HOUSE OF ASSEMBLY

Tuesday, 11 November 2025

The SPEAKER (Hon. L.W.K. Bignell) took the chair at 14:00.

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.

Bills

STATUTES AMENDMENT (CLAIM FARMING) BILL

Assent

Her Excellency the Governor assented to the bill.

FAIR WORK (WORKER ENTITLEMENTS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

NURSE AND MIDWIFE TO PATIENT RATIOS BILL

Assent

Her Excellency the Governor assented to the bill.

CRIMINAL LAW CONSOLIDATION (STREET GANGS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

RADIATION PROTECTION AND CONTROL (COMMENCEMENT OF PROCEEDINGS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

HIGHWAYS (WORKS FOR RESIDENTIAL DEVELOPMENTS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

LOCAL NUISANCE AND LITTER CONTROL (MISCELLANEOUS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

HARBORS AND NAVIGATION (MISCELLANEOUS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

PREVENTIVE HEALTH SA (COUNCIL GOVERNANCE) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

Parliamentary Procedure

ANSWER TABLED

The SPEAKER: I direct that the written answer to a question be distributed and printed in *Hansard*.

PAPERS

The following papers were laid on the table:

By the Speaker—

Auditor-General—State finances: Insights on the 2025-26 Budget Report 9 of 2025
Children and Young People, Office of the Guardian for—Inspection Report Adelaide Youth Training Centre Report October 2025 [Ordered to be published]

By the Treasurer (Hon. A. Koutsantonis)—

Regulations made under the following Acts—
Road Traffic—
Miscellaneous—
Approved Apparatus
Device Testing
Drink and Drug Driving

By the Minister for Tourism (Hon. Z.L. Bettison)—

Adelaide Venue Management—Annual Report 2024-25
Tourism Commission, South Australian—Annual Report 2024-25

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

Controlled Substances Advisory Council—Annual Report 2024-25
Health Advisory Council—
Country Health Gift Fund Annual Report 2024-25
Eastern Eyre Annual Report 2024-25
Mallee Health Service Annual Report 2024-25
Mid West Annual Report 2024-25
Mount Gambier and Districts Annual Report 2024-25
Murray Bridge Soldiers Memorial Hospital Annual Report 2024-25
Renmark Paringa District Annual Report 2024-25
Waikerie and Districts Annual Report 2024-25
Voluntary Assisted Dying Review Board—Annual Report 2024-25
Regulations made under the following Acts—
Mental Health—Community Visitor Scheme

By the Minister for Trade and Investment (Hon. J.K. Szakacs)—

Coroners Act 2003—Inquest into the death of Michelle Stephanie Foster Report 2025
Regulation made under the following Acts—
Work Health and Safety—High Risk Construction Work

By the Minister for Industry, Innovation and Science (Hon. J.K. Szakacs)—

Regulation made under the following Acts—
Adelaide University—Transitional—Further Transitional Provisions

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

Regulations made under the following Acts—
Planning, Development and Infrastructure—
Accredited Professionals—Audits

General—Miscellaneous (2025)

By the Minister for Climate, Environment and Water (Hon. L.P. Hood)—

Primary Industries and Regions, Department of—Annual Report 2024-25
Veterinary Surgeons Board of South Australia—Annual Report 2024-25

VISITORS

The SPEAKER: I would like to welcome to parliament today students from Thebarton Senior College, who I presume are guests of the Treasurer, as their local member of parliament. It is great to have you here. Enjoy question time. Also, we welcome a French delegation, Mr Pierre-André Imbert, the Ambassador of France, and also Mrs Paule Ignatio, the Consul General of France in Melbourne. Welcome, bonjour, thank you very much for coming. They are here as Friends of France parliamentary group, which is chaired by the Hon. Mira El Dannawi MLC and the deputy opposition leader here in the House of Assembly. We hope you enjoy question time.

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Ms SAVVAS (Newland) (14:08): I bring up the 155th report of the committee, entitled Adelaide Airport Limited Water Trunk Main Project.

