from the rest of the hive? Through his book, Sam wants to teach people of all ages that being autistic can be a fun and beautiful thing. Congratulations Sam, and thank you for your creative and inclusive work that you have shared with the world.

The second book is *Chloe the Orchestra Dog* by Bruce Stewart, illustrated by Deborah Baldassi. Bruce is a CBD local and a professional musician, composer and arranger who adopted

Chloe, a little Jack Russell rescue dog, in 2018. Chloe's first night with her new dad was spent sitting on his lap watching the royal wedding of Prince Harry and Meghan Markle. As the orchestra librarian for the Adelaide Symphony Orchestra, Bruce started to take Chloe to work with him, where the orchestra players fell in love with her too.

Chloe's connection with the orchestra players inspired Bruce to compose a special piece for the orchestra and a narrator designed to educate people of all ages about classical music. Through this idea, a children's book, *Chloe the Orchestra Dog*, was born. It was a pleasure to personally attend the launch of *Chloe the Orchestra Dog* just over 12 months ago at the Duke of Brunswick, where we were treated to the specially composed piece inspired by Chloe, which was performed by Adelaide Symphony Orchestra players.

Bruce thanks those at PetRescue and the Scruffer Lovers team who rescued Chloe from her first house and allowed him to adopt her. As Bruce told PetRescue, 'I might have rescued her, but she's also rescued me. She's the best thing that's happened to me.' Thank you, Bruce, and Chloe, who could not be here today, for your efforts in inspiring the next generation to love classical music as much as you do.

Last but not least are two books, *The Farmer* and *The Soldier*, by Prospect local Sam Braidwood and illustrated by Marina Dajneko. Sam is joined in the gallery today by his wife, Hayley, an early childhood educator, and their children, Olive and Patrick. It was having to read the same books to his two children every night that inspired Sam to create these entertaining early childhood rhyming books which detail the daily duties of interesting characters that are based on real people performing their everyday occupations.

The Farmer is based on Sam's father-in-law, Roger, a passionate farmer in the Adelaide Plains region of South Australia and a genuinely great guy, while *The Soldier* has a character whose appearance is based on Sam's friend Steve, who tragically passed away when they were younger. Steve was a wonderfully talented, respectful, polite, fit and healthy young man who possessed the stature and physique of a brave soldier. I am sure we all agree that teaching children about how important these two roles, both farmers and soldiers, are to the success and the safety of our nation is a very worthy endeavour. I thank Sam for sharing these stories with the world.

My guests and I will now be heading to the Parliamentary Library to present the children's books to our Parliamentary Librarian, Dr John Weste, so that they officially form part of the library's collection. Thank you again to our local authors and guests for coming in today for the second edition of Lucy's Book Club.

OLYMPIC AND PARALYMPIC ATHLETES

Mr COWDREY (Colton) (15:21): I rise today to express the fact that I am glad and pleased that finally the Premier and the Labor government have done the right thing when it comes to supporting Olympic and Paralympic athletes. Many in the chamber would be aware that we made calls prior to the Paris Olympic and Paralympic Games last year calling out the fact that the government had not made a contribution to the Games Appeal Fund during that cycle. Unfortunately, our athletes went to those games without that support from the South Australian government, which is entirely disappointing.

I am glad and pleased that the government has done the right thing when it comes to the next cycle on the lead-in to the LA games. It is not a huge amount of money in the broader context of the size of the budget, but it is simply an acknowledgement that the South Australian government and the South Australian people are with and support our athletes. Unfortunately the government could not just announce this news that should have happened as par for the course. They still had to try to justify their actions.

In the press release that went out—and this is far too often used by the Treasurer, the word 'extraordinary'—there was an extraordinary claim that the former government had not provided those funds ahead of the Paris games. I remind those on the other side that there was a degree of uncertainty around that period; in fact, the Paris Olympic and Paralympic Games had not even taken place when the last Marshall budget was handed down. They called that out, but they did not call themselves out for the fact that they did not provide the funds in the 2022-23 budget, in the 2023-24

budget, or the 2024-25 budget. This government had three opportunities to provide those funds to our Paralympic athletes, to our Olympic athletes, to express that level of support, but they did not. At least it is fixed heading into LA.

I am also pleased that the government has seen fit to support the policy idea I put forward in this place, and more broadly, that had support from both state sporting organisations and professional codes, as well as local identities and chefs such as Chris Jarmer, to put together a games legacy committee to, as best we can, make sure we capitalise on the opportunity that exists around the lead-up to the LA games, and the Brisbane games as well.

After seven years and a number of elections, we have a huge opportunity in this state to make the most of it: an economic, social and sporting opportunity to refresh infrastructure, to bring in as many athletes as possible and to host them here in the lead-up to the games in their pre-games' camps and the like.

It was only a very small mention in the press release that went out. I hope that the legacy committee that is set up by this government is more broad than just bureaucracy, more broad than just government officials. It does reference a cross-government group. Sir, you know nearly better than anybody in this place that there are many well-credentialed people in our sporting community in South Australia who would be well-placed to contribute their wherewithal to this committee. I really do sincerely hope that this committee encompasses some of those people.

I also rise today in advance of the budget being handed down tomorrow to see if there are going to be any new measures to address beach and sand management issues. We know on the back of the significant weather and storm events that have occurred over the last couple of weeks that our beaches, in particular through Henley Beach South, Henley and down to West Beach, are in awful condition. There is erosion that I have not seen: the old seawall exposed, posts and pillars that have not been anywhere near our beach for quite some time.

Is this just going to be the same holding pattern where we have some money put towards continued carting, or are we actually going to see some vision? We still do not have the results from the dredging trial that was concluded over six months ago. We still do not know if the government are actually going to stick to the outcomes and the recommendations that were made in their own review of coastal policy. Will they continue to recycle sand along our coastline? There are lots of questions. Like always, there are very few answers coming from this government, but we hope to get some tomorrow.

BELAIR NATIONAL PARK

Ms HUTCHESSON (Waite) (15:26): I often get asked about what is happening at the old Belair golf course after it closed in 2018. As a parent of a keen golfer, I was sad to see it go, but when the lease ended, a master planning process was undertaken to seek expressions of interest for the site and to hear community views. In response to the community feedback, a Belair National Park Management Plan amendment was adopted to help shape the land for future uses and support conservation and recreation. In 2021, the Golf Course/Caravan Park Zone was replaced with a new Conservation 3 Zone, enabling alternative land uses for this area.

Now, the Department for Environment and Water continues to work to integrate the former golf course into the wider reserve and make it an even better place to enjoy. So, what is actually happening there every day? Lots, actually. Every Saturday morning, the park comes alive with over 200 community members taking a five-kilometre run or walk. This is our Belair National Park parkrun. It is a fantastic event that began two years ago thanks to the work of local volunteers who answered the call that I made on New Year's Day asking if our community should own its own parkrun.

It is thanks to these volunteers who turn up every week that we see so many of our locals starting off their weekend with the incredible scenery of the park while meeting new people and trying their best to beat their own personal bests. Everyone is welcome at our local parkrun. You can walk, run or volunteer. You can even bring your dog. The parkrun starts at 7.45 on Saturday mornings, bright and early. Do remember to register so when you get there it is easy to get involved and easy to finish.

Apart from that, during our parkrun we also have another initiative called Blokes at the Back. This is a group for men to walk and chat, supporting their mental health through The Man Walk initiative. The Blokes at the Back walk at Belair National Park is quickly becoming a special space for our men in our community to talk, walk and support each other in a way that is truly inclusive and pressure free. Thanks to the dedication of Jason Hughes, local men now have the incredible opportunity every week to gather to enjoy the beautiful scenery, swap dad jokes—probably—and simply be present for one another. It is a safe place where it is okay to ask for help and share your thoughts, and it is inspiring to see it grow every week.

More than just a weekly stroll through our stunning national park, the Blokes at the Back initiative is becoming a lifeline for those who are up early on Saturday, breaking down the walls of loneliness and isolation that too many men face. Jason's commitment to bringing Blokes at the Back via The Man Walk program to our community has made it possible for men to strengthen their bonds, improve their mental health and just feel like they belong. On behalf of everyone who has benefited from these walks, thank you Jason for creating this ripple effect of kindness, connection and positive change.

If you do not like walking in parkrun, you can walk in another way, and that is by playing disc golf. The South Australian Disc Golf association has installed an 18-hole disc course on the former golf course fairways. Visitors can play casually on this course, with some organised events on approved dates. The course is planned to make sure that disc golf activities do not interfere with other types of recreation in the park. You can hire discs from the Belair National Park Holiday Park or the Goat Shed Cafe at the site.

Speaking of the Goat Shed Cafe, you can sit there and have a lovely cup of tea. There is always beautiful cake there and you can have a look at all the beautiful scenery and quite often see kangaroos jumping past. There are also mountain bike trails in the park and, thanks to Ian Fehler from the Goat Shed with the support from a state government Experience Nature Tourism grant, there is also a pump track at the old tavern site. You can bring the kids and grandkids along with their bikes and watch them carve up the jumps. You can also hire bikes from the Goat Shed, both leg-powered and battery-powered. The bikes even have GPS systems to help you map out your ride.

Thanks also to the Friends of Belair National Park, who work within the golf course area to revegetate some of the areas, along with the help of the park rangers. The Friends are an incredible group of volunteers who work tirelessly in the park to restore, regenerate and protect our native scrub. If you are interested in joining the Friends of Belair National Park, they are part of the Friends of Parks and Nature Group and you can find the details on the national parks website.

What about the adventure playground? This is something I also get asked about. The existing metal-frame playground will be demolished to make way for new play equipment, which will make this playground even better and a much more fun place to discover, with improved safety and the reduction of ongoing maintenance. The Department for Environment and Water is currently in the design phase, with construction planned to start from August.

Kids still enjoy playing in the playground tunnels, just like I did when I was a kid. Those tunnels and the fort will stay and are not impacted by these current works. Subject to funding, though, the tunnels, fort and nature play areas will also be getting an upgrade in the future. You may see any of these activities in the old golf course. I encourage you to check it out.

VOLUNTEERS, SCHUBERT ELECTORATE

Mrs HURN (Schubert) (15:31): I rise to share with the chamber some of the contributions of thousands of people in my community who volunteer so much of their time to ensure that our community in the Barossa Valley, and indeed right across the Adelaide Hills, remains the thriving place that it is. When I was actually jotting down a number of the organisations and people who I wanted to acknowledge, I realised that there would be no possibility that I would do it in five minutes. So I have decided that I will focus a little bit on some of the people who *The Leader* newspaper—which is my fantastic local newspaper in the Barossa Valley—recognised as part of National Volunteer Week.

In particular, I would like to acknowledge the work of Mr Trevor Miller from Nuriootpa. For 25 years he has been volunteering his time to help get sick people in our community to all of the health appointments that they need to get to. He is one of many people who contribute so well to that service. It was fantastic to read a little bit about how he got involved in doing this work. Now, at 80 years old, he has finally parked the community car for the last time after doing thousands and thousands of kilometres in service to our community. I would like to thank him and all of the people who contribute to the community service and the community transport car in that way.

I would like to acknowledge the Barossa Area Fundraisers for Cancer and all of the lovely men and women who volunteer their time to help out families, particularly women with cancer, in the Barossa Valley. All of the work that they do in pulling together care packs and transporting people to their appointments in Adelaide really does go such a long way. Their contributions make all the difference in our local community.

I was fascinated to learn of the work done by Carol Craill from Tanunda. She is the manager of Tanunda's Great Revival Shop. She has been volunteering at the Tanunda Great Revival Shop for 15 years, and some of the work that she and the team there have done has been fascinating. They have raised \$1 million worth of donations, which is phenomenal. Lots of the initiatives that they have contributed to have made some really lasting contributions in our local community. They have donated to things like to Nuriootpa High School for their fruit bowl program and they have donated to the Drive My Futures program. This shop is run by volunteers only, and they do a fantastic job.

You have heard me speak in the house previously about the work of all of the volunteers through the Barossa Vintage Festival. There have been over 100 of them in this year's festival, three of which were from my office in Kaitlyn, Casey and Carla, so well done to them. They are three of the over 100 volunteers who made the Barossa Vintage Festival such a success. I am looking forward to celebrating that again in two years' time. It was great. I know that they had a volunteer thank you night at the Vine Inn in Nuriootpa, which is wonderful. A shout-out to the town of Williamstown. They were successful in winning the Best Town Float, which I sponsor; again pulled together by volunteers.

Those are just a couple of the organisations and groups that the local *Leader* newspaper reflected on. I think it goes without saying that there are countless groups that we could be thanking. We have the CFS, we have all of the people in our local sporting clubs, we have gardening groups, people at the bush gardens, we have our men's sheds, we have all of the people who run our town committees. There are just far too many to count. That is not an exhaustive list, but without them our community simply would not be the same.

They are the heart and soul of our community, and they do not do it for our thanks, but in weeks like Volunteer Week, they really do deserve it. I always encourage people in my team and all members of the community to thank people for the work that they can see people doing out and about in our community. They might give an hour or they might be a very dedicated volunteer who has given 25 years' worth of their time and effort. Thank you to all of the volunteers right across the Barossa Valley and the Adelaide Hills. You make our community what it is, and we are so grateful for everything you do.

BURIAL FEES, INFANTS AND CHILDREN

Ms SAVVAS (Newland) (15:36): Today, there is a story on the front page of the Naracoorte Community News. It does have the byline 'Council Decision Sparks Backlash', and rightly so. Before I go into the decision made by the Naracoorte Lucindale Council last week, I would like to start with something somewhat more positive. In the last few months, our Select Committee into Stillbirth has written to our South Australian councils asking them to consider waiving burial fees and other costs associated with burying an infant or child in a council cemetery. I would like to acknowledge the compassion shown by the Light Regional Council, the District Council of Peterborough, the District Council of Robe and a few others in recent weeks, successfully moving motions to waive burial fees and related costs for infants and children up to the age of 10.

I will also acknowledge Berri, Barmora and Salisbury, who have already done the same, as well as Barunga West and Wattle Range, who already have these policies in place. A few others have suggested to us that they will consider similar movements in their own councils in coming months. There is, however, one anomaly that I am aware of. Last week, in response to a letter written

and signed by the Select Committee into Stillbirth of this parliament, the Naracoorte Lucindale Council voted against a motion to waive burial fees and related costs for infants and children up to the age of 10.

For context, there are approximately two to three infant deaths in that council area per year, with an associated cost of \$625 for burial and \$1,258 for cremation. On those stats, the council would be spending maybe \$2,000 or \$3,000 a year to show compassion to bereaved families in their communities. But, no. They have however—though I am not begrudging workers being fed when working in the evening—approved a budget line to have \$8,500 for elected members' meals and drinks following council meetings, which is of course being met with significant criticism from members in the community.

Not only was the decision met with criticism, but there are a number of community members who have found the commentary during their deliberations outright offensive. One councillor who voted against the motion, was quoted as saying that waiving fees would be seeking to set out that this is a different type of grief, which he of course disagreed with. Yes, of course, that is entirely the point of what we are asking; we do believe it is a different kind of grief.

Losing a baby or a child is definitely a different kind of grief. Conceiving, sharing that with your family, setting up a nursery, buying a pram, buying a cot, having a baby shower, packing your baby bag, going into the hospital and coming home without a baby—particularly at a time when your friends and people around you are bringing home healthy, happy babies—is a different kind of grief. That is exactly why we are asking councils like Naracoorte Lucindale to show compassion to these families during what is the most traumatic period of their lives.

The devastation of losing a little one is also different, knowing that you have been stripped of the opportunity to celebrate their birthdays, their school graduations, their weddings. It is a different kind of grief, and that is of course the point.

Another councillor suggested that we could not possibly compare the grief to that of a ratepayer who had been paying rates for 60-plus years, as if that little child's contribution was less than that. Unfortunately, I feel this is quite a slap in the face for those families who would have done anything for their child to grow up and have the privilege of one day paying rates. I would like to acknowledge the compassion shown by councillors McGuire, Crossling and Ross, as well acknowledge the many people who have commented on the live feed of the council meeting—asking them to reconsider, sharing their experiences of loss and asking that council to show compassion.

In this time of grief families are often being shown deep compassion and understanding by private businesses, local businesses and, of course, members of the community. For only one group to reject that acknowledgement, particularly a group that perhaps they are paying rates to, or perhaps the grandparents of that child are paying rates to, is particularly stark.

Being a bereaved parent is often described as a club that no one signed up to but that is a club that continually speaks out and fights for change, for compassion and for acknowledgement that a little one has mattered and counted. That club is of course even more isolating in regional communities, and Naracoorte Lucindale is no exception. One mother spoke to *The Advertiser* today about losing her 18-month-old daughter 22 years ago and how it was the worst thing that ever happened to her. She was calling on the council to reconsider their decision.

A number of bereaved families in that community are calling on the council to reconsider their decision, and I am calling on the Naracoorte Lucindale Council to reconsider their decision and show compassion to bereaved families during the most difficult time of their lives.

Private Members' Statements

PRIVATE MEMBERS' STATEMENTS

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (15:42): I rise this afternoon very happily to offer congratulations and wish all the very best to Oscar Keily, who is a student at Stirling East Primary School and who has been selected to represent Australia at the NBA Math Hoops Global Championships in New York City later this month. He is the only Australian to be

selected to participate in that competition. It coincides with the NBA Draft, so, as a basketball fan and a maths fan, it is about the perfect combination. We are all tremendously excited for Oscar.

I want to also recognise my friend of over the last decade and more, who is his teacher and also a teacher of our children, Mrs Annette Davis at Stirling East Primary School. She entered him and a classmate into the competition, along with 200,000 students worldwide, to compete in the global championships that have led to this. Oscar was selected, as I say, as Australia's sole representative, and he is the only one outside the USA who will be competing.

NBA Maths Hoops combines the best of basketball and maths via a board game. It can be followed, and I look forward to coming back to the house with the outcome. In the meantime, go Oscar!

Mr DIGHTON (Black) (15:43): I rise to congratulate the Hallett Cove East Primary School Governing Council on their recent quiz night. Along with a table of friends, I attended the quiz night on 24 May. It was a great evening that demonstrated the spirit that exists within the Hallett Cove East Primary School community. Well done to the winning table, Pretty in Pink, and all who attended and participated. The quiz night raised \$6,000, which will go towards brightening the school with murals and a sensory path, and the school was hoping to have an Indigenous mural included as well.

It was great to see a couple of community tables filled with people from the local area who have no connection with the school but live locally and wanted to join in, demonstrating the important role the school plays in the broader community. Well done to Amy Wadsworth, the governing council fundraising coordinator, who did an outstanding job organising the event, along with governing council chair, Amber Pellerin, and the rest of the governing council.

Some other special mentions go to the staff who attended, including Principal Matthew Chapman and Deputy Principal Robyn Physick. A special mention also to the major sponsors, Ouwens Casserly (Kat Szatkowska and Andrea Daniel), Esteem Active, and also MC Justin Owen and Karrara Pizza. In my experience, a school is only as strong as the community that surrounds it, and the Hallett Cove East Governing Council have demonstrated the strength of the Hallett Cove East Primary School community.

Mr BATTY (Bragg) (15:45): I rise to raise some concerns about community safety in Leawood Gardens in my electorate, and in particular some concerns that have been raised with me about individuals using the old freeway as some sort of racetrack. We have reports that individuals are gathering in the Eagle Mountain Bike Park car park and then engaging in hoon driving right around Leawood Gardens. They are also defacing and damaging public property. They are regularly lighting fires in what is of bushfire-prone area. It is very disturbing for local residents and it is also extremely dangerous.

I attended a community meeting on a Sunday morning a couple of weekends ago to meet with various members of the Leawood Gardens community and also an acting senior sergeant from South Australia Police came along who was extremely helpful. We heard a number of practical suggestions from the community, including additional police enforcement operations and also the need for additional road safety infrastructure, including, potentially, average speed cameras on Old Mount Barker Road, as well as the consideration of additional safety measures in the car park itself, such as CCTV, lighting and bollards. These are all issues I am talking about with police, with government, as well as with local councils because we do need to improve community safety and road safety in Leawood Gardens.

The Hon. A. PICCOLO (Light) (15:46): Today I would just like to take a moment to acknowledge the contribution made by the former Mayor Karen Redman of the Town of Gawler. Karen has recently announced that she is resigning from council because of poor health. I would just like to put on the record her contribution to the town, both as a councillor and also as mayor.

It is probably well known that Mayor Redman and I occasionally had a difference of view about different matters, but certainly I do acknowledge her contribution to the town over probably almost 10 years as mayor and also her time as a councillor.

Holding public office is never an easy thing, whether it is at a state, federal or local level, and there are always challenges. I am saddened to see that Mayor Redman has had to cut her time in

local government short because of poor health. In my view, she has obviously put the community before herself, which I admire.

As an aside, though—and I would not say it is, from my view, the whole issue—certainly the way she has been treated by some ex-councillors and councillors does not do them credit. I think, in this day and age, while we can be robust in our discussions and our differences, we need to always be respectful and certainly I respect the contribution she has made to our town.

Bills

AGEING AND ADULT SAFEGUARDING (REVIEW RECOMMENDATIONS) AMENDMENT BILL

Introduction and First Reading

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services, Minister for Seniors and Ageing Well) (15:48): Obtained leave and introduced a bill for an act to amend the Ageing and Adult Safeguarding Act 1995. Read a first time.

Second Reading

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services, Minister for Seniors and Ageing Well) (15:48): I move:

That this bill be now read a second time.

In the lead-up to World Elder Abuse Awareness Day on 15 June 2025, I am pleased to rise today to introduce the Ageing and Adult Safeguarding (Review Recommendations) Amendment Bill 2025. The bill amends the Ageing and Adult Safeguarding Act 1995. The Ageing and Adult Safeguarding Act was first introduced in 1995 and established the Office for Ageing Well with responsibility for leading the government of South Australia's commitment to support all South Australians to age well and to remain active and ageing in the community.

The office performs a range of functions and has a broad mandate to lead, promote and support strategies, programs and initiatives across the social and structural determinants of health and wellbeing, adopting a life course approach to ageing well. These functions are as critical today as they were when the office was first established.

In 2018 the Parliament of South Australia amended the act to introduce an Adult Safeguarding Unit, the first of its kind in Australia. The unit commenced operations in October 2019 and its remit was phased in over three years. Recognising that the unit was the first of its kind in Australia, the parliament included a requirement that the minister cause an independent review of the operation of the act to be conducted and the report on the review submitted to the minister before the third anniversary of the commencement of the amendment act.

Indeed, since this time the adult safeguarding landscape has matured considerably and has been influenced and strengthened in responses to matters, such as the tragic death of Ann Marie Smith, the disability royal commission and the phased expansion of the remit of the Adult Safeguarding Unit to all vulnerable adults across South Australia.

The South Australian Legal Reform Institute (SALRI) conducted the independent statutory review and made a number of recommendations to modernise and strengthen the essential work occurring across South Australia, led by the Office for Ageing Well, to support all South Australians to age well and to ensure all adults are safeguarded against abuse and mistreatment.

