HOUSE OF ASSEMBLY

Thursday, 21 August 2025

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

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

The SPEAKER read prayers.

Parliamentary Committees

SELECT COMMITTEE ON STILLBIRTH IN SOUTH AUSTRALIA

Ms SAVVAS (Newland) (11:01): By leave, I move:

That the time for bringing up the report of the committee be extended to Thursday 13 November 2025.

Motion carried.

PUBLIC WORKS COMMITTEE: REBUILT WHYALLA AMBULANCE STATION

Ms HOOD (Adelaide) (11:02): I move:

That the 146th report of the committee, entitled Rebuilt Whyalla Ambulance Station, be noted.

The South Australian Ambulance Service operates 119 ambulance stations located across South Australia, including the MedSTAR Emergency Medical Retrieval Services at Adelaide Airport. The Ambulance Service has developed an operational growth plan which sets out how state government investment in infrastructure, vehicles and staffing will be delivered.

The Rebuilt Whyalla Ambulance Station project is part of a broader $102 million Department for Health and Wellbeing program to deliver five new and six rebuilt ambulance stations. The rebuilt station will provide accommodation for ambulance crews to expand service capacity and capabilities as well as improve service coverage for consumers in the expanding Whyalla community and surrounding areas.

The existing Whyalla Ambulance Station building is owned by St John and is co-tenanted with St John and the Metropolitan Fire Service. As is, the building cannot easily be upgraded or expanded to meet operational requirements, and SAAS has worked with Renewal SA to identify a potential location. They have determined the rebuilt Whyalla Ambulance Station will be located at Lot 4097 Nicolson Avenue, approximately 1.3 kilometres from its present location.

The location is a greenfield site with no existing facilities and is situated in front of the former Edward John Eyre High School. It is bounded by Nicolson Avenue to the south, Searle Street to the west, and a subarterial road in an east-west direction. The location also benefits from existing unrestricted street parking immediately adjacent to the site.

The project will provide patient-centred emergency services designed around community needs and forms part of the state government's 2022 election commitment to provide the Ambulance Service infrastructure. The new station will include garage parking for eight ambulances, with room for expansion; a carport for four vehicles at the rear of the garage, including two light fleet vehicles and an operational fleet vehicle; office accommodation, including one operations manager's office and a two-person administrative office; a 12-person training room, one study, one quiet room and an eight-person meeting room; one kitchen and crew area, including general storage; and 25 external car parking spaces, including one accessible car park plus overflow parking for 10 further vehicles.

The project is expected to cost $10 million, drawn from the broader $102 million state government commitment to deliver the new and rebuilt ambulance stations. Construction is anticipated to commence this October, with the expectation to be complete late next year.

The delivery of the project will follow best practice principles for project procurement and management, which will include extensive consultation, evaluation and review of solutions against the brief, development of formal communications with stakeholders and the community, preparation of a program that reflects the scope of the project, establishing and managing a cost plan, appointment of professional service contractors, and scheduling reviews of design, documentation and construction. The Department for Infrastructure and Transport (DIT) has engaged the professional services contractors, and the general building contractor will be engaged utilising the standard form of contract. Further contractors may be engaged as required.

A steering committee has been established with executive-level membership across SA Health, the Ambulance Service, DIT, and the Department of the Premier and Cabinet. The steering committee is supported by an integrated management team that operates at a program management level for all key matters, including risk management. The team has identified key risks including capital cost pressures from high rates of inflation and escalation, as well as flood risks, for which the works will raise civil levels accordingly. The project team has reviewed geotechnical information at the site to establish existing conditions with the intent of mitigating or removing potential risks.

The project team has established formal processes to ensure that ecological and sustainability principles are incorporated into the design, construction and operation of the Ambulance Station. SA Health recognises that providing a facility with good environmental qualities will provide a positive environment and workplace for staff and users, support improved wellbeing and assist in managing behaviours.

Design measures have been incorporated to support increased adaptability and changes of use with minimal impact, including highly accessible and flexible spaces to support and incorporate changing technology, as well as provisions for a solar electric system and future electric vehicle charging stations. A range of detailed initiatives are in place to maximise sustainability outcomes throughout the project's life span regarding indoor environmental quality, energy efficiency, monitoring, transport, water use, materials and emissions. An independent consultant will be engaged to assist in the successful delivery of sustainability initiatives.

SA Health will engage in ongoing consultation with stakeholders and the community throughout the construction process and into service readiness. The community has been informed via targeted letter drops and was invited to a community information session held in June. Throughout the implementation of the project, the Ambulance Service and the SA Health media and communications unit will manage required external communications, media inquiries and press releases.

The project team has also undertaken specialised subject matter expert reviews with various units and agencies within SA Health and the Ambulance Service, including work health and safety, infection control, hygiene advisers and industrial bodies. The department states that a search of the central archive identified no record of Aboriginal sites in the proposed works location and that there is no identified local or state heritage value at the site.

The committee examined written and oral evidence in relation to the Rebuilt Whyalla Ambulance Station. Witnesses who appeared before the committee were Melissa Nozza, Director, Capital Projects, Department for Health and Wellbeing; Paul Lemmer, Executive Director, South Australian Ambulance Service; Robert Tolson, Executive Director, Country Operations, South Australian Ambulance Service; Rob Elliott, Chief Executive Officer, South Australian Ambulance Service; and John Jenner, Portfolio Manager, Health, Department for Infrastructure and Transport. I thank the witnesses for their time. I also acknowledge the advocacy of local member, the member for Giles, Eddie Hughes.

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

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the member for Giles, I would like to welcome to parliament this morning students and teachers from Seaton High School. It is great to have you in here. You, of

course, are the guests of the Treasurer of South Australia who, I understand, has been called away to some urgent business, so you are being very well looked after by the member for Black who, as a former leader at schools and a former educator is, I am sure, giving you a great tour around the place and explaining what is happening down here. Again, enjoy your time in parliament. Thanks for visiting us.

Parliamentary Committees

PUBLIC WORKS COMMITTEE: REBUILT WHYALLA AMBULANCE STATION

Debate resumed.

Mr HUGHES (Giles) (11:09): It is with a great deal of pleasure that I rise today to speak to this report from the Public Works Committee. It is the new Ambulance Service in Whyalla, the new building, and the expansion of the crews will be a real plus for the Whyalla community. I remember a few years ago being approached by a number of constituents expressing some serious concerns about response times when it came to the Ambulance Service in Whyalla. These people, sometimes parents, sometimes the people related to older people, were deeply concerned about the impact of sometimes the long wait, and this had nothing to do with the diligence of the people who worked for the Ambulance Service in Whyalla. It was a clear case of being under-resourced.

At the last election we made a commitment—I think at the time it might have been $1.3 million—to do a refurbishment of the existing ambulance station in Whyalla, which is co-located with St John's, which owns that part of the building, and the Metropolitan Fire Service. It became very apparent after a number of visits to the existing facility that it was just not fit for purpose and, had we spent $1.3 million or thereabouts on upgrading it, it would have been good money after bad. The right decision was made to build a new ambulance station, obviously in part to accommodate the expansion in the number of people who were to be employed.

The new ambulance station will have a transfer crew, which in a regional area is incredibly important because an ambulance can be drawn away from Whyalla to another community, or halfway to another community, leaving Whyalla under-resourced. The same sort of thing was happening in Port Augusta. It was really having an impact on their response times.

I am proud to say that we have delivered the promise in Port Augusta. There is a new ambulance station there, with an expanded crew, so that is a real plus for the Port Augusta community, and Whyalla is also to get a real plus. In addition to the transfer crew, there will also be an additional 24/7 crew. Whyalla will be well resourced, and we will have that capacity now to more effectively, without drawing resources away, do the necessary transfers.

One of the other pluses about this new build is its location. The member for Adelaide referred to the parcel of land, which would mean absolutely nothing to the people in Whyalla. It is a place we call the Appleyard Reserve, named after the Appleyard family who were and are still very heavily involved in hockey in Whyalla. It used to be a hockey ground many years ago, but since it has no longer been used as hockey ground it is virtually in the centre of our city as a big piece of land that essentially is just dust and weeds, in a very prominent location. About the only use it had was occasionally when the circus would turn up and camp there—that was the only use.

To see a new ambulance station go in at Appleyard Reserve, on what is our main thoroughfare, Nicolson Avenue, behind Eyre High, which is now also surplus to requirements from an educational point of view but is used by the council, is another real plus. Ultimately, it is about providing a service for the people of Whyalla, an essential service. I cannot praise highly enough the people who work for the Ambulance Service in Whyalla—they do a fantastic job. With this expansion, this new building and the expansion in the crews, that job will only improve. The facilities now for people employed by the Ambulance Service in Whyalla are going to be second to none. It is going to be a massive improvement on what they had previously.

The interesting question in all of this is about the Metropolitan Fire Service that is still in the old building and whether, with the Ambulance Service moving out, that is going to be sufficient to meet their needs. They have to determine that, but it may well be that down the track the MFS could, given the land available on the Appleyard Reserve, co-locate once again with the Ambulance Service.

I should flag that when we are talking about these essential services, it would be great to see the police station move from the far eastern part of Whyalla to the western part of Whyalla, as close to the Westland Shopping Centre as possible—and even co-location with the Ambulance Service and potentially the MFS. If the Treasurer is listening, these are some big budget items that I would like to flag. This will be a great building and a great service for Whyalla, and I am looking forward to the turning of the sod and getting on with this great project.

Motion carried.

ECONOMIC AND FINANCE COMMITTEE: EMERGENCY SERVICES LEVY 2025-26

Mr HUGHES (Giles) (11:15): I move:

That the fifth report of the committee, entitled Emergency Services Levy 2025-26, be noted.

Under the Emergency Services Funding Act 1998, the Economic and Finance Committee has an annual statutory duty to inquire into, consider and report on the Treasurer's determination regarding the emergency services levy. The committee must provide a report on the written determination within 21 days after referral to the committee. This year the committee received the Treasurer's statement on 30 May.

The Emergency Services Funding Act 1998 compels the Treasurer to include determinations regarding the funding targets required via the levy to deliver emergency services, the expenditure on specific kinds of emergency services and the benefits for South Australians across the state. The emergency services levy funds the following organisations to deliver vital emergency services across Adelaide and the regions, including the South Australian Metropolitan Fire Service, the South Australian Country Fire Service, Surf Lifesaving SA, SA Ambulance Service, Volunteer Marine Rescue organisations, and SA Police.

On 16 June, the Economic and Finance Committee held a public hearing with representatives from the Department of Treasury and Finance, the South Australian Fire and Emergency Services Commission, the Metropolitan Fire Service, the Country Fire Service, and the State Emergency Service. The witnesses outlined the funding targets, rate-setting and expending for the proposed levy for 2025-26. Commensurate with its 21-day obligation under the act, the committee considered the determination and tabled its report on 18 June.

Firstly, I would like to take this opportunity to thank the frontline responders, staff and volunteers who support, strengthen and serve our communities in times of crisis. No amount of praise would be good enough to acknowledge the services that are provided—both the professional paid services and the volunteer services.

I would like to highlight the key elements of this year's levy and report, as noted by the committee, that total expenditure on emergency services for 2024-25 is projected to now reach $394.1 million, mainly due to a carryover of funding from 2024-25 into 2025-26. The total expenditure on emergency services for 2025-26 is projected to be $415.4 million.

This will be funded primarily by ESL payments from fixed property of $347.6 million and mobile property of $53.8 million, in addition to minor revenues of $3.5 million and $10.5 million in rundown from the Community Emergency Services Fund, including $3.5 million carried over from the previous years. Cash balances in the Community Emergency Services Fund are forecast to be $20.9 million at 30 June 2025. For 2025-26, the government will pay $142.8 million into the Community Emergency Services Fund.

Emergency services levy bills fluctuate depending on a property's value according to the Valuer-General, its purpose and its location. In 2025-26, the committee can provide the following examples. The median residential property price in metropolitan Adelaide has been estimated at $850,000, and based on this, emergency services levy bills should increase to $164.55. This is approximately $6.70 higher than last financial year. The median residential property in regional areas has been estimated at $454,000, and based on this emergency services levy bills should increase to $99. This is approximately $3.25 higher than last financial year.

Revenue raised by these funding targets will be expended on emergency services, including some of the following new initiatives:

- structural firefighting training for Country Fire Service volunteers at $2.3 million;

- an ongoing replacement program for the State Emergency Service remotely piloted aircraft at $0.5 million;
- a state bushfire risk mapping redevelopment at $0.4 million;
- funding for the CFS to implement the bushfire hazard overlay code amendment at $300,000; and
- funding for Surf Life Saving SA towards replacement of the Lifesaver 3 jet rescue boat at $0.3 million.

The committee has fulfilled its obligations under the Emergency Services Funding Act 1998. I would like to thank the members of the Economic and Finance Committee, the representatives from the Department of Treasury and Finance, the Chief Executive of the South Australian Fire and Emergency Services Commission and the Chief Officers of the Metropolitan Fire Service, the Country Fire Service and the State Emergency Service for their contribution and assistance.

Once again, I would like to flag gratitude especially to the volunteers who give up their time throughout the state, both in the metropolitan area and regional areas. For those of us who come from regional areas, we just know what an essential contribution this is, and we need to recognise it. We need to do all that we can to support our volunteers. We know that attracting volunteers is becoming more challenging as time goes on. When we do have the various organisations appearing before the committee, we know that the intensity of some of the circumstances they face, whether it be fire or whether it be other circumstances, is just going to get worse in the coming years.

I know that some people do not like it when we refer to climate change and global warming, but we just have to look at what is happening globally at the moment throughout the world, what is happening in Europe at the moment with the unprecedented fires. As I said, we need to do all that we can, both for our professionals and especially for our volunteers, to provide support and to encourage younger people to participate because it is a good thing to do. You will acquire loads of skills and you are doing something really solid for the community that you come from.

Therefore, pursuant to section 6 of the Parliamentary Committees Act 1991, the Economic and Finance Committee recommends the parliament note this report.

Mr TELFER (Flinders) (11:24): I rise to speak on this report as a member of the committee, which looked in depth at the emergency services levy and the entities that are funded by it. I echo the words of the member for Giles in thanking those organisations and their representatives from the CFS, the SES, the MFS, SAFECOM and the departments. As always, it was a fulsome investigation and inquiry into the expenditure. Of the questions that were asked of the committee, I think I probably asked 95 per cent, but the questions that were asked were genuine ones on behalf of community so that the committee, parliament and the community as a whole could fully understand the priority areas for investment.

I did note with interest the calculations and some of the numbers around the emergency services levy fulcrum of funds as a whole, and can I highlight that this levy has indeed gone up significantly, well over and above the rate of CPI. This is at a time when our communities are really struggling with the cost-of-living challenges being faced, and having more obligation being put on their shoulders is not something that we should go into lightly.

I was surprised, actually, at how the government have been seemingly quite flippant about the amount by which this ESL has been increased. I understand the important things that it funds, but there is also a responsibility on decision-makers who are putting extra cost burdens onto our community to fully understand those impacts that are going to be felt by individuals, families and businesses all around our state. To have the ESL going up by well over and above CPI is for me something that I think the government should be rethinking and taking stock of at a time like this when the cost of living is really starting to bite.

We looked at a number of the different aspects of the emergency services through the interrogation of this process, in the deliberations and in the development of this report. As a regional member of parliament—especially my area, which is over 220,000 square kilometres—I know that the vast majority of that area is actually serviced by volunteers within the emergency departments. The CFS, in particular, and the SES—and even the Ambulance Service, which is not funded through

this—are predominantly manned by volunteers from across our community. They are the people who I really want to recognise today.

I want to really impress on the parliament and on decision-makers the importance of making sure we are investing in CFS infrastructure, facilities and equipment to most appropriately support those volunteers who are putting their lives on the line at times when the community is really under stress. Some of the fires that have been faced in our state over many years have been fought predominantly by volunteers, and not just in that immediate response where you need to get something under control but in the many days and weeks and even months of mopping up and continuing to extinguish spot fires. This is done by volunteers, and it deserves proper recognition. That proper recognition should come with appropriate investment into infrastructure, into facilities and into equipment.

I try to visit as many as possible of the CFS sheds that are dotted all the way around my electorate. To see the degradation and the run-down nature of some of these facilities really is a cause for concern. I have written to the minister and subsequent ministers a number of times about a few of these individual cases, but I want the whole parliament to fully understand the responsibility that we have as decision-makers to arm our volunteers appropriately, especially our volunteer CFS officers within regional areas, with well-equipped sheds and infrastructure, proper equipment so they can effectively respond to the emergency situations that they are facing, and also the facility to be able to do this in a safe and conscientious way.

Volunteer firefighters in regional areas do not just volunteer to fight fires; they are also the number one port of call when it comes to responding to serious vehicle accidents. We have members of the community who stand at a roadblock or guard over an accident scene where they know the person who is involved in the accident—they may be a friend, a family member or someone whom they have worked closely together with in the community. That is something which is real life for many people right across regional South Australia. These volunteers give of themselves because they are hardworking, conscientious, contributing members of their community, and we need to make sure that we put proper investment back in to support them to continue to do that important job.

While we are looking at the allocation for this financial year, I want to acknowledge and congratulate the Streaky Bay SES unit on their advocacy and hard work. That has been recognised with the delivery of a new fit-for-purpose rescue vessel just in the last few weeks to Streaky Bay. It is a 5.5-metre rigid-hull inflatable boat, fitted with the latest in navigational electronics, communications and safety features.

SES volunteers at Streaky Bay have gone through some of the most challenging times over the last few years, with a number of shark attacks which they have been at the frontline of responding to. For them to have been in a situation of having to be on the water sadly looking for a dead body, looking for a missing person, and for some of those searches where they have been ill-equipped to be able to do that, it is so encouraging to see that the community advocacy—and I have been part of that push for proper investment in Streaky Bay—has been rewarded with an investment into this vessel.

I especially want to recognise the man in charge of the Streaky Bay SES, the man who has given so much of his time as a volunteer to help coordinate, and that is Trevlyn Smith, someone I know well and someone I have seen in action. I have been to his house, and as soon as there is something in his community which needs the attention of the SES he drops everything that he is doing and responds to it. He is one of these people who has given countless hours—and I mean that in real terms, it is countless. So Trevlyn, congratulations on your advocacy work, and to the whole team. I hope that equipping this new fit-for-purpose rescue vehicle will give the community confidence, because this is something which we have asked for, especially in response to these shark attacks.

The challenge of shark mitigation and management has been one of the five important aspects that government should be conscientious about responding to. This is real life, lived out in regional communities, and this is just one step when we are looking at some of the responses that are in the ESL report for surf lifesaving. I hope that, despite there being a bit of time since these awful incidents have occurred, that real focus on getting proper outcomes for the community will not be forgotten.

I certainly will continue to fight for appropriate investment and strategy into shark management and mitigation, especially for those of us on the West Coast and some of the more isolated areas who have sadly seen firsthand some of these incidents that have hit our community members well and truly. So congratulations Streaky Bay on that effort that has been put in, and I hope it is one step along the way to a continued investment into regional areas, in particular when it comes to their emergency management and response.

This report is a fulsome one. I hope that there is the opportunity for us to continue to work constructively when looking at areas of importance when it comes to investment into emergency services. Can I once again thank all those volunteers who put so much of themselves on the line every single day—their time, their businesses, their family time—to keep our communities safe and to protect them. It is reflected in investment into emergency services. Can I just once more reiterate the words of the member for Giles, as the Chair of the committee, thanking those officers who came to dig a bit deeper into some of the budget allocations that we looked at through this emergency services levy report.

Mr WHETSTONE (Chaffey) (11:33): I would like to make a brief contribution to the fifth report of the Economic and Finance Committee, looking into the emergency services levy and the funding that is put into a very, very important part of the state's economy: first responders. I think the Presiding Member, the member for Giles, gave a very good overview. The member for Flinders eloquently put it as a very good regional MP, and an MP that has his finger on the pulse in what is a very large electorate.

I think the member for Giles and the member for Flinders have two of the larger electorates in the state, but they, too, have a very good understanding of the importance of emergency services personnel to our regional setting. We have very few people in the landscape when it comes to population, but we have well above our share of incidents having to have first responders come. Whether it is through the MFS, CFS, ambulance, marine rescue, SAPOL or the SES, they are organisations that many expect to be there when there is a time of need.

I want to thank the volunteers. Sadly, it is a declining base of volunteers who are now being less and less represented as first responders. It is not about people having other priorities. It is about the pressures on day-to-day life, whether it is the cost of living or whether it is the cost of doing business. We have to remember that many first responders are volunteers—many. A lot of them are either self-employed or work for a business that is very graciously allowing their staff or their personnel to down tools and go out to a scene where those first responders are needed, whether it is a fire, whether it is a road trauma, whether it is marine or whether it is any natural cause.

I think we need to understand that if we do have a fire it is not just about going out there to fight a fire, put the fire out and return home. As the member for Flinders said, in the usual manner there is a long process after an incident has happened, whether it is the mop-up, whether it is the clean-up, whether it is the due diligence to make sure that there are no fires that restart. It is also, particularly in a regional community, knocking on doors, making sure that the families are alright after a trauma, making sure that those businesses are okay, that they are dealing with the cost of living and doing business while their personnel are out there looking after their neighbours and their community.

The importance cannot be overstated, particularly in a regional setting, in a small community where everyone knows everyone and everyone knows everyone's business, in most instances. It is not only being a first responder, it is living with the people who have been affected or impacted by trauma or by an event that their first responders have had to be at.

One thing that I will say in closing is that we are seeing record revenue coming from the ESL. Property values continue to climb, particularly since the pandemic. That is putting a lot more money into the kitty for our emergency services levy and the way that that is distributed. Yes, the regional settings are seeing fewer volunteers. We are seeing branches amalgamating, but what we do need is state-of-the-art, up-to-date equipment, so that our volunteers can look after us and be first responders more safely.

A lot of those events that they are responding to seem to be more traumatic and seem to have a much more wideranging impact on personnel. I would like to see more of that levy put into measures that recruit and retain our volunteer numbers. We know that SAPOL are seeing a massive exodus from their organisation, but so are all of them and I think that needs to be put into context.

We have to make sure that our volunteer base is supported, that we have a very good recruitment program and that we give people and businesses the opportunity and the support that they need to allow those volunteers to attend as first responders.

My call to the Economic and Finance Committee is that potentially there should be an adjunct to what this report has given us today, to look at ways that we can make the emergency service organisations better and bigger, with the equipment and the technology that they need to be better and safer when they are responding.

The Presiding Member talked about climate change. I think we have always dealt with a variable climate, and nothing is more sure than having a fire tomorrow, nothing is more sure than a road trauma, sadly, and nothing is more sure than incidents in our marine and water settings. That is why we need to have that up-to-date equipment, whether it be a truck, a boat or personal equipment that our volunteers are using.

I want this government, or any government, to prioritise what is a declining volunteer base. As the shadow minister for emergency services, I note those numbers in the last two years. The exodus away from volunteering is alarming. That is now having a telling tale, putting more pressure on fewer people. As I said, people are prioritising their time. Businesses are doing it tough, allowing their staff and their personnel to down tools and go out to be first responders. I would like to think that the government will put more of a focus on making sure that they put some of that budget measure in place to recruit and retain our volunteers who are so very important.

Mr PEDERICK (Hammond) (11:41): I rise to speak to this motion in regard to the emergency services levy. I just want to recount a story of, I guess, real activity on the Dukes Highway and an event that happened recently. I was just coming home from an event about 10 o'clock and I was listening to my UHF CB when I turned into my driveway, and I could tell something had happened not far up the road because of the volume. The truck drivers were saying there was a car that had gone sideways into the trees.

It was actually only about 500 metres up from my driveway so I flicked out and roared up the road. There were already two trucks stopped and a private citizen in a ute already rendering assistance to the lady who had come unstuck at an overtaking lane. I get sick of hearing these stories. Overtaking lanes do a job but they are a B-grade alternative to duplication of highways. Too often we see accidents where people misjudge.

I do not know the full story of what happened here, but she ended up facing the opposite way to where she was going. She was heading down to Naracoorte and ended up facing back towards Adelaide on that side of the road, going sideways into the trees. I must admit, I made a call asking the drivers where this accident was before I got up there, and they said, 'It's just up here.' A police officer was coming back from Bordertown on a nightly run out of Murray Bridge and he said, 'I am on the way.'

So I just want to commend the work of the police, the CFS and all the people who stopped and looked, and then the lad from Jaensch's Garage who came down with the tow truck and picked the car up once the issue was resolved. It was a delicate issue. The lady had back and neck injuries. She was conscious, she was talking, people were keeping her calm.