Report received and ordered to be published.

Ms SAVVAS: I bring up the 156th report of the committee, entitled Electrical Infrastructure Upgrades Program—Tranche 1.

Report received and ordered to be published.

Ms SAVVAS: I bring up the 157th report of the committee, entitled Swan Reach Elevated Water Tank Renewal Project.

Report received and ordered to be published.

Ms SAVVAS: I bring up the 158th report of the committee, entitled Capital Upgrade of Water Trunk Main Infrastructure in the Regional Network Area Program.

Report received and ordered to be published.

Ms SAVVAS: I bring up the 159th report of the committee, entitled Bordertown New Water Tank Arrangement Project.

Report received and ordered to be published.

Ms SAVVAS: I bring up the 160th report of the committee, entitled Bellevue Heights Primary School Redevelopment Project.

Report received and ordered to be published.

Question Time

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:10): My question is to the Premier. Does the Premier stand by his statement on 13 October this year on ABC radio that the algal bloom is not toxic? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: During an ABC interview on 13 October, the Premier said, 'A lot of people refer to the algal bloom as the "toxic algal bloom"—it's not toxic.'

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:10): I thank the Leader of the Opposition for his question on this important subject. The algal bloom is characterised or titled the 'harmful algal bloom' because it is clearly very harmful to our natural environment. The challenge that we've got in South Australia in regard to the algal bloom now more than anything is the perception of it.

We've got a challenge on our hands with the algal bloom—it's real and it hasn't completely disappeared—but there are some very good and positive signs that the government is being deliberately cautious about as a result of *Karenia* counts that have gone back down to normal levels across the majority of the state's coastline. Notwithstanding that, there is still a lot of concern in the community around the algal bloom because it isn't widely known or isn't well understood what the health implications are for human beings in respect of their interaction with the algal bloom.

That is why the government has been very deliberate in our language, making sure that, when we talk about the harmful algal bloom, we do it in a way that is not just consistent with the science that we receive through the task force but also consistent with the public health advice that we receive from high-quality public health officials that we have in SA Health, the same public health officials who provided sage and accurate advice to the former government during the course of the depths of the COVID crisis.

We are seeking to do nothing more than repeat and convey what we are told through the task force from our officials to the South Australian community. We scrutinise it, we ask lots of questions about it, to put it mildly—and anyone who has sat in a task force meeting can attest to this. We ask lots of questions about it and make sure that we take to the South Australian community the information we receive. While the government very much welcomes and hopes that the advice and the results that we have been seeing in recent weeks continue, I think we are still a little way away from being able to confidently say that the algal bloom has moved on. This is a risk that we will have to deal with for some time, but recent results have been exceptionally positive.

I look forward to members opposite, particularly those in coastal communities, like the member for Finniss has, the member for Colton has and the member for Morphett has, going out to communities along your coastline and saying, 'Hey, there's good news. We haven't had any algae here or any *Karenia* here for weeks.' That would be something you are welcome to do, although I suspect that might not be the emphasis of your communications more recently.

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:14): My question is to the Premier. Can the Premier confirm when the government was first notified that a toxin-producing algae had been detected in the current bloom? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: On Wednesday 5 November the ABC reported that scientists identified an algal species called *Karenia cristata* as the source of the brevetoxins within South Australia's devastating algal bloom and that it shows to have been the dominant species for the majority of the bloom's existence and one of five *Karenia* species present.

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:14): The Leader of the Opposition's question was quite specifically when we learned that there was a toxin-producing element of the algae. That was a long, long time ago; a long, long time ago. In fact, I am not sure but I think some of those opposite might have appeared or presented at the countless public forums that we have been having and one of the emphases of our public forums—of which we have had a very large number indeed, in regional communities, in metropolitan Adelaide—is having our public health officials, our chief marine scientists and others present explain quite clearly to everyone, including in the media, that we know there is the brevetoxin that is being produced by the harmful algal bloom and we have been consistent about that. In fact, we have been testing for the brevetoxin for some time, going back months and months and months. It was the presence of brevetoxins in our shellfish initially, most specifically, in mussels, oysters and cockles, that demonstrated there was a brevetoxin. I think the Leader of the Opposition knows this has been the case for months.