The bill gives effect to the government's response to the review's recommendations relating to the AAS Act. These amendments:

- modernise and update the objectives and functions of the Office for Ageing Well to reflect the office's current work and community expectations;
- make clear that safeguarding is the primary purpose of the Adult Safeguarding Unit;
- define safeguarding and increase flexibility within the act to better reflect the role of the unit, including expressly providing that the unit can take safeguarding actions at any time after an assessment has commenced, where appropriate;

- define key terms, including 'relevant adult', 'abuse', 'consent', 'serious abuse', 'serious financial abuse' and 'serious criminal offence';
- make clear the circumstances in which an investigation may be undertaken and the information relating to an investigation that must be recorded;
- include an explicit power that the unit may refer a matter to South Australia Police at any time following the receipt of a report;
- enable assessment outcome information to be shared with people who make reports to the unit where it is safe, practicable, and appropriate, also in line with the principles of the act;
- ensure information about the identity of people who make reports is kept confidential;
- provide greater clarity about the review process for people who are aggrieved by the decision made by the unit;
- confer the roles and powers presently found in sections 31 to 37 of the act upon the South Australian Civil and Administrative Tribunal (SACAT), instead of the Magistrates Court;
- broaden the parties who are eligible to apply to SACAT for an order; and
- provide for the amendments to be reviewed in five years' time.

In addition, the bill incorporates some additional amendments that were not considered by the independent review. Some of these amendments were made in response to feedback from stakeholders and others who are recommended to support the effective operations and administrations of the unit. These amendments include:

- reference to relevant UN instruments that underpin the work of the Office for Ageing Well and Adult Safeguarding Unit;
- acknowledge that the whole of community plays a crucial role in supporting relevant adults to uphold their rights and live free from abuse;
- make structural amendments to the AAS Act, including to better align with the sequential order in which the service delivery of the unit occurs once the unit receives a report and to group all authorised officer powers together in one division;
- empower Adult Safeguarding Unit authorised officers to exercise their powers and functions when they are necessary to safeguard a person from suspected abuse;
- strengthen the provisions of the AAS Act that relate to information sharing and gathering;
- clarify administrative arrangements under the AAS Act, such as powers of delegation; and
- include relevant consequential amendments.

The amendments made by this bill have been subject to wide-ranging consultation. During the review period, SALRI undertook a comprehensive consultation process with a broad cross-section of the community comprising round tables, focus groups, regional and metropolitan consultation sessions, stakeholder meetings and an online survey.

The Office for Ageing Well also convened a stakeholder reference group and a lived experience reference group with independent chairs to inform the review process. Targeted consultation was also undertaken with peak bodies, affected government agencies and statutory bodies during the drafting of the amendment bill.

Thank you to the many stakeholders and community members who have shared their experiences and contributed to this important legislation. I commend the bill to the house and seek leave to have the detailed explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Ageing and Adult Safeguarding Act 1995*

3—Substitution of long title

This clause substitutes the long title of the Act and is consequential on the amendments proposed by this measure.

4—Amendment of section 2—Interpretation

This clause amends section 2 of the Act to provide new and updated definitions for terms used in the Act or proposed to be inserted into the Act.

5—Substitution of sections 3 and 4

This clause substitutes existing sections 3 and 4 to provide new and updated definitions for key terms used in the Act, as amended by this measure.

3—Meaning of *relevant adult*

A relevant adult is defined as a person who is 18 years or older and who may be vulnerable to abuse. The term relevant adult replaces the term vulnerable adult which was previously used in the Act.

4—Meaning of *abuse*

Abuse is defined for the purposes of the Act to include acts, or a series of acts, including a failure to take appropriate action, that occurs within a relationship of trust, dependency or imbalance of power. Examples of kinds of abuse are also provided. This definition replaces the existing definition of abuse.

4A—Meaning of *safeguarding*

Safeguarding is defined as a broad range of actions with the goal of enabling the relevant adult to live free from abuse.

4B—Meaning of *serious abuse, serious financial abuse and serious criminal offence*

Definitions are provided for these terms, which are proposed by this measure to be used as thresholds for when the Adult Safeguarding Unit may take certain actions. The proposed section further provides that whether abuse of its respective kind is serious is to be determined on a case-by-case basis.

6—Insertion of section 6A

This clause inserts proposed section 6A.

6A—International human rights instruments to inform administration and operation of Act

Proposed section 6A provides that the administration and operation of the Act is to be informed by certain international human rights instruments.

7—Substitution of sections 8 and 9

This clause substitutes sections 8 and 9 of the Act.

8—Objectives of Office for Ageing Well

Substituted section 8 provides new and updated objectives for the Office for Ageing Well. It also updates the language used to refer to older persons.

9—Functions of Office for Ageing Well

Substituted section 9 provides new and updated functions for the Office for Ageing Well.

8—Amendment of section 10—Delegation

Clause 8 amends the delegation power of the Director of the Office for Ageing Well to be consistent with standard powers of delegation.

9—Substitution of heading to Part 3 Division 1

Clause 9 substitutes the heading to Division 1 of Part 3 and is consequential on the insertion of section 11A proposed by this measure.

Division 1—Primary purpose and principles

10—Insertion of section 11A

Clause 10 inserts proposed section 11A.

11A—Primary purpose of Adult Safeguarding Unit

Proposed section 11A provides that safeguarding is the primary purpose of the Adult Safeguarding Unit.

11—Amendment of section 12—Principles

Clause 11 provides new and updated principles for the Adult Safeguarding Unit. It updates the language used in section 12 of the Act, consequential on other changes proposed by this measure.

12—Amendment of section 13—Separate Adult Safeguarding Unit to be established

Clause 12 deletes subsection (3) of section 13, which has been relocated to section 15 of the Act.

13—Amendment of section 14—Composition of Adult Safeguarding Unit

Clause 13 amends section 14 of the Act to provide consistency with other legislation as to how Public Service employees are referred to.

14—Substitution of section 15

Clause 14 substitutes section 15 of the Act.

15—Functions of Adult Safeguarding Unit

Section 15 provides for new and updated functions of the Adult Safeguarding Unit. These changes are consequential on amendments proposed by this measure.

15—Amendment of section 16—Delegation

Clause 15 amends the delegation power of the Director of the Adult Safeguarding Unit to be consistent with standard powers of delegation.

16—Repeal of Part 3 Division 3

Clause 16 deletes Part 3 Division 3 of the Act, which contains the authorised officer provisions, as these are proposed to be moved to Part 4 by this measure.

17—Amendment of heading to Part 4

This clause amends the heading to Part 4 to replace a reference to vulnerable adults with a reference to relevant adults and is consequential on other amendments proposed by this measure.

18—Substitution of heading to Part 4 Division 1

This clause substitutes the heading to Part 4 Division 1 to reflect the new name of the Charter, as amended by clause 19.

Division 1—Adult Safeguarding Charter of Rights and Freedoms

19—Amendment of section 20—Charter of the Rights and Freedoms of Vulnerable Adults

This clause amends section 20 to change the name of the Charter of the Rights and Freedoms of Vulnerable Adults to the Adult Safeguarding Unit Charter. It also replaces other references to vulnerable adults with references to relevant adults and provides that the Charter is to be developed by the Adult Safeguarding Unit rather than the Office for Ageing Well.

20—Amendment of heading to Part 4 Division 3

This clause amends the heading to Part 4 Division 3 to replace a reference to vulnerable adults with a reference to relevant adults and is consequential on other amendments proposed by this measure.

21—Amendment of section 22—Reporting suspected risk of abuse of vulnerable adults

This clause amends section 22 to clarify the circumstances in which a report made to the Adult Safeguarding Unit need not be assessed in accordance with section 23, being a report made about alleged abuse that occurred before the commencement of the section, or a report relating to a person who has died. It also replaces references to vulnerable adults with references to relevant adults.

22—Substitution of Part 4 Divisions 4 and 5

This clause substitutes Divisions 4 and 5 of Part 4 of the Act.

Division 4—Assessment and investigation of reports

23—Assessment

Substituted section 23 adds to the existing assessment provision a statement that the purpose of an assessment is to determine whether a relevant adult is at risk of abuse and, if so, whether a safeguarding response should be undertaken. It also provides that following an assessment, the Director should notify the person or body who made the report unless it is not considered safe, practicable and appropriate to do so. It also updates the language used in the Act, consequential on other changes proposed by this measure.

24—Referral to regulatory agency etc

Substituted section 24 simplifies the provisions, currently found in Part 4 Division 5 of the Act, which allow the Adult Safeguarding Unit to refer a report to investigatory, regulatory and other agencies where the Director is of the opinion that the matter would be more appropriately dealt with by that agency. It provides that a referral does not require the consent of the relevant adult and does not prevent the Adult Safeguarding Unit from taking further action.

25—Investigation

Substituted section 25 provides further detail to the existing power of investigation. Under the new provision, an investigation may only be carried out for the purposes of gathering information and evidence to be used in potential SACAT proceedings that relate to the matter being assessed.

26—Record keeping etc

Substituted section 26 provides that the Director must keep a record of each action taken in relation to a relevant matter, and that statistical information relating to those records must be included in the Adult Safeguarding Unit's annual report.

Division 5—Safeguarding

27—Safeguarding responses

Substituted section 27 provides further clarity as to what constitutes a safeguarding response, which is an action that may be taken following an assessment or investigation under the Act. Safeguarding responses include providing supports to a relevant adult, or assisting another organisation to provide such supports, or initiating or assisting in SACAT proceedings, such as guardianship proceedings or proceedings in relation to the orders provided for in Part 4 Division 6 of the Act. The section also provides that the implementation of a safeguarding response may be monitored by the Adult Safeguarding Unit, including through the use of authorised officer powers where appropriate.

28—Consent of relevant adult should be obtained before safeguarding response taken

Substituted section 28 relocates existing section 24 of the Act. It amends the existing provision to provide that consent is only required for a safeguarding response. It also further provides that the Adult Safeguarding Unit may undertake a safeguarding response if the response is authorised by SACAT, or the risk of abuse to which the response relates amounts to a serious criminal offence or serious financial abuse.

Division 5A—Authorised officers

29—Authorised officers

Substituted section 29 relocates the existing authorised officer provision in section 18 of the Act. It amends that section to provide that an employee of the Department other than a member of the Adult Safeguarding Unit may be an authorised officer.

30—Powers of authorised officers

Substituted section 30 relocates existing section 19 of the Act. It adds to that section to allow for authorised officer powers to be used for the purposes of an assessment or monitoring the implementation of a safeguarding response.

30A—Authorised officer may require information

New section 30A relocates existing section 42 of the Act. It provides that a person may also be required by an authorised officer to provide a written statement or answer to questions.

23—Amendment of heading to Part 4 Division 6

This clause amends the heading to Part 4 Division 6 to reflect the change proposed by this measure to have relevant orders made by SACAT rather than the Magistrates Court.

24—Substitution of section 31

This clause substitutes section 31.

31—Director or eligible person may apply for SACAT orders

Proposed new section 31 provides for applications in relation to a relevant adult to be made to SACAT, rather than the Magistrates Court. The new section allows for eligible persons, being the relevant adult, or a guardian or substitute decision maker for the relevant adult, to make such applications as well as the Director of the Adult Safeguarding Unit.

25—Amendment of section 32—Parties to proceedings

This clause amends section 32 to clarify that the relevant adult is always a party to proceedings initiated under proposed new section 31 of the Act, while the Director of the Adult Safeguarding Unit is only automatically a party to proceedings they have applied for. However, the Director has a right to appear and be heard in any proceedings initiated by an eligible person within the meaning of proposed new section 31.

26—Amendment of section 33—Orders that may be made

This clause amends section 33 to make changes to language consequential on other amendments proposed by this measure.

27—Repeal of section 34

This clause deletes section 34 from the Act and is consequential on the change proposed by this measure to have relevant orders made by SACAT rather than the Magistrates Court.

28—Amendment of section 35—Views of vulnerable adult to be heard

This clause amends section 35 to make changes to language consequential on other amendments proposed by this measure.

29—Amendment of section 36—Right of other interested persons to be heard

This clause amends section 36 to make changes to language consequential on other amendments proposed by this measure.

30—Amendment of section 37—Contravention of Court order

This clause amends section 37 to make changes to language consequential on other amendments proposed by this measure.

31—Amendment of section 38—Internal review

This clause amends section 38 to clarify that a review into a decision of the Adult Safeguarding Unit may be initiated or continued despite the fact that the relevant adult to which the review relates has died, if it is in the public interest. It also provides that the Chief Executive may request further information from an applicant for review, and that the review must be completed within the prescribed time. The clause also requires the Chief Executive to provide the applicant for review with the reasons for their determination in respect of the decision under review.

32—Amendment of section 39—Delegation

This clause amends the delegation power in section 39 to be consistent with standard powers of delegation.

33—Amendment of section 40—External review by Ombudsman

This clause amends section 40 to clarify that a review into a determination of the Chief Executive following an internal review may be initiated or continued despite the fact that the relevant adult to which the review relates has died, if it is in the public interest.

34—Amendment of section 41—Views of vulnerable adult to be heard

This clause amends section 41 to make changes to language consequential on other amendments proposed by this measure.

35—Amendment of heading to Part 6

This clause amends the heading to Part 6 to reflect amendments to sections within that Part proposed by this measure.

36—Repeal of section 42

This clause deletes section 42 of the Act, the substance of which has been relocated to proposed new section 30A.

37—Amendment of section 43—Sharing of information between certain persons and bodies

This clause amends section 43 to make changes to language consequential on other amendments proposed by this measure.

38—Amendment of section 45—Interaction with *Public Sector (Data Sharing) Act 2016*

This clause amends section 45 to reference the whole of the Act rather than just Part 6.

39—Amendment of section 46—Obstruction of person reporting suspected abuse of vulnerable adults

This clause amends section 46 to make changes to language consequential on other amendments proposed by this measure.

40—Amendment of section 49—Confidentiality

This clause amends section 49 to provide an exception to the confidentiality provision where information is shared for the purposes of assessing or responding to a potential risk to the safety of a person, or for any other purpose prescribed by the regulations.

41—Insertion of section 49A

This clause inserts new proposed section 49A.

49A—Protection of identity of persons who report to Adult Safeguarding Unit

Proposed section 49A makes it an offence for a person to disclose the identity of a person who has made a report to the Adult Safeguarding Unit unless that disclosure is made with the consent of the person who made the report, is otherwise required by law, or is otherwise necessary in the opinion of the Director.

42—Amendment of section 51—Protections, privileges and immunities

This clause amends section 51 to provide that nothing within the Act affects the privilege against self-incrimination.

43—Substitution of section 53

This clause substitutes section 53 of the Act.

53—Review of Act

Proposed new section 53 substitutes the review provision to ensure that a review of the Act, as proposed to be amended by this measure, is carried out within 5 years of these amendments commencing.

Schedule 1—Transitional provisions**1—Interpretation****2—Charter****3—References to vulnerable adults****4—Delegations****5—Assessment****6—Investigation****7—Approval for acting without consent****8—Referrals****9—Authorised officers****10—Written notices****11—Internal reviews****12—External reviews**

These clauses provide transitional arrangements for matters relating to the Adult Safeguarding Unit and its functions which are proposed to be amended by this measure.

Debate adjourned on motion of Mr Pederick.

BIODIVERSITY BILL*Committee Stage*

In committee.

(Continued from 3 June 2025.)

Clause 14.

Mr BASHAM: I have a quick question here. Is there an intention for remuneration to be made to the members of the council and, if so, how much is envisaged?

The Hon. S.E. CLOSE: Yes, it will be remunerated, as the vast majority of government boards and committees are, if not all of them. It is, as I am advised, to be determined by the minister, but the custom and practice is that there is a process the DPC oversees that identifies the level at which various boards are categorised in order to identify what remuneration it attracts. Obviously, we have not gone through that process yet.

Clause passed.

Clause 15.

Mr BASHAM: This is a particular area where we have had some feedback from peak bodies, in particular in relation to the appointment of members of the council, and particularly part 4 where we talk about the different bodies getting to nominate three names and the minister being able to choose from those three names or, if the minister does not believe those names are suitable, then they can choose someone else. Certainly there is significant feedback about a concern from those bodies in particular around this, and I am just wanting to understand the minister's thinking here as to why it has been left at that level, even not going back to the bodies themselves if the first three are not appropriate.

The Hon. S.E. CLOSE: The shortest answer is that I think between the houses we are doing a bit of work on this. We are aware that stakeholders have much more confidence in the overall system if they can see the role that they are able to play in it. The first draft of the legislation that went out in fact just had a skills-based board, where usually the orthodox government approach is to try to get the skills to fit, but I recognise that it was likely that the various bodies who had been involved in suggesting people before would like to do that again, and so we have moved to this model. There are still some concerns, as the member points out, that we will work through.

If we are going to have skills listing, then we are going to need some kind of mechanism for the minister to make some choices. If the various people who are nominated by the various stakeholders do not in fact then ultimately allow the matching up of skills and that becomes a challenge, you need capacity to deal with that. But there is the question, of course, that maybe we go back to those organisations rather than finding someone else. We are actively working on that at present and I expect, by the time it is considered by the Legislative Council, we will have a clearer view about what we are doing.

Mr BASHAM: Following on from that, some concerns have also been raised that it provides that the minister can only appoint members of the ABC positions if they have been nominated by the ABC, so the minister cannot choose a different member of the ABC. I guess that is seen as a slightly different approach for a couple of members who are on the council.

The Hon. S.E. CLOSE: If we read subclauses (1) and (8) together, two of the members must be members of the Aboriginal biodiversity council. Those can only be recommended or in fact nominated by the Aboriginal biodiversity council rather than the minister choosing to select someone else from the Aboriginal biodiversity council who has not been recommended collectively by them. It is just a mechanism to ensure that the Aboriginal biodiversity council is supportive of those people being the people who are representing. Obviously, we have the two genders, man and woman, so it seemed like the most respectful way to manage that.

Mr BASHAM: Yes, I acknowledge that. It has just been raised about the slightly different treatment of the industry bodies versus the ABC, that the minister does not have to follow the nomination in the way it is currently drafted. I am drawing that to your attention. In relation to how the skill set was decided and what was there, what was the thinking about that? How was that skill set that is listed in subclause (2)(b) actually decided on as to what is needed at this level?

The Hon. S.E. CLOSE: The base of this skill set has come from what is in the Native Vegetation Council at present, but then adapting it because the biodiversity council has brought a remit, as does the Biodiversity Bill, bringing in the Aboriginal knowledge and also a bit more emphasis on terrestrial and aquatic biodiversity, conservation and the word that we still have an issue with between us, restoration.

I believe this was first canvassed in the discussion paper that first went out, and the kinds of skills that we would be looking for. Of course, it has then gone out in the draft bill for discussion. I

think this stands the test of, 'Is this the kind of range of skills that you'd expect to be concentrating on, the kinds of matters that are addressed within this legislation?'

Mr TELFER: On Clause 15 around the composition of the council, to provide some certainty as far as this process goes, what do you envision and under what circumstances is it likely that you see the minister will set aside nominations put forward from peak bodies such as the LGA, the Conservation Council, primary producers, etc? That is an interesting power and capacity of the minister to be able to set aside those nominations and have their say. Under what circumstances would you see that happen?

The Hon. S.E. CLOSE: As I said in answer to the previous question from the shadow minister, I recognise that there is some concern amongst stakeholder groups about why and what that means. The reason for it being here is that, given that we have a skills-based council we have a certain number of skills that we expect to have on the council. In an instance where, amongst all of the nominations from the various groups, some skill sets were missing, that would create a problem, because then you are not fulfilling the skills range that is required to make up the council to allow it to do a good job. That is why that is there.

However, as I said, recognising that there are some concerns about how that might play out and whether it might be better to go back to those groups to find new nominations, we are working that through. We are not certain which way we are likely to land, but we have got a little bit of time before it hits the other place and we are actively considering how to make that something the stakeholders are comfortable with.

Mr TELFER: Thank you for that consideration. Obviously there are many worthy bodies who nominate representation to a large number of statutory bodies and government boards. As you spoke about before, this is a sort of unique, almost extraordinary, veto power which is currently baked into the bill, which is why I think there is that uncertainty around the final call or judgement being made by a minister rather than having that input from the groups as far as their nominations go. Take that more as a comment and an affirmation of review of the process that is currently baked in.

The Hon. S.E. CLOSE: I am not certain if it is unique—I have not done an extensive comparison of legislation—but I think this bill is probably a little unusual, and that might have caused this, in having that collective skills list requirement as well as a nomination process. I think normally you would have one or the other, that you would have a skills set and the minister would choose against that or you would just allow bodies to nominate. Because we are trying to land both, we are working out how you manage it if, not through any deliberate oversight but through happenstance, amongst all those nominations you do not cover that skill set. What is the fail safe there? This is the version that has come out in this bill. We are prepared to look at something else, and we will be working on that.

Mr McBRIDE: In regard to this composition of the council, in the seven to 12 positions we looked at I can see primary production and pastoralism, and then potentially land use and urban and regional planning would be the only representatives that may be commercially based, that would take some accountability to the expense and cost that this council could be responsible for.

What I mean by that is if you are going to have developments around this state—urban development, electricity grids, new pipelines and infrastructure, wind farms and access to wind farms like tracks and pads (and you have 1,200 wind farms proposed in the Gawler Ranges that were once there for a hydrogen development for Whyalla)—if this council decided that, 'No, that land is too precious and it needs protecting, we don't want you mowing down that bush; no, the roads have to go around the bottom of the hills, we're not going across the top of the hills, because we want those preserved,' who on the council do you think would give us, give the government, give the people of South Australia, the best economic outcome based on the makeup of the skills base that I can see there?

The Hon. S.E. CLOSE: We tend to a little loosely use the term 'representative'. Obviously, once you are on a council, you are there to fulfil the functions of the council. You have been nominated by an organisation, but you are not there solely carrying the message of that nominating organisation: you are there for your skill set, you are there because a significant stakeholder group

believes that you are worthy and have useful knowledge and skills to add, and you are there to do the job, collectively, of the council.

The skill sets that we have identified do include energy and resources, primary production, and land use and urban planning, each of which have significant impact on the environment and also, of course, are significant contributors to the economy. Our view is that the knowledge that is brought with those skill sets will add to the considerations of the biodiversity council in a way that is useful both for protecting the environment and for ensuring that we are able to continue to be a prosperous state.

Mr McBRIDE: Minister, I really appreciate your answer. I agree, and I know that these skill sets are so that the council can be broad and can have great traction across all aspects of its responsibilities. I will give another example. I will not talk about this council yet, but I will talk about the old Native Vegetation Council, where five trees in Naracoorte have been valued at \$30,000 each. That is stopping a housing development from taking place because they are \$30,000 each, and now there is no development at all.

I look at this and I say that this same development process could land with this new council. I can see no reason why this council is going to say, 'Jeez, it would be really good to have those houses in Naracoorte. We would love to see the 20 houses built on this block. We would love to see those stringybark trees, which are a dime a dozen in a north-south perspective in Naracoorte, bulldozed, burnt, put in a pile and got rid of'—or whatever it is they might want to do with them, and replant them somewhere else in a sensible number instead of the \$30,000 each that it is going to cost now.

Minister, what I am trying to advocate here is that the environment is important, biodiversity will be important, but what gets lost in these arguments when we try to preserve and be angled at looking at something that may be really important is that something even more important, like housing, will be put aside, pushed aside, and not get the traction that the community is desperate for. I can only see three representatives here in whose position I would have confidence to say, 'I know they will bat for me. I know they will bat for my energy being reliable. I know they will bat for housing developments in MacKillop that we need more of, not just in Naracoorte but in all regional towns.'

For the primary production representative, he or she will be from a farming background, representing farming investments, and will be then probably accountable to say, 'That could be a good thing to have new houses in Naracoorte.' But for the rest of them, I would be really worried about getting the best answer there. Minister, can you help me have the confidence that you may have that I cannot see that this council will be representative of good strategy, good investment and not wasting taxpayers' funds?