I commend the Tailem Bend ambulance operators who came down. They realised that they needed to basically dismantle what was, for the damage that had happened, a reasonably good-looking VT Commodore in reasonable shape. The Coonalpyn CFS had geared up with Road Crash Rescue. Just as an aside to note the closeness of communities, my second and third cousins were both on that truck with a few other locals I knew, and a Netherton truck turned up as well and promptly turned the VT into a roofless Commodore with expert work using the jaws of life and got rid of the roof and, in quite a reasonably long operation, making sure that the lady was in the best condition, got her onto that backboard and into the ambulance.

They then performed other protocols before taking her off to hospital to receive treatment, and I hope that lady is doing well. I just wanted to exemplify one matter that happened. I arrived there soon after 10 o'clock, I think it was, and we left at midnight once the Jaensch's Garage tow truck had skull-dragged the car out of the scrub—they are very professional at getting these things from all sorts of angles—and they had to be right across the Dukes Highway, with the police, obviously, with flashing lights.

I must commend the truck drivers. They do get a bit of a hiding sometimes, but most of the truck drivers did the right thing that night. There were so many flashing lights there with the CFS, ambulance and the police, and most of them slowed right down to 25 kilometres or were barely moving at times. Obviously when this car had to be dragged out of the scrub, and the truck was literally across three lanes, everyone just pulled up on either side from the Melbourne-based lane and the Adelaide-based lane.

This is just one of the events that people have to respond to in the country, and I just want to praise all of our CFS volunteers for what they do. As the member for Flinders said, we need to ensure their equipment and bases are kept up to scratch so that we can retain volunteers because it is vital work, and it will be someone's friend, someone's family member, sadly, who may need the support into the future.

The more I see of accidents I realise there are just too many fatalities in the near vicinity of that incident just up the road. There was one sadly involving a young girl from Keith in the last couple of years. That was a horrible incident involving another overtaking lane and she lost her life. We really need to move forward in this state to the duplication of our major roads, the Dukes Highway, the Sturt Highway and the Augusta Highway. I just want to take my hat off to all our emergency services and the police. They do magnificent work and sometimes that goes unnoticed, but they are truly worthy.

Mr HUGHES (Giles) (11:47): I thank the members for Chaffey, Hammond and Flinders for their contribution. I think the member for Hammond makes a very important point that often the lack of volunteer first responders would lead to far more deaths on our roads and elsewhere.

I can speak very personally about this. I was returning one time from a camping and fishing trip in the far west of the state. We were about 10 kilometres outside of Wudinna and my partner at the time was driving the car. She was an inexperienced driver, she was learning and she lost complete control of the car. The car was totally written off. I do not know how a number of us survived that accident.

She was incredibly, seriously hurt with a broken leg, a compound fracture to the thigh, a broken collarbone and she remained unconscious for 13 days. If it had not been for the volunteers who turned up very quickly on that day and took her to the Wudinna Hospital—we were fortunate that at that time there was actually a resident GP who stabilised her—if it was not for those volunteers and the GP who at that time was living in that community, she would have died in her 20s.

That emphasises just how important volunteers are in regional areas, where there is often a lack of professional services and volunteers. It is really a life-and-death situation for people. I take my hat off to them. The work they do is exemplary.

Motion carried.

PUBLIC WORKS COMMITTEE: GLANDORE OVAL REDEVELOPMENT

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

That the 141st report of the committee, entitled Glandore Oval Redevelopment, be noted.

Glandore Oval is a recreation area located off South Road in the suburb of Glandore. The oval and its associated facilities are currently home to the Adelaide Cricket Club and Westminster Old Scholars Football Club and are regularly used by SEDA College and Black Forest Primary School. The oval and its surrounds are also popular with the local community as a place for recreation and exercise

Built in the 1950s, the current clubroom no longer meets the standards required by clubs and groups who use the oval. In 2022, the state government committed $5 million towards a redevelopment of the site, and in 2023 community consultation was undertaken regarding plans for the site's future. A preliminary concept design was presented to the City of Marion in March this year, which council considered after a second round of community consultation. The site plan was subsequently revised, improving the perimeter landscaping and retaining a number of courts in the south-eastern area of the site.

The proposed project between the City of Marion and the Office for Recreation, Sport and Racing aims to create a multifunctional community-use site, including new multisport clubrooms as

well as modern recreational facilities which can be adapted to suit various needs. The project master plan aims to limit the impact of the project on neighbouring properties, as informed by the feedback received during community consultation phases.

The design sympathetically integrates the clubroom with the site and the surrounding area and will increase parking, provide public washroom facilities and improve pedestrian access. Main works include demolition of the existing clubroom and five other smaller buildings across the site, and construction of a new single-storey clubroom building including:

- a large 180-person multifunction space;
- a new bar, commercial kitchen and canteen;
- audiovisual equipment for meetings and presentations;
- four inclusive change rooms that are compliant with AFL guidelines;
- a meeting room;
- storage spaces for sporting equipment; and
- toilets with external public access.

Ancillary works include:

- construction of a maintenance and storage shed;
- installation of a car park to the rear of the clubhouse;
- improved traffic and parking on Margaret Street, including 36 new parking bays;
- landscaping and paved pedestrian paths around the oval and building; and
- upgrades to the site services, including water, electricity, stormwater and sewerage.

Construction is anticipated to commence late this year, with the expectation for it to be complete by December 2026.

The project is expected to cost $9.6 million, comprised of the $5 million election commitment from the state government and a further $4.6 million approved by the City of Marion. Once the building is complete, the council intends to lease it back to current users on terms consistent with the council's Leasing and Licensing of Council Owned Facilities Policy. The Office for Recreation, Sport and Racing states that an economic impact report anticipates a total economic impact of $19.4 million, as well as the creation of 49 full-time equivalent jobs throughout the project's life cycle.

The council will have sole responsibility for the management and implementation of the project in accordance with its policies and procedures, as well as for the reporting and accountability requirements outlined in the funding agreement between the state government and the council. All procurement will be undertaken by the City of Marion Procurement and Contract Management Policy, with the City of Marion utilising a two-stage delivery approach with detailed design already complete and a suitable qualified construction contractor to be selected through an expression of interest tender process. The project will be managed utilising the City of Marion's Project Management Framework and be overseen by an in-house project manager.

The City of Marion uses environmentally sustainable design guidelines for all new buildings and structures. Projects must also demonstrate contribution to, and alignment with, the city's Carbon Neutral Plan. The project incorporates the following sustainability initiatives:

- the decommissioning and removal of the existing natural gas connection;
- efficient automated and zoned heating, ventilation and air-conditioning controls;
- heat recovery technology for refrigerant units;
- efficient automated LED lighting;
- a 35-kilowatt solar photovoltaic system and provision for a future battery;
- a solar hot water system and efficient fixtures and tapware; and

- rainwater collection.

The project team has undertaken multiple phases of consultation with the community across key project design milestones. The first phase informed nearby residents of the project, inviting early feedback for initial design. The second phase released the initial concept plans to the public, with responses indicating 72 per cent of respondents supporting that plan. Based upon feedback, the City of Marion revised the plans, which were released back to the community.

In addition to community consultation, the City of Marion has been in direct consultation with key Glandore users to ensure designs are satisfactory to their needs. The Torrens to Darlington planning code will also need to be considered for this project given the oval's proximity to the South Road corridor. The Office for Recreation, Sport and Racing states that major development works fall outside the corridor; however, some landscaping may fall within the zone. The Office for Recreation, Sport and Racing states that a search of the central archive identified no entries for Aboriginal sites at the Glandore Oval precinct and that there are no existing local or state heritage projects at the site.

The committee examined written and oral evidence in relation to the Glandore Oval redevelopment. Witnesses who appeared before the committee were Tim Nicholas, Director, Corporate Strategy and Investment, Office for Recreation, Sport and Racing, and representatives from the City of Marion: Adrian Swiatnik, Project Manager, Strategic Projects; Mathew Allen, Acting Manager, City Activation; and Ben Keen, General Manager, City Development. I thank the witnesses for their time.

I also want to acknowledge the staunch advocacy of the local member for Badcoe, Jayne Stinson, who was the project instigator. It is safe to say that, without the advocacy of the local member, this project would not happen. The member for Badcoe worked hard to secure the funding for the election commitment and worked closely with local clubs and the community to see this project come to fruition. It also follows the member for Badcoe's work in her community to upgrade Goodwood Oval and Weigall Oval.

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

Ms STINSON (Badcoe) (11:56): It does bring me great joy to be rising today to speak about a facility that is so central to my community, and that is Glandore Oval. I would like to start by thanking the committee for its interrogation of this submission to the Public Works Committee. In particular, I acknowledge the work of the Chair, the member for Adelaide, who so ably leads that committee. I also recognise the efforts of others who took the time to really examine this properly, ask follow-up questions and be very thorough about the endeavour.

Glandore Oval is a simply beautiful location. There is nothing quite like having a lazy Sunday down at the oval in the sunshine and watching the Adelaide Cricket Club blitz the competition. They also have a fantastic women's league that has been running for some time now, and it gives me and my little son, Quinn, great joy to go down there and spend some time watching local sport and supporting our local teams.

During the AFL season, we also have the privilege to go and see the Westminster football club either on their training evenings or indeed playing on Saturdays. Both of these clubs are outstanding and do our community proud. Members may know that the Adelaide Cricket Club is an elite club and now boasts some of the best facilities across the Adelaide metropolitan area. As a result, we are seeing some elite players come out of that club, and that is a great source of pride for all of us in our community.

Obviously, the oval is home to those clubs, but also it is a hub for my community. It is a place where, certainly on the milder evenings, or even sometimes on the chillier ones, our community is out there lapping the oval, taking the dogs for a walk, getting to know each other and sharing the gossip of what is happening around Glandore and Black Forest. Of course, the Black Forest Primary School also uses the facility from time to time, which is a great opportunity for our kids to be able to run around and to learn some new sporting skills.

The centre also has some multisport courts that have been there for some time, a lovely playground and also a memorial, which is somewhat smaller than it used to be. It is a rose garden

memorial paying tribute to one of the war veterans from our local community. It also has some disused buildings, particularly the old Scouts buildings, and under this renovation we are going to see some of those older disused buildings make way for greater green space and better and more contemporary facilities.

As I mentioned, this is a lovely, classic oval. For some time I have been concerned to make sure that the pressure on local sporting clubs is dealt with by ensuring that this oval is redeveloped. Certainly, really from the time that I became a member of parliament in 2018, I have been looking at what could be done at this facility. As the member for Adelaide mentioned, I have previously been an instigator of and very involved with Goodwood Oval and making sure that their facilities were upgraded but also instrumental in getting the initial funding for Weigall Oval at Plympton.

Debate adjourned.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the Clerk I would like to welcome to parliament today Vini Ciccarello, the former member for Norwood and the current chair of the former members' association of this place. Thank you, Vini, for all of the great work you do in looking after the welfare of former members of parliament and bringing them together on a regular basis so that they can continue to be a part of this house where they served for so long. Thank you, Vini.

Bills

HARBORS AND NAVIGATION (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee.

(Continued from 20 August 2025.)

Clause 10 passed.

Clause 11.

Mr WHETSTONE: Regarding the declaration and the constitution of harbours and ports, minister, can you please give me an understanding of whether the River Murray is still declared a harbour?

The Hon. A. KOUTSANTONIS: No, it is not on our list of harbours.

Mr WHETSTONE: We have been talking about issues on the River Murray. Does that mean that the questions I have asked about that really are not part of this act?

The Hon. A. KOUTSANTONIS: We have jurisdiction over navigable waters, so they are relevant.

Mr WHETSTONE: This might overlay with clause 9. As far as a declaration of a harbour or a waterway, there may be a vessel—I think we talked about this yesterday—that has sunk in the main channel and has been declared by your department as safe. I have an ex-government ferry that has sunk in the river channel that has been declared safe. My concern is that we have weir pool manipulation in the main channel now, so we have a lot of variation in river height.

In a normal pool level situation, a vessel that is sitting on the bottom of the river is deemed safe, but under a weir pool manipulation—for want of a better term—the water level is raised and lowered. When it is lowered, it becomes a safety concern for river users, particularly anything that does draw water. Some of the bigger ski boats now do draw a lot of water. So there is this vessel that has sunk at a low pool level that is also leaking hydrocarbons: I wonder whether you could make some comment on that, please.

The Hon. A. KOUTSANTONIS: I think in your preamble you said that while it is underwater it is safe. It is not a safety issue. If it became a safety issue, then we would act. We do not think it is a safety issue, but if there is evidence that it is a safety issue, that would trigger a course of action by the agency.

Mr WHETSTONE: Just for clarification, minister: as I said in the preamble, at pool level or normal operating river height it is not a safety issue, but when the Department for Environment and Water are weir pool manipulating, raising and lowering the river level, for environmental benefit and they lower the pool level, that vessel will become a safety issue. I have constituents who have land adjacent to that sunken vessel and they are concerned that at pool level it is safe but, when there is a reduction in river height, it becomes a safety issue.

The Hon. A. KOUTSANTONIS: We would liaise with DEW about the weir manipulation, and if we thought it was a safety issue at a lower level we would either alert river users or act, and I would take advice from the agency on what the best course of action is.

Mr WHETSTONE: With regard to this vessel leaking hydrocarbons, is there a mandate on how that would be addressed or how it would need to be rectified?

The CHAIR: I just draw to the member's attention that that was your fourth question.

The Hon. A. KOUTSANTONIS: As I said to you last night, this is a multi-agency jurisdiction, so if the EPA or DEW felt that hydrocarbons were indeed being leaked into the river system and they exceeded an amount that was acceptable, then orders would be placed by the relevant agency on the owner of the vessel.

The system works, but I am not sure what the member is asking me to do. Are you asking me if there are automatic triggers along the way for a course of action to occur, or are you asking me who is responsible? If you are asking me who is responsible, I would say that there is a multi-agency response. If it is about pollution into the river, it would be either the EPA or DEW. If it is about navigation and safety hazards, it is DIT. If it is something relating to the ports and harbours navigation act, it is DIT. It is not one agency. It is not one rule to govern everything.

I suppose the question you have given me is: there is a government ferry that has been submerged and you say it is leaking hydrocarbons, so whose responsibility is it if the weir manipulation lowers the levels and there are still hydrocarbons being released? The hydrocarbons are a matter for the EPA. The navigation is a matter for DIT. The subfloor of the river is a matter for DEW. There is not one agency that governs the entire aspect of all of this. We cooperate amongst ourselves because the South Australian government as a whole is responsible.

If the EPA told DEW and DIT that those hydrocarbons being released—if there are hydrocarbons being released—are a hazard, we would have to act, but I have not received that notification. I do not know the ferry that you are talking about. I do not know the location you are talking about. I am happy to look into it and get back to you.

As I said, the framework is multi-agency, it is not one agency. What this bill does is give a framework for harbours and navigation, about applying rules to harbours, how we deal with shipwrecks, how this act interacts with other pieces of legislation. I am not trying to usurp DEW or the EPA. This is not DIT saying that it is now running all these measures. It is no different from the scenario I gave you earlier about a prison: Corrections are responsible for the maintenance of prisons, police respond to incidents, MFS respond to fires, ambulance responds to injuries. It is a multi-agency response within one jurisdictional facility. It is no different from the river, it is no different from any other form of government response. It is not one agency that does everything: we liaise with each other.

Is this dealing with hydrocarbons leaking into the system? No, but what we are dealing with is wrecks, safety navigational rules, declarations we can make. It is a framework. I think that answers your question. If you want better clarity about who deals with that ferry, if DEW is manipulating the ferry, the weir levels, and they create a hazard, I would expect them to notify DIT and we would make a decision about what to do next.

Mr WHETSTONE: Finally, to clarify, this ferry wreck is at a community called Younghusband. It has no known owner, so there is no responsible person. Is it up to me or the community to notify you where it is, to assess where that ferry is and what risk it will have for river users, or is it up to the community to assess the wreck, the water height, so they can give you a clearer picture of what safety issues the vessel that has sunk potentially will raise?

The Hon. A. KOUTSANTONIS: The advice I have is that we generally monitor and we respond to reports. We do general monitoring and we also respond to reports. I suspect from the

preamble you have given that the department is aware of this ferry, aware that it is a hazard. Is there a buoy?

Mr Whetstone: No.

The Hon. A. KOUTSANTONIS: There is not? That would indicate that the department does not think it is a hazard.

Clause passed.

Clause 12 passed.

Clause 13.

Mr PEDERICK: The minister's second reading speech states that harbour rules will not be created for all 33 harbours around the state and that harbour rules are likely to be developed particularly for harbours where ferry services operate. We note the new service that will come into play extremely shortly at Penneshaw and Cape Jervis. Can the government clarify exactly to which harbours it is proposed these new harbour rules will apply?

The Hon. A. KOUTSANTONIS: No, I cannot. This is not making the new harbour rules: this is giving us the ability to make harbour rules. The department will do an assessment about where we need to have the harbour rules. I think you can safely assume it is Penneshaw and Cape Jervis. So, obviously, there need to be rules in place. But again, I go back to the foundation: this legislation gives us a framework to go out and do these things. This is not a prescriptive bill that is saying, 'These are the harbours and ports where we will place rules.' What we are doing is giving ourselves a platform to do that, and the department, in an administrative way, will then decide into which ports and harbours to place the rules.

Mr PEDERICK: It is noted that, under the Harbors and Navigation Act, authorised officers may be appointed who are also local government employees. The minister's colleague, the Attorney-General, was asked—through the truncated debate on the Biodiversity Bill that passed this parliament on 18 June 2025—about liability protections for authorised officers. In that debate the government declined to support amendments proposed by the Hon. Nicola Centofanti to include a new clause 106A, in the Biodiversity Act, which would have addressed the issue of liability coverage to council-employed authorised officers appointed under that act. The proposed amendment to the Biodiversity Bill was:

> An authorised officer who takes action under this Act in good faith does not incur any civil or criminal liability for taking that action.

At the time, the Attorney-General declined to address this issue in a piecemeal way, and committed to addressing the wider issues of liability protections for council-employed authorised officers through a review of section 74 of the Public Sector Act.

In circumstances where the minister has already appointed authorised officers or intends to appoint authorised officers who are also local government employees, to assist in enforcement of the new rules and directives proposed under the Harbors and Navigation (Miscellaneous) Amendment Bill, what liabilities and protections are provided to council officers under the Harbors and Navigation Act?

The Hon. A. KOUTSANTONIS: I think it is very unlikely that we would ask council officers to enforce measures under this legislation. I think you answered your own question in your preamble, where the Attorney-General told the Hon. Nicola Centofanti that he would review this holistically rather than piecemeal. I think that is your answer.

In terms of who would be liable, they are questions for individual councils rather than me, as the minister. The government has already told the opposition, through the debate on the Biodiversity Bill in the upper house, that there will not be a piecemeal solution to this, it will be a holistic approach by the government. That answers the first part of your question.

The second part of your question is: who is liable? The advice I have received is that we are very unlikely to be engaging council officers to do this work for us. This is just a general provision that is put in place in most legislative instruments that allow for us to delegate authorised officers to councils. We will deal with it holistically rather than piecemeal legislation by legislation.

Mr PEDERICK: Thank you for that answer. Notwithstanding that it might be a very rare event, will the minister commit to referring this matter to the Attorney-General for additional consideration under the Public Sector Act for remedy of liability protections for all council-employed authorised officers appointed under this and many other South Australian acts?

The Hon. A. KOUTSANTONIS: No, because he has already agreed to undertake that work previously, so there is no need for me to do that. We have already publicly said that we will deal with this holistically. However, I just want to give you some comfort, if I can. If you go to section 89 of the current act it says:

An authorised person incurs no civil liability under this Act for an honest act or omission in the exercise or purported exercise of powers under this Act.

Mr WHETSTONE: Minister, can you give me some clarification: under the Harbors and Navigation (Miscellaneous) Amendment Bill, when was the river no longer defined a harbour?

The Hon. A. KOUTSANTONIS: My advice is it never has been.

Clause passed.

Clause 14.

Mr WHETSTONE: I think I am in the right space, but with the navigable channel on the river there have been a number of underlying issues potentially post-flood with infrastructure; not so much damage to infrastructure but infrastructure that has been affected by the high flows. We have scouring around wharves, we have boat ramps that have lost all the material underpinning a concrete slab and what we are now seeing is boat ramps breaking off and falling into the channel. We have boats being damaged due to putting boats in and out on broken boat ramps and infrastructure. Who is responsible for the remediation of that infrastructure?

The Hon. A. KOUTSANTONIS: I am a bit confused. Section 14 changes the name of the act, that is all it does, but you are asking a more general question about who is liable for those works in case of a flood?

Mr WHETSTONE: Yes. I might be in the wrong space.

The Hon. A. KOUTSANTONIS: That is okay, it does not matter because the bill is open so we might as well answer this. The advice I have is that the owners of the infrastructure are the ones who are liable for repair and remediation of those works. My guess is it is insured, much like our jetties are in a storm event. It is no different. If a council has jetties, there is insurance on those jetties. If there is a storm event and debris is caused, the insurance claim clears that debris. It is no different for infrastructure on the river.

Mr WHETSTONE: Just a little more clarification: are there rules around ownership of that infrastructure? Is it a state government asset? Is it a local government asset? Is it something that has been handed over? It is a public asset?

The Hon. A. KOUTSANTONIS: It depends entirely on who made the application to build it. If councils made the application to build infrastructure to improve tourism or amenity in their local communities, then they own the infrastructure. If the state has built a ferry crossing, we own the infrastructure. Potentially, a privateer could put things in if they have development approval, then they are responsible for it. It is no different from any other piece of public infrastructure.

Clause passed.

Clauses 15 and 16 passed.

Clause 17.

Mr WHETSTONE: I put some preamble out there yesterday with regard to abandoned boats and the requirements for operators of hire and drive vessels. What I am witnessing at the moment is people travelling from interstate, bringing vessels into South Australia and parking them on a riverbank or parking them in parks, mooring them and then leaving, with no accountability.

For example, a houseboat owner comes out of Victoria, where they are charged mooring fees. They come to South Australia, they park the boat and they leave. They might come back in six months' or 12 months' time and then occupy that boat, but in the meantime that boat is sitting there,

banging on the bank, causing degradation, with no accountability. I am wondering who is responsible for the policing of that boat or, if it falls under a permit, which they currently pay no money for and they do not pay mooring fees, do they just come down free of charge because it is an opportunity there to be taken?

The Hon. A. KOUTSANTONIS: You raise an excellent point, because the current framework is that it depends on whose infrastructure it is they are moored against and what the permit results are. I think you raise an excellent point, as that is a cost. The problem that we will have to contemplate, given the query you have raised, is whether or not we do impose costs on interstate travellers who just dump a houseboat in the river, rent free for all intents and purposes, unless the owner of the private infrastructure charges for it, which I imagine they would. If it is public infrastructure, it depends on who owns the public infrastructure and whether they have permitting or charging.

If you have evidence of people taking advantage of South Australia as a low-cost jurisdiction and taking up space and doing damage to our infrastructure without contributing to it, I would like to know about it. I would be more than happy to work with the local member to try to come up with something that is not punitive on locals but also stops those types of people taking advantage of local infrastructure, free of charge.

Mr WHETSTONE: Just to go on a little bit further from there, if there is a boat in that situation—dump and run, or they just moored it and moved away—on Crown land, does it then become the responsibility of the Department for Environment or is it still under the auspice of the Department for Infrastructure and Transport?

The Hon. A. KOUTSANTONIS: I cannot give you an answer to that question. I would have to liaise with the multi agencies to work out the response, so I cannot give you a definitive answer. But we would liaise with the other agencies and come up with a solution.

Mr WHETSTONE: Just finally, if there is a houseboat moored on public property and a tree falls on that houseboat, who is liable for the damage?

The Hon. A. KOUTSANTONIS: I cannot answer that question. Why does a tree fall in the forest? Why did the tree fall over? Was it because of a natural disaster? Was it because of a storm? Was it mismanagement of the riverbank? I do not know. Who owns the tree? Who owns the public infrastructure? Is it the council? Did you pay a permit to be there? Are you insured? I cannot answer that question.

Mr WHETSTONE: If it were a tree on Crown land and it was deemed that the weir pool manipulation by the Department for Environment undermined that tree and then the tree fell down on private property or on private assets, would there be a determination then?

The Hon. A. KOUTSANTONIS: My instincts are that the Crown would say that they have no liability, and the person who has the houseboat could take their case to a court and the court would adjudicate whether or not the state was liable.

Clause passed.

Clauses 18 to 21 passed.

Clause 22.

Mr PEDERICK: The minister's second reading speech states that the safety direction will prevail over any council by-laws. Given that these directions may be temporary and put in place within a very short period to respond to emerging issues, how does the minister propose that adequate consultation with councils will occur to ensure that inconsistencies do not arise in any conflicts between a council by-law and the safety direction?

The Hon. A. KOUTSANTONIS: There cannot be an inconsistency because our safety directions will prevail.