What we were also clear about at the time for those people who were paying attention was that we knew within the harmful algal bloom there were lots of *Karenia* species, and one of them was producing the brevetoxin but not the *Karenia mikimotoi*. We knew it wasn't the *Karenia mikimotoi* because the scientists had been able to establish, long before the bloom came to South Australia that *mikimotoi* is not a brevetoxin-producing species of algae.

We also knew that, despite the fact brevetoxin was present, it was not *Karenia brevis* which is the toxin-producing algae species that we see dominant in Florida. The hunt was on from our scientists, from the scientific community, to determine what it was. The hunt was on from the scientific community to determine what was the species of algae that was producing the brevetoxin. Finding the species of algae that was doing that is largely not consequential in the context of the health advice because we are already providing health advice, consistent with the presence of the brevetoxin that we knew was there, for the community.

It is useful for our scientists to be able to identify what the species of algae is that was producing the brevetoxin. We always knew that this was the case. We were always transparent about the fact that this was the case. I understand the desire amongst those opposite to play politics with this bloom in the way that they have from almost the very beginning.

Members interjecting:

The Hon. P.B. MALINAUSKAS: What I would say to the member for Morphett and those others who interject, we know what your record is. You are racing off to AI, racing off to conspiracy theories, racing off to present to the Parliament of South Australia falsehoods and to completely mislead the people of South Australia. If you were paying attention from the start, maybe you wouldn't be needing to ask these questions that you are today.

The SPEAKER: The member for Flinders is getting a little rowdy.

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:18): My question is to the Premier. Has the Premier sought briefings on why *Karenia cristata* was not detected sooner? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. V.A. TARZIA: On Wednesday 5 November, the ABC reported that in early May the South Australian Shellfish Quality Assurance Program confirmed that brevetoxins were present in South Australian waters. Professor Murray said that was when 'we certainly knew we were looking for a different *Karenia* species in this bloom'.

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:19): The Leader of the Opposition is asking questions about information that we were putting on the public record back in May or June. Well done. We are a bit further down the line now. If you weren't too busy making things up and actually reading the reports, like we were, you wouldn't be asking questions about this in November.

ALGAL BLOOM

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (14:19): My question is to the Premier. Can the Premier advise the house on what date the First Nations Voice to Parliament was first consulted in formulating a response to the algal bloom?

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:20): I am more than happy to take that on notice.

Members interjecting:

The SPEAKER: Members on my right will come to order. The Minister for Trade will come to order.

FIRE DANGER SEASON

Mr McBRIDE (MacKillop) (14:20): My question is to the Minister for Emergency Services. Will the minister revisit the start of the fire danger season in the Lower South-East? With your leave, Mr Speaker, and the leave the house, I will explain.

Leave granted.

Mr McBRIDE: Locals were given a week's notice for the start of the season, which began on 1 November. They say significant rainfall in that part of my electorate has made it impossible to conduct burns, with some residents saying that their burn piles are sitting in water.

The Hon. R.K. PEARCE (King—Minister for Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:21): I would like to thank the member for his question and for advocating on behalf of his community on such an important topic. I also note that he has written to me on the matter, and, upon receiving that correspondence, my office immediately reached out to personally invite him to the fire danger season event that I am hosting here at parliament tomorrow. I hope to see you at Old Parliament House at 10am, and I encourage all members here to attend as well.