The Hon. S.E. CLOSE: As fond as I am of the member, I do not know that I am going to be able to convince him one way or the other. What we have before us is a piece of legislation that establishes a number of protections, and number of exemptions to those protections, for the environment. There are processes contained within this. The individuals will pass through. There will be different ministers and different members of councils. What we have before us is the legislative architecture that establishes this, and I believe we can trust the wisdom of the people of South Australia and the people who are in such organisations that usually sensible decisions are made. I am not sure I can offer any more confidence to the member.

Mr McBRIDE: Thank you for the answer, minister. I know what your intentions here are, and it may work out and I might be worried about something that is only shadows. The third question I have is: if there is a major development for the state, like the 1,200 fans that were proposed in the Gawler Ranges for renewable energy and hydrogen production and what was to be the Whyalla proposal—and it may still be in the future. I do not think it has been ruled out; it might be just shelved at the moment. If a development like those 1,200 wind farms needs the new biodiversity council's approval, they may not give you the approval and may make it really hard.

Can the Minister for Energy, for example, come over the top of this board and say, 'Hang on, we don't need to ask for your approval. We need these pads, we need these roads, we need this infrastructure put in place. Sorry, biodiversity council—as important as you are, your opinion doesn't

matter today.' Minister, could you help us have confidence that when there are major projects in place this council is not the be-all and does not have the only say in what takes place for the best interests of the state?

The Hon. S.E. CLOSE: Just to clarify some matters, first of all this council does not determine clearance approvals. That is done by the clearance committee, which is akin to a subcommittee of the Native Vegetation Council presently. Secondly, the pathways for whether a piece of vegetation is protected and unable to be cleared, or the circumstances under which it may be cleared, or that certain activities are in fact exempt from having to seek permission, are all guided by the rest of the legislation and policies and guidelines that sit beneath it. There are pathways for major infrastructure to receive clearance approvals.

So I think we should not overemphasise the powers of this council, nor be distracted, perhaps, by who might be sitting on it as opposed to what this legislation is doing, which is finding the right pathway for biodiversity to be properly protected but within a modern economy that has certain requirements.

Clause passed.

Clause 16.

Mr BASHAM: Does the minister envisage the council will be the manager, for a better word, of the biodiversity plan and its reviews, or will that sit within the department?

The Hon. S.E. CLOSE: The hesitation is just that we are checking through with clause 173, which describes the state biodiversity plan in some more detail. Certainly the state biodiversity plan is the creature, in a sense, of the minister, but the minister is required to seek the advice of the council and, as is identified under clause 16, the council is required to give advice to the minister on the state biodiversity plan.

I would personally as minister, should I still be minister when this comes into force, expect that substantially the plan would be prepared under the aegis and guidance of the state biodiversity council but the work would probably largely be done by the department and that there would be, through the development of that state biodiversity plan, a significant amount of consultation across the community to make sure that it benefits from all of the knowledge that the community has to offer.

Mr BASHAM: I have a question in relation to one of the functions, which is to review decisions made by the clearance assessment committee. There is a member listed under the membership of the council from that committee. If there was an appeal made, would it be envisaged that that member would be not party to that discussion?

The Hon. S.E. CLOSE: Yes, absolutely. That would be my expectation. I would expect that the procedures that are developed would capture that, but it would be common governance sense that that would be the case.

Mr TELFER: Obviously there are a number of different functions of the council considered here, minister. I was interested in paragraph (j) because it is pretty ambiguous and it does not really give much detail. It provides:

(j) to engage the community in relation to the importance of biodiversity conservation;

Is this to do with specific applications, projects, considerations, or is it a PR process so that they can tell everyone how important biodiversity is?

The Hon. S.E. CLOSE: It is fairly open-ended, and it is because it needs to be one of the things that the council is capable of doing, so we give permission for that to be something that occurs. I would expect that there will be one or several people on the council who will be very engaging and good at talking to others about the importance of biodiversity. When I think about Professor Chris Daniels, being the Chair of Green Adelaide, for example, he is one of the most engaging speakers in South Australia on any topic and obviously he specifically talks about biodiversity. He is an enthusiast who informs people and encourages them to do more good work.

That is the kind of expectation I would have that would happen from time to time. It will depend partly on the personalities and the experience of the people on the council, but it is right and

proper that people are involved in a significant council like that, such as the Premier's Climate Change Council at present, where Martin Haese is a significant leader in our state. He chose to put effort into putting on two industry climate change conferences in order to engage with business on the way in which climate change might affect their business and how they can respond. It is that kind of capacity to be able to really capture the skill set that is likely to be sitting around that table.

Mr TELFER: I am just looking back on the composition of the council. Obviously, there is a bit of a difference in the correlation between the composition of the council, which we went through before. It is not communications, public relations or anything like that. With the number of council members—seven, not more than 12; it will be interesting where that lands in the end—are we just trying to find this unicorn of a person who fits all these different aspects of these skill sets and/or knowledge as well as the ability to present with the sort of flair that someone like Chris Daniels does?

The Hon. S.E. CLOSE: I appreciate the compliment to Chris of his very special qualities. Nonetheless, I think that most people who are engaged in significant government/council board work have a range of those kinds of skills, again to refer to Martin Haese. Last night the film *Ocean* by David Attenborough had a special screening as part of the Premier's Climate Change Council's effort to bring people together to see something that is really important, that they understand what is happening. It is that kind of work that is likely to be a feature of the work that is undertaken. I expect that most of the people if not all the people on the council will be more than capable of engaging with others.

The other week, I had a conversation with a few women who are involved in mining businesses that are at the engaging exploration stage. A couple of those women were so impressive in the way in which they bring together ESG credentialing for their businesses and get out there and try to find minerals. The skill sets of the people in South Australia are extraordinary, and I am certain that many of them will be engaging in different forums with different audiences.

Mr McBRIDE: Subclause 16(e) says 'to manage the Biodiversity Restoration Fund'. Can you give us a little bit of insight with regard to that type of responsibility? In other words, is this new council allowed to create a fund that goes into the millions of dollars? Do they have to spend the money, otherwise it could be lost or given back? Can you tell us what kind of responsibility this means where it says 'Biodiversity Restoration Fund' under the functions of council?

The Hon. S.E. CLOSE: There may be more specific questions the member has when we reach clause 36, which describes in more detail the biodiversity restoration fund, but the responsibilities are exactly those of the current Native Vegetation Council with the Native Vegetation Fund.

Clause passed.

Clause 17 passed.

Clause 18.

Mr BASHAM: Just a quick one: what is the size of the clearance assessment committee, numberwise, that is envisaged? Will a quorum of that committee be required to actually be present to make those decisions?

The Hon. S.E. CLOSE: This is modelled on the current—and forgive me if I have got the title wrong—native vegetation clearance assessment panel that sits under the Native Vegetation Council. We think they currently have around three members who are required to meet. The normal process for government boards would be that there is a quorum, but because we are allowing this to be defined through subordinate legislation it is one of the many things that is going to take up the two years after this piece of legislation goes through. We will determine what the right number is and, of course, what the quorum would be. I think that the existence of a quorum is something that is standard practice in government.

Mr McBRIDE: Minister, in regard to the composition of the clearance assessment committee, you just mentioned three members and that the committee is two years away. One of the things I would be interested in when this committee makes assessments on native veg and the value

of the native vegetation that they assess—please correct me, and I know you will in your answer, if I am getting this wrong.

If there is an opportunity to remove native vegetation it usually has a price: it could be either offsets or it could be a value figure. In this process of the clearance assessment committee—and now that we have heard that there are only three members and that maybe you would look at it in a different light in two years' time—when they put a value of native veg as a dollar figure, does this committee actually gather those figures and the value of the vegetation? Do they collect those moneys when they say there is a tree worth \$30,000? Does the \$30,000 come back to the clearance assessment committee, or does that go into another government pool or coffer?

The Hon. S.E. CLOSE: At present, the way that the Native Vegetation Act works is that when an offset is determined that is going to be a financial one rather than putting aside some land that money goes into the Native Vegetation Council fund, which can then be spent on biodiversity. The equivalent under this legislation will be that it goes into the biodiversity restoration fund, which will effectively do the same thing, although it may therefore be able to invest more in, say, concentrating on wildlife restoration as well as native vegetation. So it just enables that slightly broader understanding of what biodiversity is.

The State Biodiversity Plan, in guiding the prioritisation of where we get the most value of restoration in the state—where there is the most acute need and where we can get the biggest bang for buck—will help guide the way in which that will be spent.

Mr McBRIDE: I could wait until we go to the function of a CAC, but, coming back to the composition—and this really goes to the heart of the question that I was going to ask you, but I needed to ask you the first one, as I just did. If you have members who compose the clearance assessment committee who are—and I am going to be a little bit derogatory and really be like an environmental Nazi—the best tree-hugging, biodiversity and environmentally aware, most highly acclaimed, university-degreed members we could have in this composition, what we will find, if we collect individual members of that type of pedigree, is that everything else does not seem to matter.

They become that really strong enforcement on vegetation, they value vegetation very highly in aspects of biodiversity and environmental purposes—I get it. What we then have to recognise is what are the breaks and the walls and the bloody hurdles that get put in place that stop housing developments and developments of wind farms or roads or any other development the state wants to do.

The question then to you, minister, is: with the composition of this committee, do we have a chance to at least get a balance between environmental outcomes and economic prosperity and growth? If we need houses built, can we have representatives there that will bat for housing developments, because, yes, native veg is important but so is housing?

This composition is what I think we are suffering from in the state already on the native vegetation clearance committee. Maybe, minister, there is a really great opportunity for the Malinauskas government and you as the minister for the Department for Environment and Water to actually bring some balance.

You have only told us about three members because the member for Finnis has already asked how many members are on this committee. I actually do not mind that it is small—I just want it balanced. So the question, again, to you, minister, is: is there an opportunity to get a good balance and composition of the clearance assessment committee so that we can have native vegetation or biodiversity as an important consideration, but also the wellbeing of state economic growth and development balanced alike?

The Hon. S.E. CLOSE: I think we just need to be clear that the clearance assessment committee really is working under the existing legislation on what is exempt and what is not exempt. So the guidelines, the rules, are set and the clearance assessment committee simply goes through and applies them. What we are doing for the first time in this legislation is providing two steps of review that has not been possible before. The first, should one be unhappy with the decision that has been made, is that you go to the biodiversity Council for review, and then, if you are still unhappy, you have the right to go to the court.

We have not had that facility before, but we recognise that for people's confidence in the system, being able to say, 'Well, I do not like that decision and I think it was made wrongly and I can have that reviewed,' increases confidence in the quality of the decision-making. So this panel does not have the kind of discretion that I think the member might be concerned about.

Mr PEDERICK: Just following up from the member for MacKillop and trying to get a spread of people on the clearance assessment committee, will there be a requirement to have a primary producer on that committee?

The Hon. S.E. CLOSE: Not a requirement under the legislation as it is written, but, as you can see, there will be regulations that will identify the requirements for skills and expertise of the members and how the appointment will be undertaken. Because I have given a commitment to all of the stakeholders that they will be actively engaged in the development of the subordinate legislation, including this, I expect that kind of question will be aired then and a decision will be made in full consultation before it comes in as regulations, which of course are then open for disallowance through parliament, should people feel so moved.

Mr PEDERICK: I guess this is more of a comment and reiterating what the member for MacKillop indicated—the reason I am asking that is just trying to seek balance on this committee.

Mr TELFER: Minister, obviously we have had some questions from both the member for MacKillop and the member for Hammond about this aspect in particular of the composition of the CAC because although we have been reflecting in the previous questions around the biodiversity council, where it is quite prescriptive, we have quite prescriptive compositions and quite prescriptive functions. The composition of the CAC really is quite ambiguous and it really does give the power solely in the hands of the minister. I understand the reasons behind it and how we got to the point that we did.

What is the intended process, do you envision, to make nominations to this body? Obviously it prescribes the appointment process and the skills, which we will talk about as required by regulation, but what do you envision the appointment process would be? Would it be something that would likely mirror the process of nominations for the biodiversity council, for instance?

The Hon. S.E. CLOSE: It is an interesting question, because when we are debating legislation it kind of does not matter what is in the mind of the minister, because that mind may change over time, and the minister changes, but I am happy to share my own views. This is essentially a committee that has a particular task of following what has already been established by others, largely through legislation when it comes to clearance exemptions and clearance rules, and therefore what you want are people who have a degree of expertise in following the detail of what has been set out for them and applying them in a way that will stand up in court, because we are allowing court review.

My view about how that might take place is I am very open to being shaped by the process of consultation that we will go through with the stakeholders when we are proposing to look at regulations on the requisite skills and expertise. I think the legislation here is very reasonable in saying that people ought to be capable of fulfilling the functions and also have a commitment to biodiversity generally. People from all of the sectors would be able to fulfil that. Many people in mining—and nearly everybody involved in primary production—have got a focus on making sure that biodiversity is strong.

But in terms of the detail I am perfectly comfortable to allow the consultation process really to throw up some options, just recognising this is quite a constrained and narrow role. The one quality that I think is absolutely essential is that they are capable of making decisions that withstand judicial review, because this is the integrity measure that we require.

Mr TELFER: And obviously we are going to speak about the functions to come, but in the consideration of the composition, obviously you are right, it is a significant aspect of what you would consider is the capacity to be able to apply the SEB policy. From my contributions in this place over the last few years, there can be no doubt that I have real concerns about the current process and the ambiguity for landowners, developers and farmers going through the SEB process and some of

the perverse negative outcomes for regional communities, in particular, throughout the native veg process and that assessment that has happened.

As we put together a structure for consideration of that policy, I get the different aspects of it. I still have real concerns that this legislation is going to only add additional barriers and the lack of specificity within this aspect of the bill, which allows the minister the powers to be able to set who the minister of the day wants to be performing the function of the CAC, does not provide me with any further confidence in there being a balance when it comes to the decisions that are made under the prescription of the existing legislation, as you point out. Some of the decisions that are being made around native vegetation for regional communities have had really negative and perverse outcomes.

I am interested, minister—and I spoke about how there was little detail in the characteristics skill sets within the clause that we are debating at the moment. One aspect that you do give specificity to is in subclause (4) where:

One member of the CAC must be an Aboriginal person, who may, but need not, be a member of the ABC.

Once again, it leaves it pretty ambiguous and open as to what that process might be. If it was a flow down or a flow sideways from the ABC into the CAC, it could be said that there has already been an assessment made about the individuals who are part of that ABC in the process, which we will unpack in a short while. But if it then opens up to the capacity for the minister to just bring in any Aboriginal person from outside the existing structures of the ABC, why have you considered that this is an appropriate process to bake in rather than joining it all up together when it comes to consideration of the members of the committee?

Once again, it is a bit like the debate or the questions that we had last night when working out the identification and appointment process. This seems to be a layer of ambiguity being added for what I see as no real reason.

The Hon. S.E. CLOSE: In some part I will take this as a contribution about views that the member would like to see shaping the way in which the regulations would be drafted. Specifically on the question of the Aboriginal member, if the question, as I understand it, is why it is that we are not using the Aboriginal biodiversity committee as essentially the source of them going into the others because they are for the biodiversity council why then not using that, I think it is a question of logistics that there will only be so many people on the Aboriginal biodiversity council. The people going on to the biodiversity council itself cannot be on the clearance committee because we want to make sure that we are keeping conflicts out as much as possible and, therefore, we are not trying to overuse one relatively small group of people. It just enables the capacity to bring someone else in so I am reasonably comfortable with that.

I think the point made of the frustration that some local communities have had in the regions about decisions that they felt were wrong decisions where there was no pathway is one that we have heard and which is why we have brought in the review process, and it is why this committee above all must be capable of making sound decisions that do not constantly lead to losing in the ERD Court.

Mr TELFER: What I was probably trying to get to is that if there is not a clear process as to how to source an Aboriginal person to be a representative on the CAC, what that nomination process or advertising process might be. There is a clear source if we have an existing structure. If you were thinking that there was not enough capacity within the ABC because the representatives that might be capable are already siphoned off into the biodiversity decision-making body, is this going to be just a ministerial appointment saying, 'There's someone that I know, an Aboriginal person with a skillset,' or is this going to be something which is advertised for nominations, or direct correspondence to Aboriginal corporations or whatever it might be? This is where, with the specific nature of this aspect in particular, it opens up for questions about that sort of process.

The Hon. S.E. CLOSE: I understand those questions but I am not able to exhaustively answer them now because this legislation enables the capacity then to create regulations to define that. Being involved in the environment portfolio, it has an extraordinary number of committees and councils and so on, some of which have a significant amount of delegated power—the Heritage Council, the Native Vegetation Council. It is not even delegated necessarily but actually given by legislation, and the minister has no say—and all of the landscape boards. My view has been to not

dial around friends and suggest them to the Public Service. I just think that is not the way that ministers should operate.

Other ministers over time may have different views, but my view is that what you are looking for are people who are going to do a really good job, and it tends to be better to go and ask the community or ask people who are involved in the sector. We will work through those regulations and I am going to take most of what has been raised here as being views about how that might be shaped when we get to that.

Mr McBRIDE: The benefit of going last is that I get the opportunity to ask questions no-one else has asked. Minister, I think this is probably one of the most important committees and pieces of legislation around this Biodiversity Bill when it comes to the clearance assessment committee, and coming from three angles.

The first is that you are putting a committee together that will value native vegetation and biodiversity in a monetary fund or offset. In regard to the monetary, it means that they can put a value on native vegetation and biodiversity to help build the Native Vegetation Fund if they choose, have the will to do or have a bias towards, or if they have no inkling to do so. It can be a choice. But I have never heard bureaucracy or government employees say, 'But we don't want any more money. We will just leave it in the community because that's theirs.' That is usually not the premise of how they act and the way that they roll out this type of value.

The second point is, in regard to this clearance assessment committee, history tells us that we get people who really have a lot of expertise around native vegetation already in this space. I have to say that I think the state has suffered as a consequence, and it has suffered in a myriad of ways. I will give a couple of examples that have shown us this in history as the issues have arisen. I can give you a tiny couple of snippets.

The first is that we had a tree in a primary school down in my electorate and the school was concerned about the tree falling on the kids. It was overhanging and had dangerous limbs. They got an assessment on it and they were not allowed to touch it. Luckily, over the weekend the branches and the limbs fell off and onto the ground. Had that happened on a school day with kids playing under the tree on a hot day, the bloody branches would have fallen on the children. The parents came in and cleaned up the tree, cut it back to a good shape or maybe even removed the whole thing altogether, I am not sure. It does not matter. That is just one example where native veg has failed but we are lucky it was not worse.

Another one is to do with our road infrastructure. Our Department for Infrastructure and Transport and the minister for roads are aligning roads on road transport corridors which have trees on them in a more expensive way to preserve native veg that has grown back, because the Native Vegetation Council will not give them permission to move the trees on the left-hand side, for instance. Or they are going up against boundary fences with roads because the vegetation is considered too expensive, the department does not want to go through the hassle or this type of committee does not give the approval.

Another one is the example I have given about housing in Naracoorte and the \$30,000 trees. They may be valuable native veg but what is missing in this committee—and, minister, this is an opportunity for you; it is not a criticism but an opportunity to highlight—is that we seem to have those with the best knowledge about biodiversity and native vegetation but we do not have a balance on the other side.

We do not have a person who can say, 'If you leave trees hanging over the roadsides and branches fall off at will, it could land on a car,' and we know that that has happened. And it could land on a car with people in the car, and we know that has happened. But we do not have people here who represent roads or transport corridors or DIT and schools. That seems to be the imbalance.

All I will ask you, minister, is could you consider or would you consider a better balance in the clearance assessment committee that is not just solely about biodiversity and native veg but the consequences of that preservation and the value that it might have on the other side of the equation to the state?

The Hon. S.E. CLOSE: The good news is that much, if not all, of what has been raised is addressed through existing legislation and in an improved form in the new legislation. Schedule 2, towards the end of this bill, contains the exemptions to clearance restrictions. If you look at division 7, which is safety and fire prevention, and specifically clause 20 in schedule 2, the safety of persons and property, it is okay to knock down a tree to make sure people are safe. A little earlier than that in division 2, and in clause 8 therefore of schedule 2, 'Roadside or rail corridor plant management,' some improvements have been made, I think, from the member's perspective, in the way in which roadside corridors are able to be managed.

There was a requirement that councils have a management plan, which was costing councils a lot of money. The view from the department was that that was not adding any value to the way in which the land was being managed, and therefore we have removed that requirement. We have also fixed up an anomaly we discovered had existed that suggested safety issues were not allowing clearance when it came to roadside vegetation, even though generally it was the case. We have now made it the case.

Please rest assured that while the department, myself, and the legislation, of course, has, as an enormous priority, that we have a healthy environment for all of us, we all understand the complexity of what that means in modern Australia and the importance of safety from fire, safety from limb fall, and the way that roadside verges are managed, and much of the concerns of the member have not only been addressed previously in legislation but also now been added to in this legislation.

Mr TEAGUE: Just an interaction point. I am interested, at subclause (4), in the requirement that one member of the CAC be an Aboriginal person—we will get to the ABC in a minute—and at clause 10 we have dealt with what description of Aboriginal knowledges we have. So there is an obligation on everybody who is engaged in the administration of the act to, as far as practicable, consider and apply Aboriginal knowledges. That applies to everybody who is engaged in the administration of the act.

The ABC is structured in such a way as to—and we will get to it, presumably—develop and elucidate those Aboriginal knowledges for the benefit of all those engaged in the administration of the act. Therefore, insofar as there is a requirement for an Aboriginal person to be a member of the CAC, surely it is not to be read into it that that person is therefore supposedly the custodian of the Aboriginal knowledges for the purposes of reference points for their CAC. That is not as it is structured.

It just leaves open the question of what, from a skills and expertise point of view—and not to overburden that individual—are they expected to bring to that committee as a distinct point in terms of internal reference relevant to Aboriginal knowledges, if anything? Or is it really just that it is a parallel requirement that, independent of anything else, there needs to be an Aboriginal person of whatever expertise or background, whether or not related to Aboriginal knowledges?

I heard the minister say earlier that it might be desirable that that person not be a member of the ABC, because you want to draw people from all over and spread it around. All the more so, if that person is not a member of the ABC, what are they bringing vis-a-vis their Aboriginality, and how might that be distinct from the work that the ABC is doing, let alone what everybody else is doing, in reference to clause 10 and the need to consider and apply those Aboriginal knowledges?

The Hon. S.E. CLOSE: It is difficult to exhaustively answer. We made a commitment in the preparation of this legislation to really integrate Aboriginal people into the approach to management of biodiversity and its promotion. I think that is a reasonable general approach to take, not only generally in Australia and South Australia but also specifically when we are dealing so much with country, when we seek to engage at every level as much as possible.

I agree with the member, or with what I am inferring from what the member has said, that it is unfair to necessarily say that because you have Aboriginal heritage you carry all the weight of all of the Aboriginal knowledges. If I am right in that, I agree with that proposition. It is not something that can be expected to be confined to one person and carried entirely by that person. I think it is reasonable to say that we have to make sure that we have people from Aboriginal background or Aboriginal people at all levels in this, therefore we have made that a requirement.

That individual person will bring, depending on who it is, different experience and skills. That will evolve over time, just as on the other council, when you have someone with mining expertise, they might couple that with also a good knowledge of, say, fungi at the same time because they happen to be interested in it. That does not mean that role will always carry that, but that is something that they bring. Individuals bring a variety of experiences, but we have just made sure that we are populating this with a deep acknowledgement of the importance of having Aboriginal people engaged at every level.