Mr PEDERICK: If a safety direction overrides a council by-law, once the period of the operation of the direction has expired, will the council by-law return fully in its force?

The Hon. A. KOUTSANTONIS: Yes.

Mr PEDERICK: The minister's second reading speech states that the safety direction will be used to ensure safety and can impose restrictions—for example, prohibit swimming or limit vessel speed. What enforcement activities are proposed to be undertaken by the state government under the safety direction to ensure public safety?

The Hon. A. KOUTSANTONIS: Marine officers would enforce the safety directions, but I do not expect anyone operating in a harbour to breach these rules. It is no different from any other law we pass. We have officers who enforce them.

Mr PEDERICK: What assurance can the minister give that these enforcement functions will not be cost shifted to local government through specific actions or activities?

The Hon. A. KOUTSANTONIS: I just remind the member he is a member of this place, and the state's interests are our interests, not councils', and councils are a creation of this place. We do not mean to cost shift, but we make laws for the good order and governance of the state, and we expect our creations of this parliament to abide by laws we pass.

Mr PEDERICK: Local councils are often subject to Crown vesting land management arrangements for assets and infrastructure within harbours and navigable waters. They already have obligations to ensure safety and amenity for local communities under these arrangements. What assurance can the minister provide that local government entities would not be subject to punitive measures under the safety directions for infrastructure that is already maintained for community benefit?

The Hon. A. KOUTSANTONIS: I think you are misunderstanding what we are attempting to do here. We are not giving ourselves powers for them to build infrastructure. What we are trying to do here is give us powers to stop activity if we think it is not safe, so there is a difference. I think you are probably misinterpreting things.

Mr PEDERICK: So what assurances can the minister provide that he will not use these safety directives to compel councils to address historical asset conditions of leased assets?

The Hon. A. KOUTSANTONIS: The bill does not give me the power to do what the shadow minister is asking me.

Clause passed.

Remaining clauses (23 and 24) and title passed.

Bill reported without amendment.

Third Reading

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (12:34): I move:

That this bill be now read a third time.

Mr PEDERICK (Hammond) (12:34): Just quickly, I would like to thank the minister for making his officers available to give us a briefing and thank them for their work during the committee stage. I think it has been quite productive and we look forward to the full operation of the act when it comes into order.

Bill read a third time and passed.

The Hon. A. KOUTSANTONIS: Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

DEFAMATION (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence) (12:36): I move:

That this bill be now read a second time.

I am really pleased to introduce the Defamation (Miscellaneous) Amendment Bill 2024 to this house. This is a bill that makes a range of very important amendments to the Defamation Act 2005. It follows, and is based on, the results of a national review of the uniform model defamation laws undertaken by state and territory attorneys-general.

At the core of this bill are really important amendments that will strengthen protections and support for sexual assault survivors and survivors of other forms of violence when they make reports to police, a process that we always want to be impactful, effective and safe for those who traverse such terrible experiences and then traverse all that follows as they seek justice.

The most significant amendment in this bill extends the defence of absolute privilege to reports made to police. This means that those who are subject to crimes, or who are witnesses to crimes, will be provided with stronger protection against lawsuits claiming their making of a police report defamed a person involved in the alleged criminal offence.

For very good reason, there is strong public interest in enabling the free flow of information to police. Currently, a person can be sued in defamation for allegations that they make to police as a survivor of, or as a witness to, a crime. Particularly for those who have experienced sexual violence, we want their pathway to justice to be safe and to be free of any worry whatsoever about the consequences of giving evidence or making a report.

Currently, whilst the defence of qualified privilege is available, this requires the person who made the police report to prove the reasonableness of their report. Further, their motives for reporting may be open to scrutiny should the plaintiff allege that they were motivated by malice in providing that report. Even if ultimately successful in proving qualified privilege, a person may face years of legal proceedings and significant expense simply to defend their reporting of a crime. Sadly, particularly again in the cases of sexual assault, this may deter them from coming forward at all.

There is no good reason for members of the public to face such risk nor worry about reporting to police, particularly given a criminal offence of knowingly making a false report to police already exists. Again, the risk of drawn-out defamation litigation and all that means in terms of having to retell their stories and have them scrutinised may well inhibit survivors from coming forward and, alarmingly, this will likely particularly be the case for those who have experienced sexual assault or domestic violence.

We know that there are many new and terrible, insidious ways in which a perpetrator can attempt to coercively control a person with whom they were or are in a relationship. Alarmingly, the threat of defamation proceedings for reporting to police may indeed be used to further silence and entrap a survivor of coercive control. Systems-based abuse is an issue that needs focus and is often cited as an element of coercive controlling behaviour designed to wear a person down.

As our state sets about embracing the generational opportunity for lasting change that comes with the findings of the Royal Commission into Domestic, Family and Sexual Violence in this bill, it is crucial that we take this opportunity to tackle this particular concern. The Defamation Act details that statements made on occasions of absolute privilege have a complete defence to defamation lawsuits. Proving that the statement was reasonable is not necessary, and proving malice will not defeat the defence. Absolute privilege is applied to situations in which the free flow of information is in the public interest, including in court or parliamentary proceedings.

The government believes that members of the public reporting to the police should also elicit absolute privilege. Under the reform proposed in this bill, a person sued in defamation need only prove that they made the relevant communication to a police official whilst they were acting in their official capacity to have a complete defence to defamation.

It should be noted that this provision only defends the report to police. Communicating the allegations from the police report to any other party, including the media, would not attract absolute privilege. Any defamation claim arising out of statements made to the media about a report made to police would still have to be defended using other defences such as qualified privilege.

This reform is rightly intended to empower survivors of crime, and particularly survivors of sexual violence and domestic and family violence, to have confidence in coming forward—a step that can already be utterly fraught—to police without fear of retribution being exacted through a defamation claim.

This bill also rightly makes two amendments to support those who have been defamed by material posted on the internet, an area of growing and deep concern. The bill provides an avenue to have defamatory material on an online platform removed or otherwise made inaccessible.

Currently, a court can make an interim or final injunction requiring a publisher of defamatory material to cease publication; however, this order can only be made against a party to the defamation action, meaning that if a person defamed wants a large online digital platform, such as Facebook or Google, to remove or prevent access to defamatory material posted by a third party, they must bring an action for damages against the online platform. If they only sue the author or poster of the matter, they cannot secure a takedown order against the digital platform.

This bill will allow courts to make injunctions against digital intermediary publishers who are not parties to the action. A digital intermediary is any person or any organisation who provided an online service in relation to a digital publication, but who was not the author, originator, or poster of the matter. This includes search engines, email and messaging services, social networking websites, product review websites and video-sharing platforms.

This proposed amendment to the Defamation Act provides that if a person has obtained an interim or final injunction preventing further publication by a defendant in defamation proceedings, the court may also make an order requiring a non-party digital intermediary to take steps to prevent access to the material, or continued publication or republication of the material. This will not prevent a person also suing the digital intermediary; however, to obtain an order for the digital intermediary to act in relation to the defamatory material they are not required to sue the digital intermediary.

Finally, the bill sets out principles that must be taken into account by a court in applications for pre-action discovery relating to a defamatory digital publication. Under the Uniform Civil Rules 2020, South Australian courts may order a person to disclose documents that will allow a potential plaintiff to decide whether, or against whom, to bring a civil action. This could be used to require a digital intermediary to provide details of the person who authored or posted defamatory content online through their platforms or services.

If a pre-action discovery application is brought for this purpose before deciding whether to disclose the author's or the poster's details, this bill provides that a court must take into account the objects of the Defamation Act, which include freedom of expression, fair and effective remedies for persons whose reputations are harmed, and speedy and effective dispute resolution, and privacy, safety or other public interest considerations that may arise if the order is made.

Finally, the bill makes a small amendment to section 15 of the Defamation Act to update language related to the content of an offer to make amends. A person wishing to sue in defamation must first issue a concerns notice to the proposed defendant prior to filing a claim. The defendant then has 28 days during which they may make an offer to make amends. A plaintiff's failure to accept a reasonable offer to make amends can be used later as a defence to the defamation action. This is about encouraging parties to resolve reputation disputes early and without court involvement.

Section 15 sets out what must be included in an offer to make amends, as well as additional optional inclusions. In relation to matters that have been published on a website or otherwise electronically, an offer to make amends may include an offer to remove the matter from the website or location. This bill rewords this clause to refer to an offer to take one or more access prevention steps in relation to the publication. This will align the language of this provision with the new section allowing courts to make orders for access prevention steps to be taken by non-party digital intermediaries. For the information of this house, this change was introduced to the bill through an amendment moved in the other place by the Hon. Robert Simms MLC.

In closing, I thank the Attorney-General and his team for their work on this bill. It is a bill that provides really important steps forward that recognise the difficulties already experienced by many survivors of sexual violence as they come forward, and a bill that also responds to the need to contemplate the more contemporary platforms through which defamation can occur.

I commend this bill to members and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Defamation Act 2005*

3—Amendment of section 4—Interpretation

This clause inserts new defined terms of *access prevention step*, *digital intermediary*, *digital matter*, *online service* and *poster* for the purposes of the measure.

4—Amendment of section 15—Content of offer to make amends

This clause amends section 15 to provide that an offer to make amends in relation to a digital matter can include an offer to take 1 or more access prevention steps in relation to the matter.

5—Insertion of section 21A

Proposed section 21A is inserted into the principal Act.

21A—Orders for preliminary discovery about posters of digital matter

This clause provides that a court must, when making certain orders for, or in the nature of, preliminary discovery, take into account the objects of the principal Act and any privacy, safety or other public interest considerations that may arise if the order is made. This clause does not limit the matters the court may take into account in addition to these matters.

6—Amendment of section 25—Defence of absolute privilege

This clause amends section 25 of the principal Act to extend the defence of absolute privilege to publications of defamatory matter made to a person who, at the time of the publication, is an official of a police force or service of an Australian jurisdiction and it is published to the official while the official is acting in an official capacity.

7—Insertion of section 37A

Proposed section 37A is inserted into the principal Act.

37A—Orders against non-party digital intermediaries concerning defamatory digital matter

This clause provides that in defamation proceedings to which this clause applies, the court may order a non-party digital intermediary to take access prevention steps or other steps that the court considers necessary, to prevent or limit the continued publication or republication of digital matter the subject of the defamation proceedings. This clause provides that orders can be made in relation to a digital intermediary even if the intermediary is not liable for defamation because of a statutory exemption or defence.

Schedule 1—Transitional provisions

1—Absolute privilege amendments

The absolute privilege amendments will apply to publications made after the absolute privilege amendments commence while the existing law will continue to apply to publications made before that commencement.

2—Preliminary discovery or non-party digital intermediary order amendments

With 2 exceptions, the preliminary discovery or non-party digital intermediary order amendments will apply to orders made after the commencement of the amendments regardless of whether the proceedings in which the orders are made—

(a) involve causes of action accruing before or after the commencement; or

(b) were commenced before or after the commencement.

The exceptions, to which the existing law will continue to apply despite the amendments, are—

(a) an order made before the commencement of the amendments;

(b) the variation or revocation of an order made before the commencement of the amendments.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (12:49): I rise briefly to indicate the opposition's support. I am the lead speaker, and I indicate at what might be a brief committee stage we might interrogate the circumstances on which it has taken the government this long to come to the part A aspects of the reforms. I refer to the 22 September 2023 communiqué of the Meeting of Attorneys-General, at which time South Australia had agreed to the part B amendment. That got a bit of a run just now by the minister. That is the defence of absolute privilege, the amendment to section 25.

The new sections 21A and 37A in relation to discovery orders and non-party orders have been, as I say, the subject of national consideration, which has been really led by initially Mark Speakman as Attorney-General and following on, of course, the Bolar litigation. The main interest is in, really, how it has taken South Australia and the government this long to settle a view about those part A changes. That might be better dealt with in the committee. With those words, I commend the passage of the bill to the house.

Mrs PEARCE (King) (12:51): I have long been conscious of the growing influence of social media and how legislation may need to be refreshed to ensure that rights are protected and whereby justice is sought. This bill makes various amendments to the Defamation Act 2005, based on the results of a national review of the uniform model defamation laws undertaken by state and territory attorneys-general.

In our digital world, there is no doubt that social media can be used for good—information sharing, building communities and connecting people and families from all corners of the world—but all too often it can be used to enact egregious digital harm upon others. People can use it as a weapon to cause harm and fear and seek revenge, and it is absolutely crucial that our legal and policing systems are equipped to handle online antisocial conduct as our communities digitise and come online.

In order to stamp out vicious online behaviour, victims need to be supported to come forward and report digital harm and abuse. Taking a stand against abuse can often be difficult for victims due to fear of potential adverse repercussions from their perpetrator, which is why the most significant amendment in the bill will extend the defence of absolute privilege to reports made to police. This will provide victims of crime and witnesses of crime with stronger protection against lawsuits claiming that the report defamed a person involved in the alleged criminal offence. This bill also makes two amendments to support people who have been defamed by material posted on the internet, which I am very pleased to see.

Only earlier this year I spoke to a constituent of mine about the negative impacts that social media can have and how there needs to be more incentives to encourage mindfulness about what is said online. Not only can comments be hurtful and lasting, they can also normalise cyberbullying and antisocial behaviour. This means it can continue and spread, which can escalate to unsafe and extremely dangerous situations such as doxxing, stalking and so on.

Once something is posted online, it can be very difficult to erase. The internet remembers much longer than the regular person, and digital legacies can last forever. That is why the bill would provide another avenue to have defamatory material removed from an online platform, which will help to prevent the situation from escalating.

Currently, a court can make an interim or final injunction requiring a publisher of defamatory material to cease publication; however, this order can only be made against a party to the defamation action. Therefore, if a person defamed wants a large online digital platform, such as Facebook or Google, to remove the defamatory material posted by the third party, they must bring an action for damages against the online platform. If they only sue the author or poster of the matter, they cannot get a take-down order against the digital platform.

This bill will allow courts to make injunctions against digital intermediaries and publishers who are not a party to the action. A digital intermediary is any person or organisation that provided an online service in relation to a digital publication but who was not the author, originator or poster of the matter. This includes search engines, email and messaging services, social networking websites, product review websites and video-sharing platforms. Because, as the saying goes, once it is online, it is online forever, creating a digital legacy. This way, the post will truly be removed rather than just the original source.

Finally, the bill will set down principles that a court must take into account in applications for pre-action discovery relating to a defamatory digital publication. Under the Uniform Civil Rules 2020, South Australian courts may order that a person disclose documents that will allow a potential plaintiff to decide whether or against whom to bring civil action, because it can be difficult to know who we are talking to online or who is hiding behind the other side of the screen.

As we all know, fake accounts exist: keyboard warriors and 'finstagrams', as the Gen Zs call it. Users do not have to use their full names either. They use an alias, nicknames, part of their name,

their first name only, and so on. It makes it incredibly hard to know where to start. Combating cyberbullying and abuse needs to be an all-encompassing approach. Digital intermediaries and social media platforms need to work with legal systems and governments to meet their duty of care to users and ensure a safe and accessible environment on their platform.

This principle could be used to require a digital intermediary to provide the identity and contact details of the person behind the user who authored and/or posted defamatory content through the intermediary service, to help ensure the matter is treated efficiently, effectively and appropriately. As I said earlier, I have long been conscious about the growing influence of social media.

I should also take this time to mention how proud I am that the Malinauskas government is taking action to curb the effects that social media is having on our kids by leading the way in terms of a social media ban, which is now a nation-leading reform. We are all aware of the adverse impact that social media has on our kids, increasing their exposure to cyberbullying and inappropriate content, amongst other things. We want to keep our kids and our communities safe, no matter how old.

That is why legislation needs to be adapted to address our ever-increasing online presence in the community. It must aim to ensure that, when we do use social media, we are using it ethically and we are using it safely and, when social media is used to impose harm, perpetrators cannot hide behind their keyboards. We must do more to find these offenders and penalise them accordingly. Stopping this antisocial conduct in its tracks is vital to creating safe online spaces. I believe this legislation works towards achieving that, which is why I commend it to the house.

Ms HUTCHESSON (Waite) (12:58): I rise in support of this bill, which follows the review of the uniform model defamation laws undertaken by state and territory attorneys-general. The bill introduces several important amendments to the Defamation Act 2005. A key amendment in the bill extends the defence of absolute privilege to reports made to police, offering greater protection to victims and witnesses of crime. This ensures that individuals who report crimes are shielded from defamation claims that may arise from their reports of suspected criminal activity.

Extending absolute privilege to allegations of unlawful conduct, including discrimination and sexual harassment, across all Australian states and territories is a vital step towards fostering an environment where victims feel safe to speak out and seek redress. The existing defamation laws can sometimes be weaponised to intimidate victims, particularly by sophisticated perpetrators, deterring them from reporting offences. This bill aims to make it clear that police reports are not grounds for defamation, simplifying the process for victims and protecting them from potential legal threats.

Victims of crime are often not legal experts and may be uncertain about the protections offered by partial privilege. This bill ensures that victims can report their experiences with confidence, knowing that they are protected. At the same time, concerns about malicious reports are addressed by the Summary Offences Act 1953, which already covers the offence of making false statements to the police, ensuring that individuals who make malicious or false reports are held accountable. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Message from Governor

His Excellency the Governor's Deputy, by message, recommended to the house the appropriation of such amounts of money as might be required for the purposes mentioned in the bill.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Office of the Guardian for Children and Young People—Inquiry into the Establishment, operations and outcomes of the Finding Families Initiative Report

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

Public Sector Act 2009—
Overseas and Interstate Travel—
Minister for Human Services Report 7 to 16 June 2025
Minister for Education, Training and Skills Report 12 to 13 June 2025
Minister for Education, Training and Skills Report 16 June 2025
Minister for Arts Report 5 to 7 June 2025
Minister for Trade and Investment Report 7 to 14 June 2025

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

Regulations made under the following Act—
Education and Care Services National Law—Miscellaneous (2025)

By the Minister for Small and Family Business (Hon. A. Michaels)—

Adelaide Film Festival—Charter June 2025

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

SA Water Corporation—
Ministerial Directions Direction Cape Jaffa Anchorage Essential Services Period
Ministerial Directions Direction SA Water augmentation charges for 2025-26 period

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

Adelaide Cemeteries Authority—Charter 2025
Kadaltilla Adelaide Park Lands Authority—Adelaide Park Lands Management Strategy Towards 2036 Report

VISITORS

The SPEAKER: Before we get to question time, I would like to welcome guests here with us at parliament today. We have Bedford employee Ryan Clarke and his family, who are the guests of the member for Black. It is great to have you in here Ryan, and really good to see you. We also have UniSA teachers, and they are here as guests of the education officer of the parliament. It is great to have you in here.

We also have years 8 and 9 students from Kangaroo Island Community Education, who are my guests and the best-behaved kids who have ever been into parliament, as they always are from Kangaroo Island. Thanks so much guys for coming in. We had a great chat and it was really interesting to get your perspectives on the algal bloom and how it is affecting fishing, surfing, being in the water and stuff like that. As we talked about, we are in uncharted waters and hopefully we can all work together to come up with some solutions heading forward.

I really want to single out young James, who reminded me of that time I scored an excellent goal at Penneshaw Primary, when James was in reception. I hit the ball into the ground and it bounced up and went through for a goal. I am glad the only coordinated sporting moment in my entire life has etched itself into your memory, James, so thank you for reminding me of that. I was there with the Deputy Premier, who was then the education minister. I am starting to feel a little old when the reception kids are in year 8 now. So thanks again for coming in, and give my regards to the island when you get back there.

Question Time

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:06): My question is to the Premier. Has the government issued a directive to scientist Dr Donald Anderson to not speak to media, and, if so, why? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: On FIVEaa radio this morning, host Will Gooding said Dr Anderson had previously agreed to go on the program. However, after contacting the state government he was, and I quote, 'entirely unavailable to come on'.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:06): I thank the Leader of the Opposition for his question. I am not too sure if the Leader of the Opposition might have been preoccupied earlier today, but the Deputy Premier and I had an open press conference with Dr Donald Anderson this afternoon. And every—

Members interjecting:

The SPEAKER: Members on my left! The leader, you're on your final warning because I gave you all those warnings yesterday. This is a really important matter for people in all coastal areas around the state, including the students from KICE, and we do want to hear the Premier in silence.

The Hon. P.B. MALINAUSKAS: I know that those opposite have an increasing degree of preoccupation with conspiracy theories, and are increasingly associating themselves with this, but on this side of the house what we have actually done with Dr Anderson is really important because Dr Don Anderson is one of the world's leading experts when it comes to research around harmful algal blooms. He has done research into algal blooms where they have occurred around the world. He has only been here a few days and is only able to be here for a few days more.

On the back of his research and the work that he has been doing with SARDI and other agencies over the course of the last couple of days, he provided a report to the task force this morning that was particularly insightful and something we are very grateful for. He was able to go through in a great degree of detail the challenges associated with algal blooms of this nature, particularly their relative unpredictability, and that the science is not progressed enough anywhere around the world to be able to make accurate predictions around how they operate, mainly because they are all different in terms of their make-up. Nonetheless, there are things that we can learn from other parts of the world that have had the harmful algal bloom.

There are a couple of examples that were particularly talked about this morning: one that occurred off the Russian coast, one that occurred in Alaska and another that is obviously still very much having an impact in Florida. The Russian one was interesting because Dr Anderson was able to recount how there was a bit of a theory getting around that there was something to do with a Russian military base that had leaked some sort of chemical into the water and that was alleged to have caused the harmful algal bloom; of course, after being investigated, that was completely debunked. He was able to talk to the fact that the science here is what we should be relying upon in terms of governing judgements going into the future, which is exactly what we are doing on this side of the house.

Naturally, having been able to get one of the global leaders around this area of science to our state, we wanted to make sure that he was available to the media. We had the opportunity to have a fully open press conference only a short moment ago that was quite lengthy, and that's not surprising given the legitimate media interest there is in what Dr Anderson has to say. In regard to FIVEaa this morning, I understand that there was someone who was muzzled; however, it turns out the watchdog was muzzled. That didn't take very long, but I thank the Leader of the Opposition for his question nonetheless.

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:10): Supplementary: the Premier referred to a report that Dr Anderson did. Will the Premier publish the report that Dr Anderson did for the government?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:11): I am not too sure. What Dr Anderson was able to do was come in to the task force this morning and go through a fair bit of detail around what he has been able to learn from a whole range of overseas experience.

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:11): Will the Premier publish that?

The SPEAKER: I think the Premier said that the scientist came to a meeting this morning and reported on things. I don't think he came up with a report that needs to be published, but I will get some clarification from the Premier.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:11): Thank you, Mr Speaker; you're quite right, sir. It's fair to say I was listening to what Dr Anderson had to say. I wasn't there with a typewriter transcribing what he said.

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:11): My question is again to the Premier. Has the government reviewed its criteria for small business relief and what, if any, changes has it made? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: Yesterday in question time, the Treasurer told the parliament that six small businesses had their grant applications rejected, yet this morning on FIVEaa the Premier said that the government would be 'flexible' in its approach to granting small business relief.

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:12): We have already demonstrated that by adjusting a number of the grants. In regard to the operation of the grants, one area of feedback that we have received is that businesses need to be able to demonstrate a downturn of 30 per cent over the period that aligns with the algal bloom, and some businesses weren't affected in May or even June—which largely accords with the operation of the bloom because it really wasn't until July that we started to see the bloom take shape in a substantial way in Gulf St Vincent, and that was evident from a chronology that was released by SARDI this morning. So what we have done is we have made it clear that we are willing to extend that timeline and that three-month operational period to allow more to be eligible.

The Leader of the Opposition, being a good Liberal, will appreciate that there is an important obligation on the government to make sure that we are expending taxpayers' funds appropriately. That is to say, in order for us to be able to approve a grant, one needs to apply for it. So we would say to the Leader of the Opposition that if he is engaging with businesses that are experiencing hardship, the best advice that he could provide is for people to apply for grants. Businesses that don't apply for grants can't get grants: that's the way it works and I would have thought that's pretty self-explanatory for good reasons.

We need to be able to establish that there has been a genuine downturn. That's why we need access to people's accounts and so forth, because of course we wouldn't want to see recklessness in giving taxpayers' money to businesses that haven't been adversely affected, so we've got to be prudent here. I would have thought that's a set of principles that the Leader of the Opposition would endorse.

If the Leader of the Opposition or any member in this place, in their capacity as being good local MPs, comes across a business that they think is experiencing genuine financial hardship as a result of the algal bloom, the best thing they can do is apply. But, as the Leader of the Opposition will appreciate, if a business does not apply for the grant we will not be giving them, otherwise it would be foolhardy and reckless and would be scrutinised appropriately by a whole range of independent government agencies.