As many know, the majority of South Australia has now entered fire danger season, with 11 of the state's 15 fire ban districts in effect, and the remainder are officially declared. I was able to officially launch the Be Bushfire Ready 2025 campaign on Friday 31 October, with representatives from the CFS and the MFS and with Mr Ian Hancock, who is a property owner from Humbug Scrub who was unfortunately impacted by the Sampson Flat fire. It was really important to have him with us because, as somebody who has experienced a fire and an evacuation of the like of Sampson Flat, he was able to share the difference it made in being prepared, compared to his neighbours in that region. I very much thank him for his advocacy on such an important topic.

It is so important to remind our communities, each and every year, that awareness and preparation, including creating a bushfire survival plan, are key to keeping your family safe. It is the best way that we can show our appreciation for our CFS and our MFS alike. The best way we can keep them safe is by ensuring we are safe and that our properties are as prepared as possible. Recent research does show that people who are aware of the bushfire risk in their area are more likely to be prepared for a bushfire and recognise the risk that it does present to their property.

The Be Bushfire Ready campaign assets, including assistance with preparing your property and making your bushfire plan, are available at cfs.sa.gov.au/plan-prepare/bushfire-ready. It takes less than five minutes, and you will be surprised at how many components and questions are asked in there that you might not necessarily attribute to making a huge difference in making sure you and your family are safe.

Regarding the member's specific query about the start of the fire danger season in the Lower South-East, I can advise that the South Australian Country Fire Service announced the Lower South-East fire danger season on 23 October 2025, to run from 1 November to 30 April 2026. Under the Fire and Emergency Services Act, the SA CFS chief officer determines the fire danger season dates, based on the recommendations from regional bushfire management committees which consider local conditions, the forecast data as well as stakeholder input.

The Limestone Coast Bushfire Management Committee met on 14 October, and that included representatives from local government, SAPOL, Primary Producers SA, SA CFS Volunteers Association, Department for Infrastructure and Transport, Department for Environment and Water, Department of Primary Industries and Regions, Burrandies Aboriginal Corporation, Conservation Council South Australia, Forest Owners Conference, Landscape Board representatives, SA Metropolitan Fire Service, and SA Water. This committee recommended aligning the Lower South-East fire danger season with the Upper South-East based on the seasonal conditions, fuel-load assessments and the benefits of consistent messaging and preparedness across the district, with a commencement date of 1 November.

I am, of course, aware that the Lower South-East fire ban district encompasses a large geographical area and that conditions may vary slightly across the region. I was actually really pleased to be able to attend the Limestone Coast bushfire season readiness summit in Mount Gambier in my second week as minister, with Minister Scriven in attendance, to discuss those needs. I will be back in contact very shortly with more information.

STATE ECONOMY

Ms O'HANLON (Dunstan) (14:25): My question is to the Premier. Is the Premier aware of any positive reports regarding the South Australian economy?

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:25): I want to thank the member for Dunstan. The member for Dunstan has a lot of constituents in her electorate who are hardworking businesspeople, small business people, who employ a lot of South Australians and she, like so many other members of parliament, more broadly, understand that that is an important part of the economy.

We said from the outset that we sought very deliberately to be a pro-business Labor government, and that is yielding dividends. I am very heartened to see that this morning the Business Council of Australia has released its Regulation Rumble report, which it does on an annual basis, and, for the third year in a row—not a once-off, but for the third year in a row—South Australia is the number one jurisdiction in the country to be able to do business. Three years in a row. The shadow—

Members interjecting:

The SPEAKER: The member for Flinders is on his final warning, and members on my right will come to order. I can't hear the Premier.

The Hon. P.B. MALINAUSKAS: The shadow treasurer mentioned payroll tax—and it ranks every state and territory in the country on payroll tax—and who is number one? South Australia. There are a range of—

Members interjecting:

The Hon. P.B. MALINAUSKAS: Cost and regulation, number one. But the area of policy that we are most pleased about that comes out of this is the reference to the reforms that this government has made, particularly around housing that are making a material difference in that South Australia now has the fastest housing growth in the nation. It is our investment in water infrastructure, it is our moving of the urban growth boundary, it is our record land releases, it is our resistance of the nimbyism we see occupying the opposition benches that is actually resulting in getting development happening.