Mr TEAGUE: In those circumstances, then—and it might repeat what the member for Flinders has already contributed; if the minister regards it as rhetorical, then I respect that—why is it not more coherent to have as a stipulation that that Aboriginal person is a nominee of the ABC, if not the chair or a designated participant in the ABC, so that if there is to be work in the development, elucidation, consideration or appreciation of Aboriginal knowledges, that is actually an objective of this CAC process as opposed to just an incidental qualification, as it were?

The Hon. S.E. CLOSE: I think it is quite likely that that is how it will work. It may well be that is one of the ways in which the processes are developed. I guess the challenge is, say, if the chair of the ABC and the other person who has the most time to give to other committees are already on the biodiversity council, and the other people who are on the ABC just do not have time to add another committee, then you do not want to be stuck. It is just a question of not overemphasising and putting too much expectation on those people who are on that committee, but I imagine actually in practice it is quite likely to work the way the member has described.

Mr TEAGUE: As succinctly as possible at this juncture, I just indicate that, as it is structured at the moment, it is quite possible, indeed meritorious possibly, for the person who is on the CAC pursuant to subclause (4) to have a completely divergent view to those who are part of the ABC and responsible for developing things that sound like they are talking to the clause 10 Aboriginal knowledges. I just indicate that.

Clause passed.

Clause 19.

Mr BASHAM: Following on a bit from that angle, looking at the functions of the CAC and paragraph (d): we are shortly to talk about the scientific committee, whereas paragraph (d) is saying that the clearance assessment committee is going to be a source of expert advice in relation to native plants matters, including management, conservation, restoration and enhancement of native plants. It just seems like a very strange function of a committee that is set up primarily to make assessments around clearance.

The Hon. S.E. CLOSE: I think the way to understand this is that the mitigation hierarchy looks to say there are other ways of doing a development that will minimise the impact. So, understanding what the impact is and the ways in which that might be minimised and the development could be accommodated but the biodiversity also protected requires some knowledge and understanding of the way that biodiversity operates.

Mr BASHAM: Clause 19(f) states that there could be other functions assigned to this committee. Does the minister have any thoughts about what may be—

The Hon. S.E. CLOSE: No, that is a pretty standard clause and I have nothing in mind at present.

Clause passed.

Clause 20.

Mr PEDERICK: In regard to the establishment of the Aboriginal Biodiversity Committee, will this committee be required to give an annual report to the minister?

The Hon. S.E. CLOSE: Yes, it will be required to. All of the committees that are named in the legislation are required to give annual reports to the minister. I believe that is in clause 33.

Mr PEDERICK: We may refer to it there, but seeing I have started on it here will there be a penalty process if there is no annual report sent to the minister?

The Hon. S.E. CLOSE: Clause 33 does not have a penalty applied to it, but it does say that they 'must' and that the minister must, within six sitting days after receiving the report, cause the report to be laid before both houses of parliament. You will have noticed, I think yesterday, I had one of my very long lists, partly because I represent the Attorney-General in this house but also my own annual reports. They will be added to those lists of annual reports. I do not believe any committee that reports to me that is required to give me an annual report has ever failed to.

Clause passed.

Clause 21.

Mr BASHAM: How many members of the ABC are envisaged to be—

The Hon. S.E. CLOSE: I do not have a view about that at present. We will determine that over the course of the two years while we are establishing this piece of legislation.

Mr BASHAM: I have one further question in relation to a public servant being unable to be the chair of that committee. Is that a state public servant or just a public servant of any level of government?

The Hon. S.E. CLOSE: As I understand it, that is to be interpreted as being state Public Service commonly.

Mr TELFER: Just a little bit further on from that, then, minister, so I have a bit of an understanding of the process that you envision as the minister putting this legislation forward, that it will be followed when:

Members of the ABC will be appointed by the Minister on the basis of the environmental and cultural expertise considered necessary to achieve its functions.

What do you envision the process looking like for you to seek nominations to the ABC through this sort of cascading description of process from the biodiversity through to the CAC and the ABC, probably even less designation about what that process will look like? It states that the minister will appoint them on these bases, but what will the actual process for the nomination and appointment look like from the perspective of the minister putting this legislation forward?

The Hon. S.E. CLOSE: Again, I do not have a firm view about how we might proceed with this. The legislation rightly allows that to be set out through regulation, which gives us an opportunity to make sure that, as suggestions come up about how some might be managed, that will also influence how we think about how others are managed. At present, I have an open mind, and I am looking forward to the engagement of all relevant stakeholders in helping us guide the most sensible way to give flexibility to the government to have a broad range of skill sets but also confidence from the community that the people on these committees and councils have the right approach, skills and experience.

Mr TELFER: I am once again asking a question about subclause (6), where it talks about the chair of the ABC not being a member of the Public Service. With its exclusion, it is the allowance of other members of the ABC to be members of the Public Service. This specific nature of the chair means that obviously the others could be. With other committees, the CAC and biodiversity and the like you look at what potentially could be sourced members from representative bodies. It might be different aspects of the department. Is there a risk that when there is an appointment made of a member of the ABC from the Public Service, although they may be appointed for all the genuine reasons, they might be representative of the department that they are actually a member of?

You could have a member of the Public Service and the environment department who has been appointed to the ABC, and there could be the risk of a crossover of responsibilities and roles. It states, very broadly, that the minister should seek to appoint persons who can demonstrate 'a commitment to action to address biodiversity conservation, restoration and enhancement' and 'an understanding of the issues and impacts associated with biodiversity.' Is it best practice for a member of the Public Service to be a representative on a board like this? I have a few qualms about that.

The Hon. S.E. CLOSE: I can understand where those questions are coming from. Very occasionally, when we are doing the appointments of those, as I mentioned, numerous boards, councils and committees in the environment portfolio, there are public servants who appear on those

lists, but it is pretty rare. For both of these, we have said that the chair cannot be, but it might be that a person on the committee is a public servant. There are really kind of two categories, are there not?

There is someone who is in the department and is on a committee associated with their department, and then there is someone who happens to be a public servant, who might be working in child protection, or a teacher, but nonetheless is putting themselves forward. Probably the member would be more relaxed about those than someone who has the same boss and therefore might feel constrained to run a certain line.

I generally do not think it is the best thing to ask of a public servant, to be in that situation; I agree. I would think perhaps in this case for the Aboriginal biodiversity committee, I can think of a number of the Aboriginal rangers I have met over the last few years—and we added another 15 over these four years—who are really knowledgeable and senior people within their own communities and have also developed an expertise of the kind of white way scientific approach on biodiversity that might well be reasonable to consider.

So I would not see it as a prohibition on that, but generally my inclination is not to put a public servant in a position of being on a council that is supposed to give frank and fearless advice as a council or a committee, as opposed to a public servant who, again, should be frank and fearless but through a hierarchy. Generally I would not approach it in that way, but I can imagine exceptions that everyone would find to be reasonable.

Mr TELFER: Continuing on this aspect, it states that the chair of the ABC may not be a member of the Public Service. There is another sort of subcategory, and that is someone who works for an organisation that receives public funding. This is where, once again, there could be a question around the ambiguity of decisions that are made if there is a person who has an interest in the government funding.

Are there examples in other pieces of legislation where it specifies that a member should not be receiving a benefit from public funding? Often, with some of the Indigenous corporations and the like, there is this sort of ambiguity which could be shade that could be thrown over decisions, with that sort of involvement. I would like the minister's perspective on that in particular.

The Hon. S.E. CLOSE: In general, I absolutely understand the logic of those questions. At the same time, I also think about the way that South Australia operates and how we are not a particularly big population, and so we tend to fall over each other, in some ways, under the different guises. We do have some people who are involved in the environment movement who are on various committees, for example. Sometimes the organisations they work for would have had a grant or multiple grants, and yet that does not seem to stop the individuals from being critical of government, thank goodness. So it is not impossible for someone to come with expertise and that they hold a few hats and that they manage those well.

It is also true for, say, someone who is a pastoralist who holds a lease from government, or someone who is involved in primary production in the South-East and who nonetheless occasionally applies for a grant for some kind of equipment to go onto the farm, or a mining company or a developer who wants to get government permission to do activities.

It is very hard, I think probably anywhere but perhaps even more acutely in South Australia, for us to find people who have no involvement at all with government and never any connection. I do not know that it is necessary to be that cautious, as long as we are all clear about where conflicts of interest sit, and it is of course extremely important that they are managed appropriately. But in general it would not be my preference to have people about whom there might then be a perception of them being captured in some way. My preference is always to have people who might, occasionally to my detriment, choose to be critical, but at least they are giving their honest views.

Mr TELFER: Can I ask a supplementary question to that one?

The ACTING CHAIR (Mr Odenwalder): A quick supplementary, very quickly, because this is a long bill.

Mr TELFER: Thank you, sir. Does the minister envision that a register of interest process or a declaration of interest process similar to what we see with other committees will apply to this Aboriginal biodiversity committee?

The Hon. S.E. CLOSE: It is a standard requirement that conflicts of interest are named in committees and also in government. Of course these committees will be developing their own procedures, and again it would be standard that that would be part of it.

Mr TEAGUE: Along the same lines as a previous question in relation to the CAC, in terms of the interrelationship between clause 21 and clause 10, I think the connection that there is between a requirement of the composition of the ABC to have Aboriginal knowledges, and then its application, as we will see in clause 22, to the provision of advice in relation to Aboriginal knowledges, is at subclause (2), but only that far. There is otherwise no explicit reference to Aboriginal knowledges in clause 21, so the members of the ABC are appointed on the basis of the environmental and cultural expertise considered necessary to achieve its functions, and those functions include providing advice to the minister in relation to the application of Aboriginal knowledges.

So members of the ABC appear to be necessarily capable of providing advice to the minister in relation to the application of Aboriginal knowledges—that might be regarded as a question or just a statement of the basis of the starting point—but they, like others who are engaged in the administration of the act, are not themselves necessarily the possessors of those Aboriginal knowledges.

In that case, are they, including by dint of their Aboriginality, so far as the structure of the bill is concerned, expected to be those who are in a position to go about acquiring or referring to those knowledges and then in turn advising the minister what they are? Are they in an especially better position to be able to pass those on? In so doing—and it might be a question more directed to clause 22—is there some, therefore, acquisition of Aboriginal knowledges that is developed in the course of the administration of the act that we can all benefit from, or is that a work in progress that needs to be just kept online, as it were?

The Hon. S.E. CLOSE: It is a bit of 'column A, column B' for that last bit, but I will come to that. If we refer to subclause (d)(i), part of the job of this committee is to develop the policy about the consideration and application of knowledges. So, indeed, as was expressed by the member, this is not about them being the entire keepers and holders of Aboriginal knowledge but rather that they develop the policy for how that is to be acquired, how that is to be used in order to help guide the administrators of the act more generally.

The question of the use to which the knowledge that is gathered in the process of this act is put and its availability for others is something that is, of course, a work in progress, but consistent with the objects and principles of the act, the more information that is provided generally to the public to help make good decisions, the better. There is an expression that I occasionally unleash on the team, 'All facts are friendly'. The more information that is provided, the better we can all make decisions collectively and let knowledge be our guide.

So that sort of approach would sit behind also sharing such information as is able to be shared and has been acquired. But as I said, 'column A, column B', because that is of course still a work in progress, and how that is done, and how that is done sensitively. But if we refer to our discussion last night about the culturally significant biodiversity entities—that is, enabling a community to identify that something is of cultural significance to them within biodiversity—it is a piece of information that is useful to people and can be taken account of when making decisions. That is the approach that sits beneath much of the legislation here.

Clause passed.

Clause 22.

Mr BASHAM: With the operation of the ABC and the operation of biodiversity council, the way I read this, they both report through to the minister. There are connections where two members of the ABC are members of the council, but is there any working relationship intended between the ABC and the council?

The Hon. S.E. CLOSE: There is not an official mechanism, other than the shared membership that cuts across from the Aboriginal biodiversity committee into the biodiversity council. The minister is kind of the funnel in that sense, but the reality of how this always works is that the work that one does informs another. It will not be limited necessarily to the work done by these committees.

The Premier's Climate Change Council recently commissioned some scientific research on the likely impact of coastal processes in sea level rise and then that information has been provided through to the planning department and it has been provided to the Coast Protection Board. Even though they are not required by legislation to report to those organisations, their functions only work effectively when they are providing the information elsewhere, so that is exactly how I would expect all of this to operate.

Mr BASHAM: I guess with that sort of understanding, with the two reporting to the minister, there could be occasions when they have completely different views on a particular point, so that would be for the minister of the day to decide which direction the minister would like to head; is that correct?

The Hon. S.E. CLOSE: That is right, and that could express itself, say, in the biodiversity plan where there are competing views, but that is exactly what government and politics is all about.

Mr TELFER: Obviously in paragraph (d) it talks about the need for the ABC 'to co-develop with the minister relevant biodiversity policies, including the following,' and it specifies how many. We spoke a little bit last night about the culturally significant biodiversity entities process and what you envision that will look like.

As far as the development of these specific policies, can you provide to the committee any further insight into what decisions these policies will drive—the process for the culturally significant biodiversity entities we spoke about last night? Can you unpack a little bit the policy about the consideration and application of Aboriginal knowledges for me as well? I think I broadly understand subparagraph (iii), the policy about cultural burning of native plants, but can you give me some context as to the scenario in which that policy would be in place?

The Hon. S.E. CLOSE: They are the three that we have identified as being necessary policies. I am not contemplating others. It may well be that they will propose them though. These are the ones that we have regarded as being of significance immediately, the first one being the way in which, when understanding the operation of the act—and we have said it is important that we learn from Aboriginal people what they have to offer—one goes about that and what is the approach. This policy will help guide that.

The second one about the culturally significant biodiversity entities we discussed a little bit last night, so it would create, I would presume, criteria for what those entities might have to fulfil and also the process by which they might have to be accepted. They would be the kinds of areas that I would expect, being very aware of the limits to my knowledge, we would let people come up with great ideas that, of course, ministers do not have.

The third one we also touched on briefly last night, which is that while prescribed burning to minimise fire risk to avoid fire is something that does have exemptions from clearance approval, cultural burning does not. It exists in a sort of stranded area legally, because in some ways cultural burning, although it is for cultural purposes, not explicitly for fire-management purposes, can nonetheless have that impact. So what we need is someone to work on what that looks like, what that policy would be and would it then trigger some form of exemption from clearance approval.

Mr TELFER: In which locations? Are we talking specifically about Aboriginal lands, lands that are managed by Aboriginal corporations? The nature of the cultural burning obviously within those lands is easy to specify, but could it be utilised in other areas including for private landowners, etc? What are the parameters regarding the location scope?

The Hon. S.E. CLOSE: It has just been drawn to my attention that in division 8 of schedule 2, which is the schedule that has all of the exemptions, there is the cultural burning clause there, but it requires the policy to be developed, and what we are saying is that this committee will do the development of that policy.

My view is that cultural burning would not necessarily be confined to lands that are held under native title or held in freehold by Aboriginal corporations. It may well be in parks, it may well be on private land, but that policy will be developed by the committee.

Mr TEAGUE: Just bearing in mind clause 23 of division 8, schedule 2, the carve-out for cultural burning, there is a neat reference there to that being done in accordance with 'the plan' small 'b'. The question is: presumably that is not necessarily the same plan that is the capital B plan—the one that is yet to be determined but will be the overarching state biodiversity plan referred to at clause 9. Again, that is just by way of setting the scene.

Clause 23 of schedule 2 provides for the carve-out for the clearance of native plants by means of cultural burning 'undertaken by Aboriginal persons in accordance with the biodiversity policy relating to such cultural burning'. That presumes there is such a policy. That is not the state biodiversity plan obviously. Has there been some consideration of circumstances where that cultural burning might be distinct or completely unrelated to biodiversity as such? It is certainly not otherwise contemplated in the state biodiversity plan. Is it necessary in all circumstances or appropriate to shoehorn such cultural burning into the notion of a biodiversity plan per se?

The Hon. S.E. CLOSE: If I understand the question, the idea of cultural burning that does not require exemption or permission to do because it damages native vegetation, so it does not require the trigger of an exemption clause such as we have created here, would not necessarily be governed. It is not for us to govern what cultural burning is writ large. It is for us—when I say 'us' as created by the Aboriginal biodiversity committee—to develop the biodiversity policy referred to in clause 23 of schedule 2, to trigger that exemption that sits within that clause. Does that make sense?

Mr TEAGUE: I was accused of not making sense yesterday.

The Hon. S.E. CLOSE: It was a gentle, 'Please help me understand you,' rather than an accusation. I do not know what I do not know about cultural burning so I am not going to present myself here as an authority on all of the ways in which cultural burning could take place. What I am saying is that currently cultural burning under the existing legislation does not receive the exemption that prescribed burning does.

This legislation seeks to remedy that but says that in order to trigger that exemption it needs to be done in accordance with a policy: that policy is developed by this committee. That is what the biodiversity policy relating to such cultural burning refers to—is to this clause—a clause for policy about cultural burning of native plants undertaken by Aboriginal persons. That is the same document. So the document that is prepared by this committee is what that exemption clause is referring to.

Mr TEAGUE: That is good, because it does not say so, in that it does not make the express link, like other parts of the bill do, to say, 'That's where you will find it.' It is good that that is on the record and we know that. Therefore, if we are focused on subclause (d)(iii), they are codeveloping with the minister these relevant biodiversity policies, including this one. When we get to the schedule, that is then described as a biodiversity policy. I probably share the minister's perspective in that I do not know what I do not know about cultural burning as well.

Has it been squared away that cultural burning, including the sort of cultural burning that clears native plants and so on, is ipso facto consistent with a biodiversity policy? Or is it possible that it is completely contrary to any notion of biodiversity and the objects of the bill otherwise, and therefore is actually properly characterised as a carve-out, as is the rest of schedule 2, from things that would otherwise be prohibited by clause 42, among other things?

The Hon. S.E. CLOSE: Schedule 2 contains a lot of carve-outs for a lot of activities and it is just adding this, which had previously been omitted. I think the reason that subclause (d), to go back to the clause we are discussing, is to codevelop with the minister is just to make sure that it is not simply being dealt with by a committee independent of any other engagement, that the minister is also responsible for codeveloping in the sense that the minister is responsible for this legislation so that it remains consistent with the intent of the legislation.

However, as the deputy leader points out, it is in the same terms in which one can be consistent with the biodiversity legislation in creating the exemption to enable damage to biodiversity

under certain conditions, because schedule 2 is full of them and almost none of them relate to Aboriginal people. This is a rare one.

Mr TEAGUE: To be clear, therefore, it is a bit like the acquisition, the consideration or the elucidation of Aboriginal knowledges generally. It is not a core component of the bill's treatment of cultural burning, that somehow cultural burning is always going to be incorporated into what we understand to be biodiversity planning. It can be something that is otherwise contrary to the interests of biodiversity, but it might get over the line by virtue of it being incorporated in this particular policy and therefore included in the carve-out.

The Hon. S.E. CLOSE: The point of the carve-out is not necessarily that it is entirely contradictory to the interests of biodiversity, it is saying that you do not have to go through a process of getting approval. It is saying that we accept this is something that will happen. I think many people who are exponents of cultural burning would say it is good for biodiversity, and it may well always be and it may well sometimes be; I do not know.

What I am saying is that this is a procedural question of, 'Do I have to go through the process of being challenged that I am not allowed to do this because it is regarded as clearance?' or is there an exemption pathway and, if I do it in accordance with this policy that has been developed—

Mr Teague: Biodiversity policy?

The Hon. S.E. CLOSE: Biodiversity policy—by the Aboriginal biodiversity committee then I trigger not having to go through that process and it is an exemption.

Clause passed.

Clause 23 passed.

Parliamentary Procedure

VISITORS

The CHAIR: Just before I go to clause 24, I would like to acknowledge the presence in the gallery today of Ms Isobel Redmond, former Leader of the Opposition and former member for Heysen. It is nice to have you here.

Bills

BIODIVERSITY BILL

Committee Stage

Debate resumed.

Clause 24.

Mr BASHAM: Just unpacking a bit of the understanding of the scientific committee, in my thinking this may be one of those committees that does not necessarily have a set number of members because it could go up or down depending on a particular task. Is that a possible approach for this committee? For example, if we wanted to delve into the fungi space for a while we might have someone with fungi expertise come in, but they may not sit there for the entirety of the time.

The Hon. S.E. CLOSE: I was initially saying, yes, exactly, but the advice is that it will probably be a static committee, it will probably be the same number. I can understand the circumstances to which the shadow minister is referring, that it might be that we need to flex up a committee for a year or two because of a particular focus on something, but largely we would expect this to be a pretty competent, broad-based committee that would be able to cope with most of the topics before them.

Mr TELFER: I absolutely understand the reality of what the composition of the scientific committee is going to deliver as far as scientific advice specifically pertaining to biodiversity goes, but I am curious about a requirement. We are going to talk about functions and the like of the scientific committee and exactly what they are going to be aiming to achieve. To legislate that one member of the scientific committee must be an Aboriginal person means, I think, once again, that we are trying

to find someone who has the scientific expertise who happens to be Aboriginal, we are trying to find an Aboriginal person who has an interest or qualifications.

The cultural advice the ABC is absolutely going to be equipped to be able to provide and the scientific committee's requirements to provide scientific advice, I would have those two as separate important aspects. To legislate that one of the members of the scientific committee has to be Aboriginal is, I think, a little bit disjointed. Can you give an explanation as to why?

The Hon. S.E. CLOSE: Overall, as I mentioned in reference to the clearance committee, we have made a commitment in this piece of legislation to engage Aboriginal people in all aspects. There are many Aboriginal scientists, and the overriding requirement is that these people be scientifically expert. There would be numerous Aboriginal people I can think of at the moment who would be good additions to this committee for that reason.

Clause passed.

Clause 25.

Mr BASHAM: It is very clear that this scientific committee is to supply advice to the minister. I just question that there is no function that allows them to apply advice directly to the council. Is there any reason why not?

The Hon. S.E. CLOSE: When we were crafting this, the parliamentary counsel advice was that the scientific committee is not required to report to the council, but nothing prevents it from providing information to the council. As I said earlier, this will work through engagement across, but they are not subordinate to the biodiversity council in being forced to report to it in any sense. The information that they consider under this act will assist the biodiversity council in fulfilling its obligations under the act.

Mr BASHAM: Just to get some clarity around how that may operate, if the biodiversity council were looking for some advice that the scientific committee was suitably skilled to provide, would they need to go to the minister, to us, or could they go directly?

The Hon. S.E. CLOSE: They could go directly. In fact, when it refers to the functions of providing advice in relation to the state biodiversity plan and other plans and policies, I imagine that it would be reasonably frequently that advice would be sought by the biodiversity council. It is just that the biodiversity council are not required to seek their advice, nor are they required to report to them.

Clause passed.

Clause 26.

Mr BASHAM: Are there any committees or advisory bodies the minister envisages that would be created under this, or is this just a catch-all again?

The Hon. S.E. CLOSE: It is a catch-all. I think we have created quite a number, and we will be filling up those committees with some really good people. I do not imagine we will need any others for a while.

Clause passed.

Clause 27.

Mr BASHAM: A very similar question: does the minister envisage any necessary reason to create a trust under this clause?

The Hon. S.E. CLOSE: This particular clause has been the subject of quite extensive discussion with some of the stakeholders who had wanted us to be required to create a trust, that the legislation would establish the trust rather than giving the capacity to do so. That is an understandable desire to see more money being put into the environment generally and specifically for these biodiversity conservation outcomes.