AUTISM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:14): My question is to the Premier. How many South Australian children are NDIS participants with an autism diagnosis, and will the Premier guarantee that none of those children will be worse off due to recent federal government announcements?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:15): The Leader of the Opposition will appreciate that we are happy to go away and examine what numbers we have available to this state. The state, obviously not being the regulator of the NDIS, would not be able to do that. We don't have that information ourselves, but I would have thought that we can certainly get some decent figures around the number of people who we understand are in the community who have been diagnosed with ASD.

This is an area of public policy where I am really proud that the South Australian government is a genuine leader in. We identified it as a policy priority, not just another policy but a genuine priority before we came to office and, having come to office since then, we have been able to institute a number of genuine national or global firsts, not the least of which is having the appointment of a minister who is responsible for precisely this.

Since then we have done a lot of things. We have put autism lead teachers in our schools across the state, which has been a really important program, and other parts of the world and other parts of the country are increasingly paying attention to it because it is making a difference, particularly those people who have been trained up and rolled out. It's exceptionally expensive but really important.

South Australia has been the first place in the country to work with our universities to establish universities teaching our future teachers and educators the skills that would better enable them to accommodate people diagnosed with ASD being in the classroom. We know it is more than common, it is rare for there to be a classroom without a young person diagnosed with ASD.

The South Australian government is working on a program—and people might have seen the ads around the place 'Autism Works'—to promote to the private sector the value of employing people with autism. Tragically, too many people with autism might miss out on a job interview, not because they lack the skills or the capability, but because they might not have been looking someone in the eye while they were doing a job interview.

We think that is desperately unfortunate and we are seeking to educate the community accordingly. More than that, the South Australian government, as a major employer in the state, regardless of the agency, is having training in place to make sure that we don't make that same mistake too. That's a cultural change and it will take time.

On top of that, we have been working with a range of other organisations in government and not-for-profit organisations, funding them to go out there and do more work in the community for people with ASD, amongst other measures. This is something I am really proud of in that we are a genuine leader. We have the Autism Strategy now in place—again, not many other places in the country have that, and that is why we are going to monitor what the federal government announced yesterday very closely indeed.

The South Australian government accepts and, indeed, endorses the commonwealth making an effort to reform the NDIS. The NDIS is something we should all be very proud of. It's a fundamentally important piece of not just policy but now social infrastructure, but it does need reform because we are learning a lot about it as time goes on. We acknowledge that the growth of the number of people on the NDIS with autism is huge and is, in many ways, unsustainable and we understand why Minister Butler and his team would be seeking to address that, but what we will be running an eye over, independently of the commonwealth, is making sure that people who are currently getting access to the NDIS who no longer will into the future aren't left behind without appropriate levels of services.

That is something that we would want to be rather rigorous about as a state to make sure there are not people who are simply cut loose, and we will be forming our own independent view about that, and if we have a point of difference with the commonwealth we will certainly be making it known.

AMBULANCE RAMPING

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:19): My question is to the Premier. Will the Premier apologise to South Australians for doubling the ramping crisis that he promised to fix?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:19): I thank the Leader of the Opposition for his question. As the Leader of the Opposition, hopefully, is well aware, and as I am sure many South Australians are, the state government is rolling out countless different policy efforts and endeavours to seek to increase the capacity of our hospital system.

Members interjecting:

The SPEAKER: The member for Unley knows that that's unparliamentary and he is on a final warning. And the member for Hammond, you are on a warning as well.

The Hon. P.B. MALINAUSKAS: I note the interjections from the opposition, but it's interesting that what we don't hear from the opposition, apart from any policy of their own in this area, is a critique of any of the policies that the state government is instituting. Are they opposed to a record investment in more nurses? Are they opposed to us employing hundreds and hundreds and hundreds of more doctors? Are they opposed to the rollout of all the extra ambulance officers that we have delivered? Are they opposed to the hundreds of beds that we are opening and the more beds that we are opening?

If you take past behaviour as an indicator then, of course, they are opposed to those things because they were cutting all those things during the course of the pandemic. They were cutting nurses and they weren't opening beds in the way that we are. On this side of the house we are clear-eyed focused to make sure that we are increasing the size and the capacity of our hospital system both in metropolitan Adelaide and in regional South Australia.

Now in respect of ramping, it is true that there are a number of challenges that we did not anticipate, not least of which the fact that we now have over 280 people—I think 287 at last count—in our public hospital system who are, in effect, ready to be discharged but waiting to get an aged-care bed. When we came to government that number was less—

Members interjecting:

The SPEAKER: The member for Unley can leave the chamber for 15 minutes.

The honourable member for Unley having withdrawn from the chamber:

The Hon. P.B. MALINAUSKAS: When we came to government that number was less than 50. What we know is if not for this government's massive increase in capacity, including the opening up of all those hundreds of beds, and had the people of South Australia been getting a basketball stadium instead, could you imagine how much worse the problem would be?

That is why we are going to keep investing our effort, we are going to keep investing our energy in working with our clinicians and our public health experts to keep rolling out that additional capacity, which we know is only good. It is certainly welcomed by the people who work in the public health system and we will keep that going.

In the meantime, in respect of ambulances, we continue to roll out additional ambulances, which is making a difference to ambulance response times. In relation to the ambulance response times—

Members interjecting:

The Hon. P.B. MALINAUSKAS: The Leader of the Opposition comes out with another infamous quip. We would simply make the point that ambulance response times have dramatically improved as a result of the initiatives this government have delivered, which means more people are alive as a result in comparison with the slow ambulance response times we saw under those opposite.

PETERBOROUGH HEALTH SERVICES

The Hon. G.G. BROCK (Stuart—Minister for Local Government, Minister for Regional Roads, Minister for Veterans Affairs) (14:22): My question is to the Minister for Health and Wellbeing. Can the minister advise my constituents living in Peterborough how they will be able to see a GP for medical service and advice and prescriptions? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. G.G. BROCK: On 8 August, the current medical clinic, Goyder's Line Medical clinic, who operate clinics at Jamestown and Orroroo (and at that stage at Peterborough), have now closed the Peterborough clinic, resulting in the Peterborough community having no medical clinic for GP advice or prescriptions.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:23): I thank the member for Stuart for his question and for his passion in relation to this issue in particular, and also the advocacy that he has displayed since this issue came to light.

For many years, the Goyder's Line clinic, who are predominantly based in Jamestown, have provided services to the Peterborough area and have done so exceptionally well and I really want to thank Goyder's Line for the work that they do across the Mid North community. Unfortunately, they have had to make a decision. They have outlined that due to the lack of doctors and being unable to attract GP registrars to their practice, that has meant that they have had to withdraw services from the Peterborough area.

That is obviously of significant concern to people who live in Peterborough. It is also, of course, a concern to the state government, even though we do not regulate or provide those GP services—they are done through the federal government and the Medicare system.

We are in regular contact with the federal government. This is something I have raised with the federal minister, but also with the primary health care network as well, and I know the member for Stuart has also done so and has displayed local leadership in asking to bring together all the parties to have a round table focused on this issue in terms of what can be done.

From our perspective, and particularly in terms of local health services, the Yorke and Northern Local Health Network, we are leaning in to see what work that we can do to try to encourage GPs to re-establish services in the Peterborough district and we are currently examining if there's a number of different ways in which we could provide support for that to happen.

Of course, in the interim, our responsibility being to provide public hospital services, we have had to step in in terms of being able to bring in locum coverage for the Peterborough hospital to make sure that hospital can continue to provide services for the community. But we will keep working with the federal government and the primary healthcare network to examine all potential options for a long-term solution for the Peterborough district, and of course working with the Rural Doctors Workforce Agency and others to do so.

As I outlined, I think on Tuesday in relation to a question from the member for Mount Gambier, we are also being very active as a state government in this predominantly federal area in terms of what we can do around supporting GP training. The good news is that we have a record high number of GP registrars in training programs in South Australia at the moment. That is a fully subscribed program across the state, but we are also taking additional steps to bring in the Single Employer Model which is now rolling out in the Mid North, as it is right across the state, following the successful work that we have done in the Riverland in that very innovative model.

So that is one measure. The other measure that we are working on with all the other health ministers across the country is to fast-track being able to recruit doctors, predominantly from the UK, who want to come and work in South Australia and Australia more broadly. That has had some success already and we will continue to pursue that with partners such as the Rural Doctors Workforce Agency and others.

Of course, we continue to provide a range of other supports such as virtual care to support regional communities as well, but we really want to see an increased pipeline of doctors being trained in this country. I do welcome the fact that the Albanese government as part of their successful re-election campaign has committed to increasing medical places in our universities. People may not realise that that is one area of our universities where the federal government has a cap on the number of places that is allowed for doctors to be trained. Lifting that cap to a higher level is absolutely essential to make sure that we have got that supply coming down the line, because there are a lot of incredibly bright Australians who would like to become doctors but cannot get into universities.

ACTIVE CITIZENSHIP CONVENTION

Ms HOOD (Adelaide) (14:27): My question is to the Premier. Can the Premier update the house on the Active Citizenship Convention?

The Hon. P.B. MALINAUSKAS (Croydon—Premier) (14:27): I want to thank the member for Adelaide for her question because the Active Citizenship Convention, which happened across three days at the Convention Centre led by the Department for Education, is on the back of an initiative that the state government has been rolling out around civics in schools.

I think everybody in this place is already an enthusiastic supporter of the democratic project, and most of us would be aware that democracy around the world is actually going through a pretty testing time at the moment. It is largely true that South Australia in many ways has been insulated from some of the worst impacts of hyperpolarization in the body politic and the growing levels of distrust that we see in democracy and the outcomes of it.

Having said that, while we have been insulated from the worst of it, we are not immune to it and it is important, in the government's view, that we have got to be working together across all political persuasions in making sure that young people understand how the democratic process operates and their role within it.

It is our view that, when it comes to civics, we want to be teaching young people in particular that dismissing politics as being boring or not relevant, or dismissing politicians as being lazy and corrupt—and whatever allegation gets thrown all of our ways at some point or another—can sometimes represent to a degree a lazy approach, rather than actually being honest about the fact that being a citizen in this country brings with it a civic responsibility to vote and care about who you vote for.

But people are only able to do that if they are trained with a basic understanding of our democratic system, which is why we have invested $18 million in civics in schools. We see democracy at the moment a bit like a frog in boiling water. We want young people to be able to make informed judgements based on their understanding of the system. So we are rolling out a program to have teachers better equipped to provide that information in schools.

Also the department, under the auspices of the minister, has been able to put together these democratic conventions, completely nonpartisan in nature. The opposition have been present at them, and we are very grateful for the opposition leader's presence and other opposition MPs. We have been making sure that the media is present and making sure, in terms of the oversight of all this, that the Governor has a role to play to speak to that nonpartisanship. The Governor herself deserves enormous credit for her work around civics, which is a passion of hers as well.

For anyone who had the time to attend one of the conventions—and I know there are a lot of MPs who did—they were a bit of an experiment to see how they would go, and I thought it was really worthwhile. We wanted to get to young kids across all schools—public, Catholic, independent—but also we didn't want to just speak to a bunch of prefects. There is nothing wrong with prefects and school leaders—

Members interjecting:

The Hon. P.B. MALINAUSKAS: No, that's right, nothing wrong with them. But we wanted to actually make sure we were getting to other kids as well. There was a real sense of that in the room, that the student body represented the diverse state that we have, which I think is really powerful in and of itself. I want to thank the minister for taking this up and the department for their work. It has been really important, and I hope it is something that everyone in this place thinks is worthy of ongoing support into the future.

INFLUENZA VACCINATIONS

Mrs HURN (Schubert) (14:31): My question is to the Minister for Health and Wellbeing. Will the government roll out free flu vaccinations to any South Australian who wants one and, if not, why not? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: More than 2,000 South Australians have required hospitalisation from the flu this season alone and ramping is at record levels.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:32): I thank the shadow minister for her question. The good news is that South Australia has had a significantly better rollout of the flu vaccine compared to the two states that have adopted what the opposition is

promoting as a policy. We are miles ahead of WA and Queensland in terms of the rollout of the flu vaccine.

If we adopted what the opposition said and had the same rollout as Queensland and Western Australia have had, then that would mean 100,000 South Australians not covered by the flu vaccine in this state. So we are going to continue to listen to the Chief Public Health Officer and her advice in terms of the rollout of the flu vaccine.

Her advice, consistent with the chief medical officers across the country through the AHPC, has been to focus on the vulnerable groups who are most likely to end up in hospital because they contract the flu: under five year olds, people over the age of 65, people with chronic health conditions, women who are pregnant and Aboriginal people across the state. Those are the key groups that we have the public health advice to focus on; that is what we are focused on.

We have been the most successful mainland state in the rollout of the flu vaccine. I want to thank all of the officials who have helped guide that response, as well as all of the doctors, nurses and other health professionals who have helped our flu vaccine rollout across the state.

INFLUENZA VACCINATIONS

Mrs HURN (Schubert) (14:33): My question is to the Minister for Health and Wellbeing. What advice, if any, has the minister received from Professor Nicola Spurrier about the impact of the provision of a free flu vaccination program in South Australia, and will he publicly release that advice?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:33): I have just explained that. In fact, Professor Spurrier has been at a number of press conferences explaining this to the public as well. She has explained the reasons why the AHPC, in advice it released a couple of years ago and has consistently held since then, is saying to focus on those key groups, because that is where the evidence is. I think it is fair to say she is particularly concerned around the zero to five-year-old age bracket. It is an age bracket in which obviously kids may have not been exposed to the flu before. We see high levels of diagnosis of the flu in that age group and low levels of vaccination.

So we have focused a particular advertising campaign to parents in that group, based on her advice, and we have in fact taken steps to make sure that we can allow pharmacists for the first time to deliver the vaccine for that group, based on her advice as well. We will continue to listen to her advice and act on it.

GP CLINICS

Mrs HURN (Schubert) (14:34): My question is to the Minister for Health and Wellbeing. Will the government fund GP clinics to stay open for longer? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: The opposition has announced that if we are elected we will fund GP clinics to stay open after hours, which is a measure called for by the Royal Australian College of GPs. On FIVEaa radio last week, Paul Ekkelbloom from the Ambulance Employees Association said, 'People are finding it tough to get to the GPs, their illnesses take hold and that's when we see them, and then we really don't have a lot of choice other than to take them either to an alternative care pathway or to the hospital.'

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:35): We have been supporting, together with the federal government, urgent care clinics that have enabled many South Australians to access after-hours services, of course in addition to our priority care services across the state, as well as of course the support we have provided to Healthdirect to enable people to speak directly to a GP through those services.

The key thing about all of those services is that they are all free for South Australians to access—they are absolutely free for people to be able to access those services. What the opposition's policy is, which is only proposing a trial, let's be clear—a trial, they are proposing—that there is no provision for those services to be bulk-billed at all, so potentially people are paying $100 out of pocket for seeing some of those GPs out of hours, which isn't going to help at all the situation

in terms of people being deterred from going to an emergency department, where of course going to an emergency department is free.

Having a $100 payment to go to an after-hours GP of course is welcome for people who can afford it, but we are going to continue to work with the federal government in terms of allowing people to access those bulk-billed and free services because we know that that is going to help in terms of people being able to access services other than having to go to a free emergency department.

MURRAYLANDS MEDICAL CENTRE

Mr McBRIDE (MacKillop) (14:36): My question is to the Minister for Health and Wellbeing. Will the minister guarantee the continued operations of the Murraylands Medical Centre in Tailem Bend? With your leave, Mr Speaker, and the leave of the house, I will explain.

Leave granted.

Mr McBRIDE: The only medical centre in Tailem Bend closed unexpectedly in June, apparently due to unpaid rent. It has since reopened but some local residents are concerned about the ongoing viability of the clinic.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:37): I thank the member for MacKillop for his question and for being very quick to raise this matter when it first came to light in terms of the issues in relation to the rent and the lease for that clinic in Tailem Bend. I am very glad that those issues have been resolved.

Just this week the member for MacKillop and I met with the CEO of the Riverland Mallee Coorong Local Health Network to discuss this issue further, and I have also in the past two weeks met with the doctors who run the services in the Tailem Bend clinic as well. So I am glad that that issue initially in terms of the lease has been resolved; those services are continuing in terms of the clinic. I think the clinic are raising issues in terms of the long-term sustainability of their ability to access GPs, which of course is a similar issue to what has been raised by the member for Stuart and the member for Mount Gambier this week in terms of their communities and GP access as well.

While that is a federal government issue, we are of course doing everything that we can. As I have outlined in relation to other questions, one of the really bright spots that we have in terms of the recruitment and training of GPs across the whole country is what has been going on in the Riverland in the past couple of years through the Riverland Academy of Clinical Excellence and the single employer model, which is now seeing I think between 30 and 40 doctors in that program of training in the Riverland. That starts to give us opportunities in terms of being able to help practices across a broader region to support the provision of GP services, of course as well the provision of hospital services which is of course our main area of responsibility.

So we are now working with the Murraylands clinic to see whether we can support them in the future with a doctor from that Riverland Academy of Clinical Excellence training program to help bolster their GP services in Tailem Bend and ultimately provide more services to the community.

ANGASTON DISTRICT HOSPITAL EMERGENCY DEPARTMENT

Mrs HURN (Schubert) (14:39): My question is to the Minister for Health and Wellbeing. How many times has the Angaston hospital accident and emergency department been closed this year, and why?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:39): Similar to other issues, there are issues in terms of GP availability across the country. When it comes to the provision of our smaller country hospital services, including Angaston, which since their inception have relied on the support of GPs, when GP practices have issues in terms of their recruitment that has obviously flowed through in terms of the provision of services to that local hospital. That is an issue that we have been facing in terms of the Angaston hospital emergency department.

The Barossa Hills Fleurieu Local Health Network that runs that emergency department and the hospital have been working with the Angaston doctors and with doctors from a broader region as well, including Gawler, to see whether we can provide additional doctors to support that emergency department. We are hopeful that we will be able to provide some more sustainable medical services to increase the coverage there—understanding, though, the issues that the Angaston GPs have had in terms of covering that emergency department. Obviously, we want to make sure that that

emergency department is open as much as possible and we will continue to work through Barossa Hills Fleurieu LHN to make sure we can do so.

ANGASTON DISTRICT HOSPITAL EMERGENCY DEPARTMENT

Mrs HURN (Schubert) (14:40): My question is again to the Minister for Health and Wellbeing. Are general practitioners currently employed through the Barossa Hills Fleurieu LHN to provide emergency care at the Angaston hospital accident and emergency and, if so, how many? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mrs HURN: In a letter to a constituent dated 16 July 2025, it was advised that the Barossa Hills Fleurieu LHN has secured the services of two general practitioners who have committed to the Angaston District Hospital from 7 July to enable the ED to be medically staffed seven days per week; however, the closures at the Angaston hospital continue.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:41): I will seek an update in terms of that from the Barossa Hills Fleurieu Local Health Network. As I said in my previous answer, they have been working to try to make sure they can secure additional medical support to bolster the services of the local GPs in Angaston who, as was outlined in my previous answer, have had difficulties in terms of staffing that hospital emergency department across the seven days. I understand that they are now covering four days and we are having to bolster through other locum and GP services to provide the other days.

We will continue to work with the Angaston doctors, we will continue to explore every other avenue, and I will get an update from the Barossa Hills Fleurieu LHN in terms of where they are up to in terms of additional recruitment.

ATTENTION DEFICIT HYPERACTIVITY DISORDER

Ms PRATT (Frome) (14:42): My question is to the Minister for Health and Wellbeing. What steps will the government take to immediately commence additional training for GPs to diagnose and prescribe medication for ADHD? With your leave, sir, and that of the house, I will explain.

Leave granted.

Ms PRATT: Given today's reports of a national shortage in Ritalin supplies, and federal government reforms to NDIS eligibility, families can't afford to wait until next year for doctors to start their training.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:42): I thank the shadow minister for her question. This is something where the government has been on the front foot in saying that we are taking action in relation to GP prescribing for ADHD, and I am really proud that we are doing so. We will be allowing GPs to prescribe ADHD medication in South Australia and I think we will be equal in leading the country in terms of doing so. In terms of NDIS, I am not entirely sure of the relevance there, given that I am not entirely sure that ADHD is a coverage under the NDIS.

We are working with the College of General Practitioners, the College of Physicians and the College of Psychiatrists to put in place the training program to enable us to have this up and operational as soon as possible. My update most recently through the Chief Medical Officer, Dr Mike Cusack, is that that work has been going exceptionally well. It is something I am taking a strong interest in, and I think the government is very proud of our rollout of this.

We will make sure that happens as soon as possible, but of course we don't want it to be rushed, either. I am sure the opposition would agree that we need to make sure that all the provisions are in place. This has been something which I think was only announced about six or eight weeks ago, so we have been going very rapidly in terms of getting this program up and running to help as many people as possible.

In relation to the medication shortage, obviously that is managed by the federal government and the TGA. That is a concern in terms of nationwide and, I think, worldwide shortages in relation to this area. The advice from the TGA, the federal government, is for people to speak to their doctor in terms of what other medications are available. I raised this a few months ago with Minister Butler, and we encouraged for some availability of other medications to be emergency-brought onto the

PBS. I understand that has happened, so there's been federal changes that have enabled other medications to be available, as opposed to what previously was the case, but of course we would like to see those medication shortages resolved as soon as possible.

ADELAIDE HILLS TRANSPORT INFRASTRUCTURE

The Hon. D.R. CREGAN (Kavel) (14:44): My question is to the Minister for Infrastructure and Transport. Can the minister provide an update to my community on the duplication of the Adelaide Road bridge, the upgrades to the Mount Barker freeway interchange and related works?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (14:45): I can, sir. This is something that the member has shown a long interest in and lobbied very, very hard for. As he is aware, the South Australian and Australian governments have jointly committed $150 million on an 80:20 basis towards the interchange upgrades in 2024-25 in the federal and state budgets. The house might remember this project was put on pause. The intervention of the member for Kavel was critical in raising the awareness of the commonwealth government of the importance of this to the local community. I want to thank him for his steadfast support for his local community in fighting for this.

They are important questions and important projects that will create a better connection between the Adelaide Hills and the South Eastern Freeway, supporting population growth in the area. It highlights the population growth in the area. The Mount Barker interchange will require a new three-lane bridge across the South Eastern Freeway for northbound traffic and the conversion of the existing bridge to accommodate lanes that are southbound. This gives us redundancy in times of bushfire, something that the member was calling for. He raised a very real concern that his constituents could very well be trapped if anything occurred on that bridge. Now we have got redundancy in place, which is good for emergency services and for the ability to get to the South Eastern freeway if necessary.

The existing Verdun interchange will be upgraded to a full interchange, allowing access to and from the South Eastern Freeway in all directions, with the construction of a new entry-exit ramp for traffic travelling between Verdun and Mount Barker, Murray Bridge and beyond, again in no short part due to the advocacy of the local member, the member for Kavel. Contract awards for both interchanges were announced in 20 June 2025. The Mount Barker interchange upgrade was awarded to Bardavcol, a good South Australian company, employing South Australians, doing an excellent job for us. The joint venture between BMD and Leed was successful in the Verdun interchange upgrade.

I suspect the member's noticed that works have commenced, and no doubt there are lots of questions being asked of him. My department will liaise with his electorate office to make sure that we can offer answers very, very quickly to his constituents about concerns that they have about the works that are being done, service relocation and the like. I am happy to coordinate that with the member. Construction on both interchange upgrades is expected to commence in late 2025, with both interchanges expected to be open to traffic by the second half of 2027.

Whether it's the work we are doing in the Adelaide Hills on the South Eastern Freeway, the tunnels project, the north-south corridor, Majors Road, what you are seeing across all of South Australia is a major investment in infrastructure that had been left untended, uninvested by the previous government. What we are doing is getting on building that trunk infrastructure, whether it's water, sewerage, power or roads.

We are doing it because we want to build South Australia and give South Australians a city that they deserve, homes for their children, to make sure we can get to and from work, maintain that reputation as a city where you can still drive but have excellent public transport offerings. We are doing our very best to roll out a massive infrastructure program over the next four years, more than any other government in the history of South Australia, and we are proud to have done it.

ADELAIDE INTERNATIONAL BIRD SANCTUARY

Ms PRATT (Frome) (14:49): My question is to the Minister for Climate, Environment and Water. What steps are being taken to secure food sources at the International Bird Sanctuary in my electorate? With your leave, sir, and that of the house, I will explain.

Leave granted.

Ms PRATT: More than five million migratory birds, some as small as 30 grams, fly from Siberia to feed on insects, mud flatworms and shellfish, all impacted by the algal bloom.

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) (14:49): I will return with a longer and more detailed response for the member, and anytime she would like a briefing also I would invite that to happen because that is a very important part of her electorate. I was just discussing this the other day with Chris Daniels, the chair of Green Adelaide, concerned that, having made it all the way from Alaska and other places in the far north, there may be a shortage of food. So we are discussing what might be feasible, but I don't have any detail about what approach might be possible, either, so I will get back with a more detailed response.