I know that the member for Bragg in particular has got a tried and true record of running to whatever local protest he can wrap his hands around. I was very pleased to be down at Glenside this morning with the Business Council of Australia—not an organisation that sits around and says, 'Right, let's cherrypick Labor governments and do them favours.' I was there with the Business Council of Australia at Glenside, where the member for Bragg loves opposing the government's approval of developers to get housing happening. We know your record; we know the member for Bragg's position.

Well, let the contrast be seen and known that on this side of the house we are in support of getting new housing supply, we are in support of future generations getting access to a home, and those opposite want to play the nimby politics. Those opposite are in favour of the sorts of land tax reforms that are retrospective in nature. We on this side of the house remember the land tax reforms that they presided over. It's the cost of doing business, not just nationally competitive but globally competitive, it's getting more housing stock in the market, it's making the reforms that make a difference to the lives of South Australians. Three years in a row—the record speaks for itself—and South Australia and the rest of the country is paying attention.

Members interjecting:

The SPEAKER: Members on my right, you are pretty much all on your final warning. You are being far too rowdy, particularly the Minister for Trade who has been doing it all day. Should I chuck him out?

Members interjecting:

The SPEAKER: Alright, we will give one more chance, but no more warnings.

ALGAL BLOOM

Mr BASHAM (Finniss) (14:29): My question is to the Minister for Climate, Environment and Water. Does the minister stand by her comments that the algal bloom is merely an irritant? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BASHAM: In a public briefing on 6 November the minister said in relation to the algal bloom it can cause an irritant. The scientific paper released last week, in which PIRSA and SARDI are listed as authors/contributors, states, 'inhaling brevetoxins can lead to serious health effects including shortness of breath, asthma exacerbation, bronchoconstriction and bronchitis pneumonia.'

The Hon. L.P. HOOD (Adelaide—Minister for Climate, Environment and Water) (14:30): I thank the minister for his question. We have been very consistent with the health advice throughout this harmful algal bloom and we have been seeing positive signs in the last couple of weeks—in fact, we have seen a significant deterioration in the *Karenia* cell counts over the last couple of weeks of testing. I am advised at around 14 of the 21 metropolitan beach sites we are seeing *Karenia* counts as low as zero and in some of those other metropolitan sites it is significantly reduced.

We have always known that one of the *Karenia* species that was present was *Karenia mikimotoi*. We also knew that we were seeing brevetoxins present. We knew that *Karenia mikimotoi* didn't produce those brevetoxins, so we knew that there were *Karenia* species within the bloom that were causing those. We have actually seen in some of the research that when there is a harmful algal bloom there can be various *Karenia* species present.

That is why we invest in the science, that is why we invest in the research and that is why we have seen the research come through that actually shows effectively a name for the culprit: the *Karenia cristata* species. I am very interested in the fact that the opposition seems to be quite interested now in the science relating to this bloom.

I would put the question to the shadow minister whether or not he agrees with his colleague in the other place that the harmful algal bloom is actually worse than COVID: a global pandemic that killed millions of people. If they are, in fact, very interested in the science of this bloom, perhaps they should be looking to their colleague in the other place who is comparing this harmful algal bloom to a global pandemic that killed millions.

Perhaps he should be asking his colleague about the science involved in the AI-generated images of our beaches showing blood in the water. If in fact the shadow minister is interested in the science of this bloom perhaps he should be putting these questions to the Hon. Frank Pangallo in the other place. We have been very consistent with the health advice because on this side of the house we do back the science and the researchers.

ALGAL BLOOM

Mr BASHAM (Finniss) (14:33): My question is to the Minister for Climate, Environment and Water. Were there resource issues that resulted in the lack of baseline water-quality monitoring during the 2023 year, and how can the minister be confident in the government's conclusions without baseline data? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr BASHAM: On questioning during the algal bloom committee, the marine principal scientific officer, Mr Sam Gaylard, said that water-quality monitoring in 2023 was 'unable to be sampled due to resourcing issues'.