Our view was, given that we have no plan immediately to enact such a trust, the potential of it ought to exist and always the desire, if there is a source of money that could be identified to create

one in order to enable those funds to be used wisely. This was the more sensible approach given that we have no immediate source of money to put into a trust.

Clause passed.

Clause 28.

Mr BASHAM: Conditions of membership of these bodies: here it is talking about reasons members may be removed for noncompliance, a breach, etc., of conditions of appointment. Is this just a standard government-type appointment structure and nothing outside that sort of thinking?

The Hon. S.E. CLOSE: My advice is this is completely standard.

Clause passed.

Clause 29.

Mr BASHAM: Can the minister give any expectation of what the cost of managing these committee structures is going to be going forward?

The Hon. S.E. CLOSE: No. In part at least one of them is replacing an existing process and a panel that becomes one of the committees. So, no, we have not done a detailed budget on this but it will be absorbed within the current budget of the department.

Mr TELFER: This clause specifically designates that the minister will determine any remuneration level—obviously of the biodiversity council, the ABC, the CAC but also any other advisory body which may be established under the clause that we have previously been discussing. Is the process for the ministerial decision on the level of remuneration one which is comparable to other advisory boards? A lot of this process is often external when it comes to assessing remuneration levels. This is really around the powers completely within the hands of the minister.

I definitely do not expect this from the current minister or any others, but we are setting legislation which sets a framework for any potential future ministers who, under a process, have the power to decide exactly who they want to appoint, the overall decision rests with them, they also decide how much they are going to be paying this person, setting up the potential for a minister—like I said, I would not expect the current minister—to use that power in a way to advantage someone who set up a friend to come into the position of chair and set a remuneration level at an exorbitant level.

The Hon. S.E. CLOSE: Sorry, we were just getting the number and then I pressed the wrong button on the phone. There is a Premier's circular that guides the remuneration for all government boards and committees. Although the legislation is written that 'the minister determines', in fact that is done under the aegis of the Premier's circular, which requires all of us to go through a process of having the boards, councils and committees assessed by DPC to determine what level they sit at so that we cannot go off on a frolic of our own and pay people a different amount than would be commensurate in another department. It is all centrally managed and that will be the case for this one.

Mr TELFER: I seek clarification that that DPC process would rank the committees as far as output requirement obligation, and within the current system, which I am well familiar with, they will make an assessment as to where that committee sits and then the remuneration band which would fit under both for the chair and the board members—

The Hon. S.E. CLOSE: That exactly describes the process, yes.

Clause passed.

Clause 30.

Mr BASHAM: My question here is: why are the procedures for the council to be established by the council but the procedures for the CAC, ABC, the scientific committee and any other committees determined by the minister?

The Hon. S.E. CLOSE: Largely, the procedures will be established through the regs. This is just for the exceptional circumstance where there is something that is not covered by those. I

believe that the distinction between the council, or the committee established by the council being able to determine those procedures that might sit beyond what is contemplated by the regs, but that the scientific committee, the clearance assessment committee and the Aboriginal biodiversity committee would need to have establishment by the minister—that that is the case of the council having been a Governor-appointed level, that triggers the capacity for them to make that determination.

Mr BASHAM: I have one final point. How will those procedures be documented and will they be published transparently for general viewing?

The Hon. S.E. CLOSE: The regulations will be of course that determine essentially the procedures of how they operate, and that because they will be determined by regulation it means that they will also be disallowable by parliament. In the case of the additional procedures, I think this is a fairly standard clause in legislation, and I do not know what happens in the event that an additional procedure is determined, but I can seek to find that information between the houses.

Clause passed.

Clause 31 passed.

Clause 32

Mr BASHAM: In relation to the staffing of the council, the committees and the advisory bodies, are they to come from current staffing, or do you envisage them coming from staffing from the Department for Environment and Water, or are they likely to be new roles dedicated to these councils or committees, or are they adaptations of current roles that are servicing them under native veg, for example?

The Hon. S.E. CLOSE: At the moment, we are envisaging that this will be accommodated within the current staffing profile of the environment department. The environment department has had a bit of a boost in the last couple of years in money coming in, particularly for biodiversity. A lot of what is occurring in this establishment is replacing something that already exists to the extent that there is additional work that is being managed within the approach of the department currently and thanks to the additional funding that has been supplied in recent budgets by the Treasurer.

Clause passed.

Clauses 33 to 35 passed.

Clause 36.

Mr BASHAM: Is the minister able to instruct the biodiversity council on expenditure from the biodiversity restoration fund?

The Hon. S.E. CLOSE: No, the biodiversity council's function is to manage the funds, so the minister cannot control that.

Mr BASHAM: In clause 11—General duty, it talks about there being no penalties but refers to funds being deposited into the biodiversity restoration fund if an order is made to pay money into that fund. Is that consistent with the lower penalty approach, or is this just a way of fixing an issue by putting some money in so that we can deal with it later?

The Hon. S.E. CLOSE: The criminal offences that are not attached to clause 11 do potentially see money going into the biodiversity restoration fund in order to be spent on biodiversity restoration, which is the purpose of the act. The general duty clause does not allow for funds to be taken from people and put into the biodiversity restoration fund.

Mr BASHAM: Will all expiation fees and penalties recovered end up going into this fund?

The Hon. S.E. CLOSE: Yes.

Mr TELFER: Minister—

The Hon. S.E. CLOSE: I am so sorry, but I want to correct what I have said. We keep talking about this as if it were the Native Vegetation Act, and now I have fallen into it as well. There may be

expiation fees and penalties that are associated with wildlife that would go into the wildlife conservation fund and not into the biodiversity restoration fund.

Mr TELFER: I think this is a pretty important aspect, minister, because obviously the biodiversity restoration fund is basically going to be absorbing the funds that exist within the Native Vegetation Fund at the point of changeover. The Native Vegetation Fund is a bit of a point of contention for a lot of communities in regional South Australia, in particular those who are frustrated that the funds are extracted from operations in regional South Australia under the obvious nature of the boundaries of the Native Vegetation Act but are not necessarily expended in the same way.

I am also concerned that this is only going to exacerbate the concerns that moneys extracted from regional communities through the structure of the native vegetation legislation could now be potentially expended in an even broader way that is even less specific to the regional communities from which that amount is extracted.

If there were a way to be able to frame the funding boundaries, potentially so that moneys that have been sourced under the Native Vegetation Act structure can be expended within the same equivalent boundaries, I think it would be a way to be able to give some confidence to communities that the cost of the obligations of the native vegetation aspects of the act could at least bring some advantage to the communities from which they are extracted. I note that subclause (5) of this clause provides:

The part of the Biodiversity Restoration Fund that constitutes payments made in lieu of a requirement to achieve a significant environmental benefit must be applied in accordance with the SEB policy.

Is this the framework that you are envisioning will be used to give the assurance that there will be equivalent investment of this fund in an area that is comparable to where it has been extracted from?

The Hon. S.E. CLOSE: As I understand it, the construction of how the current Native Vegetation Fund can be spent is now regarded as being too limiting, and therefore it is not being spent to the extent that it should be, which must be an enormous frustration for those who have paid into it. This subclause is enabling a bit more flexibility in the approach of how it can be spent.

That said, the point made by the member about the challenge of seeing particular communities having to pay some money for an SEB in order to have a development and that they would like to see the benefit of that SEB rather than having it head off elsewhere, the SEB policy that will be determined over the next couple of years as part of the subordinate legislation process will define this more exhaustively. The expectation is that the first-order priority is that it be as close as possible to where the damage is done. That is one of the principles that underpins, namely, if you are damaging this bit of vegetation and it cannot be avoided with the mitigation hierarchy, then as near as possible to that and as like as possible to that is desirable. That will be guided through the SEB policy.

Sitting suspended from 18:00 to 19:30.

Mr TELFER: Minister, before the break we were going through a process of trying to understand how the transfer of the process goes with the fund from the Native Vegetation Act and the structures around that to the new biodiversity restoration fund under clause 36. For clarification, the current Native Vegetation Fund is, as you were speaking about, fairly precise in what sorts of things it can fund. Is the biodiversity restoration fund, which the legislation around the Native Vegetation Act is going to be contributing to, now able to be expended on broader outcomes than specifically native vegetation?

When we are talking about the broad definitions under the biodiversity act, including plants, native vegetation and native animals, is this now meaning that if a developer, a council or a landowner is required to put funds into the biodiversity restoration fund under the Native Vegetation Act arrangements, those moneys can now be spent on, for instance, a local koala habitat restoration, a koala breeding program or a fauna-related activity rather than a flora-related activity, which it currently is under the current arrangements?

The Hon. S.E. CLOSE: Thank you for the opportunity to elaborate a bit more on that. The fund itself, which is the recipient of income from a variety of places, including the compliance question, so a penalty, can be used for a broader range of activities, but money that is paid as a

significant environmental benefit as an offset does have to be within the terms of the policy. That is defined as an SEB policy. That will be worked on in detail over the next couple of years but it will be much closer to exactly what the member is asking that it be: where possible, physically close to where the money has been spent, that it be as much as possible replicating the loss of habitat that has occurred. That part of the fund, the money that goes into that fund, is much more constrained than the general fund.

Mr TELFER: Within the reporting structure of the biodiversity restoration fund, do you envision there being a separation? When it comes to budget time or when it comes to the financial analysis that we go through in this place, do you envision that there would be separate subfunds, for want of a better word, underneath the biodiversity restoration fund so that is publicly available, or through estimates or parliamentary process so that there can be that separation between the moneys that are restricted by the application in accordance with the SEB policy, as opposed to the range of other moneys that have been described here in subclause (3) onwards?

The Hon. S.E. CLOSE: How Treasury manages the identification of individual—whether they bother to create subfunds within a fund, I do not know, but yes, the accounts will be reported. They will be subject to the Auditor-General, which is in clause 37, and the Auditor-General can, and at least once a year will, do a review or audit of the accounts and the legislation that we are passing now will constrain the way in which the money in the fund that has a number attached to it is spent under the SEB policy.

Clause passed.

Clause 37.

Mr TELFER: Can I just ask a question on clause 37, which has flowed on from the answer that the minister provided on clause 36, specifically around the Auditor-General and the reporting process of this. Within the structure of this part of the clause, it provides:

...must keep proper accounts of receipts and payments in relation to the Biodiversity Restoration Fund.

That is a fairly bland sort of description of moneys in, moneys out, so there are not moneys that are going wherever else. As the minister putting this legislation, do you envision that there would be a more detailed analysis from the Auditor-General as to the different aspects of the contribution towards the biodiversity restoration fund? I am guessing that with the similar clauses that roll through later on when it comes to the other fund descriptions, you are envisioning that it will not be a simple money in, money out, but there will be a dissemination, a classification of the different moneys within that biodiversity restoration fund, in particular.

The Hon. S.E. CLOSE: Yes, I do and the reason is that the Auditor-General will be referencing this legislation in auditing the accounts and will therefore be expecting to see and will see the amount that has come in for particular purposes and the way in which it is spent in accordance with this legislation.

Clause passed.

Clause 38.

Mr BASHAM: Moving to the Wildlife Conservation Fund becoming the biodiversity conservation fund, are there any significant changes in the way that this fund will operate and was the minister in control of it previously?

The Hon. S.E. CLOSE: The significant change is that '(e) expiation fees and penalties recovered in respect of offences' are paid into it and that it relates to the wildlife side of this legislation. So that is a change, but otherwise it is the same, including the ministerial responsibility. When I said '(e)' that includes over the page through to (f), (g) and (h).

Mr BASHAM: Can the biodiversity council approach the minister for funds from here to supplement funds in the—

The Hon. S.E. CLOSE: No.

Mr TELFER: Obviously there is not a prescriptive contribution that exists that goes into the biodiversity conservation fund and there is a bit of a different structure to that. Minister, with regard to subparagraph (i), which is a 'royalty paid under this Act', can the minister inform me what royalty would be appropriate under this act? I am trying to work out what the main contributor to the biodiversity conservation fund is going to be.

The Hon. S.E. CLOSE: The example that has been given to me is the kangaroo harvesting tags that we sell. That is a form of a royalty and so that goes into this fund.

Mr TELFER: So currently those sorts of funds, which are existing and already in place, just go into the general operating budget of the department and this is going to be just the changing of where that ledger item goes?

The Hon. S.E. CLOSE: The royalty currently goes into the Wildlife Conservation Fund that is turning into the biodiversity conservation fund.

Clause passed.

Clauses 39 to 41 passed.

Clause 42.

Mr BASHAM: This gets down to where I went around in circles in my mind regarding the definitions in relation to 'plant' and then 'native plants' and then 'native plants of a relevant kind'. When the term 'native plant' is used here, the fact is there are two interpretations: one for 'native plant' and one for 'native plant of a relevant kind'. I am trying to work out whether a native plant of a relevant kind is still a native plant in the rest of the legislation, because I guess the fact is that there are two itemised interpretations of those two things, and to me it was not clear whether it is or it is not, and as you are reading through this, particularly in this passage where 'native plant of a relevant kind' is used several times, what does the native plant interpretation mean alongside that?

The Hon. S.E. CLOSE: I understand the confusion. 'Native plant' means native to Australia because 'native' is used largely in that sense. 'Relevant kind' means native to South Australia or it conforms to the conditions of being a regulated tree.

Mr BASHAM: Is that as mentioned in part 2 there with the carve-outs? That is where I get really confused, when we are talking about carve-outs at schedule 2. The carve-outs never describe 'native plant of a relevant kind' but does it include native plants of a relevant kind? To me, one of the big complications in the wording here is how to interpret that.

The Hon. S.E. CLOSE: I appreciate that the legal terminology and use of language there is not readily apparent. Its meaning is not readily apparent to those who do not have a law degree, including me. However, the answer to your question is yes, and this is the way in which parliamentary counsel have crafted it, so that it is legally unambiguous that that is the case.

Mr BASHAM: I guess I am really trying to get my head around this particular circumstance. If we use 'Australian' and 'South Australian' instead just for a simple way to talk, when it talks in the schedule that, for example, if you plant an Australian tree then it is carved out for 20 years, does that include a South Australian tree because the South Australian tree has effectively had its own definition?

The Hon. S.E. CLOSE: When it comes to schedule 2, an Australian native, Australian tree is covered so its clearance is exempted, as well as a South Australian tree or plant, yes.

Mr BASHAM: With your indulgence, I just wonder, in the interpretation and definition section, whether it would be very useful for people reading this to say that a native tree includes a native tree of a relevant kind, just to link the two so that when people are interpreting this they are not labelling 'Australian' and 'South Australian' as two separate things.

The Hon. S.E. CLOSE: I absolutely understand the desire for clarity and I will take advice between the houses on whether that might be of assistance in the interpretation section.

Clause passed.

Clause 43.

Mr BASHAM: Can the minister explain why, in this section, it does not apply to an Aboriginal person taking plants of a prescribed species or plants of prescribed means or in prescribed circumstance?

The Hon. S.E. CLOSE: The Native Title Act confers these rights on Aboriginal people who are native title holders. All this does is extend that to all Aboriginal people rather than distinguishing between whether or not they have been successful in holding native title; but it effectively does the same job.

Mr BASHAM: They are allowed to take effectively—clear or take for any reason?

The Hon. S.E. CLOSE: Just to be more helpful, and this is my version. This is that an Aboriginal person is able to clear or take a native plant for non-commercial, cultural or spiritual purposes, including for food, and there will be some prescribed species or some prescribed purposes that would be removed from that, but it is not for any purpose at all, and it certainly is not for commercial purpose. What it does in that sense is mirror the rights that exist for those who hold native title but extends it a little further.

Mr BASHAM: Is there an example, perhaps like carving a canoe out of a canoe tree type scenario?

The Hon. S.E. CLOSE: The taking of berries and leaves and the digging up of a plant in order to get witchetty grubs are exempt by virtue of the fact that these are cultural practices by an Aboriginal person.

Mr TEAGUE: By way of preamble, I would have thought those activities are not contrary to anything else that is set out in the bill anyway, but perhaps they might be. I guess the question about clause 43 is: why is subclause (2) not just included as an additional clause in schedule 2? That is the first question. Perhaps to go on from the member for Finniss's line of questioning, is that sort of structural preparation for exceptions that is in subclause (1) therefore contemplating that the minister of the day might determine prescribed species, prescribed means and prescribed circumstances that will then override such cultural and spiritual activities?

The Hon. S.E. CLOSE: I am advised that although this clause is there in order to prepare for a possible future scenario, in practice making such a decision as a minister would need to be done extremely carefully and with full appreciation of the complexity of interaction with the native title legislation which of course, being federal, is likely to override consideration at a state level.

I think this has been put in in an abundance of caution to allow some room rather than with an intent specifically now to deal with a particular issue that is before us that does not currently exist, and there is a recognition that there would be a legal challenge in how that were to be applied and what justification would need to be used.

Just to round that out, that clause exists currently in the National Parks and Wildlife Act. That is where it has come through, but I do not believe has been used. Rather than abandoning it, we have brought it over, recognising nonetheless the complexity of it and the low likelihood that it would in fact be used, given that it never has been.

Mr TEAGUE: Alright. I did not hear in that an answer as to why subclause (2) is not just in schedule 2 as an exception. As distinct from clause 23 of schedule 2 that deals with the cultural burning exception, this does not purport to be linked to biodiversity at all whereas cultural burning, at least by reference to 'the biodiversity policy relating to such cultural burning' that is linked to that clause, is linked to biodiversity. This is not, presumably deliberately—that is, subclause (2) of clause 43, a similar carve-out. To the extent that is deliberate, what has been the rationale for linking one aspect of cultural practice to a biodiversity policy and this clause 43 practice is not purporting to be linked to such biodiversity policy?

The Hon. S.E. CLOSE: I am advised that when we started drafting this we did have it in schedule 2, and the extensive advice from both CSO and parliamentary counsel, in terms of its interaction with native title, recommended that it be done in this way. That may not be a sufficiently fulsome response, but it is all I have this evening. If we have some more I will seek that we can

provide it to you between the houses to better elucidate what that thinking was. But this is all that we have with us tonight.

Mr TEAGUE: These are not trick questions, and I think it is helpful. The broader public interest is that we are navigating all of this just to understand what the rationale is in the drafting of the bill. It is interesting, for those who are not familiar with cultural burning, to navigate that by connection to biodiversity policy and then to have a clear appreciation that even though this—call it a further carve-out provision—is not contained in schedule 2 it is nonetheless broadly analogous to the nature of the carve-out at clause 23 of schedule 2, without express reference to any biodiversity policy and subject to a capacity for the prescription of species, means and circumstances, albeit without any such contemplated structure.

So the question in all of those circumstances is: if you have the ABC that is responsible for the biodiversity policy for the purposes of cultural burning, is there anything that we can see to connect the ABC to anything going on in clause 43?

The Hon. S.E. CLOSE: Not directly. I am being advised that this is because of the sensitivity of making sure that we comply with the Native Title Act. What I will do, rather than just continue to give you that answer, is actually seek some more detail for you between the houses. I think that is probably the easiest.

Clause passed.

Clause 44.

Mr BASHAM: In this clause the minister is given the ability to gazette that a native plant effectively be a weed; that is my understanding. Blue gums on KI, for example, are the classic that I would have thought fit into this space. My question, though, is actually: for South Australian plants that are growing prolifically in areas where they are not meant to be historically, why does the minister not have the same powers to declare that the Fleurieu should not have Flinders Ranges plants growing that are weeds per se?

The Hon. S.E. CLOSE: Our old friend, schedule 2, about which there will be no questions by the time we reach it because we will have referred to it so often. On page 141, you will see Division 6—Plant and animal control, and this comes over from the Native Vegetation Act. It was in regulations and we are putting it into the schedule here. Division 6 enables us to declare a species an invasive species, essentially one that needs to be controlled under certain circumstances; therefore, where the plants are having a detrimental effect on the management of natural resources, essentially, so it does give us that power.

Mr BASHAM: And that would include designating areas and things like that? Would that be done in the same way with a lodged map?

The Hon. S.E. CLOSE: What we have done is said that the council guidelines would respond to that. So the council would come up with a guideline that talks about the native plant that are of the species and in a location that is specified as being problematic.

Mr BASHAM: I have one final question. With the declaration on Australian plants that are not indigenous to the state, are they ongoing declarations or are they time based? For example, are the blue gums on KI forever or is it a 12-month renewal process per se?

The Hon. S.E. CLOSE: I understand that it can be either. Tasmanian blue gums on Kangaroo Island are my least favourite plant at the moment because those wildlings are terrible. But, no, it can be declared in either way, as time limited or as ongoing.

Clause passed.

Clause 45.

Mr BASHAM: Here we are talking about penalties, \$1 million for body corporates and half a million for individuals, plus five years' imprisonment. With penalties of this severity, certainly I can understand landholders being very scared of making mistakes. This is where I am worried we may see the perverse outcomes of people avoiding planting native plants going forward because they are scared they might make a mistake. I am looking for the minister's thoughts about how we make sure

people do not make mistakes and that they have the confidence that it is not there to trip them up, I guess.

The Hon. S.E. CLOSE: One element that might be reassuring is that the offences are the same, although the penalties are higher. The Native Vegetation Act came in in 1991. Everyone who is a primary producer, who are probably the main concern of the member, but also the local council, developers and so on, will be familiar with the legislation in that form, so that has not changed. Yes, the offences are higher, but I can put on record that it is not the intention or the wish of the government or anyone who works in the government to be unduly punitive.

This is about avoiding the problem happening rather than creating little traps for people to fall into and then find themselves paying up a lot or being imprisoned. That is not ever the intention of good legislation. The intention is to dissuade people from doing the wrong thing in the first place, which requires education, information and so on, and we will engage in all of that. Although, as I say, in this case those offences have not changed, so it would be unlikely that people would find themselves suddenly falling foul.

Mr BASHAM: The next part of the question is in relation to paragraph (b)(i)—well, we are talking about both corporate and others: the per hectare calculation. I am trying to understand, for example, if someone has done something that they are not meant to do—cleared five trees, for example, on their 300-hectare property that is a single title property—is that calculated as one hectare, or is it calculated as 300 hectares because that is what the title of the property is? Or is it literally that between the five trees they occupy five square metres? How do we actually work out what it is?

The Hon. S.E. CLOSE: I am advised that it refers to the land that they have cleared rather than the land that the primary producer or landholder owns. If they have cleared less than a hectare, they will be done for a hectare. It is about the clearance.

Mr BASHAM: So, effectively, the canopy space?

The Hon. S.E. CLOSE: Yes, exactly, rather than they have cleared less than a hectare but they own 300 so they are done for 300. It is not that: it is the minimum of one.

Mr BASHAM: But calculated on canopy space, not trunk size, for example?

The Hon. S.E. CLOSE: I am hesitating over the terminology 'canopy' because I do not know if that is the terminology used, but it is where the damage is done rather than the land that the person happens to own that might have had absolutely nothing done to it. It is about what clearance has occurred.

Clause passed.

Clause 46 passed.

Clause 47.

Mr BASHAM: In relation to possession or control of a native plant that has been illegally taken or acquired, if someone has dug up a plant from the side of the road—a South Australian native that they should not have dug up—and they give it to you as a present, you have illegally received said plant. I am assuming it is not the intent of this piece of legislation to deal with that. What is the intent of it?

The Hon. S.E. CLOSE: Generally, no, of course not, but it is a reasonable question to ask. This has come over from the National Parks and Wildlife Act. An example that has just been given to me is when someone was in possession of a large amount of sandalwood that had been cleared. That obviously has commercial value. In the event that it had been taken illegally—which it had been—the possession of it then would attract this kind of penalty. So it is designed to deal with what is, in common parlance, a crime or an offence, rather than an incidental occurrence. That would be very difficult to prove in any case, I am sure.