ADELAIDE INTERNATIONAL BIRD SANCTUARY

Ms PRATT (Frome) (14:50): Supplementary: given that I have now written only this week, minister, when might I expect a more fulsome answer?

The SPEAKER: That's not a supplementary; that's a separate question.

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) (14:50): I will endeavour to get something for you next week but it depends on what information there is to give, so if we are still working on it and there isn't a final answer, obviously I can't give something that we don't have. But I will reach out and make sure that at least our office has been in touch with you and perhaps set up a briefing.

RESERVOIR FISHING PERMITS

Mr WHETSTONE (Chaffey) (14:50): My question is to the minister for SA Water. Is SA Water still charging $37 for permits for reservoir fishing and, if so, why? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr WHETSTONE: Recreational fishers have been calling on the government to waive permit fees for reservoir fishing, given the current algal bloom crisis.

The Hon. N.D. CHAMPION (Taylor—Minister for Housing and Urban Development, Minister for Housing Infrastructure, Minister for Planning) (14:51): We just recently made some announcements about the restocking of reservoirs. We certainly want to encourage fishing in reservoirs, obviously because of the algal bloom. I will inquire about the fee and get back to the house for you.

POLICE PROCUREMENT

Mr ELLIS (Narungga) (14:51): My question is to the Minister for Police. Can the minister confirm that SA Police have outsourced their removals tender process to a company in New South Wales? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr ELLIS: I wrote to the minister on 4 February advising him of a removalist from my electorate who has been doing police relocations for years. In around February, he found the tenders suddenly being conducted by a new company from Sydney and their demands becoming too taxing for his business. I have not yet had a response to that letter.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:52): I thank the member for Narungga for raising this issue, because he's right. The way in which the removalist contracts are being managed by South Australia Police, I am advised, changed late last year, I think it was, and a company based outside of South Australia in New South Wales, as the member said, coordinates the removalist processes. This has caused understandable problems for local removalists who were previously supplying these services because, while they are still technically able to provide the removalist services, the way in which the company in New South Wales is putting those requirements out to the local market has been extremely difficult for local service providers to navigate.

As a result of the representations of the member for Narungga, it is something that I have raised directly with the police commissioner and he has asked his procurement staff to look at this. I understand that there is another opportunity coming up in a few months' time to revisit this contractual arrangement and see if we can go back to a regime that provides the constituents the member for Narungga is representing with much better and easier access to providing the services for South Australia Police that they were previously. Thank you to the member for raising it. Hopefully we can get some positive action as a result of his representations.

AFFORDABLE HOUSING, FIRST-HOME BUYERS

Ms SAVVAS (Newland) (14:53): My question is to the Treasurer. Can the Treasurer please update the house on how the Malinauskas Labor government is assisting South Australian first-home buyers?

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (14:53): I am very grateful to the member for raising this question because I know it's front of mind for a lot of young South Australians at the moment about how they can get into the housing market and what the government is doing to make it more affordable.

For the first time, this government very proudly abolished stamp duty for first-home buyers when they are purchasing their first home but particularly when they are buying a new home or they are building a home—

The Hon. D.G. Pisoni interjecting:

The SPEAKER: The member for Unley can leave until the end of question time. You have only been back in here 10 minutes. It has been so quiet without you.

The honourable member for Unley having withdrawn from the chamber:

The Hon. S.C. MULLIGHAN: I know he is an apprentice and not an English professor, but 'particularly' is a synonym for 'specifically'. He has got something to learn, hasn't he? Maybe he can go back and hit the books now that he has some extra time to himself for his unparliamentary interjections.

Members interjecting:

The Hon. S.C. MULLIGHAN: Do you know what I really enjoy? I really enjoy the footage of you doing the robot with your new candidate, trying to work out who can shake hands with whom, the boomer and the millennial working it for the cameras. It's quite a performance.

The SPEAKER: Are we over that? I know there were some people over here, the member for Morialta, who were sitting there objecting to the Treasurer reacting—

Mr Whetstone interjecting:

The SPEAKER: I will take control and you can leave until the end of question time as well, member for Chaffey, for interrupting the Speaker when I was explaining that the Treasurer was responding to interjections. The interjections are disorderly and perhaps the Treasurer was getting into that disorderly behaviour, but you started it.

The honourable member for Chaffey having withdrawn from the chamber:

The Hon. S.C. MULLIGHAN: Thank you for your guidance, Mr Speaker. As I was pleased to report to the house, not only has this government been the only government that has removed this burden from first-home buyers, but particularly, specifically, we have targeted that for those people who are building a new home or purchasing a newly built home which, of course, is assisting the overall housing market in South Australia by adding to supply.

In the past financial year, the financial year that concluded on 30 June, we have provided $120 million of relief to South Australian first-home buyers across our state. That is a combination of the money that they have saved through the stamp duty relief and also the additional amount we have provided in the $15,000 first-home owner grant which they are still eligible for. This, of course, is a multiple of the amount that we first thought we would be saving first-home buyers, which shows you, Mr Speaker, that the number of South Australians taking advantage of this has increased really significantly, and means that we are helping more South Australians than even we had designed in

the first place. That is absolutely terrific, so $73½ million in stamp duty relief provided to 3,705 households, first-home buyers here in South Australia, and the balance, of course, in those first-home owner grants.

That, of course, stands in stark comparison to a policy which would extend it to established homes and hence driving up house prices on established homes. You do not have to take my word for it, you can take the Productivity Commission's advice—the federal Productivity Commission. The Leader of the Opposition wants to spend $130 million a year boosting house prices across South Australia. He wants to drive up house prices and make housing even more unaffordable for South Australians locked out of the housing market. We are fixing the problem; they want to make it worse. We are looking forward to the contrast at the coming state election.

DROUGHT, MENTAL HEALTH

Mr HUGHES (Giles) (14:58): My question is to the Minister for Health and Wellbeing. Can the minister update the house on mental health support packages being delivered for drought-affected communities?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:58): I thank the member for Giles for his question and his interest in this very significant issue for our state. As members will know, the state government has outlined a $73 million drought support package across the state covering a whole range of different areas of public policy and government endeavour. But one very important area has been over $2½ million that we have contributed as part of our initial package towards mental health and wellbeing programs across the state.

We know that the drought has had significant financial impacts, significant community impacts and, of course, health and wellbeing impacts and stress on farmers, families and regional communities across the state. We have been working very hard between the Department for Health and Wellbeing, Preventive Health SA and also the Mental Health Commissioner for the state, Taimi Allan, to devise a package of different supports and to now roll those out across the state to support those communities.

The first element of those packages is in relation to supporting non-government organisations and these are non-government organisations that provide predominantly psychosocial community supports across the state. A lot of these non-government organisations are already on the ground providing support and hence it was a logical step for us to increase the funding and the support we have been able to provide them where they can rapidly increase that support that they can do.

More than $1.2 million of that package has gone to those trusted NGO providers, particularly Centacare, UnitingSA, Mind Australia and Skylight Mental Health to provide more mental health support for people across the state. Relationships Australia is also providing mental health support for the culturally and linguistically diverse communities in drought-affected areas and the Aboriginal Health Council of South Australia is allocating grants to ACCHOs, Aboriginal community-controlled organisations and Aboriginal communities in those drought-affected regions as well.

Those supports, I am advised, are available now across the community, with mental health support available for individual or family sessions. Group sessions can also be facilitated based on community needs. Ways to access these mental health services have been expanded and they now include people self-referring to those services to make sure that we can reach as many people as possible. Other support services are available in the communities, such as rural financial counsellors. Family and business support mentors can now also refer, ensuring that help is never difficult to access.

We have also invested in some targeted community programs, one of which has been eight men's tables across those drought-affected regions. These provide safe, welcoming spaces where men can share a meal and talk honestly about the issues that are affecting them. Two South Australian regional coordinators have been appointed and are out in communities swiftly raising awareness and building support for those men's tables.

The first table is expected to launch in the South-East, with visits to towns such as Naracoorte already generating strong interest from local men keen to be part of a table. Preparations are underway for community visits in and around Cummins, Berri, Minlaton, Nuriootpa, Whyalla, Jamestown and Murray Bridge in coming weeks.

We have also been supporting Fat Farmers, a grassroots organisation with a proven record in combining exercise with social connection. They are establishing eight new physical support groups, building on their existing 23. They will be tailored to local needs, offering a place for people to come together, keep active and talk openly in a supportive environment.

And quickly, we are also supporting Breakthrough Mental Health Research Foundation, who have had seven men's and seven women's workshops; Grain Producers SA, who have been hosting great grain quiz nights; ifarmwell, who have been supporting farmers across the state as well with wellbeing supports; and many other different programs rolling out, because we see this as a really essential part of that package for drought communities.

CUMMINS POLICE STATION

Mr TELFER (Flinders) (15:02): My question is to the Minister for Police. When can the people of Cummins in my electorate expect to have a police station building available for the police in the town? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr TELFER: The police station house in Cummins was condemned and demolished, leaving only temporary arrangements, and despite receiving reassurance from the former minister at the time about it being replaced, there has still been no news to update my community.

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (15:02): I thank the member for Flinders for his question. I think he is right to raise these issues about making sure that the local communities that he represents, particularly in regional parts of South Australia, have access both to policing services and the policing infrastructure that supports them.

I can't say that I am immediately familiar with the situation in Cummins, but I am aware that there has been a combination of two difficulties that South Australia Police have been grappling with in recent years. One is sometimes the state of the facilities or the state of the police stations and other buildings that they have previously worked out of for many years. As the member said in his question, it appears that that particular building was condemned and demolished and hence not available.

There are also the staffing challenges of attracting South Australian police to work out in regional communities. In particular, a part of that is making sure that both the housing and the facilities are suitable to make that compelling case for people to not seek to be located in a metropolitan district but instead to be out in a regional area. I will take that question away. I will raise it with South Australia Police and I will bring back some information for the benefit of the member and his constituents.

HYDROGEN POWER PLANT

Mr PATTERSON (Morphett) (15:04): My question is to the Minister for Energy and Mining. What are the government's plans for the hydrogen power plant site just outside Whyalla, and what is the nature of the works currently occurring on site?

The Hon. A. KOUTSANTONIS (West Torrens—Minister for Infrastructure and Transport, Minister for Energy and Mining) (15:04): The member might not know this, and that's probably my fault for not telling enough people, but the upgrades to transmission works that are occurring in the Upper Spencer Gulf are a regulated asset upgrade. The good thing about that is, given that the commonwealth government and the state government are investing billions of dollars into the administration in Whyalla and its repurposing for a decarbonized tool-manufacturing process, which is direct iron reduction and an electric arc furnace, you are going to need greater electricity services into Whyalla.

In terms of the site itself, the government purchased the site. It's in a strategic location, it's strategic land, and ElectraNet and SA Power Networks are doing their works. I think it is important to remember that we are attempting as much as possible to capitalise on the work that we have done to assist Whyalla because, ultimately, the reason we chose Whyalla as a location of the hydrogen electrolyser we were proposing to build was because it was adjacent to world-class magnetite mines and to an existing steelworks.

The reason we chose that site is that we wanted ultimately to use the hydrogen in a decarbonisation process. It is not a matter of political ideology: it is a matter of science. If you want to remove the oxides, you need to have a reductant. A reductant traditionally has been coking coal. You can move towards gas, but ultimately to make green steel you need to use hydrogen.

The Hon. V.A. Tarzia interjecting:

The Hon. A. KOUTSANTONIS: The when will be never if you are ever Premier, because the never that you say fundamentally misunderstands what hydrogen is for. Members opposite thought we were going to use hydrogen to burn it in the steelworks, with no understanding of what a reductant was.

Mr Patterson: No, you were going to use it to produce electricity. That was the plan.

The Hon. A. KOUTSANTONIS: You were hearing the Leader of the Opposition—

Mr Patterson interjecting:

The Hon. A. KOUTSANTONIS: Mad dog's back. He's back! He's back; he's off the leash.

Members interjecting:

The Hon. A. KOUTSANTONIS: I think Mr Pangallo's got a competitor. He's got a competitor; from watchdog to mad dog. I know the member for Morphett is getting excitable as we get closer to March. What I would say is to use all the talents he had at the Collingwood Football Club to learn to withstand the pressure. It's okay. It will be over soon, don't worry. Don't worry, it will be okay. We are here. If you want to talk, I'm here. If you want to talk, I'm up for a conversation. Alright? Let me know.

As I said, we are very keen to make sure that all the investments we have made to date can ultimately be used for the benefit of the people of Whyalla for steelmaking in Australia, maintaining our sovereign capability, something that we believe passionately in, and I just wish members opposite did as well.

Grievance Debate

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (15:08): What an arrogant government this government has become. The opposition gets three hours to hold this government to account each and every week and have you noticed, sir, that in two out of those three hours near the end of the session the Premier has actually left the chamber. How outrageous is that? It just speaks volumes about the arrogance that this government has displayed already.

The Hon. A. KOUTSANTONIS: Point of order: the leader is in breach of the standing orders making reference to which members are in the chamber and which are not. If that is the case, the opposition can let us know about the pairing arrangements.

The SPEAKER: The Leader of the Opposition is in breach of the standing orders and I will point out that just today the opposition has had 18 questions, the Independents have had four questions and the government have had three questions, so I do not think you can be complaining too much about the goings-on here in question time. In fact, there are stats collected each week and under your speakership, under the deputy leader's speakership and under the speakership of the member for Kavel, the opposition never got as many questions as you are enjoying now. So let's start the clock again on your grieve and maybe do not reflect on other people in the place.

The Hon. V.A. TARZIA: I think I started those statistics. I am glad they have been of good use to you. I rise today to speak on the failure of this government to mitigate the impacts of the harmful algal bloom crisis on our coastline. Once again, we have seen that Labor has concerned themselves more about protecting their own image than actually protecting the industry. They care more about saving face than actually saving the environment.

From the beginning of this crisis, we have seen a government that, quite frankly, has been asleep at the wheel and a government that is more interested in buck-passing and saving face than saving fish, as I pointed out. Recently, the opposition conducted a series of FOIs of the government, revealing the lengths that this Premier's office, his ministers and their offices went to to try to absolve

themselves of the responsibility of responding to basic and genuine inquiries from industry and from people about the algal bloom crisis.

We have seen on this one here that it is certainly not a government that chooses to act, as they like to point out. They have been silent on that slogan lately. Have you noticed that? That is certainly something that they have used in regard to the algal bloom. It is a lazy government that is clearly prioritising things like more golf courses rather than gulf seahorses and, unfortunately, on this one here the seahorse has bolted.

The only thing more disastrous for people than the algal bloom crisis is the actual government's mishandling of this crisis. The government really needs to go touch grass or touch sand, because they have clearly lost touch with reality. They have lost touch with hardworking South Australians, their concerns and their needs. It was only yesterday in this place that the Treasurer was touting the purported raging success of the small business support grants they announced, long after we actually called for expanded support.

However, as we learned yesterday and today, more and more people are continuing to fall through the cracks yet, due to this government's narrow criteria, there has been a far lower volume of applications than South Australians would expect. Many people are telling us that it is not even worth putting in the paperwork because they do not fit the guidelines and the government just does not understand the industry. It feels like you must be a business that has completely collapsed before you can even hope of meeting the criteria—the stringent criteria that they seem to be relaxing by the day.

I have news for the Treasurer, the Premier and this too little, too late government. The funds are not getting to those who need them, and we saw that yesterday. A gentleman by the name of Mostyn, a tackle-shop owner, runs a small business in St Morris, just down the road from my own electorate. He is on Magill Road. Mostyn is the human face of the small business owners who have fallen through the cracks of this government response that has been completely lacklustre and completely inadequate.

He has been running this shop there in St Morris for around 25 years. I drive past it basically every single day. He told anyone who would listen yesterday—the media and us—that business has never been tougher. People are not fishing as much and they are buying less gear and less bait. That means that Mostyn has seen a sharp decline in his business for reasons completely outside of his control.

That is why this needs to be declared as a natural disaster, as the natural national disaster that it is. Like any small business owner put in that position, Mostyn has tried his best to weather a storm not of his own making. Because it is not being declared a natural disaster, he has no recourse over the banks and he has no recourse over the tax office. The bills just keep piling up, and where is this government? Missing in action.

Mostyn is trying to pull every lever possible to keep his business going. He finds himself in a position that no hardworking South Australian would ever hope to be in, confronting the reality of having to sell his family home, and he has told the Premier that in correspondence. Does this speak to a successful government response? I do not think it does.

Meanwhile, the Prime Minister secretly jets into Kangaroo Island. He has obviously told some people but he has not told the local mayor. I heard the mayor on radio this morning. I have to say, I have had the odd disagreement with Michael Pengilly and you would not want to have one; he will store it. How could the Prime Minister go to an island like that and not tell the local mayor? I mean, what is that about?

An honourable member: Or the federal member.

The Hon. V.A. TARZIA: Or the federal member, in fact. That is right. All the while, hardworking South Australians like Mostyn, as I pointed out, are struggling to make ends meet. Remember, the Premier gloated that the Prime Minister had come through on every request he had made of him. Well, it is time the Premier picked up the phone to one of his best mates in Albo and demanded that he declare this natural disaster what it is. That is the only way that we are going to start to see the seriousness of the response to this crisis that South Australians demand, because it is a crisis that is not going away. It is not going to be solved today, tomorrow or in the weeks or months after that. It is going to be here for a while.

Despite the suggestion of summer plans, it is clear from the response to date that at the moment Labor does not have a plan. They have failed to protect our environment, they have failed to protect local jobs, and it is time the government got serious about the harmful algal bloom crisis to help those who need it most, like Mostyn.

The SPEAKER: I will just make some quick remarks because you mentioned the Mayor of Kangaroo Island. I have never seen anyone in an emergency be as partisan as Michael Pengilly was during the bushfires of 2019 and 2020. It was actually disgraceful the way he behaved. And if you want a lesson in why there was such a big swing away from the Liberal Party, you can have a look at the behaviour of Michael Pengilly and how he dealt with the state Liberal government at the time.

Members interjecting:

The SPEAKER: Well, do not serve it up if you are not willing to get a little bit back. So, that might be why people do not engage with Michael Pengilly.

ALGAL BLOOM

Mr ELLIS (Narungga) (15:15): I rise to talk about the same topic, actually, that being the algal bloom. There has been a lot of chat about it this week in this parliament, quite rightly, but as the member whose region is arguably most affected right now I thought it prudent for me to get up and put my community's views on the record to make sure that we are heard in this place about the shortcomings and the possible future action that is required to make sure that we get through the summer.

It is a very important issue, Mr Speaker, as you well know. It has been one that has been continuing to grow in magnitude over the course of some months, and members will obviously remember that we first observed this in the waters off the Fleurieu way back in March, and since that time it has become an increasingly important issue and is having a dramatic effect on our coastline.

Members might also remember that on 18 June, this parliament passed a motion calling for action on the algal bloom. It passed with very little fanfare, it must be said, and to very little acclaim. Unfortunately, mainly thanks to the lack of time we had available to us, there were not a great many speakers. It was disappointing, especially now in hindsight, to note the difficulty we had in trying to bring that to the top of the agenda.

I am sure members will agree, again with the benefit of hindsight, that it is a massive issue that is affecting a great many people in this state and it would have been nice to have the support of the parliament to bring it to the top of the agenda so that we could have a lengthy debate, to offer the sort of debate it was worthy of having.

Alas, we did not quite get that, but it was a motion that passed the parliament in June calling for action that actually generated very little. It took some weeks later for the issue to grow in size for actual action to become a reality. It was not until, at least in my view, late July when a country cabinet meeting was hastily formed to be held in Ardrossan that we finally saw some sort of action on this algal bloom. So, if you know that it started in March and you know that this parliament passed the motion on 18 June, then you will know that late July is a long time after that for action to finally take place.

I think the opposition leader was there around the same time. We had the whole cabinet there on 28 July, as I said, and it was a good day. There was some positivity in the region, there was some optimism that we might finally get some sort of action for our community, for the people who are really struggling. I think at the time a great many people were appreciative to have the entire government there.

Now, it has to be said also that at the government-led community forum a couple of weeks later, on 14 August, optimism had been replaced by frustration. For those of us who were there—and there was actually a number of members of parliament who came—we heard some significant frustration, particularly from the commercial fishing sector, about the speed at which those grants were being rolled out. At the country cabinet meeting on 28 July, those grants were promised to get out within 15 days of receiving the application. I can tell you, at the community forum, most if not all of the fishermen had not received a dollar yet.

Steve Bowley, the gentleman who stood with the Premier and lent his image to those famous photos that appeared on the front page of the paper and on all the social media posts, had yet to

receive a dollar from the government, despite the fact that he had not been able to sell—and this is on 14 August, candidly—an oyster for quite some months. That is extremely frustrating for him; they were living off zero income. The bureaucracy and red tape and difficulties in applying for those grants were making it that much more difficult for him to receive the grant funding. I have not talked to Steve in the last couple of days. I hope that he has been able to receive that grant funding by now, but others have not.

Michael Pennington, who is a friend of mine, was leading the charge at the community forum that was hosted by the Minister for Tourism in the absence of the Premier and the Deputy Premier and the Chief Public Health Officer, who did not turn up. The Minister for Tourism copped the brunt of Michael Pennington's message. He was frustrated. He had not caught a fish for 80-something days at that point, he had not been able to access any grant funding, and was extraordinarily frustrated by the framework that had been put in place for him to access it. So he made sure he made his feelings heard.

I talked to him today. He was staggered at the action that was triggered after his outburst. He received four calls from different government officials the day after, which goes to show what the squeaky wheel gets every now and then. His outburst was entirely justified because it triggered some action.

Jack and Judy DeGiglio were in the paper recently. I have talked to them today as well. They have not received any grant funding yet because of some difficulties. I have written to the minister to plead their case and I hope it is looked upon favourably.

But there is a final point I would like to make. What is the point of having these conditions and terms on this grant funding framework if the advice from the government is, 'Just apply anyway, we'll see how we go'? What is the point of having the conditions in the first place, and how can anyone apply with any confidence when it is just a haphazard, ad hoc approval process?

FOWLERS BAY WHALE TOURS

Mr TELFER (Flinders) (15:20): The ongoing challenge faced by EP Cruises Fowlers Bay continues to truly concern me. I am amazed at the bloody-mindedness of the Department for Environment and the environment minister, and the way they are treating the process they are enforcing on Fowlers Bay, placing restrictive conditions on EP Cruises which will then render them unable to continue their current nature-based ecotourism business operations.

EP Cruises whale tours at Fowlers Bay have been told by the environment department that come 2027 there would be no renewal of the permit that they have held for the past 15 years which has allowed them to approach adult whales to 100 metres and calves to 150 metres, with no detrimental impact upon calving, whale migration, population or density in Fowlers Bay. The ongoing science and observation have shown that the whale aggregation numbers have grown exponentially over the last 15 years in Fowlers Bay, faster than anywhere else—all while EP Cruises have been operating under their existing permit arrangements.

You will not find an ecotourism operator more conscientious than Rod Keogh. He has a wideranging, practical knowledge on southern right whales, especially in Fowlers Bay, and if you are lucky enough to go on one of his tours you will see the genuine love, care, thoughtfulness and effort with which he operates and interacts with the whales of Fowlers Bay.

The response, or the lack of response, from this government's senior leadership is so incredibly disappointing. Rod and EP Cruises just want a fair go. They just want to be able to continue to operate with their current restrictions. The wider community and anyone who has been on board one of these tours just want the current operation arrangements to continue.

The responses from the government have been uninformed and rigid. Fowlers Bay is nearly 1,000 kilometres away from those making these decisions. It is not the same as Encounter Bay. They do not have boats all throughout their bay—the only operator is EP Cruises and there is hardly any recreational boating at all. The geographical nature of Fowlers Bay itself means that there is not a safe way to operate with the proposed restrictions.

The department are using the excuse of somehow trying to align the region with existing standards at Encounter Bay, which is absolutely absurd. They talk about the need for tours to be conducted in accordance with the 300-metre approach distance recommended by the Australian

National Guidelines for Whale and Dolphin Watching from 2017. These are guidelines which were developed for commonwealth orders, which obviously have different characteristics.

I have looked at these guidelines, and let me quote:

> In areas such as BIAs [Biologically Important Areas], or where there is a substantial whale and dolphin watching industry, or when new techniques for watching whales and dolphins are being introduced, there may be a need to implement additional management measures. These measures may be applied through various administrative means including regulations, permits, licences, management plans and codes of practice.
>
> Additional management requirements may lead to different measures to those currently required under EPBC Regulations, including the potential to allow closer interactions—

closer interactions—

> that are coupled with more stringent restrictions on other elements of an operation (e.g. limits on the time spent with animals, number of trips per day, area closures etc.)