The Hon. L.P. HOOD (Adelaide—Minister for Climate, Environment and Water) (14:33): I thank the member for his question. Undertaking water-quality testing is something that does occur on around a five-year rotation at various sites. One of those that was undertaken recently on which we have published a report was into the Gulf of St Vincent. We saw some positive signs within that report in terms of the baseline testing for that area, which we will then be able to compare when we undertake subsequent testing to look at the impact of the bloom, particularly in the Gulf of St Vincent.

We saw a reduction in that nutrient testing as part of that report and also some positive signs around seagrass recovery. That is why, as part of our $102.5 million summer plan, we are investing in nature's own recovery tools like seagrass restoration and native oyster reef restoration, because we know that that can create a bit of a defence system against potential harmful algal blooms.

In terms of FTEs within the EPA, for example, in 2019-20 there were 197.3 FTEs in the EPA compared to this financial year where there are 214, so we have actually seen more FTEs in the last financial year than in 2019-20. Around that time of the testing there were 201 FTEs, so when you compare it to the year 2019-20, when the Liberals were in government, there are more FTEs there.

We heard, as part of that committee, that one staff member was taking a long-term break—to my understanding he was completing his PhD—but they had people backfill that position, and I understand that they also recruited for that position. It is also important to note that this five-year rotation of various testing was the same policy and the same situation that occurred under the

Marshall Liberal government. It is also important to note that there were times when testing didn't occur under the former Marshall Liberal government, such as in 2020.

I understand that the EPA will now be able next year to conduct this continued monitoring in the Gulf St Vincent, and that will provide us with a really important comparison between the report that was undertaken and published recently into the nutrient levels in the Gulf St Vincent, and we will be able to have a comparison report. Whether that testing is undertaken in August of next year will depend on the extent of the bloom but what we have seen is some positive news in the last couple of weeks regarding the *Karenia* testing and the *Karenia* cell counts. As I said in my earlier question, we have seen two weeks of reduction in the *Karenia* cell counts at 14 of 21 metropolitan sites, which is great news, and so we are cautiously optimistic but we continue the monitoring and we continue to back the science and research.

The SPEAKER: Before I call the member for Finniss, the front bench on my right is getting way too loud.

Mr Whetstone: You said there were no warnings left.

The SPEAKER: One has no warnings left, but he was quiet; but I have been watching him. Thanks for your assistance, member for Chaffey.

ALGAL BLOOM

Mr BASHAM (Finniss) (14:37): My question is to the Minister for Climate, Environment and Water. Will you apologise to coastal communities and seafood operators who were left uninformed for months while this toxin-producing algae spread throughout South Australian waters?

The Hon. P.B. MALINAUSKAS (Croydon—Premier, Minister for Defence and Space Industries) (14:38): That is the exact type of question that is doing active harm to businesses in South Australia. We know that there has been very clear information put out to the South Australian community about the presence of brevetoxin in the algal bloom from the start, and I believe that the member for Finniss knows that well too.

In the member for Finniss's electorate he would have spoken to businesses that have been impacted by the harmful algal bloom, just as I have, in his own community. He would know that there are people who haven't been visiting Victor Harbor, Goolwa and Middleton because people are fearful of the harmful algal bloom. So when the member for Finniss gets up and suggests or directly says that there are people in this state who have been withheld information around the presence of the brevetoxin—which simply does not accord with the facts or the public record—he is exacerbating the fear in the community that is doing so much harm.

What I will say to the member for Finniss is: examine your question and ask yourself, and your conscience, whether or not you are sincere about wanting to make sure your constituents get the business they deserve. There has not been algae on the south coast for months. The member for Finniss knows that every South Australian has been told, through the public record, about the presence of brevetoxin for a long period of time, with clear and consistent public health advice, but the member for Finniss seems to find it all too easy to stand up here and ask a question based on completely misleading information. That is not an approach that does justice to the legitimate needs that exist in the community.