Mr BASHAM: It is not to stop someone going to Bunnings, stealing all their native plants and then selling them on, reselling the stolen property.

The Hon. S.E. CLOSE: I think that is just theft.

Clause passed.

Clause 48.

Mr BASHAM: Under 'Authorisation', when authorisation is given to conduct a regulated act or activity, a person is authorised. Is that person able to have someone else conduct the work, or does the person conducting the removal actually have to be the authorised person? So, employing a contractor to come in to remove said tree: does the contractor actually have to be the authorised person, or is it the person wishing the work to be done?

The Hon. S.E. CLOSE: So the landholder seeks the authorisation rather than the contractor. The landholder, of course, can use a contractor. There is on page 147 under schedule 2, our old friend, clause 36—Assisting in regulated act or activity. That refers to a person who might have been contracted to do that because they are assisting an authorised person but the authorisation is held by the landholder.

Clause passed.

Clause 49.

Mr BASHAM: In the course of clause 49, can the minister outline how the amount an applicant would have to pay is calculated in relation to a payment under this where we are paying into the Biodiversity Restoration Fund? How is the prescribed fee established?

The Hon. S.E. CLOSE: This is an existing fee and therefore is subject to the rules that we have in government where the fees only go up by either CPI or an amount that is set by Treasury, which is sometimes lower than CPI.

Clause passed.

Clause 50.

Mr BASHAM: Under subclause (2), it states that the CAC must exercise discretion in relation to the primary producers in wanting to run an efficient business. This applies to all consideration of native plants including the native plants of a relevant kind.

The Hon. S.E. CLOSE: Yes, it does. This has come over from the existing Native Vegetation Act.

Mr BASHAM: Under subclause (3) where assessments are being made on the sustainability of land use, is that based on the carrying capacity of the land use, the soil types, or is it based on the sustainability of the business model? What does sustainability cover in making that assessment?

The Hon. S.E. CLOSE: This has come over again from the Native Vegetation Act and apparently has never been used, but it envisages the possibility that someone might say, 'I want to clear this land for this purpose.' Dorpers, I think we started talking about briefly last night. I cannot remember who was the dorper enthusiast. Possibly the member for MacKillop.

Mr Telfer: I think he is anti-dorper.

The Hon. S.E. CLOSE: He might be anti and Hammond might have been pro but, anyway, it is all lost in the mists of time now. In any case, the landscape board may have a view that clearing the land for the purpose that is being proposed is not a sustainable activity. It envisages the possibility of that, but it has never happened to date that that has actually been a proposition, that a landholder would want to clear a bit of land for something that people patently can see will not be sustainable.

Mr BASHAM: As I said, sustainability can be on basically business grounds, the sustainability of the land.

The Hon. S.E. CLOSE: I suspect the two become one in the sense that you cannot run whatever the business is in land that cannot sustain it. So, it is, I imagine, a combination of the two.

Mr BASHAM: So a good example would be to clear north of Goyder's line to go cropping, for example?

The Hon. S.E. CLOSE: Correct.

Mr TELFER: I would like to have some clarification on this process because the words on paper might seem good, but the reality of the uncertainty of what the make-up of the CAC might look like really does weigh heavy on my mind when they are considering the point in subclause (2) at the end there, when they 'have regard to the applicant's desire to operate the business as efficiently as possible.' Without any certainty about what the make-up of the CAC is going to be, how will they make a judgement call if the desire to operate a business as efficiently as possible is reality or if it is something which is beyond the pale? The words 'as efficiently as possible' are pretty ambiguous, and efficiency is in the eye of the beholder when there is not the expertise within the CAC.

This is where there is continuing frustration with some of the decisions that are made with limited knowledge or understanding of the reality of what is actually happening on the ground, whether it is a primary producer operation or, as we spoke about earlier, the nuance of an individual town or area when it comes to development. One here, where we speak about yes, indeed, there might be an applicant's desire to operate the business as efficiently as possible, if there is not the expertise within the CAC to be able to firstly understand it and secondly make the judgement on that, where does that leave a primary producer then trying to prove the point of the reality of their drive for efficiency? It is a pretty ambiguous, immeasurable point, especially when there is a lack of expertise within the CAC.

The Hon. S.E. CLOSE: I think there are two parts to the question. One is: what does that look like, allowing someone to do something as efficiently as possible and, also, will the committee be competent enough? On the second point, the committee needs to be able to exercise its functions, and therefore it is the responsibility of the minister in appointing the membership to have people who are capable of doing that, and that is buttressed now by the fact that there can be an appeal. That makes it still more important that people are capable of making a decision that would survive an appeal should there be one, which ought to give some comfort.

On the question of what an efficiency example might be, if a primary producer who wants to put in a centre pivot has avoided a large amount of vegetation and is proposing to put it just where it would require the removal of one paddock tree, then that would be recognised as working as efficiently as possible and avoiding as much as possible the appearance of native vegetation, and that would be an argument for allowing that person to do that.

Mr TELFER: Seeing we are running scenarios I will run with you as well, and this is one which is certainly in front of mind when it comes to broadacre agricultural farming practices and operations in which there is an ever-increasing need to be as efficient and as productive as possible. You have a scenario where you have got a 200 hectare paddock and you have two trees in a paddock, in the wrong spot for an AB line for your two centimetre autosteer function. And the additional ongoing cost of having two trees in a paddock such as that when you have to have overlap an added expenditure for a seeding or spraying operation. So this is about efficiency and productivity. Is this the sort of thing that actually could be considered when a business is trying to put forward an application for something like this, in individual arrangements such as that?

The Hon. S.E. CLOSE: That is another very good example. That is exactly the sort of thing that would be considered, and ought to be.

Clause passed.

Clause 51.

Mr BASHAM: Under subclause (11) it specifies circumstances where clearance is allowed, including Commissioner of Highways' work, infrastructure under the Hydrogen and Renewable Energy Act, and other prescribed buildings, and to maintain walking tracks. It also includes tracks, if they are more than five metres in width for commercial use and also for dams on pastoral land. I guess reading this list there are some other things that come to mind. Will councils be allowed to clear land on their road reserves or alongside their road reserves? Will tourists or pastoralists be able to widen tracks to be able to travel around pastoral land, even though it is not for commercial purposes?

The Hon. S.E. CLOSE: Sorry, this is legislatively complex—and I have now forgotten the question. We will come back to the question, but I will explain this and see if it answers it accidentally. These specified circumstances were previously itemised in the regulations attached to the Native Vegetation Act and still are until this commences. In this amendment, they are being brought in as reasons why you will get approval even in the event that you are dealing with intact stratum, whereas previously under the legislation you would not get that approval if it were intact stratum.

When the question of road reserves comes into play, I think that road reserves are in many ways dealt with in schedule 2, which does not even require application as long as you are operating under the guidelines. So you do not have to ask for it; you have the right to do it, whereas this requires application.

Mr BASHAM: Here it talks about the Commissioner of Highways. That is not necessarily road reserves; that could be building a road that is currently not a road reserve, effectively?

The Hon. S.E. CLOSE: Road reserves in schedule 2 are about maintaining road reserves; this is about creating something new.

Mr TELFER: We might get to schedule 2 later, we might not, but I would like to speak on that subject matter in particular. One of the great frustrations for local government is the constriction and restriction that they currently have on being able to manage their native vegetation burden on road reserves. There are two different parts to it, in particular: firstly, the limited capacity and limited mechanisms that they currently have within the existing legislation, the existing framework, to actually do that, and the strictly mechanical and costly and short-term mechanisms which allow them to work with that.

Secondly is the definitions. You referred to the current regulations. The definition of a road reserve within those specifics varies when you compare it to a national definition of a road. So when we are talking about footprint and verge of a road, the Native Vegetation Act is actually more restrictive than what the nationwide definition of a road reserve is.

I would encourage, in the developing of the regulations to do with this and maybe with schedule 2 later on, that there is a body of work that is done, specifically in consultation with local government, to have more clarity around the definition of a road reserve and to provide enough flexibility for the core function of what that piece of land is actually for. It is in the name: it is a road reserve, rather than a nature reserve or a biodiversity corridor. It is a road reserve in its core function.

Second is the capacity for local government to be able to effectively manage the encroachment of the native vegetation to the corridor of the road reserve in more flexible, more medium and long-term ways, rather than the current restricted short-term mechanisms that they have. It is probably just as much a comment as anything, but this is the context that I come to this subject matter with.

The Hon. S.E. CLOSE: I appreciate that and I think we will take that as part of the consultation process. Just to reassure the member, as we discussed last night, schedule 2 does include clearance along road reserves, but it is the removal of the requirement of the councils, which is currently in place, to have a management plan that under this act will no longer be required. But otherwise I will take it as feedback for how we should be constructing regulations.

Clause passed.

Clause 52.

Mr BASHAM: Under subclause (2) of Consultation and representations, the CAC must allow a 28-day period for people to make representation. How is this going to be promoted and inform people about the representation? Will it be published in local papers? Will neighbouring properties be informed?

The Hon. S.E. CLOSE: This does not require that form of publication. This is as it is currently under the Native Vegetation Act. Our experience is that when we receive applications and put them up on the website, the people who are interested do tend to trawl that site, but that is all.

Mr TELFER: Clause 52(3) is about the capacity for:

...a person to appear personally or by representative before it to be heard on whether the CAC should or should not consent to an application to clear native plants.

The wording there is 'may, as it thinks fit'. Is this reflective of the current arrangements within the Native Vegetation Act and, if so, is it an appropriate mechanism to have in place when it is obviously a very divisive time?

You have an applicant putting forward a matter to be considered before the CAC, and I think that there should be—and whether this is in regulation or an adjustment to the wording of the legislation—greater parameters put in place for appropriate capacity for an applicant to be able to go through the process to have the ability to be able to have a personal representation when considering the matters.

In the end, a lot of these matters have significant personal and/or financial impacts on applicants and to allow the capacity for the CAC to just, as it sees fit, declare and say, 'No, we're not going to allow you to present to us either personally or by representative,' before they consent to an application to clear native plants, I think creates an additional level of angst and/or uncertainty when it comes to these applications.

The Hon. S.E. CLOSE: Yes, I will take that by nature of feedback. Obviously, we have chosen to continue what is currently in the Native Vegetation Act, although at least it is now subject to review. The committee is required to receive written representation. It is just a question of a decision of personal representation or not, but I will take that as feedback.

Clause passed.

Clause 53.

Mr BASHAM: In relation to the significant environmental benefit referred to in this clause, does that benefit need to occur on the land in question or can it occur elsewhere? Effectively, can something be achieved off site to meet these provisions, and does that have to be in South Australia?

The Hon. S.E. CLOSE: No, it can occur off site, but also the detail will be subject to the policy that will be developed.

Clause passed.

Clause 54 passed.

Clause 55.

Mr BASHAM: In relation to consent being given and remaining in force for a period of two years or longer, but not more than five, if the timeframe has elapsed but the clearance has not been done, will they need to go back and complete the whole process again or is there an ability to renew? Can they effectively say, 'We were approved but we weren't able to, for some reason, complete; can we just reactivate the timeframe?'

The Hon. S.E. CLOSE: They do have to reapply.

Clause passed.

Clauses 56 to 58 passed.

Clause 59.

Mr BASHAM: To understand the environmental benefit credits that are identified here in this clause, can the minister explain how this is envisaged? A question was put to me: when measuring the environmental benefit of a particular biodiversity habitat where, for example, there may be a pine tree or a blue gum or something in the middle of it, is there the ability to go and remove that plant and effectively increase the value of the credit—in other words, a carrot rather than a stick approach to actually getting a better outcome?

The Hon. S.E. CLOSE: These environmental credits exist currently, although I am not sure how much profile they have. They are fundamentally linked to the significant environment benefit policy, so the way in which they will be calculated is in large part the way in which they can demonstrate significant environmental benefit. One of the significant ways in which they are used is

to be a credit in order to demonstrate that you are giving a significant environmental benefit in order to receive approval for the activity that you want to undertake.

But they are themselves designed to be able to be sold to others to be able to use, so you can create an environmental credit on your land—you are not doing any clearance but you can assist someone else by selling what you are doing. It is a way of valuing that. But your question about 'how does that get valued' will largely be worked up through the policy of the significant environmental benefit.

Mr BASHAM: Just following on from that, for someone who has some native scrub that has no biodiversity agreements on it or any other agreements over it, is that something they could offer up as something to be valued to be a credit?

The Hon. S.E. CLOSE: It would need to have a biodiversity agreement on it in order to qualify.

Mr BASHAM: With that process, would they be encouraged to improve it? I guess it is getting back to the carrot—that making sure it is more pristine has more value.

The Hon. S.E. CLOSE: That is exactly the kind of work that needs to be done. Protecting it is one way of adding a benefit so that it is not at risk but also then working on it to revegetate it, to put a fence around it or to weed it. All of the detail of that is still being worked on.

Mr TELFER: Minister, you referred to the fact that environmental benefit credits currently exist. In what form do they currently exist? Are they under legislation? Obviously, as you say, they are not well understood. What is their foundational basis?

The Hon. S.E. CLOSE: They exist under the Native Vegetation Act and we think they are called a benefit for environmental credit. So it is essentially the same name, but it is slightly reworded here.

Mr TELFER: So it is not quite the same but is comparable. You are transposing a comparable thing to this piece of legislation. Do you envision the same definitions? I am not au fait with them, so please enlighten me as to what the definition of a benefit for environmental credit—or whatever terminology you used—is. In the definitions that we discussed last night, the definition for an environmental benefit credit just refers to clause 59(1); there is not another definition within the definitions. Clause 59(1) is fairly open and creates a level uncertainty for a layperson like myself. It provides:

- (1) If a person...
 - (a) has achieved, or proposes to achieve, an environmental benefit (not being a significant environmental benefit required in relation to a consent to clear native plants or in accordance with any other requirement under this Act); or
 - (b) has achieved, or proposes to achieve, in accordance with a consent to clear native plants, an environmental benefit that exceeds the value of the minimum significant environmental benefit needed to offset the loss of the cleared plants,

Under the current legislation, is the definition or the judgement of whether a benefit is an environmental benefit or a significant environmental benefit, and where that all balances out, purely made by the Native Vegetation Council and their processes? Thus is it, once again, a structure that will be put in place for the CAC to make a judgement as to what constitutes an environmental benefit or a significant benefit, or is there another definition somewhere that is not provided within this legislation that would provide more clarity for me?

The Hon. S.E. CLOSE: This has essentially been lifted from the Native Vegetation Act, although I understand the language, though still perhaps a bit opaque at times, is nonetheless clearer than in the existing act. There is, I understand, a guideline in some form that guides the Native Vegetation Council and its clearance assessment panel in the decision about whether something is or is not. Our proposition is that, over the next two years as part of this effort to bring this act to life, there will be more significant policy work done to define that.

At present an example would be that, if you have a heritage agreement over a bit of land, you do not automatically get an environmental credit for that but you could apply to get one, if you

wish to, and therefore either seek to use it yourself for a clearance or be able to provide it to someone else for a consideration to assist them with a clearance application.

Mr TELFER: This probably goes into where I have more knowledge in terms of constituents living through a process such as this and the ambiguity and the uncertainty that is actually created in going through an assessment process. A balance exists, whether it is proactive in terms of a proposal to clear and is offset with an environmental benefit credit—or whatever the terminology is currently within the Native Vegetation Act—or whether it is a punishment or is an agreement after an act which contravenes the existing Native Vegetation Act.

There is often negotiation, and that negotiation comes from the alleged perpetrator of the contravention being in a very low bargaining position when it comes to trying to negotiate. There has been a lot of frustration that I have heard from people right around South Australia with the inconsistency around that agreement process when trying to get that balance right. The need for there to be greater definition around environmental benefit and more clarity around those measure points is absolutely necessary, as is a judgement call based on outside knowledge of the environment in different areas across South Australia.

I think we need to have more involvement from our local landscape board or the equivalent, because some of the deals that have been proposed that I have heard about do not pass the sniff test, from my local knowledge of what goes on at the moment. When we are looking at this, this is the lived experience that I have had with working through this process on behalf of my constituents or in conversation with them.

It is not included anywhere—and maybe this is in existing arrangements—as to what sort of timeframe or length of time you can bank your benefit. Is there a timeframe within existing operations? It is obviously not within this legislation. Or is this an ongoing benefit that you can pop in your back pocket and we are going to discuss what you can do with it later on in clauses 61 and 62? Is it envisioned to have that clarity provided to South Australians through the regulation process or guidelines, or what do you envision that end point is going to be?

The Hon. S.E. CLOSE: First of all, there is no time limit, as I understand it, currently. Secondly, yes, there will be much greater clarity offered through the development of this policy. Thirdly, although we may come from at times different positions in relation to how these matters should be managed, we would benefit from sitting down with yourself and a few other regional MPs to understand what you hear from your constituents, because you tend to get, as I do in my electorate, the people who have had the roughest time where the system has not worked. You tend to hear those stories and they can be very useful, so I think that might be the most productive way forward.

Clause passed.

Clause 60.

Mr BASHAM: The question here again is about the environmental benefit credits. Is it the landholder who is effectively the custodian of the potential credit? I guess I am talking about a scenario where someone may actually be investing in the land and putting improved vegetation onto a piece of land that they are leasing. Does that belong to the landholder and not the lessee? And, if the property is then sold to someone else, does the credit transfer to the new landholder and any responsibility of that credit has been sold?

The Hon. S.E. CLOSE: The credit is owned by the landholder at the time but could be sold to someone else. The way that it is maintained on that piece of land is through a biodiversity agreement, which is basically a heritage agreement now, that is then attached to the land. So that is in a legal entity that means that land is protected, and that is why it is possible for the ownership of the credit to be sold knowing that that is secure, or indeed for the land to be sold because the heritage agreement, or the biodiversity agreement, goes with the sale of the land.

Mr BASHAM: So it would be possible, through agreement between the landowner and a lessee, for example, that the lessee has an arrangement that he or she invests in a biodiversity credit for environment and will be the beneficiary of that because it has been agreed to in the lease arrangement?

The Hon. S.E. CLOSE: Exactly. That is how it would have to be captured.

Mr BASHAM: In relation to these areas, if it has been used to offset something else that has been done and, after that approval has gone through, a bushfire takes it out, for example, and reduces its value, how is that accounted for? Is that just an act of God, effectively?

The Hon. S.E. CLOSE: Effectively, yes, but nonetheless the heritage agreement or the biodiversity agreement remains on that bit of land.

Mr TELFER: Can I just unpack this a little bit more, minister? It seems unique. You can have a situation where an environmental credit is gained by a landowner. The landowner can sell the land without the credit. They can pocket the credit. They can hold onto the credit for an unlimited period of time, by my understanding. The credit does not go with the land at the point of sale. Does the credit have a consistent value?

I am trying to work out the value system of this environmental benefit because my judgement call on a piece of native vegetation in the year 2000 might have had a different value to what my judgement call is in the year 2025. If there is no timeframe on expiry for an environmental benefit credit, what is the ranking system, the point system? How do you keep consistent value for an environmental benefit credit as the years go past? Like I said, you can have it in your possession and it has the potential to be a form of asset that potentially could have a cumulative value increase over time.

The Hon. S.E. CLOSE: When we think about value, there are two ways of thinking of the value of the credit. One is the points assigned to it by what will be the clearance assessment committee, and that is done initially. 'I have this bit of land. I am going to do this work to make it better.' 'Okay, we have an agreement with you that you will do that, and these are the points.'

At the point in time at which that is either going to be given to someone else to use to clear or you are using it yourself to clear, then the assessment committee will re-evaluate to check that all of that work has been done and to assess the points of value at that point in time. Dollar figures are whatever someone wants to buy given the points in value for clearance, and that is a market question.

Mr TELFER: It is indeed a market question. This is why I am getting to the point where a market question in year 1 is different to a market question in year 20. You are creating a commodity which from my perspective could be used or misused throughout a process without any sorts of checks or oversights over and above, seemingly, the whim of the CAC who can grant an approval and grant that point system to a current landowner who can then have cumulative points assigned to them as an individual. The register is going to be an interesting one because you are going to potentially have a situation where you are going to have to keep the individual details of South Australians who have cumulative points under their name but not necessarily attached to a piece of land that has been included in the previous heritage agreement.

The Hon. S.E. CLOSE: The points count at the point of a decision to clear, so you go with, 'I have got this. I believe it is worth this many points because this is the agreement that I entered into a while ago,' or 'This is the one that I have just purchased from my neighbour,' and then at that point the assessment panel says, 'Yes, that enables you to clear this much as a significant environmental benefit.' But that is the moment in time at which its value in that sense is determined and the person who has gained these points will need to make a calculation about whether they are sufficient to get the offset and they either will or will not be sufficient, and that is in the hands of the clearance committee.

Mr TELFER: I am just trying to get to the bottom of where this is at. I will buy the equivalent of 10,000 points from my neighbour, make an application to clear a section of land and that gets judged to be worth 8,000 points. So I have a surplus of 2,000 points. That 2,000 points I can hold onto ad infinitum. That 2,000 points has an equivalent value and I can realise that equivalent value immediately by selling it to the next neighbour or I could sit on it for 20 years and the judgement of the value of that number of points at that period of time in 20 years' time could be wildly different in the eyes of a CAC who are made up of a small group of people with, as we have already talked about, the differing skills and capacity and understanding in values. Can you see where I am getting

to? This is the bit that I think adds an extra layer of uncertainty and ambiguity and it turns biodiversity into a commodity rather than a positive outcome for a community.

The Hon. S.E. CLOSE: That is the conundrum, isn't it, because without turning it into a commodity in any way it is very hard to ensure that that biodiversity's value is taken care of up against questions of spending money and commodities. As to the question of the value of the points changing over time, yes, that is both a risk and potentially an opportunity that they have gained value, but the only difference I would have with the member is in referring to this as a small committee. It made it sound a little bit like it might be capricious about what it chooses to do over the years. There will be guidelines—

Mr Telfer interjecting:

The Hon. S.E. CLOSE: Yes, so at risk of that being the case—there are other guidelines. There will be the policy that dictates that, and the policy being a regulation is subject at least to new scrutiny both of the government of the day but also the parliament of the day. So, the specific points will not be subject to the scrutiny of the parliament.

Clause passed.

Clause 61 passed.

Clause 62.

Mr BASHAM: Can the minister explain the process of review by the council in relation to decisions made by the CAC? The thing that I am wondering about is will there be a fee for that to be appealed? Will there be the ability for the council to review a decision without being asked to do that because they are concerned by it? Will there be the ability for the minister to instruct a review, or can someone else ask for a review besides the applicant?

The Hon. S.E. CLOSE: It is only the applicant. This does not allow for third-party appeals. Although we have allowed for a prescribed fee, there is no current contemplation of that. This is all new, so we are allowing that so that we can work out how this review system is going to work, but it is not intended to be used to dissuade people from having an appeal.

Mr TELFER: On the face of it, I think you could say that a review provision seems to be an improvement, but clause 62(3) discusses decisions that are not reviewable under the clause, including partial consent in paragraph (a) and those with conditions in paragraph (b). Is there a risk that the council could structure decisions to avoid certain decisions being applicable for review? What is the rationale around carving out non-reviewable decisions with partial consent or with conditions provided?