The very guidelines that are being relied on by the Minister for Environment's justification for changes admit that there needs to be capacity to allow for permits to allow for closer interactions for appropriate professional whale-watching businesses. Fowlers Bay ticks all those boxes.

I have written to the Premier. I have written to the minister. These are unique circumstances at Fowlers Bay. EP Cruises are the most professional, environmentally conscious operators you could ask for and there are special conditions in place. Please, allow for the current restrictions to stay in place and continue on. Allow this business to continue to provide their high-quality ecotourism experience. They are willing to continue to have the restrictions around the number of trips per day, area closures, etc. If you do not, the impacts on this business and the West Coast in general will be significant.

I want to continue to bring up the situation with the police station in Cummins and bring it to the attention of the government; in fact, there is currently no police station in Cummins. Following prolonged deterioration, the old police station building was eventually condemned in 2022, with temporary measures being in place ever since. I have raised this a couple of times with previous ministers. Former Minister Szakacs said:

> My strong view is that the quicker we can get more permanent facilities available, not just for SAPOL but also for the member's community in Cummins, the better.
>
> I can assure the member that the planning by SAPOL has been running in parallel to that for the securing of ongoing permanent accommodation. I can give the member some comfort that SAPOL will have a long presence, not only on the EP but in Cummins.

I am bringing this to the attention of the minister because we have seen nothing on the ground and my people in Cummins are starting to wonder what is going to happen with that big, vacant block.

HOUSING FOR WOMEN

Ms HOOD (Adelaide) (15:25): I rise to talk about housing that we are providing for vulnerable South Australians, in particular women, in my electorate of Adelaide. This morning, I had the pleasure of joining our Minister for the Prevention of Domestic, Family and Sexual Violence and also the housing minister at one of our key election commitments in Tucker Street in the CBD, that is to build 50 studio apartments for women who are at risk of or experiencing homelessness. Importantly, these will have wraparound services at the site to be able to support the new residents who move into this apartment complex. We understand that older women or women over 55 are the fastest-growing cohort of those experiencing homelessness, so we are looking to pull every lever at our disposal to build more safe, secure housing for the vulnerable South Australian women.

Only a few months ago, I was able to join Minister Hildyard at the opening of the YWCA, which did receive state government support, and that is to provide 24 apartments for women at risk of homelessness or who have experienced domestic, family or sexual violence. We are also very proud to support the next generation Catherine House, which will soon begin construction. The next generation Catherine House will provide 52 apartments for women and for the first time will allow women with children. That will be for victim survivors of domestic, family and sexual violence.

Recently, I have also been working with my local community and the Housing Trust to secure a refurbishment of a Housing Trust complex in the CBD. The main works internally have been completed. Over the last few weeks, women have been moving into that site and are able to access

safe, secure and more modern housing. On my community tour of parliament just last week, I was able to meet one of the new residents who has moved into this refurbished Housing Trust complex. It was really wonderful to see how she is settling into the new community.

We do not just want to provide safe and secure housing. We want them to feel welcome. We want them to feel part of a community. I know this particular complex well. I used to live in an apartment next door, and so I was very aware of the significant antisocial behaviour of this particular site. It is a real example of how we can work with the community to develop the residence, the community that we want to be able to provide, particularly for vulnerable South Australians. It was such a pleasure to be able to meet my new constituent and also know that there are many others who will be moving into this wonderful community and feeling at home.

With regard to Tucker Street, where we were this morning, construction is very much underway and likewise worked with the local community around the cohort that we wanted to be able to support as part of this Housing Trust development. When residents do move in, hopefully towards the start of next year, we will make them feel welcome and feel part of the community. It will be great for them to have those wraparound services so that they do not just have a safe, secure home to live in but that they are able to thrive in that community. I am very proud to be able to work with our community to create these positive outcomes.

One community that I have been working with recently in this space is residents within the Gilberton community. It was a tragedy to see the alleged murder of a tenant of a Housing Trust complex, and my sympathies go out to the friends and family of Andrew Sorby-Adams who lost his life, tragically, at that site. I have been working with the local community and we have established a local residents' group in which we are able to hear the feedback of impacted neighbours around this area.

I would like to acknowledge the work of two local residents in particular, Jan and Fred. They have invited me into their homes so that we can talk about the impact of housing in our community and acknowledge the fact that this is something that is a challenge across multiple communities. We want to make sure that we are working together to be able to provide safe and secure housing for South Australians, for tenants of the Housing Trust, and also create those safe and secure communities. I really want to acknowledge the support and the work of Fred and Jan and also other residents within that community, and I look forward to advocating for an outcome.

ANGASTON DISTRICT HOSPITAL EMERGENCY DEPARTMENT

Mrs HURN (Schubert) (15:31): Community alarm at the frequent closures of the Angaston emergency department is continuing to grow and grow in my local area. This is not just an inconvenience but it creates uncertainty in times of emergency, particularly the way in which the local health network is announcing these closures. On Facebook, we are seeing more and more frequently that closures are being announced for 24-hour periods, and that creates an extraordinary sense of uncertainty about the care that people in the Barossa Valley can receive at their local hospital.

I recently heard from a constituent whose son suffers from epilepsy and suffered a seizure after school. They went to the Angaston emergency department and they were so thankful and relieved that this emergency department was open, and they spoke so highly of the care that they received from all the amazing nurses and doctors there. They ended up working through the Women's and Children's Hospital to get the care that they needed, but the chill of the sliding doors moment that this mother felt I think continues to haunt her and it is something that as a mother myself I am really concerned about, because it should not just be a matter of luck as to whether you can receive care in your local hospital.

This is an emergency department that is there to be open 24/7 and it is letting our community down. I am particularly concerned about it. Locals are feeling anxious and frustrated. Reliable EDs are not just a convenience: they do save lives. I have raised this with the minister on a couple of occasions, the first of which was a letter in May—so May, June, July, August—and I have not yet had a response from the minister about this really important issue in my local community about the care that people in regional communities can access. I think that is a long time for something so important, but I was really grateful that a constituent of mine forwarded on a response that she received from the minister in relation to this issue. It said that the Barossa Hills Fleurieu LHN:

…has secured the services of two general practitioners who have committed to working at [the Angaston District Hospital] from 7 July 2025, to enable the ED to be medically staffed seven days per week.

Seven days per week: that was on 16 July. We are in August, and over the last few weeks I have logged on to Facebook only to see more announcements, with the comments turned off, of closures at the Angaston emergency department.

One of the biggest issues, I think, is clearly workforce. The minister spoke about this today. That is part of the reason why the opposition continues to call for incentives to attract and retain doctors and nurses. We must do more in this space because if we do not, it will not just be hospitals like Angaston that are having their emergency departments closed on a regular basis, or the other hospital in the Barossa Valley, Tanunda, which has had its bed numbers reduced because of workforce challenges. We will start to see a gradual degradation, a gradual deterioration, of healthcare services right across regional South Australia, and that is something that haunts me. It is this idea of sliding door moments where people just roll the dice and start to scratch their head about whether they will be getting the health care that they need. If we do not step up to the task, if the government does not step up to the task and roll out workforce incentives, then these types of situations will only be felt more acutely in my local community and right across regional South Australia.

There is another program called South Australian Virtual Emergency Service (SAVES). This is something that I have been working really proactively on with local practices in my electorate, and we have called for this to be considered for the Barossa Hills Fleurieu LHN to consider here. They are considering it, which is a step in the right direction but more needs to be done so that people in my patch can have the health care that they need as close to home as possible. It is not good enough, I am sick of looking for answers. This is something that is so important to my local community and we need some clarity from the government about what action it is taking to fix this.

The other issue over the winter break was the Sturt Highway. This is a national highway, and thousands of truckies, commuters and tourists use it every day and, right now, it is not safe. It is not just about the condition of the road: there are multiple spots from Gawler to Truro that are in desperate need of repair. Whilst we welcome the fact that there is an investigation looking into what is going on, we need solutions and we need action, because safe roads do save lives, and we need to see action. There is a petition that has been launched by two locals, Jackie and Michaela, and one is in my office and I encourage people to sign it.

BULLYING NO WAY

Ms WORTLEY (Torrens) (15:36): Last week was Bullying No Way, an important week in the calendar, and many of our schools organised events and focused on various aspects of bullying: what it is, its impact, how it can make people feel, and what can be done when confronted with it. An Australian initiative, Bullying No Way is aimed at preventing bullying in schools and communities, and providing resources and support for students, educators and families.

It is a proactive approach to bullying prevention and education, supporting Australian school communities with evidence-informed resources and activities. The initiative aims to create safe and inclusive learning environments, helping to prevent bullying and providing support for those affected by it. It emphasises the role of parents and caregivers in addressing bullying behaviours and fostering a supportive atmosphere for children.

This year the theme was 'Be bold, be kind, speak up'. This puts me in mind of the song *Caught in the Crowd* by Kate Miller-Heidke that I had the good fortune of seeing performed as part of a dance routine by secondary school students. The lyrics tell the story of a student bystander who, despite having a brief connection racing to school with a student, ultimately turns away when the same student is physically attacked by others in the schoolyard. The song reflects on the narrator's regret for not intervening, and their feelings of shame and remorse for their inaction and not acting as a friend and standing up for the bullied student.

The lyrics also reflect on the narrator's youth and naivety at the time, and the internal conflict that arises from witnessing such events and not having the courage to intervene. The words are:

I was young and caught in the crowd, I didn't know then what I know now, I was dumb and I was proud and I'm sorry.

This song, performed by the dance students, had a powerful impact and it was a great way to open up the conversation. This is so important because research shows that children and young people often do not reveal that they are being bullied: not to their parents or their carers and, in some circumstances, not even to their friends.

We have learnt that often the consequences impact them not only at the time but throughout their life and, sadly, in some cases the young person being bullied sees no escape except to end their life. I have met with parents who have, sadly, faced this reality. I recall the launch of the inaugural Bullying No Way campaign with then minister Peter Garrett in a school in Queensland. It coincided with the launch of the 500-page report, High Wire Act—Cyber Safety and the Young, delivered by the Joint Select Committee on Cyber Safety that I had the privilege of chairing.

Having been exposed to many families, teachers and students concerned about cyber safety, I had vigorously pursued the establishment of the committee which inquired into the online environment in which Australian children engage. A total of 34,000 young Australians between the ages of five and 17 participated in the committee's online survey, the biggest in the world on young people and cyber safety. There were three round tables with industry, academics, law enforcement agencies, non-government organisations, parents, professional bodies and public hearings. It was not long into hearings that we learnt that bullying was the highest level of concern by both parents and students.

While there are programs in schools to address the issue of bullying, social media continues to be a challenge. Our government understands this and has introduced legislation that goes some way into addressing this. Of course, we have the banning of mobile phones in our schools—very successfully so.

In the way that for generations domestic violence was not spoken about by its victims, so too many victims of bullying maintain their silence. We have had for a number of years now a national day of action against bullying and violence initiated by education ministers. This is a step in the right direction; however, it needs to be extended to include the whole community. There is much more that needs to be done to address this issue.

The national week of action supports schools to work with parents, students and their school communities to find solutions to bullying and violent behaviour. The Bullying No Way initiative provides a variety of resources for educators, parents and students that can be accessed at bullyingnoway.gov.au.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence) (15:41): I move:

That the house at its rising adjourn until Tuesday 2 September 2025 at 11am.

Bills

DEFAMATION (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Ms HUTCHESSON (Waite) (15:42): When concluding my remarks on the bill earlier, I was referring to the fact that concerns about malicious reports are addressed by the Summary Offences Act 1953, which already covers the offence of making false statements to the police, ensuring that individuals who make malicious or false reports are held accountable.

Amendments have also been included in this bill to provide better support for individuals who are defamed by material posted online. A significant update in the bill pertains to the concept of an offer to make amends, which was discussed in the other place. This is a crucial element of defamation law that allows publishers to make corrections before legal proceedings begin. If notified of potentially defamatory content, a publisher has a period of time to offer to make amends, typically by removing or correcting the material. The bill now clarifies that online content publishers can take steps other than removal, such as blocking or disabling access to defamatory material, to make

amends. This reflects the modern reality that some content cannot simply be removed in this digital age.

The bill also provides additional recourse for those defamed on online platforms. Recent legal cases, such as the Voller case, have demonstrated that digital intermediaries, such as social media platforms and page moderators, can be held liable for hosting defamatory content. However, many questions surrounding this issue remain unresolved, especially after the matter was settled between the parties. In civil defamation proceedings, parties may apply to the court for pre-action discovery, the process by which information is provided by the other party to help determine the cause of action. This bill sets out principles to guide courts when considering such applications in defamation cases.

Under the Uniform Civil Rules 2020, South Australian courts may order a party to disclose documents that help a potential plaintiff decide whether or not to bring action. This could include requiring digital intermediaries to provide identifying details such as names, emails, and IP addresses of individuals who posted defamatory content anonymously. The court will consider several factors when deciding whether to grant defamation-related pre-action discovery application, including the Defamation Act's objectives: protecting freedom of expression, safeguarding public interest publications, providing fair remedies for damaged reputations and encouraging quick non-litigious resolutions.

As we have seen in other Australian jurisdictions, prolonged defamation proceedings can be costly and drawn out. Often the remedy sought by the party's contact removal, a correction or an apology can be achieved without lengthy litigation. While considering these applications the court must also weigh privacy, safety and public interest concerns, ensuring that vulnerable individuals, such as whistleblowers or victims of domestic violence, are not exposed inappropriately. This amendment does not limit other considerations the court may take into account when deciding whether to allow pre-action discovery. It is recognised that each case will depend on its specific circumstances.

The final amendment in the bill addresses the court's ability to issue orders against non-parties, such as online platforms, requiring them to remove or block access to defamatory content. Currently defamation cases can only result in injunctions against the publisher of the defamatory material. Under the current system if someone wants to make a major online platform, like Facebook or Google, remove defamatory content posted by a third party, they must file a lawsuit against the platform itself.

This bill will allow courts to issue injunctions against digital intermediaries and other publishers even if they are not directly involved in the defamation case. A digital intermediary refers to any person or organisation that provides online services related to digital publications such as search engines, email services, social media platforms and video-sharing websites. This change will provide individuals with more options for protecting their online reputation, allowing them to take action against platforms without necessarily pursuing large companies like Meta or Google. At the same time, it will enable courts to order these companies to remove or block defamatory content. I commend the bill to the house.

Mr BROWN (Florey) (15:46): I am pleased to rise in support of the Defamation (Miscellaneous) Amendment Bill. This bill seeks to make a range of amendments to the Defamation Act 2005 arising from the results of a national review of the uniform model defamation laws that was undertaken by the Standing Council of Attorneys-General. This body, which convenes quarterly, comprises attorneys-general from the Australian government, from all states and territories, as well as the New Zealand Minister for Justice. Its purpose is to implement a national and trans-Tasman focus on maintaining and promoting best practice in law reform.

The review that ultimately led to the proposed reforms before us gave consideration to a number of matters. It gave particular consideration to whether absolute privilege should be extended to cover reports of conduct such as sexual harassment and sexual assault to police. We may consider that the most significant amendment proposed in the bill now before us is a measure that seeks to extend the defence of absolute privilege to reports that are made to police. This aims to provide victims of crime and witnesses of crime with stronger protection against law suits claiming that the report defamed a person involved in the alleged behaviour.

I believe that members across all sides of politics, and indeed members of the South Australian community, would agree with the broad principle that there is a clear public interest in supporting the flow of information from members of the South Australian community to police. Under the current arrangements it is the case that a person can face the possibility of being sued under defamation laws as a result of allegations or reports they make to police, whether that is as a victim of a crime or as a witness to a crime.

The defence of qualified privilege is available under such circumstances, but this defence requires the person who made the report to prove that the report was reasonable, and irrespective of the outcome of an action that may be taken against an individual in circumstances such as I described, which is to say whether attempts to prove qualified privilege are ultimately successful or unsuccessful the possibility does exist that a person may face years of legal proceedings and, indeed, they may incur significant expenses simply in order to defend what might well have been a straightforward and well-intentioned act of reporting a crime to law enforcement.

This is not a risk that members of the public should reasonably be expected to face, particularly when a criminal offence of knowingly making a false report to police already exists under our current laws. That offence quite rightly exists with the precise intention of deterring and preventing that type of reprehensible behaviour and addressing such behaviour in the event that it has occurred. We do not want reports that are made erroneously or in bad faith. There is no doubt of that. We do want to support the practice of making reports to police in good faith.

We must consider that the presence of the risk of defamation litigation potentially could be a contributing factor in causing some victims of crime to be reluctant to come forward and make a report; for example, this may be true for victims of such crimes as sexual assault or domestic violence.

Of course, there are a wide range of nuanced and complex reasons the victims of sexual assault or domestic violence may not come forward, or indeed may not feel safe to come forward. But if it is the case for any victim, the threat of possible defamation proceedings arising from making a report to police might influence their process of decision-making—if that threat may have the potential to be used to deter and to further silence or entrap a victim of sexual assault or domestic violence—then it is something that any good government should seek to address.

If we have the opportunity to remove or to mitigate one barrier to the practice of reporting to police crimes that certainly should be reported, we ought to avail ourselves of that opportunity. This reform is intended to empower victims of crime, particularly sexual crimes or crimes of domestic violence, to come forward to police without fear of retribution through a defamation claim. We know that the under-reporting of crime occurs across a range of areas.

If South Australians are for any reason under-reporting crimes that are negatively impacting them, it is important that we do what we can to stay ahead of protecting members of our community by empowering them with the peace of mind to know that reporting would not give rise to the possibility of them becoming subject to costly and stressful defamation lawsuits. It is in the individual's interest and it is in the public interest.

It is the case that, under the Defamation Act, absolute privilege is applied to other situations in which the free flow of information is widely understood to be in the public interest, such as courts or parliamentary proceedings. Statements that are made on occasions of absolute privilege have a complete defence to defamation lawsuits. It is not necessary to prove that a statement was reasonable, and proving malice will not defeat the defence. It is reasonable to suggest that members of the public reporting crime to police, which is certainly in the public interest, should be another occasion of absolute privilege.

Under the reforms contained in the bill, a person sued in defamation need only prove that they made the relevant communication to an official of the police force while such a person was acting in an official capacity and they will have this complete defence of defamation. This will only apply to a report to police. Communicating the allegations made in a police report to any other party, such as to a media outlet, would not attract absolute privilege. Any defamation claim arising out of statements made to the media about a report made to the police would still need to be defended using other defences.

This bill also seeks to make amendments to support South Australians who have been defamed by material posted on the internet. The proposed reforms would provide another avenue to have defamatory material removed from an online platform. Currently, a court can make an interim or final injunction requiring a publisher of defamatory material to cease publication. However, this order can only be made against a party to the defamation action.

If a person who has been defamed and wants a large online digital platform to remove the defamatory material that has been posted by a third party, the avenue under current arrangements is that they must bring an action for damages against the online platform. If they only sued the author or poster of the matter, they cannot obtain a take-down order against the digital platform.

This bill seeks to allow courts to make injunctions against digital intermediaries and publishers that are not a party to the action. A digital intermediary is any person or organisation that has provided an online service in relation to a digital publication but who was not the author, originator or poster of the material. This includes search engines, email messaging services, social networking platforms, product review websites and video sharing platforms.

The proposed amendment to the Defamation Act provides that, if a person has obtained an interim or final injunction preventing further publication by a defendant in defamation proceedings, the court may also make an order requiring a digital intermediary that is not a party to the action to take steps to prevent access to the material or to prevent or limit the continued publication or republication of the material. This will not prevent a person from suing the digital intermediary as well, should they choose to do so. It will mean, however, that they are not required to sue the digital intermediary in order to obtain an order for the digital intermediary to take action in relation to defamatory material.

A relevant matter of note that we might contemplate is that of Duffy v Google. Dr Janice Duffy, who is a former SA Health researcher, was engaged for 12 years in a legal battle against Google. She sued the company twice. I understand she did so largely unrepresented, particularly during the initial proceedings, due to her financial circumstances. After Dr Duffy discovered defamatory information posted about herself online, she successfully argued in 2015 and 2023 that Google published defamatory extracts for an American website called Ripoff Report on its search engine page.

Dr Duffy notified the company and requested unsuccessfully that the material be removed. The Supreme Court ultimately ruled that Google had defamed Dr Duffy, a former SA Health researcher, as I said, through selections of results that were visible on its Australian search engine, as well as the pages in full in the event that users clicked through via the links. Despite Dr Duffy's victory, the financial impost and especially the emotional toll on her were enormous. Dr Duffy was quoted in the media as saying:

> It was just horrific—truly horrific—when I realised I had to do the trial myself…the only things that I had was an old printer and my research skills...I honestly didn't think I was going to survive it.

In 2023, Auxiliary Justice Sydney Tilmouth said that Google was 'entirely reactive rather than proactive in the removals process'. He further said:

> Dr Duffy and her legal advisors (when they were engaged) were effectively stuck on a never-ending treadmill from which she could not escape: of identifying complete URLs; securing removal by Google; only to find the same posts with altered URLs inexorably reappearing whilst Google stood by doing nothing…

Auxiliary Justice Tilmouth found that the company had the means at hand to easily locate the pages if it had wanted to. Under the arrangements that the proposed reforms seek to put in place, under the same circumstances Dr Duffy would still have had to make an application to a court. However, once it was determined that the material was defamatory, or once there was an injunction put in place, Dr Duffy would not have had to directly sue Google. A court could compel Google to act.

Surely, it cannot be argued that an individual member of the public pursuing a global tech giant such as Google under significant financial constraint constitutes a level playing field or could reasonably be considered a fair set of circumstances. This reform seeks to make significant steps towards enabling greater fairness for people who have been defamed through an online platform.

Finally, the bill seeks to set down principles that a court must take into account in applications for pre-action discovery relating to defamatory material that is published digitally. Under the Uniform Civil Rules, South Australian courts may order that a person disclose documents that will allow a

potential plaintiff to decide whether or not to bring a civil action and, if so, against whom to bring it. This could be used to require a digital intermediary to provide the identifying or contact details of the person who authored or posted defamatory content online through the intermediary services.

If a pre-action discovery application is brought for this purpose before deciding whether to disclose the author or poster's details, the bill provides that a court must take into account the objects of the Defamation Act, which include freedom of expression, fair and effective remedies for persons whose reputations are harmed, speedy and effective dispute resolution, and privacy, safety or other public interest considerations that may arise if the order is made.

The changes proposed in this bill represent sensible updates to ensure that South Australia's defamation laws are modern and balanced and, in particular that they are appropriately responsive to the needs and the expectations of the South Australian community. I commend the bill to the house.

Ms HOOD (Adelaide) (15:56): I, too, rise today to speak in support of this bill, which makes important amendments to the Defamation Act 2005. During my time as a print journalist at *The Advertiser* newspapers, I became keenly aware of the importance of defamation laws and the responsibility that comes with publishing information. Every article required careful consideration, not just of the facts but of the potential legal consequences of what was written. I saw firsthand how defamation laws protect reputations while also navigating the fine line between responsible reporting and free speech. This experience has given me a deep appreciation for the need to ensure our laws remain clear and fair within the evolving digital landscape in which we now live. As more of our interactions, our news, and even our reputations are shaped by digital platforms, it is essential that our laws keep pace.

This bill was a result of a national review of our uniform defamation laws, undertaken by state and territory attorneys-general, to ensure they strike the right balance between freedom of expression and the protection of individuals from reputational harm. In today's digital age, so many people live or share their lives online, whether that be on Facebook, Instagram, TikTok or YouTube. While there are positives to social media, we all know the pitfalls, where trolls spew hate and where interactions can quickly become toxic, with a single post or comment going viral in an instant causing lasting damage.

Enter defamation law, which aims to protect individuals from false or damaging statements that may cause harm to their reputation or standing in society. But under current defamation laws, if a person sues the author of a defamatory comment posted online, they could not obtain a takedown order to have it removed from the digital platform in which it appears. If they want a large digital platform such as Facebook or Google to take down the defamatory content, they must sue that platform as well.

Not only is this a David versus Goliath battle, but it places an unnecessary burden on victims, making it difficult to have harmful material taken down. This bill addresses that issue by empowering courts to order digital intermediaries like Facebook or Google to remove defamatory content, even if they are not party to the original defamation action. This ensures that individuals who have been defamed can more easily seek removal of harmful material without the added hurdle of having to sue a large digital corporation.

Additionally, this bill introduces clearer principles for courts to consider when handling pre-action discovery applications in defamation cases. Pre-action discovery allows courts to order digital platforms to disclose the identity or contact details of anonymous users who post defamatory content. This is an important tool for victims seeking justice, but it must be balanced against other considerations such as privacy, freedom of expression and broader public interest concerns.