The Hon. S.E. CLOSE: The view is that an approval is an approval, even if it is a varied approval from the original position. The way in which the branch of the agency works with the applicants seeks to find a way for the development to proceed with that modified approval from the position where they first started so that that would not require an appeal. There is in no sense a desire not to see people appeal a blank no. This is an important step forward, I think, in the soundness of the legislation, and therefore there is no desire to see that not happen.

Mr TELFER: I am reassured somewhat that there is no desire to, but it still does not completely annul my concerns where you have the council here, when you are talking about the potential for a review by council of the clearance refusal or revocation. Do you envision there being any assurances, like policies or practices, being developed and put in place to avoid the biodiversity council structuring decisions to effectively prevent any reviews from being undertaken? Do you envision developing policies or practices to just ensure that aspect?

The Hon. S.E. CLOSE: That was part of your question and my view is, no. I would be very surprised, given the rules within which the clearance approval process is required to operate, that there would be a capacity even to structure a decision in that way, but certainly not a desire to avoid it by doing that.

Mr Telfer: That is not overly reassuring.

Clause passed.

Clause 63.

Mr BASHAM: In an appeal process to the ERD Court, if the applicant is successful in that appeal would they be able to seek costs? Likewise, if the applicant was vexatious in their request for an appeal and it was found it was just outrageous that they were making it, could they be found for costs on behalf of whoever is the CAC, I guess, as the carriage?

The Hon. S.E. CLOSE: We have envisioned the awarding of costs associated with this. We will check whether there is another way that the ERD Court works that might regardless be relevant to this. It is certainly not something that we are putting in and we will inform you between the houses if that is the case.

Mr TELFER: I just seek some clarification on the escalation process of an appeal. This is a decision made by the CAC. There can be an appeal process, as we talked about in the previous clause, for the biodiversity council to review the decision that has been made by the CAC. If the decision of the biodiversity council is made to uphold the ruling of the CAC, after a review under section 62, with a confirmation from the council, the person can then make an application to the ERD Court. Would it be the biodiversity council making the defence through the ERD Court process, or is it going to be the responsibility of the CAC to defend that decision? In other words, is the appeal to the ERD Court an appeal against the decision of the biodiversity council, or is it an appeal against the original decision of the CAC?

The Hon. S.E. CLOSE: My reading of it is that it is the appeal of the original decision and in terms of who is defending, I presume the Crown acts in any case on behalf of the government, but the decision that is being appealed, I presume, is the original decision because the biodiversity council, in a sense, has not made a decision other than to confirm. It has not made a separate decision.

Mr TELFER: Except on my reading—

The Hon. S.E. CLOSE: It is a decision of the council that is being appealed.

Mr TELFER: That was my reading and that is why I was seeking that clarification.

Clause passed.

Clause 64.

Mr BASHAM: Can the minister outline the significant changes, if there are any here, moving from the National Parks and Wildlife Act to this?

The Hon. S.E. CLOSE: These are all consistent with what is currently required.

Mr TELFER: Continuing on from that, this is a transposing of those you spoke about directly. Are there any additional ones that have been added in from other pieces of legislation? This Biodiversity Bill seems to be a bit of a grab bag of all different aspects of legislation, but there are also additional aspects. Within clause 64 in particular, are there added extras over and above what is existing in that native parks legislation as you have referred to?

The Hon. S.E. CLOSE: No, this has come over just from the wildlife part of the National Parks and Wildlife Act.

Clause passed.

Clause 65.

Mr TELFER: Minister, is the transposing straight from the national parks and wildlife aspect the same with these penalties or are these penalties, like we have seen with a number of other penalties throughout this piece of legislation, amped up from what they currently are?

The Hon. S.E. CLOSE: I will just clarify that the penalty itself has increased, but not the offences, other than the introduction at both paragraphs (a) and (b) of the concept of a trafficable quantity. The answer I gave to the shadow minister earlier—we were talking about clause 64, but I had a sense that maybe you were asking for the part generally—is that everything has come over as

is, but it is fair to point out both the amount the penalty has increased in the penalty clause and also the existence of trafficable quantities. But other than that, the part is essentially the same as it is now.

Mr TELFER: On my basic reading, in that compare and contrast with the existing legislation, it is a reasonable increase. Can I get an insight from the minister into how the decision was made to set the penalties at these amounts: \$1 million in the case of a body corporate, \$500,000 in the case of an individual involving a trafficable quantity, \$500,000 for a non-trafficable quantity, and \$250,000 for an individual? They are pretty hefty dollar figures.

The Hon. S.E. CLOSE: As we mentioned last night, with the increase in penalties in the earlier section and because of the way that we do our legislation in South Australia, it is only really when acts are opened up that we get to update the amount of penalty listed, and so we have taken the opportunity to do that. We have looked at the other states in order to benchmark where they are. We are about mid-range with these penalties, and it should be remembered that for some wildlife trafficking there is a significant amount of profit to be made and there does need to be a serious penalty to attempt to dissuade people from doing it.

Clause passed.

Clause 66.

Mr TEAGUE: I just briefly note that at clause 66 we see a clause in the same sort of format as clause 43; that is, a general carve-out at subclause (2) which could have found its way into the schedule 2 carve-out broadly, but has not for reasons that we have covered at 43. There is the structure of prescribed species, means and circumstances that can be a carve-out from the carve-out, so again, no reference to a biodiversity plan for the purposes of this clause. Is there any such prescribed species, means or circumstance that is presently in contemplation?

The Hon. S.E. CLOSE: Not in existence nor in contemplation.

Clause passed.

Clauses 67 to 69 passed.

Clause 70.

Mr BASHAM: Just a quick question in relation to establishing this threatened species list or right through to the extinct list. I understand the national ones—do they have to be included in the national? Do they have to actually be known to be in South Australia to be included in the South Australian national, or is it a national list? Does the Tasmanian devil, for example, appear on our list or is it purely for South Australian historically found?

The Hon. S.E. CLOSE: We believe that it would be included, or the national list species would be included, although we will double-check that for those that are not in South Australia—but in any case they would have the protection that is afforded as a nationally-listed species. Should one appear here it would have that national level protection regardless.

Clause passed.

Clause 71 passed.

Clause 72.

Mr BASHAM: Can the minister identify what ecological communities or critical habitats would be included on the list that are not native species? It says 'other than native species'.

The Hon. S.E. CLOSE: I might seek your indulgence, given that it is late, that we come back and give you an example. We were going to get one but I do not really want to hold up the chamber. Thank you.

Mr BASHAM: I am happy if we pass this clause and come back to the answer while they phone a friend.

Clause passed.

Clauses 73 to 77 passed.

Clause 78.

Mr BASHAM: I am just trying to understand the provisional listing and understanding that if we are looking at something that is listed as threatened, is that threatened in South Australia even if it is common elsewhere in Australia? Or is it just a South Australian perspective of threatened?

The Hon. S.E. CLOSE: Yes, it can be listed in South Australia as threatened even if it were to not be threatened elsewhere if it is threatened here.

Clause passed.

Clause 79.

Mr BASHAM: Under clause 79, can the minister make an action plan that is binding the plan on someone who may not necessarily want to be engaged?

The Hon. S.E. Close interjecting:

Mr BASHAM: An action plan, can it be binding on someone who is not necessarily engaged in a process?

The Hon. S.E. CLOSE: It is not intended to be a stick; it is more an action plan or a guide for government to encourage activity. It does not have penalties or coercion included within it.

Clause passed.

Clause 80 passed.

Clause 81.

Mr BASHAM: This is a similar question in relation to an abatement plan: can it be binding on someone and can it require a private landholder to follow the plan?

The Hon. S.E. CLOSE: Not through the existence of the plan; it does not confer any powers for requiring anything to occur. It may be that the minister would have at their disposal some other legislative instrument that could be used that then would be in accordance with a threat abatement plan, but the threat abatement plan in itself does not create that.

Clause passed.

Clause 82.

Mr BASHAM: This clause requires the Scientific Committee to hold an inquiry into potential extinction of a native species or the potential collapse of an ecological community in the state. What is the trigger for such an inquiry to commence: is it the listing of the species, is it through ministerial direction, is it through scientific evaluation?

The Hon. S.E. CLOSE: The Scientific Committee essentially directs this extinction inquiry and makes the judgement about whether the Scientific Committee has a view that a species has become extinct. There is, however, a whole IUCN process and there are international protocols in determining that a species is extinct that are conformed to already. Species are known to be locally extinct, for example, and then reintroduced, so there is a process to go through to make that determination that a species has become locally extinct.

Clause passed.

Clause 83.

Mr BASHAM: In relation to subclause (2), after consultation with the minister responsible for fisheries it is determined that the Fisheries Management Act has appropriate cover, why cannot the minister add it to the list anyway?

The Hon. S.E. CLOSE: What we are trying to do is make sure that we have regulatory simplicity. If a species is already protected elsewhere, what we do not want is to have someone who is seeking to do something with that animal have to seek two levels of authorisation under two different acts, so we are trying to have that simplicity.

Clause passed.

Clause 84 passed.

Clause 85.

Mr BASHAM: Again, I am just clarifying in relation to where the minister may agree or arrange an action plan. Is that on the same basis that it needs a willing partner on the other side, rather than just in the plan itself? There may be other instruments, as the minister described earlier, that may be able to be actioned, but in the case of a plan or an agreement, it is needing the willing partner?

The Hon. S.E. CLOSE: While the declaration of the critical habitat is in the minister's power, although of course in consultation with the owner—so section 84, as passed—section 85, where it refers to an action plan, does require the working with and the consent and agreement. There is no coercion that sits within that clause.

Clause passed.

Clause 86.

Mr BASHAM: Minister, the Fleurieu swamps comes to mind as something that may be covered here, but they may also be not covered, because it is protected under federal legislation as well. Assuming the Fleurieu swamps are not protected but just the concept of that sort of environment, is there a requirement to stop animals getting into a Fleurieu swamp, for example, to protect it? Are cattle or sheep wandering through that would be causing damage—is that effectively now required to be protected in some form?

The Hon. S.E. CLOSE: To explain a little bit about the way a critical habitat operates, this is something that exists in New South Wales and I think has been used four times, so it is a very rare instrument to use. What it is doing is identifying where there is a feature of land that is utterly necessary for the survival of a species—so it is at the most acute end of the requirement to protect. In the case that that is declared, it is declared for its features rather than as a bit of land, and those features do need to be protected.

The workable way that that would happen is that the features would be identified—the threat to that individual species or collection of species having triggered that—and the landholder would be worked with to determine how that feature could be protected. In the event that such a critical feature is identified, it is because it is in existence now, by definition. This means that however the landholder is using it, it is not preventing that species from existing now. It is about any change to that, more likely, in order to prevent such a change having the impact of us losing an entire species.

Clause passed.

Clause 87 passed.

Clause 88.

Mr BASHAM: Will landholders be able to continue their current practices around management in critical habitats, or will they need to seek an authorisation to do so? If an authorisation is required, will it be an ongoing thing or will it be a managed process?

The Hon. S.E. CLOSE: I guess it is hard to answer definitively without individual examples, and we currently have none, which makes it complex for both of us. My expectation would be that the current use of the land has not seen the extinction of the species and therefore the current use is unlikely to need to change or change significantly. An authorisation would be sought in the event that something were to be proposed to be done to that land that might risk the feature on which that species is dependent, in which case there would need to be difficult and hard work done to work out how that could be managed. This is not about trying to put an undue imposition on a landholder; it is just about recognising that there is a shared treasure, that this is the last bit of habitat, and we need to do all we can to protect it and to avoid its disturbance. It is about the feature of the land, as I say, rather than the entire title of the land.

Mr BASHAM: Would that possibly lead to government support to help financially in certain circumstances?

The Hon. S.E. CLOSE: It would certainly not require that the government support it financially, but we all know that there are decisions made by governments in order to make things work easily and so it is not precluded either.

Clause passed.

Clauses 89 to 95 passed.

Clause 96.

Mr BASHAM: My question here is again going back to lessee tenants—in other words, the occupier of the land may be a tenant, not the owner—and trying to establish, where a sanctuary is going to be established, whether you have to have the approval of both the owner and the occupier to establish the sanctuary.

The Hon. S.E. CLOSE: Yes, it would have to be both the owner and the occupier. This has come straight out of the National Parks and Wildlife Act and is frequently used on pastoral land, where obviously the owner is actually the government.

Mr BASHAM: I guess we are not talking about someone living in the house that sits on a parcel of land as being technically the occupier. The occupier would be the user of the sanctuary itself. Is that what we are saying? If a parcel of land has a house that is rented out to a tenant, but they only live in the house—they are not actually controlling the whole property; they are just living in the house—they are not considered an occupier in this circumstance?

The Hon. S.E. CLOSE: Broadly, I think that is right. We would have to know what the lease that that person held was, but it makes sense that they are likely to hold the lease to live in the house rather than to occupy all of the land.

Clause passed.

Clause 97 passed.

Clause 98.

Mr BASHAM: I think we have sort of said this before, but the biodiversity agreements are tied to the title of the property and therefore transferable with the sale of the property?

The Hon. S.E. CLOSE: Yes.

Mr BASHAM: Again, in the case of a natural disaster destroying the asset under the biodiversity agreement, is that a possible trigger that could mean that it could be terminated, even if 20 years has not passed, if effectively the asset has been lost through a fire, for example?

The Hon. S.E. CLOSE: A fire would not necessarily result in anyone wanting to terminate the agreement, because land comes back beautifully. Heritage agreements can be terminated currently and it would be the case for biodiversity agreements, but it requires the minister to agree and it has to be on the advice of what is currently the Native Vegetation Council and will be the biodiversity council.

Clause passed.

Clause 99 passed.

Clause 100.

Mr TELFER: This clause around authorised officers is a fascinating one. In reading it and reading some of the powers of the authorised officers that we will cover in upcoming clauses, I am actually quite concerned at the level of what I would see as potential overreach when we reflect on the definitions that we have discussed already in the committee stage and the powers of the authorised officers, which we will discuss afterwards.

When it comes to the appointment of the authorised officers in clause 100, subclause 100(1) provides for the appointment of a range of state government officers as authorised persons under the act. Can the minister give me some understanding of what indemnities are available to these state government officers to protect them from civil liability for their acts and omissions?

The Hon. S.E. CLOSE: There is something under the Public Sector Act that we can give you in detail, but not tonight. The issue of authorised officers, which was extensively canvassed in the second reading speech, caused me to check the extent to which this is replicating what is already in legislation, and largely it is already in place. I am not sure if there are any particular issues in any of the clauses relating to authorised officers that are new that are of concern to the member, but largely these have been in place and exist across several pieces of legislation—not just the Native Vegetation Act but also the National Parks and Wildlife Act, the Landscape South Australia Act and the EPA, so this is not breaking new ground.

Mr TELFER: We will get to the breaking of new ground later on, happily. I am now pivoting from clause 100(1), where the answer you gave was around the Public Service provisions. Clause 100(2) talks about the minister's capacity to be able to appoint council officers as authorised persons. Obviously, the existing protections that you spoke about for state government officers do not necessarily apply to local government officers. If a council employee, a general inspector or another officer employed by local government, has been made an authorised person under this section, does the bill provide that council officer with any indemnities?

The Hon. S.E. CLOSE: Under the Native Vegetation Act, we believe the minister can currently authorise local council, but the question was raised during stakeholder consultation by the LGA about whether there was sufficient indemnity covering local council officers, and that is why the drafting was amended to say that the council has to give approval so that local government can determine whether or not they wish to facilitate that to happen. If they do not, because they do not believe that there is sufficient indemnity, then they will not give that approval.

Mr TELFER: So the explanation is that state government officers who are authorised officers under this act are covered for civil liability indemnity under existing legislation but local government officers are not. However, the local government area can decide if they want them to be included as an authorised officer if they think they have their own capacity within their existing insurance frameworks to cover them from those civil liabilities.

Whether it is upon request or otherwise, getting a local government officer to provide the level of power that an authorised officer under this act does have, what is the reason for providing protection for civil liability for state government officers but not for local government officers who may be performing the exact same range of powers under the act and instead expecting, obligating or requiring that liability for those officers to be covered by local government, or ratepayers in the end?

The Hon. S.E. CLOSE: Recognising that ambiguity is why we have put in that failsafe of the approval of the relevant council. It is currently in the Native Vegetation Act, so it is currently legal right now for the minister to appoint a local council officer. What we are doing in this legislation is recognising that given that there is some legal uncertainty we are putting a failsafe in while that is being resolved, bearing in mind that this will not come into place for two years.

Mr TEAGUE: Just very quickly in terms of clause 19(e) and the purpose of the CAC to commence enforcement processes—

An honourable member interjecting:

Mr TEAGUE: Just with clause 19(e) with the functions of the CAC, which include initiating enforcement action for the purposes of this part, that is expressed in the broad, and here we are: the commencement of Part 8—Enforcement, and we have the authorised officers established and the functions the authorised officers are going to have to undertake and so on. It is not until clause 111 that we see specific reference to compliance orders and the CAC being one of the designated authorities that is empowered to issue a compliance order.

The question at 100 is: the powers of the CAC per clause 19(e) are not so limited in terms of the power described at 19(e) so the CAC could do more than act on a compliance order in clause 111; is that a correct reading? It could get involved in the activities of the authorised officers outside of 111?

The Hon. S.E. CLOSE: The question is: can the CAC operate beyond 111? The advice I am receiving is no. The CAC as an entity cannot operate beyond. Individuals can be authorised by

the minister, although that it would be surprising if the minister would choose to do that with individual members of a committee, but just to make that distinction.

Mr TEAGUE: So when we read clause 19(e) and its reference to part 8, it is confined to 111 and does not go to any broader interaction with authorised officers. That is just helpful.

The Hon. S.E. CLOSE: I think that is right.

Mr TEAGUE: If so, it could be drafted that way.

The Hon. S.E. CLOSE: You are far more qualified than I am to give commentary on drafting, but I believe your interpretation is correct.

Clause passed.

Clause 101 passed.

Clause 102.

Mr TELFER: Minister, this is where we sort of started talking about the powers of the authorised officers and you saying that it is pretty much transposed over. Firstly, the point of difference is the scope of the Biodiversity Act is a lot broader than the scope of the Native Vegetation Act, and this is why I think there is additional capacity for authorised officers under this act to do more than currently is in place with the Native Vegetation Act. Secondly, in the Native Vegetation Act, there was the capacity for authorised officers to enter and inspect land for any reasonable purpose connected with the administration or enforcement of the act, and that act is a lesser act than the Biodiversity Act, and thus there is less scope to enter land.

At subclause (1) the powers of authorised officers include:

- (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; and
- (c) inspect (including open) any thing that is in or on any place or vehicle, including a package in the postal system;

These are massively broad powers, which are not currently within the Native Vegetation Act. These are well over and above what is already existing, and this is where I am sort of thinking the capacity to be able to enter and inspect any vehicle, come in and force them to stop, and open any package within that vehicle for inspection in connection with the administration, operation or enforcement of the act. What is the justification for those extra powers?

The Hon. S.E. CLOSE: Although the wording might be slightly different, the effect of the first part of the clause that was read out, being (b) the capacity to enter and inspect any vehicle, is in effect in the National Parks and Wildlife Act, the Native Vegetation Act, the Landscapes Act and in the Environment Protection Act. The idea of being able to inspect, including open anything that is in or on any place or vehicle is, you are correct, not in the Native Vegetation Act, but is in the Landscapes Act in effect. The new element is the capacity to open a package in the postal system, which is directed at the trafficking of wildlife which often, bizarrely and horrifyingly, happens through the postal system, and that is why that has been introduced here.

Mr TELFER: The point I am making is that those powers are not within the Native Vegetation Act of my reading. The act is so much broader now. You are including powers from all the different aspects, and pushing them all together so it is one in, all in. It is powers that are covering the whole range of the Biodiversity Act and all the different gamuts of the legislation that you are bringing in together, and the powers are covering all of it.

This is why I am really cautious about all of this put together, especially with the broad range of definitions, including the definition which we have already discussed around the definition of a plant. I appreciate the intention. I appreciate that you can expect, 'This would never happen,' but if you put something within legislation where it could happen, well that is, from my perspective, poor lawmaking. This is why I am flagging my concerns, especially as a regional MP who has seen from the perspective of my constituents—and certainly witnessed it myself—what could be considered

under existing legislations an active overreach from an officer. It is just a statement as much as anything, sir.

Clause passed.

Clauses 103 to 167 passed.

Clause 168.

Mr BASHAM: Just a quick question here on subclause (1) and the requirement of permission to be in writing: for taking a native plant, does that include firewood from a native plant, and does hunting include hunting foxes and rabbits? To me, if it does, this is never going to be complied with, because verbal permission would be given. Hunting is defined as taking mammals or birds that you are allowed to take, which includes foxes and rabbits, and it says 'any land'.

The Hon. S.E. CLOSE: These are the provisions that exist in the National Parks and Wildlife Act at present—that they apply to all land—and yes, you do have to get permission even if you are going to go and shoot some foxes.

Mr BASHAM: It says here 'in writing'. I guess that is the thing: I suspect it is being broken left, right and centre currently, because it would be done verbally but not in writing.

The Hon. S.E. CLOSE: If I do not know anything about this, I do not know anything about this.

Clause passed.

Clause 169 passed.

Clause 170.

Mr BASHAM: In relation to agreements against a title to land, can a potential purchaser negotiate with the minister, for example, on a biodiversity agreement to be terminated prior to settlement? Could it be a condition of purchase that that be done on settlement?

The Hon. S.E. CLOSE: We are just trying to work out how you would legally capture that. In theory it ought to be possible, but it is not common practice, so it would have to be captured in some form of deed because the agreement is with the landowner and that point of transfer is somewhat complex.

Mr BASHAM: I can understand the complexities, but there may be a reason why someone wants to purchase it without the agreement and have it removed, but not want to purchase it if the agreement is there, so it is just whether it can be terminated.

Clause passed.

Clause 171 passed.

Clause 172.

Mr TELFER: Minister, this is about data provision and the ability for the minister to obtain biodiversity data. What regulations are being proposed under this aspect, and who is likely to be asked for data?

The Hon. S.E. CLOSE: An example would be that people who are required to seek permission to gain data would then, as part of that, be required to share that data. So researchers would be required to provide that data so that it is available to the public.

Mr TELFER: Will the minister be able to ask a person or a corporation for data, even when the request is burdensome, resource intensive or otherwise unreasonable? Will there be any caps on the minister's power to require data provision?

The Hon. S.E. CLOSE: It is not a rule or practice of government to introduce regulations that are burdensome and administratively difficult to achieve, but this is nonetheless subject to regulations. It is not in my mind to do anything that would create such a burden, but it is in my mind that the more data we have, as we were discussing earlier, the more information provided, the better

the decisions are. So the regulations will work that way through. It is not intended to require people to gain data that they would not otherwise be gaining; it is more the sharing of it once they have it.

Clause passed.

Clause 173.

Mr BASHAM: Can the minister outline the process of establishing the state biodiversity plan, how it will be first established over the next two years and what consultation will be conducted?

The Hon. S.E. CLOSE: This is a good piece of legislation, in my view. I think this is one of the really positive elements that is going to come to life as a result of it, and the development of this plan I think will be a piece of work that people will very much enjoy participating in.

There is some requirement within the legislation, as proposed here, to seek advice from certain entities in order to make sure that we are gaining the information required to make this a good plan. But in fact my intention—in the event that I am continuing to be minister as this is prepared, and I think any minister would have this view—would be to engage as widely and as well as possible in order to gain the best possible local information, as we discussed at length last night, of communities and individuals on the land who understand what is going on in their area in order to best develop a biodiversity plan that we can really be proud of.