One of the most important and significant amendments in this bill is the extension of absolute privilege to reports made to police. This means that victims and witnesses of crime will be protected from defamation lawsuits when making statements to police officers in their official capacity. This is particularly important for victims of sexual violence and domestic abuse, who may otherwise fear legal retaliation when coming forward to report an offence. However, it is important to clarify that this absolute privilege applies strictly to reports made to police and does not extend to statements made to the media or in the public about those reports.

There is a clear public interest in ensuring people feel safe to report crimes to police without fear of legal retaliation. These are sensible, necessary reforms that will provide stronger protections for victims of crime and ensure our defamation laws reflect the realities of the digital age, with fairer legal avenues for those defamed online and greater legal clarity for digital platforms.

As we undertake these reforms, it is important to recognise other reforms that are seeking to protect our children from the potential harms of social media. I commend our Premier, Peter Malinauskas, for undertaking that conversation nationally, which has driven a ban for young children being able to access having accounts online for social media—for example, Facebook and Instagram. I think part of that is educating our young people around the dangers of social media but also ensuring that they have a voice in other capacities. It was my absolute honour this week to attend the Active Citizenship Convention at Adelaide Oval, where we could actually see young people come together and have face-to-face conversations about our democracy and about citizenship. It was a really inspiring event.

Reforms to legislation, investment in education and a good dose of common sense where we teach our children about respect and caring for others can go a long way in protecting our community in this fast-paced, digital, changing world in which we all now live. With these comments, I commend the bill to the house.

Ms WORTLEY (Torrens) (16:01): I rise to support the Defamation (Miscellaneous) Amendment Bill. The bill makes various amendments to the Defamation Act 2005, based on the results of a national review of the uniform model defamation laws undertaken by state and territory attorneys-general. Any progress towards uniform laws and common understanding of laws across our nation is welcome.

We know that for several years now attorneys-general from the states and territories have raised the need for a uniform approach to the matter of defamation. A formal review made a range of recommendations and these are being adopted around Australia. I do not wish to speak at this stage on all aspects of these reforms, instead choosing—as someone with a media background—to focus on the changes applying to digital intermediaries.

A digital intermediary in the context of defamation law refers to a person or entity that provides or administers an online service that allows for the publication of digital content, such as social media posts, by others. The digital intermediary could be any kind of social media platform, from Facebook to a review blog to Instagram. They are not the original author of material that might be deemed to be defamatory. Yet the general rule for defamation has been that anyone in the chain of publication can be liable and held responsible for defamatory imputations.

It follows that digital intermediaries have often been the primary target of people seeking damages for the dissemination of material that affects their reputation. However, such action has rarely been successful, largely because of the difficulty of assigning a proportion of responsibility. In South Australia, around 65 per cent of plaintiffs in defamation cases lose, I am told, and the rate is very likely much higher when the target is a digital intermediary.

While not being made entirely immune, the new legal reforms around defamation in Australia provide certain protections for digital intermediaries. The reforms recognise the generally passive nature of social media platforms as well as the speed at which third-party content can be posted. At the same time, changes will mean the digital intermediary can be ordered to remove defamatory content and may be ordered to identify contacts and their details when this is deemed necessary to prevent ongoing damage to the reputation of a person or an entity. In some ways, this makes good sense. Apart from national uniformity, there are clearer guidelines about who is responsible for content.

Progress on this front, while welcome, will not change the fact that there will continue to be the dissemination of material that should not have been posted in the first place. While not qualifying as defamatory, statements can be made that are hurtful and misleading. Most often, we use electronic communication to our advantage in our working and private lives because it is fast and it is convenient. On the negative side, we still hear of ill-considered comments being made on the spur of the moment and even well-planned campaigns to unfairly affect someone's reputation.

Usually, such cases do not qualify as defamation because it is hard to determine there has been damage to one's reputation. Our government has, on a number of fronts, been addressing this

matter of responsible use of electronic communication. I refer here to action on student access to mobile phones and the responsibilities of major international platforms. In this domain, the Malinauskas government has been a leader in protecting our children and young people on social media platforms.

The attraction of electronic media was appreciated as far back as the introduction of television to our state in the 1950s. An early survey about trusted sources of information rated television first, with newspapers and radio coming in at around equal second. The reason for the rating, respondents said, was that they could see the person delivering the information, even though television newsreaders took their material from the daily papers in those early days. This was an indication of the power of feeling closer to the provider of information.

There is rapid provision of information from a variety of electronic sources. It puts us closer to the sources. We enjoy the power of getting instant answers from a rich field of facts, personal beliefs and diverse opinions. Digital intermediaries, as well as the people who place the material on their platforms, will now have greater clarity about where they stand with regard to defamation, and that is a good thing.

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence) (16:07): Can I just reiterate my thanks to the Attorney-General and his team, the Attorney-General's Department and also the speakers for their thoughtful contributions during the course of this debate. I welcome the opposition's support for this bill. I thank everybody for their work towards it.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr TEAGUE: I did not have the opportunity to hear the minister in closing the second reading debate, and it is on me if there was reference to my availability for the purposes of the committee. Having flagged the questions or the nature of my inquiries at the relatively brief committee stage, I will just see if there is an opportunity for the government to deal with the context in which these changes have been made and how South Australia has come to the point that it has.

As I referred to in my second reading contribution, this has stemmed from what might be called the Voller litigation and the national Meeting of Attorneys-General that has followed in the period from roughly 2021 through to late 2023 and then into mid-2024. South Australia was readily on board with what was described in the communiqué in September 2023 as part B of those agreed reforms, and that is the one about extension of the absolute privilege in section 25.

It is what was described as part A of the communiqué, those measures affecting preliminary discovery that is the subject of the new section 21A and orders against non-parties that is the subject of the new section 37A, that are the components that South Australia was not as far down the road as other states, to put it that way, at an early stage. That led to some expressions of concern in the national media about where we were getting to, given that these are really reforms directed at the evolving digital landscape. So that is the context.

I guess the broad question that might cover it all in one go is: how has the government come to land on these part A reforms and how come it took longer than other states to get there? If the minister would care to include reference, as I understand, to the Law Society's input and any others, then that might also wrap it all up.

The Hon. K.A. HILDYARD: I hope that with this answer I can cover the couple of issues raised there. Firstly, as the member I think is aware, the stage 2 defamation reforms were reforms that were agreed to by the Standing Council of Attorneys-General, and those reforms that were discussed there include both the part A and part B amendments. The South Australian government, as the member is aware, introduced this Defamation (Miscellaneous) Amendment Bill to parliament on 29 August 2024 and it was received in this house on 4 February 2025.

This is, of course, as I have just spoken about, a national reform that came via that discussion at the Standing Council of Attorneys-General. It is that council that also conducted the public

consultation process that the Law Society contributed to. It is my understanding that the submission to that broad process initiated by the Standing Council of Attorneys-General—the submissions into that process have actually been made public, so I know the member can avail himself of that submission. That was a process run through that standing council.

As with any significant reform to uniform or possible uniform national legislation, jurisdictions are always at various different stages in terms of the progression and implementation of those reforms. One of the things that we always have to be cognisant of is that when there is a change that is being contemplated across jurisdictions we, of course, uphold stronger provisions where we wish to in our particular jurisdiction, and that is certainly the case in relation to this legislation.

I would also say to the member that, whilst some jurisdictions have already passed and commenced the stage 2 reforms, others are still considering their responses and positions in relation to those reforms. I would say to the member notably that both Queensland and Western Australia have yet to implement any legislation to introduce those stage 2 reforms. That is certainly not a criticism of those jurisdictions, but more that they are, I guess, a reflection that we have been monitoring the progress across jurisdictions, and we appreciate that there are different starting points in each of those jurisdictions.

Some jurisdictions, yes, have moved ahead with consideration of the issues relevant to their state. We are doing the same. Other jurisdictions are still contemplating those issues and, as I said, Queensland and Western Australia are yet to introduce any legislation following the discussion about these reforms.

Remaining clauses (1 to 7), schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. K.A. HILDYARD (Reynell—Minister for Child Protection, Minister for Women and the Prevention of Domestic, Family and Sexual Violence) (16:17): I move:

That this bill be now read a third time.

Bill read a third time and passed.

FINES ENFORCEMENT AND DEBT RECOVERY (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 3 April 2025.)

S.E. ANDREWS (Gibson) (16:17): I rise to speak in support of the Fines Enforcement and Debt Recovery (Miscellaneous) Amendment Bill 2025, a bill that reflects our government's commitment to fairness, accountability and a more compassionate system of justice.

This legislation delivers practical and meaningful reform as to how we manage fines and debts owed to the state. It will centralise the currently fragmented system by establishing the Fines Enforcement and Recovery Unit, a single point of contact for individuals managing outstanding debts and, crucially, it will make the system more equitable for the very people most vulnerable to its failings.

A brief overview of the changes can be explained as follows. Regarding clarifying and enhancing powers of the Chief Recovery Officer, the bill address technical inconsistencies and administrative anomalies within the Fines Enforcement and Debt Recovery Act 2017 by clarifying and enhancing the powers of the Chief Recovery Officer. These adjustments come in response to identified issues in the act and feedback from operational experience.

Regarding the extension of existing payment arrangements for new fines, if an individual already has a payment arrangement in place and a new expiation or pecuniary sum is referred, the Chief Recovery Officer can include the new debt in the existing arrangement, helping to avoid new fees or enforcement actions. The individual will have 14 days to opt out and retains the right to challenge the new expiation.

In relation to adjusting late fee applications for pecuniary sums, late fees for pecuniary sums will now be charged based on the date the debt fell due, rather than one fee per criminal charge. This change reduces duplication, especially where multiple sums are ordered on the same day.

Prioritising victims of crime payments clarifies that court-ordered compensation or restitution to victims of crime must be paid in full before any remaining funds are allocated elsewhere. This ensures victims receive their due priority.

Regarding the staggered addition of reminder and enforcement fees, rather than layering multiple fees at once, reminder and enforcement fees will now be added gradually in response to non-payment. This incentivises early resolution of debts and shields individuals from sudden, overwhelming penalty stacks.

In relation to the removal of involuntary treatment and imprisonment sanctions, the bill removes two harsh and ineffective enforcement measures: courts can no longer require clients with unpaid debt to attend a treatment program and imprisonment is no longer a penalty for failing to comply with treatment or for non-payment of a civil debt, under both the Fines Enforcement and Debt Recovery Act and the Enforcement of Judgments Act. Voluntary treatment remains an option if a debtor chooses it.

Regarding clarifying recovery of civil debts owed to government, the bill expands and clarifies provisions for recovering civil debts owed to government agencies. It also sets out how these processes should interact with other debt-creating legislation, eliminating conflicting or overlapping enforcement mechanisms. Certain categories of debt are explicitly excluded from the definition of 'debt' under part 8 of the act.

We know the burden of fines does not fall equally. People on low and fixed incomes, including pensioners, carers, people living with disability and those relying on income support, can be hit the hardest. A fine that might be a minor inconvenience to one person can be a devastating setback to another. For so many on tight budgets, even a relatively small fine can mean going without essentials such as food, medications or rent. When fines are managed across multiple agencies, each with their own processes, timeframes and communication channels, the challenge multiplies. People can be left confused, anxious and at risk of further penalties, not because they refuse to pay but because the system can be too complex to navigate.

That is not justice, that is a system failing the people it is meant to serve. This bill addresses that. By creating a centralised fines enforcement and recovery unit, we are building a system that sees the whole person, not just the debt. We are enabling early engagement, more flexible payment options and support tailored to people's real life circumstances.

This is especially important for people on fixed incomes. When you rely on a pension, a carer's payment or JobSeeker, you cannot just find the money. That is why this legislation enables smarter and fairer management of debt for things like consolidated repayment plans, early intervention and clear pathways to support. It also means better communication, one contact point, one consistent system and one accountable body to work with people, not against them.

For vulnerable members of our community this clarity can be the difference between getting on top of a fine or falling into deeper hardship. This reform aligns with our government's progressive values, putting fairness at the heart of public policy and ensuring that nobody is left behind because they might be poor, sick or unsupported. It removes unnecessary barriers, supports people doing it tough and ensures a more compassionate, coordinated response to state debt. It is good policy and it is the right thing to do. I commend the Fines Enforcement and Debt Recovery (Miscellaneous) Amendment Bill 2025 to the house.

Mr TELFER (Flinders) (16:24): I rise as the lead speaker of the opposition on this, but I will not be speaking for too long. Obviously there are a few different aspects to this bill and I look forward in the committee stage to dissecting a few of these points, in particular, a few of the questions that are outstanding in my mind as we are considering this bill.

Obviously, this bill seeks to amend the original act from 2017, the Fines Enforcement and Debt Recovery Act, by removing issues of efficiency and consistency. This bill will improve the ability of people to enter into payment arrangements with the Fines Enforcement Recovery Unit, exit these arrangements, or include new penalty notices within an existing payment arrangement without having to go through a new process for each action.

This is obviously something that is pretty pertinent. These are the challenges that are faced by some people with payment processes and I think that we could all relate to having constituents that come to us with the challenges of being able to face some of the payment programs. I know some of my colleagues in the chamber may have had to face a number of different fines adding up. The number of fines that add up and the number of dollars that are owed can be a challenge for some people, especially for those with limited means to pay, and this program obviously does look to put a bit more capacity within that system.

We see that any late fees are charged on a total amount owing rather than on individual offences, which simplifies the payment process for payees and reduces the bureaucratic requirements for this bill, in particular. I have heard stories of individuals racking up 60 different fines with amounts of over $10,000. For that to be altogether in one amount I think simplifies that payment process. I am sure that some members or ministers might be able to relate to that.

The bill also prioritises the payment of funds to victims of crime above other creditors. As I have said, there are some questions which we in the opposition will be putting when we get to the committee stage around some of the nuances, such as when there are properties used to recoup the recompense that is owing—properties that are jointly owned and the like. I think there are a few uncertain aspects to that.

This bill removes an obligation on offenders to undertake treatment programs in the case of addiction-related penalties that remain unpaid. While this may seem counterproductive, it has been agreed with the government that offenders involuntarily taking courses are unlikely to benefit from them for lack of motivation. Importantly, offenders and payees who wish to voluntarily undertake treatment to avoid financial penalty can still do so, and voluntary participation is shown to work better than coerced participation by those who are unwilling.

I note that imprisonment for unpaid fines is removed from the bill. This raises questions around unpunished crimes, but the option of asset seizure in this bill ensures that punishment and fine enforcement can still take place without the added financial burden on the state of an increased prison population. As I said, there are a few nuances when it comes to the seizure of assets. I hope that the Treasurer, as he takes carriage of this bill, will be able to unpack that a little bit.

I note that this bill aims to streamline procedures with other departments that can issue fines to ensure a smoother process, allowing the addition of fines to a single payment structure for those who have built up a backlog, I guess you could call it, of fines. One section on which I am going to be raising my concerns and asking questions—and we in the opposition will be considering in response to answers we may get to this section, in particular—is whether there are any alterations to any amendments that we might be putting in the other place, especially revolving around section 42(1). I do see that this is a challenge where a property that is co-owned by an innocent individual who has committed no offence can be seized by the government to make good on a failure to pay by the other individual of a partnership, or the other individual that might be part of the ownership of the property.

Without a decent explanation from the minister through the committee stage, that looks on face value to be deeply unjust and it really does punish individuals by association, which is no different really to guilt by association, and there is no sense of justice in applying such a standard. That was one area in particular that we in the opposition think there are real concerns about and we will be looking for some explanation from the minister.

However, overall, this is a bill that is straightening out, streamlining and putting in efficiencies. Thus, we will be supportive of the vast majority of it, despite the concerns around one or two of the clauses that we are going to be highlighting in the committee stage, and we will be considering our position in between houses.

Mr FULBROOK (Playford) (16:30): Isn't it wonderful that we are all in agreeance that this is a great bill. To echo the sentiments of the previous speaker, my friend the member Flinders, I rise to support the Fines Enforcement and Debt Recovery (Miscellaneous) Amendment Bill. I commend the Treasurer for bringing forward a measured and well-considered piece of legislation that delivers both practical efficiencies and meaningful social justice outcomes.

While this is very much an administrative bill, its importance should not be understated. The way government manages debt, whether it is a fine, a fee or a court-ordered payment, has a direct

impact on the lives of thousands of South Australians. This bill will make the process fairer, simpler and more efficient for both the people who owe money and for the agencies tasked in recovering it.

The bill updates the Fines Enforcement and Debt Recovery Act 2017 and addresses technical anomalies, improves operational efficiencies and ensures that our Chief Recovery Officer, the central authority for government debt recovery, has the right to manage the responsibility effectively. It also allows debts to be managed in one place. If someone owes money to more than one government agency, they will no longer have to deal with each separately. Instead, the Chief Recovery Officer will be able to provide a single point of contact, reducing confusion, saving time and preventing the duplication of fees and, most importantly, enforcement action.

It also introduces commonsense reforms, such as allowing new debts to be added to existing payment arrangements, with full rights for people to opt out or dispute the debt so that one set of payment terms can cover multiple amounts owed. This simple administrative change will prevent unnecessary late fees and stop enforcement action being triggered against someone who is already doing the right thing and paying off their obligations.

The Treasurer's second reading speech made it clear that this bill is the product of genuine and extensive consultation. Feedback was sought from those with direct experience in the debt recovery system, including frontline staff, specialist practitioners and advocacy groups representing the interests of our community. That process ensured the bill reflects practical realities, incorporates the insights of those who work with the system every day and balances the need of effective debt recovery with fairness and compassion.

For government agencies, these amendments will streamline processes, free up staff resources and improve consistency in how debts are recovered. For advocacy groups, the reforms answer longstanding calls for better safeguards against unfair penalties. Adding debts to an existing payment arrangement rather than initiating separate enforcement actions is something that groups, individuals and advocacy organisations have specifically asked for, and it will make a real difference in reducing financial stress for people already doing their best to pay down what they owe.

It is worth reflecting that the Chief Recovery Officer role was established in 2017 by a previous Labor government. This was an important reform that centralised expertise in debt recovery and created a specialist skill set within government to manage this complex area. Today's bill builds on that achievement, strengthening the role and giving it the legislative backing needed to handle the full range of debts in a consistent, fair and efficient manner.

In looking at the notes that were provided to me, I could not help but notice the prevalence of the word 'pecuniary'. Sorry if I have mispronounced that. For someone who must confess to being a little stumped on what they were getting at, I felt my contribution should have a definition for all the folks back home. For those listening today who might not be familiar with the term, it simply means relating to money. A pecuniary sum is a monetary amount owed, for example a fine or a court-ordered payment. This bill changes the way late fees are applied to pecuniary sums so that people are not hit with multiple charges for the same due date, which I consider to be a sensible and fair approach that will save some people from additional costs.

In the area of social justice, one of the most important changes in this bill is the removal of the penalty of imprisonment for noncompliance with mandatory treatment programs. The old provision allowed a court to order someone into a treatment program for issues like drug or alcohol addiction, with the threat of prison if they did not comply. We know that treatment works best when it is entered into voluntarily.

Forcing someone into a program and then punishing them with imprisonment if they fail does nothing to address the underlying issue. In fact, it can make things worse, disrupting families, deepening disadvantage and pushing people further into hardship. By removing this penalty, we are acknowledging that debt recovery should never be about compounding someone's personal struggles. The goal should be to recover what is owed in a way that is realistic, humane and, whenever possible, helps people to get back on track.

Centralising debt management under the Chief Recovery Officer is a logical step forward. It gives government the ability to take a whole-of-person view rather than having multiple agencies chasing the same individual separately. It avoids duplication, ensures consistent treatment of debts,

and allows for more flexible and tailored payment arrangements that reflect an individual's capacity to pay.

From the individual's perspective, it is about simplicity—one payment arrangement, one point of contact, one set of rules, all managed by a dedicated unit whose job is to recover debts fairly and efficiently. This is particularly important for people in vulnerable situations where the complexity of dealing with multiple agencies can be overwhelming and can lead to debts spiralling out of control.

Finishing up, I want to commend the Treasurer for the extensive consultation that underpins this bill. The involvement of agencies, advocacy organisations and frontline staff who deal with these issues every day has been critical. Their insights have shaped a bill that is not just about tidying up legislation but about making real improvements to how government interacts with people who owe money. It is also worth acknowledging the people in our community who contribute through advocacy groups, sharing their lived experience of navigating the debt recovery process. These stories matter, and I feel that they have been heard in the formation of this piece of legislation.

The Fines Enforcement and Debt Recovery (Miscellaneous) Amendment Bill 2025 is a fine example of Labor in government, delivering practical, fair and well-considered reform. It improves efficiency, reduces unnecessary hardship, supports vulnerable people and strengthens the specialist role of the Chief Recovery Officer—what I understand to be a Labor creation—in managing debt recovery for the state.

I congratulate the Treasurer on bringing forward a bill that balances administrative efficiency with compassion and fairness, and I thank all those who have played a part in developing it. I commend this bill to the house.

Debate adjourned on motion of Mr Odenwalder.

RADIATION PROTECTION AND CONTROL (COMMENCEMENT OF PROCEEDINGS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 1 May 2025.)

Mr BASHAM (Finniss) (16:39): I am going to be extremely brief on this, as this is a very brief piece of legislation. The opposition supports the very simple change to allow radiation pollution to be brought into the same space as other pollutions, which will allow infringement notices to be issued rather than taking it through to the courts if they have not been able to finalise investigations within six months. As I said, the opposition is very happy to support this very simple piece of legislation. There is not a lot to say, so with that I support this legislation.

Mr HUGHES: I also would like to speak on it.

The DEPUTY SPEAKER: The member for Giles, would you like to be recognised?

Mr HUGHES (Giles) (16:40): I am just getting stuck into it, sir. It is a Thursday, so I am eager to go. I also rise to support the Radiation Protection and Control (Commencement of Proceedings) Amendment Bill 2025. As the member said, this is a very short bill. It is a very simple bill. I will get to the core of it in a moment, but of course I have to tell my personal radiation story. I am going to go off on a tangent but it is, in a loose way, relevant because some of the stuff in this bill does cover the sort of enterprise that I am about to talk about.

Many years ago, I had the great pleasure of doing some work at Olympic Dam on a number of occasions. I would go on the ground at Olympic Dam. In the days of Western Mining, the process to go on the ground at Olympic Dam was a little bit involved. You would be issued your overalls and you would be issued a disc that you would wear when you went on the ground. All workers on the site at that time would wear this particular disc, because what this disc did was measure your exposure to radiation, both on the ground and above ground in the met plant where the minerals from that polymetallic mine were processed.

When you came back from being on the ground, you would hand in your disc and it would be sent off to be analysed. Because I was only there on an infrequent basis, my radiation exposure was neither here nor there. But the thing about—

Mr Basham: It still made your hair fall out!

Mr HUGHES: Maybe that was the impact; I used to have hair then. When you were on the ground, one of the noticeable things about Olympic Dam was just the vastness of it, even back then, and it has grown massively since then. But it is interesting that the history of uranium mining around the world is not a particularly good history.

There were underground mines in the United States where the death rates through exposure to gamma radiation were high and lung cancer rates were really high. It was especially bad back in those days because a lot of people also smoked and it had a synergistic effect with radiation exposure, so there were a lot of premature deaths in the industry.

When you go to Olympic Dam—whether back in the Western Mining days or currently—there are massive ventilation shafts, so a lot of work goes into making that a safe working environment. In some respects, the thing that workers talk to me about occasionally now when it comes to occupational health and safety on the ground is not so much exposure to radiation but exposure to particulate from diesel engines on the ground in some parts of the mine. This is something that the company is addressing, and I think in the not-too-distant future we will see that a lot of vehicles that are operating on the ground will be electrified vehicles, to take away that hazard when it comes to diesel fumes. I will get onto this small piece of legislation.

At its core, as the member has already indicated, it is covering off on that very short period to take action if an expiation is served. At the moment, it is only six months. Given the complexity of some of the issues and becoming aware of some of the issues that might lead to an expiation, six months is just way too short. Essentially, the main amendment in this bill is to extend that period of time to three years. The discovery of a potential offence within that three-year period also gives you that extended period. My understanding is that it extends from the period when the offence is discovered.

Other states have varying periods of expiations, but this brings us in line with one or two jurisdictions where it is a three-year period. It is interesting when you look at just how many authorisations are administered by the EPA under the act as it is now. There are 13,918 radiation authorisations, which include 8,006 radiation-use licences—that is to use or handle radioactive substances and to operate radiation apparatus—and 4,890 registrations of premises, sources and apparatus.

As we know, there are low-level radioactive materials scattered around the place, in hospitals, laboratories, a whole range of places around the state. There are 986 radiation management licences for mining facilities, transport and the possession of radioactive materials. There are 36 accreditations for people who can test radiation sources and apparatus. There is a lot of work involved in this for the EPA.

An example of the sorts of offences that we are talking about include contravening a condition of accreditation or authorisation; noncompliance with an order; using a noncompliant radiation source; failure to ensure a radiation source is appropriately installed, operated and maintained; failure to prevent radiation exposure above certain dose limits; undertaking unjustified radiation procedures or unauthorised radiation research; and noncompliance with requirements for the safe transport of radioactive material.

All of this is geared to ensuring the safety of the public and workers. It is important that we properly manage the radioactive materials that exist out there in the community. Like I said, it is widespread. I know the industries in my area have all sorts of apparatus with radioactive components. Of course, the materials used in hospitals play an incredibly important role in the management and control of a whole range of diseases, including cancer, etc. Also, important radioactive materials are used in a series of diagnostic procedures. They play an important role.

The Lucas Heights reactor in Sydney produces a lot of this material. Not all that long ago, with the controversy in the state about Kimba, Lucas Heights was featured in the news. At the start of the process, Kimba was in my electorate. I thought it was an incredibly poor process that the then federal government had entered into to determine where best to store low-level radioactive waste, which I do not have a problem with, but I did not see the need for a national repository or storage for lower level waste halfway around the country. Of course, the long-lived intermediate waste that is

produced at Lucas Heights actually needs deep geological disposal, and what was being proposed at Kimba was just an interim process.

We do have a responsibility to responsibly manage the radioactive waste that we produce in this country, but I hope that the next time we enter into a process we do it in a far better way than the last time and, indeed, on other occasions. It needs to be responsibly handled. Fortunately, when it comes to long-lived intermediate waste, Lucas Heights is licensed to manage that for some good years to come, so it gives us time to actually do the work that needs to be done.

The core of this is extending the timeframe when it comes to offences, expiation offences, to allow time to do the work properly and provide three years instead of the current six months. As the member said, for more serious offences, they are prosecuted anyway. I commend the bill to the house.

Mr FULBROOK (Playford) (16:51): I rise to speak in support of the Radiation Protection and Control (Commencement of Proceedings) Amendment Bill 2025. This bill, though technical in nature, is an important step in strengthening South Australia's commitment to radiation safety and to the legacy of those who have suffered harm from radiation exposure in our history.

At its core, the bill seeks to amend section 82 of the Radiation Protection and Control Act 2021. As I understand it, under the current law, legal proceedings for certain offences must begin within six months of the alleged offence being committed. This has proven to be impractical and, in some cases, a barrier to justice. The bill makes a critical change: it extends the timeframe for commencing proceedings from six months to three years and, I understand, up to 10 years after the alleged offence in cases authorised by the Attorney-General. Importantly, this amendment will apply to both expiable offences and those subject to prosecution.

The purpose of this reform is straightforward. It ensures that offences under the act are not allowed to slip through the cracks simply because the investigative process cannot be completed within a six-month timeframe. Investigations into breaches of radiation protection laws are rarely straightforward. They require site inspections, technical analysis, expert opinions, interviews, reviews of complex documentation and, of course, legal scrutiny. All of this takes time, especially when dealing with industries where radiation is used in highly specialised ways. In some instances, an offence may not even come to the attention of regulators until many months after it is committed.

By providing more realistic timeframes, the bill ensures that our regulators have the capacity to properly investigate, build cases and, where appropriate, bring offenders before our courts. The current six-month rule creates the risk that serious offences may never be prosecuted. To place it into context, consider a case where unsafe handling of radioactive material occurs, but the consequences are only identified later after monitoring reveals contamination. By the time investigators complete their work, the six-month clock may have run out and those responsible could escape accountability.

That situation is not just a technical failing. It represents a danger to public health and workplace safety. It undermines confidence in our regulatory system and potentially exposes our community and environment to unnecessary risks. Extending the timeframe is not about punishing industry unnecessarily. It is about fairness, accountability and ensuring that all breaches are treated with the seriousness that they deserve.

Radiation is an invisible force. Used responsibly, it can save lives, advance science and potentially power industries. Used irresponsibly it can cause profound harm to people, to workers and, of course, our environment. That is why South Australia, like every modern jurisdiction, has a robust framework of radiation protection laws. These laws are not red tape for the sake of it, they are safeguards to protect our health, our environment and our shared future. We have these laws because we have seen, both globally and here at home, the consequences of when radiation is not properly controlled: sickness, contamination, loss of community trust and long-term environmental scars.

Radiation is all around us in beneficial forms. It is used in medicine where X-rays, CT scans, radiotherapy and nuclear medicine save countless lives each year. It is used in science and research where radioactive tracers help us understand biological processes and develop new treatments. It is used in industry where radiation sources are used in gauges, detectors and imaging to ensure quality and safety. It is used in mining where it plays a role in exploring and refining processes.

I am not claiming to be a technical expert on every use of radiation, but I can say with certainty that radiation plays a critical role in both our health system and our economy. If it were removed from our lives we would lose life-saving medical technologies, vital research capabilities, and many of the industrial processes that underpin jobs in the state.

We cannot speak about radiation in South Australia without acknowledging our history. The nuclear tests at Maralinga during the 1950s and 1960s left a deep scar on our state. Communities, particularly Aboriginal communities, were exposed to radioactive fallout with consequences that continue to echo across generations. For decades South Australia has grappled with the clean-up, the health impacts and the social legacy of those tests. It was a historical wrong and one from which we must continue to learn.

This bill, as I see it, is part of demonstrating our ongoing commitment to that legacy. By strengthening radiation protection laws, we show that we take our responsibility seriously and that never again should we turn a blind eye to unsafe practices or allow time limits to prevent accountability.

If anyone doubts the ongoing relevance of strong radiation protections, let them consider the recent case at the Whyalla Steelworks where a gauge containing a radioactive source went missing in 2023. That incident is a stark reminder that radiation sources, if mishandled or misplaced, can pose risks to workers, to the public and to the environment.

As a proud unionist and member of the Australian Workers' Union, I know how vital it is that workplaces are managed with the utmost care. There is no room for mismanagement when it comes to radiation safety. Workers have the right to go home safe at the end of each day, and that means having strong laws in place and the ability to enforce them effectively.

This bill is not just about adjusting a legal timeframe, it is about reaffirming South Australia's commitment to radiation safety and to accountability. It is about ensuring that breaches of the law are not excused by technicality. It is about protecting workers, families and communities. It also reflects our values as a state, values shaped by history, by responsibility and by a determination to safeguard both people and the environment.

This bill is an essential update to our laws that strengthens accountability, reflects the practical realities of investigation, honours our history and upholds community safety. Radiation is a powerful force for good in medicine, research and industry, but it is also a force that requires vigilance and control. This bill helps us maintain that vigilance. It ensures that those who misuse radiation, or fail in their responsibilities, can and will be held to account. I commend the bill to the house.

Ms O'HANLON (Dunstan) (16:58): I rise today to speak in support of the Radiation Protection and Control (Commencement of Proceedings) Amendment Bill 2025. On its face this bill is a technical amendment. It changes section 82 of the Radiation Protection and Control Act 2021 to extend the timeline for commencing proceedings for offences under the act. But behind that narrow change lies an important principle, that when it comes to radiation, something invisible to the eye but ever so powerful in its effects, our laws must be practical, enforceable and capable of protecting the community.

At present, proceedings for offences must be commenced within the short timeframe set down in the Criminal Procedure Act. For expiable offences, that means just six months. Six months might sound workable for minor regulatory matters, but when it comes to radiation offences, it is clearly far from adequate.

Investigations in this field are complex. They require inspections of facilities, expert analysis of equipment, detailed interviews and often the engagement of scientists with highly specialised knowledge. Building a brief of evidence in this space is not something that can be done overnight and in many cases the alleged offence only comes to the attention of the regulator months after it has occurred. That means that serious matters risk falling away not because the offence is trivial, not because the evidence is weak, but simply because the law says time has expired. That is not an acceptable outcome in an area where public safety and environmental protection are at stake.

This bill fixes that. It extends the time to commence proceedings from six months to three years and, where the Attorney-General authorises, proceedings can be commenced up to 10 years after the alleged offence. That gives the regulator, the EPA, the breathing space it needs to properly investigate serious breaches.

I suspect that many people, as was the case for me before reading this amendment, do not realise the true scale of this field in South Australia. The Environment Protection Authority currently administers almost 14,000 authorisations relating to radiation. That is an extraordinary number. It includes more than 8,000 individual licences for people who use or handle radioactive substances or who operate radiation apparatus. Another 4,890 registrations cover premises, sources and equipment. There are 986 radiation management licences covering our mines, hospitals, industrial sites and transport activities. There are 36 accreditations for experts authorised to test apparatus and ensure safety compliance.

These figures demonstrate that radiation is not confined to a handful of specialised facilities. It touches every part of our community. In our hospitals, radiation is used daily in X-rays, CT scans and cancer treatments. Every time a South Australian goes in for diagnostic imaging, they are relying on a system that is carefully regulated. In fact, major cancer centres in Adelaide depend on radioactive isotopes for lifesaving therapies, something sufferers depend upon but which must be handled with absolute care.

In our universities and research institutes, radiation is used for advanced scientific research. At the University of Adelaide and Flinders University, laboratories use radiation in medical research, materials testing and innovative technologies. These are important areas for research, but they rely on strong safeguards. In industry, radiation is used in construction, food safety testing and non-destructive imaging. It is even used to check on the structural soundness of pipelines and aircraft parts.

Many South Australians never think about it, but radiation underpins safety and productivity in areas they depend on everyday. In mining, South Australia's long history with uranium at Olympic Dam and Beverley means we are home to some of the nation's most significant radiation management operations. The safe extraction, transport and handling of radioactive material is a serious responsibility, one we carry not only for our state but for the global community.

The offences that this bill relates to are not small matters. They include failing to comply with licence conditions, using noncompliance sources, exceeding safe dose limits and failing to ensure that radiation procedures are justified and authorised. If such offences occur, the community expects that they can be properly investigated and, if warranted, prosecuted. This bill gives effect to that expectation. It ensures that serious cases will not quietly slip away because of unrealistic time limits. It gives the regulator the ability to follow the evidence wherever it leads and to take the time needed to build a robust case.

Some might worry that a three or 10-year period is heavy handed. Let me be clear: this is not about casting a net over trivial breaches, it is about making sure that when serious misconduct occurs, it can be dealt with. The overwhelming majority of nearly 14,000 licensees are doing the right thing. They have nothing to fear from this bill. In fact, they have much to gain because strong enforcement protects the integrity of their industry and their professional reputation.

It is also important to remember that South Australia is not acting in isolation. Other states already provide extended timeframes for proceedings in radiation and environmental matters. Victoria allows three years, or one year from when sufficient evidence is obtained. NSW provides for two years from the offence or discovery of evidence. Queensland and Tasmania have their own extended models. This bill simply ensures South Australia is not left behind.

Radiation is both a tremendous gift and a potential hazard. It allows us to diagnose illness, treat cancer, explore for minerals, and ensure the safety of our industries, but it is also unforgiving if misused or mismanaged. Our responsibility is to ensure that the safeguards in place are real, enforceable and trusted by the public.

This bill is a modest change on paper, but its impact is significant, it closes a loophole, it strengthens accountability, it gives the regulator the time it needs to do its job and it provides reassurance to the South Australian public that our system is up to the task of protecting them. In short, it makes sure our laws reflect the scale and seriousness of radiation use in this state. I commend the bill to the house.

Ms HUTCHESSON (Waite) (17:05): I rise today to speak in support of the Radiation Protection and Control (Commencement Of Proceedings) Amendment Bill 2025 Radiation is something that has shaped the modern world. When it was first discovered more than a century ago

it unlocked extraordinary advances in science and medicine, but it also brought very real risks. We have seen both sides of that history, the lifesaving treatments but also the dangers when radiation is not managed properly. That is why strict regulation is not just desirable, it is essential.

Here in South Australia we are fortunate to have strong safeguards under the Radiation Protection and Control Act 2021. This legislation makes sure that anyone handling or operating radiation sources, whether that is in hospitals, laboratories or industry must do so under strict authorisation. It ensures that radiation can be used for its many benefits, while also making sure it is kept secure and cannot be misused in a way that might harm people or the environment.

I want to bring this closer to home, and in my electorate we are lucky to have the Flinders Medical Centre right on our doorstep. Every single day radiation technology is saving lives there. Patients undergoing cancer treatment rely on it. People needing CT scans, MRIs, X-rays, nuclear medicine, all of that is made possible by radiation. For many of those patients, time is everything; getting the right diagnosis quickly and starting treatment as soon as possible can mean the difference between life and death.

Today we acknowledge those who face a cancer journey on Daffodil Day. This is a day to raise awareness of the battle, but also to raise funds for cancer research, and I am glad to see many in the house wearing the daffodil.

In my role as chair of the Select Committee on Endometriosis, I have also been struck by the importance of imaging in women's health. We heard time and time again from women who have lived with pain for years before finally receiving a diagnosis. For too long endometriosis has gone unseen and undiagnosed. Imaging is central to changing that. Radiation-based technologies can help doctors detect endometriosis earlier, giving women answers sooner and sparing them years of suffering. It is one more example of how radiation, used properly, is not just a scientific tool, it is something that touches lives in the most personal way.

But the benefits can only continue if we are responsible. If radioactive materials are mishandled, if equipment is misused, if safety rules are ignored, the consequences can be devastating. That is why enforcement matters, and that is why the penalties in the act exist and why this amendment is so important.

Currently under section 82(1)(a) of the act proceedings for an expiable offence must commence within six months. At first glance that might sound like a reasonable timeframe, but in reality it is not workable for the kinds of cases we are dealing with. Investigations into potential radiation offences are complex. They involve site inspections, interviews with staff, reviews of documents and safety records, technical analysis from experts and legal advice. These are not matters that can be rushed, and in many cases the alleged offence might not even come to light until well after the six months has passed.

Under the law as it currently stands that means serious breaches could slip through the cracks, not because they were not serious but simply because the investigation could not be completed in time. That undermines the whole purpose of having a regulatory framework in the first place. It leaves community exposed, and it denies us the ability to hold people accountable for misusing or mishandling dangerous materials.

The amendment before us addresses this problem directly. It extends the period for commencing proceedings for expiable offences from six months to three years. That brings the Radiation Protection and Control Act into line with the Environmental Protection Act 1993, which already provides a three-year window. It gives the Environmental Protection Agency the time it needs to do its job properly, to investigate, to gather the evidence and to prosecute where that is the appropriate course of action.

Let's be clear, this is not about giving regulators a heavy stick or punishing people unfairly. It is about making sure the system actually works. It is about ensuring that when someone breaches the law, when they put public safety at risk, they cannot avoid responsibility simply because the paperwork took too long.

Our community places enormous trust in radiation technologies. They trust that the X-ray machine is safe. They trust that the radioactive source used in cancer treatment is secure. They trust that the people handling this material know what they are doing and that, if they do not, there will be consequences.

This bill is about upholding that trust. It ensures that our laws reflect the realities of proper enforcement. It ensures that serious cases can be pursued and prosecuted. Ultimately, it ensures that the benefits of radiation in medicine, in science and in industry continue to be delivered safely under a system that is robust and credible. I commend the bill to the house.

Debate adjourned on motion of Mr Odenwalder.

FINES ENFORCEMENT AND DEBT RECOVERY (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (17:11): This is an important bill. I am grateful for everyone's contributions and I commend it to the house.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 41 passed.

Clause 42.

Mr TELFER: Treasurer, obviously we have had the in-depth contributions to this amendment bill. There is an aspect that stood out to me in both your contribution and also in my dissection. Under this clause, the bill will:

> …delete 'the land or personal property of a debtor' and substitute:
>
> land or personal property owned (whether solely or as co-owner) by a debtor

Can you give me some explanation as to why you think it is appropriate to have the capacity to seize the assets of an individual who potentially has committed no crime, as in the co-owner?

The Hon. S.C. MULLIGHAN: I am advised that this clause in this bill aligns the provisions of this bill with the provisions that currently exist for court-imposed fines. So a court can impose this same sanction, for want of a better term, on a person's property whether it is solely owned or jointly owned in a court setting, and this merely picks up that capacity of a court to do that and brings it into the sphere that this bill enables the Chief Recovery Officer to have the same power.

Mr TELFER: Can I just unpack this a little bit for the sake of the committee and put a bit of a hypothetical. Take a married couple and say that one part of that partnership misrepresented their business interests and were forced into paying a fine and refused to do so. Would I be right in saying that with that refusal under these proposed laws the other partner hypothetically could lose their share of the family home, with the Chief Recovery Officer having the capacity to be able to seize that asset in that scenario?

The Hon. S.C. MULLIGHAN: As a hypothetical, yes, that could happen. It has not happened to date, I should say. Usually in these matters the threat of that capacity usually has the impact of ensuring that another means can be arranged for the debt to be settled or to be attended to. But you can imagine the counterfactual where somebody who had the protection of co-ownership of assets could use that in order to protect themselves and continue on either becoming liable for these sorts of fines and so on without any recourse, and not just in a domestic relationship or a domestic setting that you point out but potentially in a commercial relationship as well. That is why it is important for this bill, as other existing legal powers enable the courts to, to look behind the relationship and ensure that those debts to the Crown can be made good.

Mr TELFER: Just to follow up from that, obviously we are talking then about a business partnership arrangement. Given this bill would allow for the seizure of the jointly owned assets, would the innocent parties in a scenario like that be compensated financially for the loss of an asset? What is the process as far as the recompense for that innocent party in the scenario that was put forward, whether it is a domestic or a business or otherwise partnership?

The Hon. S.C. MULLIGHAN: No, they would not be compensated, otherwise that would defeat the purpose of having the capacity to go and seize an asset to realise its monetary value in order to settle the debt that is owed to the Crown. But I should emphasise that this recourse is usually the last resort in order to try to settle an outstanding fine or obligation to pay a monetary sum to the Crown.

There is a very lengthy and detailed process where not only are there many multiples of opportunities provided to the person who owes the outstanding debt to either settle the debt or enter into an arrangement where over time they can settle the debt—like some sort of payment plan, for example—but failing all of those efforts to try to reach a reasonable outcome then this power exists in the same way that the courts have the capacity to seize and liquidate property or other assets, so that ultimately the punishment which is levied under various existing pieces of legislation for some type of behaviour which is prohibited or made illegal can be visited on the person who does not meet their obligations.

If you do not have this sort of recourse, the risk is that some enterprising person will work out that there is a limited extent to which the state can pursue them to settle their debts and obligations to the Crown, and they will hide behind whatever that threshold is so that they never have to meet their obligations.

Again, the first piece of advice that has been provided to me so that I can provide it to the house is that this is not in itself a new provision. It is something that already exists elsewhere. It has just been replicated for the benefit of the Chief Recovery Officer.

Mr TELFER: With your allowance, sir, I will ask a fourth on this one.

The ACTING CHAIR (Mr Odenwalder): Please do.

Mr TELFER: This will be the only clause that I will be questioning. So this section could potentially see, in the scenarios that I have put forward, innocent parties deprived of what are their legally owned assets. Those assets do not necessarily have any connection to an offence; it is the connection to a partner who has racked up a series of fines.

I do not know if you remember the speech that you made in the introduction to this piece of legislation in particular, but I want you to reflect on the converse: where an innocent party has no involvement or knowledge of a scenario where there is a fine that their partner has racked up, do you think that may leave an innocent party looking for help—to quote what you said in your speech, 'regardless of how small or large their problem might be', looking for 'someone to turn to or a voice when they feel neglected or disenfranchised'? I wonder if in trying to fix one at-risk or disenfranchised cohort, the risk or potential risk might be that you could be creating another at-risk or disenfranchised cohort?

The Hon. S.C. MULLIGHAN: I understand the point you are making that, in theory, if this legislative power was carried out—whether it is by the Chief Recovery Officer or whether it is by a magistrate or a judge—it might lead to a domestic partner who is themself not at fault or does not have an unmet obligation to the state being put at significant disadvantage, but I think the practice of both the courts and also in other areas of the Chief Recovery Officer is that at all times the opportunity is provided to enable the person who is at fault to meet their obligations in a way that does not put them at significant disadvantage.

So, for example, for monetary fines, entering into reasonable payment plans that are affordable and manageable for the person. Or, in the scenario that you mention where perhaps you have a joint owner of a property with their spouse who is running around racking up tens of thousands of dollars of fines, when it gets to this point this is not an enforcement which is taken on just one of the owners of the joint asset; it is taken upon both. You would then have an opportunity for there to be a way in which that obligation could be met through some other arrangement.

I have had, I will not say every member of parliament but many, members of parliament write to me and/or the Chief Recovery Officer on behalf of their constituents who feel that they are at threat of being put into difficult circumstances through recovery actions. It has almost exclusively been the case that, unless there are really exceptional circumstances, arrangements are offered and entered into where someone can meet their obligation in a way which does not put them into difficult circumstances.

I have even been advised, not in my capacity as Treasurer but as Minister for Police, that when we talk about—and I will not get the name of the act right—the criminal assets confiscation law that is in place here in South Australia, when a guilty finding is made by a court and it then becomes the task of the office of the DPP to work out how to seize and liquidate those assets, quite often those convicted of serious crimes will be given the opportunity to say, for example, 'Look, please don't seize my house because I have got my wife and three kids who are living in there. Is there some other way that we can reasonably meet the requirements of the act by you seizing assets proportionate to the crime that I have been convicted of?', and so on.

So I think there is a bit of history and a bit of precedent to how these powers are actually used. Hopefully, that will assuage your legitimate concerns that, left unchecked or used inappropriately, powers that are available either to the judiciary or now to the Chief Recovery Officer will not be used in a way which would put innocent parties, as you call them, into impecunious circumstances.

Mr TELFER: Minister, you spoke about a scenario where you do not want an individual to think that there is a limit to the amount that can be clawed back by the state with the asset seizure aspect. Obviously, the changes that have been put in this bill mean that imprisonment has been taken off the table in these scenarios. That would be another deterrent for an escalation of the accumulation of fines. Imprisonment has been taken off, but you have brought in the capacity to be able to seize the assets, including jointly owned assets.

What is greater: the added disincentive that the risk of imprisonment would bring or the disincentive which may be put in place having the capacity to seize the jointly owned assets? You are adding in an extra deterrent which could have the potential, as we have extrapolated, for negative impacts for innocent parties but you have taken out that disincentive for the risk of imprisonment for the offender that could be a disincentive for the escalation.

The Hon. S.C. MULLIGHAN: I think the point I was making before is that if there is a limit to the recovery of monetary value from those people who have outstanding obligations to the state which is drawn earlier than the seizure of either real property or other assets that is contemplated in this bill, then ultimately people who might have a habit of racking up these fines and other obligations to the state know that if they can declare a bank account that has a low balance in it while they are still driving around in their nice vehicle and living in their home it is very difficult for the state to come after them, for example. I think that was the point I was making earlier.

I think rightly you raise the concept: is it a bigger deterrent to go to prison or a bigger deterrent to have all your assets seized? I cannot comment on that, because for different people in different situations one will be a bigger deterrent than the other. If you are a well-practised criminal who engages in conduct that has enabled you to amass a significant amount of assets—real property, cars, jewellery, cash, gold bars, all that kind of carry-on that some serious criminals are able to amass before they are apprehended and brought before the courts—then you might think doing a few weeks or a few months or a reasonably short prison term and protecting all those assets is a small price to pay to discharge the obligation. I think what we are trying to show with these sorts of changes is that those assets should not be beyond the reach of the state.

The other part of it is: parliament has made a decision previously to impose monetary fines for a whole range of offences, and there is no sense creating or continuing a regime where in order to pursue the monetary fine that parliament has already agreed, you start racking up another massive financial obligation for the state by having to accommodate someone in prison as well. That is perhaps another lens through which to see it.

Clause passed.

Remaining clauses (43 to 46), schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. S.C. MULLIGHAN (Lee—Treasurer, Minister for Defence and Space Industries, Minister for Police) (17:31): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Parliamentary Committees

CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE

The Legislative Council informed the House of Assembly that it had appointed the Hon. T.A. Franks to the committee in place of the Hon. L.A. Henderson (resigned).

Bills

CRIMINAL LAW CONSOLIDATION (COERCIVE CONTROL) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 5, page 3, after line 20 [clause 5, inserted section 20B(1)]—After the definition of *in a relationship* insert '*physical harm* has the same meaning as in section 21;'

No. 2. Clause 5, page 4, line 31 [clause 5, inserted section 20B, examples]—After 'or a child of' insert ', or animal belonging to,'

No. 3. Clause 5, page 5, line 35 [clause 5, inserted section 20C(1)(d)(i)]—Delete 'injury' and substitute 'harm'

At 17:33 the house adjourned until Tuesday 2 September 2025 at 11:00.