The biodiversity plan, in my view, would be able to be used by South Australians and by the South Australian government as almost a prospectus of ways in which investment can be made here to have a positive effect on the health of nature. While that might be something that many individuals in South Australia want to achieve for various philanthropic reasons, in fact it is increasingly becoming an economic imperative that companies achieve ESG credentials. Having this biodiversity plan that they can see is the prioritisation given by a state government enshrined in the legislation is one way of giving those opportunities to gain those ESG credentials. That is very much the vehicle that I am hoping will be very useful for all landholders and for the state as a whole.

Clause passed.

Clauses 174 to 184 passed.

Schedule 1.

Mr BASHAM: We have had some discussion on this previously. I just want to reiterate a concern that I have, which is how it could be done with not having a map or a description. I note that in a recent bill that has been through this place, a map was part of the bill that was named and that map became the area, so it is possible to do.

My concern is if it is left here where it is done by regulation, it could be misused by the point that if it were disallowed it could be reintroduced until all the trees were cleared, time after time, to effectively get rid of what was done to allow a parcel of land to achieve an outcome by a future minister. I just have a concern.

Schedule passed.

Schedule 2.

Mr BASHAM: This has been an important part of the discussion here, particularly part 2, particularly around the clearance of natives. This is where I got very confused reading through the bill clause by clause to actually understand the difference, or how native plants of a relevant kind would be interpreted in here, so this is particularly where I think it gets very confusing when having those definitions cross over the way they do. It can be challenging in people's minds.

Likewise, the 20-year rule is something that I have concerns may lead to perverse outcomes, and to me that is something that we need to be very conscious of going forward. If we put this in place, we do not want to see landholders choosing not to plant native plants because of their concern that in 20 years' time it may remove their ability to do what they want. They are some comments that I just feel need to be made around schedule 2.

Schedule passed.

Remaining schedules (3 to 5) and title passed.

Bill reported without amendment.

Third Reading

The Hon. S.E. CLOSE (Port Adelaide—Deputy Premier, Minister for Climate, Environment and Water, Minister for Industry, Innovation and Science, Minister for Workforce and Population Strategy) (22:07): I move:

That this bill be now read a third time.

I will not prolong this evening by doing an extensive speech, but of course I do want to thank everyone who has been involved, including the opposition. It has been a very good conversation, discussion and series of questions. I very much thank the advisers who are with me, in particular my dear Emily Gore, who has been significant in the crafting of this piece of legislation and contemplating amendments that may be considered in the other place. Thank you all for your patience.

Mr BASHAM (Finniss) (22:08): I would just like to thank the minister likewise and the minister's staff for their time over the last couple of days as well as for the briefings, and I also very much thank my colleagues who have been involved in this debate.

Bill read a third time and passed.

CHILDREN AND YOUNG PEOPLE (SAFETY AND SUPPORT) BILL

Final Stages

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 3, page 12, lines 21 and 22 [clause 3(1), definition of *active efforts*]—

Delete the definition and substitute:

active efforts, principle of active efforts or standard of active efforts—see section 11A;

No. 2. Clause 3, page 13, after line 21 [clause 3(1)]—Insert:

Complaints and Feedback Management Guidelines means the Complaints and Feedback Management Guidelines published by the Chief Executive under section 27A;

No. 3. Clause 3, page 15, after line 19 [clause 3(1)]—Insert:

recognised peak body, in relation to a particular section of the community, means an entity from time to time recognised as the recognised peak body for that section of the community under section 34A;

No. 4. Clause 3, page 16, after line 11 [clause 3(1)]—Insert:

Statement of Commitment to Children and Young People in Contact with Child Protection and Family Support System means the Statement of Commitment to Children and Young People in Contact with Child Protection and Family Support System prepared under section 15A, as in force from time to time;

No. 5. Clause 8, page 19, lines 22 and 23 [clause 8(1)]—Delete ', to the extent that it is consistent with section 10 to do so,'

No. 6. Clause 10, page 21, lines 2 to 6—Delete clause 10 and substitute:

10—Safety principle

It is a principle of this Act (the *safety principle*) that children and young people are to be kept safe and protected from harm (and, despite any other provision of this Act, the safety of the child or young person must always be the priority in determining whether or not to remove a child or young person under section 83(1)).

No. 7. Clause 11, page 21, line 7 to page 22, line 22—Delete clause 11 and substitute:

11—Best interests principle

(1) It is a principle of this Act (the *best interests principle*) that the best interests of each child and young person are to be upheld and effected in all decision making under this Act (and

a reference in this Act to a particular decision being in the best interests of a child or young person will be taken to be a reference to the decision being made in accordance with the best interests principle)

- (2) In determining whether a decision or action is in the best interests of a child or young person, the need to keep them safe from harm and the risk of harm, to protect their rights and to promote their development (taking into account their age and stage of development) must always be considered.
- (3) In addition to subsection (1) and (2), in determining what decision to make or action to take in the best interests of a child or young person, consideration must be given to the following, where they are relevant to the decision or action:
 - (a) the need to support the child or young person's family to ensure the child or young person's safety and wellbeing within their family and community;
 - (b) the desirability of the child or young person's family having primary responsibility for the child or young person's upbringing, protection and development;
 - (c) the emotional, social and psychological needs of the child or young person, including—
 - (i) the need to be heard and have their views considered; and
 - (ii) the need for love and attachment; and
 - (iii) the need for the child or young person to be given the opportunity to achieve their full potential;
 - (d) the need to strengthen, preserve and promote positive relationships between the child or young person and their parents, family members and other persons significant to them;
 - (e) if the child or young person is able to form their own views on a matter concerning their care—the need to support them to express those views freely in accordance with the developmental capacity of the child or young person and the circumstances, and for those views to be given due weight;
 - (f) the effects of cumulative harm on the child or young person's safety and development;
 - (g) the desirability of continuity and permanency in the child or young person's care;
 - (h) the desirability of making decisions as expeditiously as possible and the possible harmful effect of delay in making a decision or taking an action;
 - (i) a child or young person is only to be removed from the care of their parents in accordance with section 83 or an order of the Court;
 - (j) if the child or young person is removed from the care of a person—the need to place the child or young person in a safe, nurturing, stable and secure environment;
 - (k) the desirability, when a child or young person is removed from the care of their parent, to assess the reunification of the child or young person with their parent;
 - (l) contact arrangements between the child or young person and their parents, siblings, family members and other persons significant to them;
 - (m) in respect of case planning for the child or young person—
 - (i) the desirability of placing, so far as may be appropriate, the child or young person with the following persons in the following order:
 - (A) a person who is a member of the child or young person's family (including the child or young person's siblings);
 - (B) a person with whom the child or young person has an existing relationship;
 - (C) a person who is willing and able to encourage and support the child or young person to develop and maintain contact with the child or young person's parents, siblings and other family members, and with other people who are significant to the child or young person (subject to any decisions made under this Act in relation to such contact); and

- (ii) the desirability of siblings being placed together when they are placed in care; and
- (iii) the desirability of connection between the child or young person and their family being maintained;
- (n) if the child or young person has been removed from their parents or family—the need to ensure that they have the ability to know, explore and maintain their identity and values, including those relating to their culture, language or religion;
- (o) if the child or young person has a disability—the need to ensure that the child or young person is treated in a way that preserves their identity and respects their developing capacity;
- (p) if a child or young person with a particular cultural identity is placed in care with a person who is not a member of that cultural community—the desirability of the child or young person retaining a connection with their culture;
- (q) the desirability of using family group conferences to make informed decisions as to the arrangements for the care of the child or young person;
- (r) the desirability of a child or young person being supported to gain access to appropriate educational services, health services and accommodation and to participate in appropriate social opportunities;
- (s) the desirability of allowing the education, training or employment of the child or young person to continue without interruption or disturbance;
- (t) any other relevant consideration.
- (4) In considering what is in the best interests of a particular Aboriginal or Torres Strait Islander child or young person, regard should also be given to the matters set out in section 48.

No. 8. New clause, page 22, after line 22—Insert:

11A—Principle of active efforts and standard of active efforts

- (1) Each person or body involved in the operation and administration of this Act must act in accordance with the principle of active efforts in performing functions under this Act.
- (2) For the purposes of this Act, the principle set out in this section constitutes the *principle of active efforts* (and a reference to a person or body making active efforts will be taken to be a reference to the person or body acting in accordance with that principle).
- (3) Under the principle of active efforts, active efforts must—
 - (a) be timely; and
 - (b) be practicable, thorough and purposeful; and
 - (c) address the grounds on which a child or young person is considered to be at risk of harm; and
 - (d) conducted, to the greatest extent possible, in partnership with the child or young person and the family, kin and community of the child or young person; and
 - (e) be culturally appropriate; and
 - (f) comply with any other requirements prescribed by the regulations.
- (4) Without limiting a preceding subsection, active efforts include—
 - (a) assisting with access to support services and other resources; and
 - (b) if appropriate services or resources do not exist or are not available—considering alternative ways of addressing the relevant needs of the child or young person and their family, kin or community; and
 - (c) activities directed at finding and contacting the family, kin and community of the child or young person.
- (5) The requirements under this section do not limit any other ways in which active efforts can be made when making a decision under this Act.

- (6) For the purposes of this Act, a reference to something being done to the *standard of active efforts* will be taken to be a reference to it being done in a way that accords with the principle of active efforts.

No. 9. Clause 13, page 22, after line 37—Insert:

- (1a) Without otherwise limiting subsection (1), a person or body referred to in that subsection must—
- (a) offer the child or young person a reasonable opportunity to present their views in person to the decision maker; and
- (b) if the child or young person wishes to present their views in person, take reasonable steps to facilitate that prior to the prescribed decision being made.

No. 10. Clause 13, page 23, line 9 [clause 13(4)(a)]—Delete subclause (4)(a)

No. 11. Clause 13, page 23, line 15 [clause 13(6)]—Delete 'do not wish to do so' and substitute 'express a desire to not do so'

No. 12. Clause 13, page 23, line 20 [clause 13(7), definition of *prescribed decision*, (b)]—After 'preparation' insert 'or review'

No. 13. Clause 14, page 24, line 1 [clause 14(3)]—After 'preparing' insert ', altering'

No. 14. Clause 14, page 24, lines 8 to 11 [clause 14(5)]—Delete subclause (5) and substitute:

- (5) The Minister may, on receiving the Charter for approval and after consultation with the Guardian for Children and Young People, require an alteration to the Charter before approval (however, such alteration must be consistent with Part 2).
- (5a) The Minister must, within 30 days after receiving the Charter, or the Charter as altered, (whichever is the later) approve the Charter.

No. 15. Clause 14, page 24, lines 18 and 19 [clause 14(9)]—Delete ', to the extent that it is consistent with section 10 to do so in a particular case.'

No. 16. Clause 15, page 24, lines 27 to 36 —Delete clause 15 and substitute:

15—Chief Executive must provide copy of Charter etc to children and young people in care

- (1) The Chief Executive must, as soon as is reasonably practicable after a child or young person is placed in the custody, or under the guardianship, of the Chief Executive under this Act, provide to the child or young person—
- (a) a copy of the Charter; and
- (b) an explanation of the content and effect of the Charter; and
- (c) information about, and the contact details of, the Guardian for Children and Young People.
- (2) If a child or young person is unlikely to be understand the information and documents referred to in subsection (1) (whether by reason of cognitive or physical disabilities, language differences or difficulties, literacy challenges or otherwise), the Chief Executive must make such alternative arrangements as may be necessary to ensure that the information is, if it is reasonably practicable to do so, communicated to the child or young person in a way they are capable of understanding.
- (3) However, the Chief Executive need not comply with this section if the Chief Executive is of the opinion that the child or young person is not reasonably capable of understanding the information referred to in subsection (1).

No. 17. New Division, page 24, after line 36—Insert:

Division 5A—Statement of Commitment to Children and Young People in Contact with Child Protection and Family Support System

15A—Statement of Commitment to Children and Young People in Contact with Child Protection and Family Support System

- (1) The Minister must prepare and maintain a *Statement of Commitment to Children and Young People in Contact with Child Protection and Family Support System*.
- (2) The Minister must review the Statement at least every 5 years.
- (3) In preparing or reviewing the Statement, the Minister must—

- (a) invite submissions from, and consult with, the persons or bodies (if any) prescribed by the regulations (and may consult with any other person or body the Minister considers appropriate); and
- (b) comply with any other requirements set out in the regulations.
- (4) The Minister must cause the Statement to be published on a website determined by the Minister.
- (5) The Minister must, within 6 sitting days after approving the Statement, cause a copy of the Statement to be laid before both Houses of Parliament.
- (6) Each person or body engaged in the administration, operation or enforcement of this Act (other than the Court or SACAT) must perform their functions so as to give effect to the Statement.
- (7) However, the Statement does not create legally enforceable rights or entitlements.

No. 18. Clause 16, page 25, lines 12 and 13 [clause 16(6)]—Delete ', to the extent that it is consistent with section 10 to do so in a particular case,'

No. 19. Clause 17, page 25, lines 31 and 32 [clause 17(6)]—Delete ', to the extent that it is consistent with section 10 to do so in a particular case,'

No. 20. Clause 23, page 29, after line 34 [clause 23(1)]—Insert:

- (da) a part setting out, in relation to the reporting year—
 - (i) the number of family group conferences convened by the Chief Executive under the Act (including information identifying how many of the family group conferences related to Aboriginal and Torres Strait Islander children and young people); and
 - (ii) any other information required by the regulations;

No. 21. Clause 27, page 32, after line 38 [clause 27(4)(a)]—After subparagraph (i) insert:

- (ia) each recognised peak body; and

No. 22. New Division, page 33, after line 15—After clause 27 insert:

Division 3A—Management of complaints and feedback

27A—Complaints and Feedback Management Guidelines

- (1) The Chief Executive must publish guidelines (the *Complaints and Feedback Management Guidelines*) relating to the receipt and handling of complaints and feedback relating to the administration of this Act.
- (2) The Complaints and Feedback Management Guidelines must set out—
 - (a) the matters in relation to which the Complaints and Feedback Management Guidelines apply; and
 - (b) how, and by whom, complaints may be made and feedback may be given; and
 - (c) the process by which complaints and feedback are to be assessed; and
 - (d) the actions which may be taken in response to a complaint or feedback; and
 - (e) the ways in which procedural fairness is to be afforded in relation to a complaint or feedback; and
 - (f) information about alternative independent complaints and feedback mechanisms and bodies; and
 - (g) any other information required by the regulations,
 and may contain any other provisions the Chief Executive thinks fit.
- (3) Subject to the regulations, the Chief Executive must ensure that procedural fairness is provided in the course of any action taken in response to a complaint or feedback.
- (4) Before publishing the Complaints and Feedback Management Guidelines, the Chief Executive must—
 - (a) invite submissions from, and have regard to any submissions made by—
 - (i) the Commissioner for Children and Young People; and

- (ii) the Commissioner for Aboriginal Children and Young People; and
- (iii) the Guardian for Children and Young People; and
- (iv) each recognised peak body; and
- (v) any other peak bodies prescribed by the regulations; and
- (vi) Aboriginal and Torres Strait Islander people and organisations; and
- (vii) people, including children and young people, who have experiences of being in care under this Act or a repealed Act; and
- (viii) any other person or body prescribed by the regulations; and
- (b) comply with any other requirements set out in the regulations.
- (5) The Chief Executive must cause the Complaints and Feedback Management Guidelines to be published on a website determined by the Chief Executive.
- (6) Each officer or employee of the Department involved in the receipt and handling of complaints and feedback to which the Complaints and Feedback Management Guidelines apply must comply with the Complaints and Feedback Management Guidelines.
- (7) However—
 - (a) the Complaints and Feedback Management Guidelines do not create legally enforceable rights or entitlements; and
 - (b) in the event of an inconsistency between a provision of the Complaints and Feedback Management Guidelines and a provision of this Act, the provision of the Complaints and Feedback Management Guidelines is, to the extent of the inconsistency, void and of no effect.

No. 23. New Division, page 38, after line 20—Insert:

Division 5A—Recognised peak bodies

34A—Minister to recognise peak bodies

- (1) The Minister may, by notice in writing, recognise an entity as the *recognised peak body* for a particular section of the community for the purposes of this Act if satisfied that the entity—
 - (a) represents the interests of that section of the community; and
 - (b) agrees to be the recognised peak body for that section of the community.
- (2) Without limiting subsection (1), the Minister must recognise an entity as the recognised peak body for the following sections of the community:
 - (a) children and young people and their families;
 - (b) Aboriginal and Torres Strait Islander children and young people and their families;
 - (c) carers under this Act.
- (3) The recognition of an entity as a recognised peak body—
 - (a) may be conditional or unconditional; and
 - (b) has effect for the period specified in the notice; and
 - (c) must comply with any other requirements set out in the regulations.
- (4) The Minister may, by notice in writing and in accordance with any requirements set out in the regulations, vary or revoke the recognition of an entity as the recognised peak body for a particular section of the community.

No. 24. Clause 41, page 41, lines 38 and 39 [clause 41(1)]—Delete '(and, in particular, nothing in this Part can be taken to displace section 10)'

No. 25. Clause 41, page 42, line 4 [clause 41(2)(a)]—Delete 'except where to do so would be inconsistent with section 10,'

No. 26. New clause, page 42, after line 11—Insert:

41A—Right to cultural support in certain proceedings and meetings

- (1) The Governor may, by regulation, establish a scheme providing for cultural support to be provided to Aboriginal or Torres Strait Islander children and young people for the purposes set out in the regulations.
 - (2) Without limiting the generality of subsection (1), the regulations may provide for—
 - (a) the appointment of cultural support persons (including by limiting who can be a cultural support person); and
 - (b) the right of a cultural support person to be present at specified proceedings or other interactions under this Act.
 - (3) This section is in addition to, and does not derogate from, any other provision of this Act.
- No. 27. Clause 44, page 45, lines 16 and 17 [clause 44(6)]—Delete subclause (6)
- No. 28. Clause 45, page 45, lines 18 to 31—This clause will be opposed
- No. 29. Clause 46, page 45, lines 39 and 40 [clause 46(b)]—
- Delete 'it is unlikely that the child or young person and their parents will be able to be reunified' and substitute:
- reunification of the child or young person and their parents is not viable
- No. 30. Clause 47, page 46, lines 32 to 34 [clause 47(3)]—Delete subclause (3)
- No. 31. Clause 53, page 51, lines 5 and 6 [heading to clause 53]—
- Delete 'Chief Executive to offer and convene family group conference in certain circumstances' and substitute:
- Family group conference to be convened
- No. 32. Clause 53, page 51, lines 16 to 18 [clause 53(1)]—
- Delete 'in accordance with any requirements set out in the regulations, offer to convene a family group conference under section 94 in respect of the child or young person' and substitute:
- as soon as is reasonably practicable and in accordance with any requirements set out in the regulations, cause a family group conference under section 94 to be convened in respect of the child or young person
- No. 33. Clause 53, page 51, lines 19 to 22 [clause 53(2)]—Delete subclause (2)
- No. 34. Clause 53, page 51, lines 34 to 36 [clause 53(4)]—Delete subclause (4)
- No. 35. Clause 56, page 53, lines 17 and 18 [clause 56(4)]—Delete subclause (4)
- No. 36. Clause 57, page 53, line 21 [heading to clause 57]—Delete 'offered' and substitute 'convened'
- No. 37. Clause 57, page 53, lines 25 to 28 [clause 57(1)]—
- Delete 'offered in relation to the child or young person and either—
- (a) the offer to convene a family group conference was not accepted; or
 - (b) a family group conference is convened in relation to the child or young person.'
- and substitute:
- convened in respect of the child or young person.
- No. 38. Clause 83, page 69, after line 19—Insert:
- (1a) Despite any other provision of this Act, a child protection officer must, in determining whether to remove a child or young person under subsection (1), always prioritise the safety of the child or young person.
- Note—
- See section 10.
- No. 39. Clause 96, page 76, lines 13 and 14 [clause 96(1)]—Delete ', to the extent that it is consistent with section 10 to do so,'
- No. 40. Clause 99, page 79, lines 4 and 5 [clause 99(5)]—
- Delete 'likelihood of reunification occurring and, if reunification is likely,' and substitute:
- viability of reunification and, if reunification is viable,

No. 41. Clause 106, page 81, after line 4 [clause 106(1)]—Before paragraph (a) insert:

- (aa) the legal practitioner must, in the case of a child or young person who is 10 or more years of age, take reasonable steps to meet with the child or young person;

No. 42. Clause 106, page 81, after line 15 [clause 106(1)]—Insert:

- (ca) the legal practitioner must, in a manner appropriate to the capacity of the child or young person to understand, explain to the child or young person the contents and effect of any documents given to, or orders relating to, the child or young person under this Act;

No. 43. Clause 107, page 81, after line 28 [clause 107(2)]—Insert:

or

- (c) the child or young person has expressed a desire to not do so.

No. 44. Clause 129, page 90, after line 35—Insert:

- (3a) A case plan (including the reunification plan under subsection (4)(g)) for a child or young person must be prepared as soon as is reasonably practicable (and in any case not later than 6 months) after they become a child or young person to whom this section applies.

No. 45. Clause 130, page 91, line 31 [clause 130(1)]—Delete ', to the extent that it is consistent with section 10 to do so,'

No. 46. Clause 139, page 95, line 26 [clause 139(3)(a)]—Delete 'likely' and substitute 'viable'

No. 47. Clause 139, page 95, lines 30 and 31 [clause 139(3)(b)]—

Delete 'is not satisfied that a reunification is likely, or is satisfied that a reunification is unlikely' and substitute:

is satisfied that a reunification is not viable

No. 48. Clause 143, page 100, line 17 [clause 143(2)]—Delete '25' and substitute '26'

No. 49. Clause 170, page 114, line 10 [clause 170(6), definition of *eligible care leaver*, (a)]—Delete '25' and substitute '26'

No. 50. Clause 198, page 127, after line 5—Insert:

- (3a) An internal review on an application under subsection (1) must be completed within 60 days after the application is made (and, if the internal review is not completed within that period, the decision will be taken to have been affirmed).

No. 51. Clause 220, page 139, after line 21—Insert:

- (1a) The Minister must, in the course of the review, consult with the recognised peak bodies.

No. 52. Schedule 2, page 147, after line 32 [Schedule 2 Part 17]—Insert:

31A—Amendment of section 12C—Time within which complaints may be made

Section 12C—after subsection (1) insert:

- (1a) Despite subsection (1), the Ombudsman may entertain a complaint under this Act of the following kinds if the complaint is made within 2 years from the day on which the complainant first had notice of the matters alleged in the complaint:
 - (a) a prescribed child protection complaint (within the meaning of section 28A of the *Health and Community Services Complaints Act 2004*);
 - (b) a complaint, or complaint of a class, prescribed by the regulations (being a complaint relating to the performance of functions by or on behalf of the Department under the *Children and Young People (Safety and Support) Act 2025*).
- (1b) To avoid doubt, subsection (1a)(a) applies whether the prescribed child protection complaint—
 - (a) is made by the Commissioner for Children and Young People, the Commissioner for Aboriginal Children and Young People or the Guardian for Children and Young People under the *Children and Young People (Oversight and Advocacy Bodies) Act 2016*; or
 - (b) is referred to the Ombudsman by the Commissioner under section 28A of the *Health and Community Services Complaints Act 2004*; or

(c) is made under this Act.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (USE OF VACANT LAND)
AMENDMENT BILL**

Introduction and First Reading

Received from the Legislative Council and read a first time.

At 22:11 the house adjourned until Thursday 5 June 2025 at 11:00.