I simply say to the member for Finniss, and all those opposite, as we see the *Karenia* cell counts reduce in a way that we hope is sustained, we sincerely hope that you join us in making sure that we get the communications right, that you are not running misinformation, that you are running a course of accuracy in terms of what we are telling the community so they can make well-informed decisions that do not unnecessarily impact the small businesses that you purport to represent. We want to make sure people can make informed decisions on the basis of public health advice as best as possible, but when people are constantly running political interference, that has real-world consequences.

Do you know what? When we have been at all the public forums—and I understand there have been lot of them—what has really impressed me is that when people are given the information in a thorough way, people get it. They are not silly. They want to know the facts, they want to make informed judgements, and when they can ask all the questions of public health officials and us that are not filtered through your social media or your members in the Legislative Council, they get it.

Time is on the side of those who want to put a greater value on accuracy than on misinformation. That is why this government will remain steady and calm in ensuring that we disperse only accurate information—rather than misinformation, as the member for Finniss sought to do.

The SPEAKER: Before I call the member for Narungga, I would like to pass on my congratulations on the safe arrival last month of his son, Francis George Ellis, and wish the member and all his family all the very best with the new arrival.

SCHOOL PRINCIPALS

Mr ELLIS (Narungga) (14:42): That's very kind; thank you, Mr Speaker. My question is to the Minister for Education. Are members of the selection panel choosing principals for schools with vacant positions provided with disciplinary records of aspirant candidates? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr ELLIS: I have been told by members of my community that some members of the selection panel choosing a principal for a recent vacancy were not aware of a multitude of allegations from previous positions.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (14:42): I thank the member for Narungga for his question. I understand the particular matter to which he is referring, I think.

As members of this place would know, the Minister for Education does not get involved in the selection of principals or sit on the selection panels that are put in place by the People and Culture Division of the Department for Education. There is a set way they are to operate in terms of membership, in terms of information they are to take into account. I am happy to make inquiries in terms of this specific case, about whether or not any previous disciplinary proceedings (as I think the member for Narungga put it), should they exist, were taken into account.

I will also say that these are difficult situations, and in this case—and I imagine the member is referring to Wallaroo Mines—we are now in a position where we need to find another principal. I am sure the community at Wallaroo are very keen for us to find a high-quality candidate, so I ask the member for his support in doing everything he can to make sure that what I know is a fantastic school is seen as a wonderful option and future career for someone who might put up their hand to do that. In the meantime, I will speak to the chief executive and I will seek his advice on what information is routinely taken into account when a selection process like this is undertaken, and I am happy to come back to the member with any information the chief executive can provide me.

WATER INFRASTRUCTURE

Ms CLANCY (Elder) (14:44): My question is to the Treasurer. Can the Treasurer please inform the house of the budget impact of alternative approaches to fund water infrastructure?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (14:44): I thank the member for Elder for her question. Elections matter and so do budgets and they have real and lasting impacts on the people of South Australia in our everyday lives. As I get into the detail here, I think the house will be shocked and horrified. Responsible budget management is a thoughtful decision-making process and governments should be well warned to make sure they have thoughtful budget considerations; however, those members opposite are racking up quite the bill. Commitments to date—

Mr Telfer interjecting:

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

The honourable member for Flinders having withdrawn from the chamber:

The Hon. A. KOUTSANTONIS: Commitments to date: $3.7 billion—$3.7 billion. What? The Leader of the Opposition is confused and the look on his face says 'what'. Let's just take one sentence out of a press release by the Leader of the Opposition and the Hon. Heidi Girolamo in May. It states that an incoming Tarzia government would 'immediately reverse the water price bill hike of

3.5 per cent above CPI'. This sentence alone is half a billion dollars across the forward estimates—half a billion dollars across the forward estimates.

How is it going to be funded? I haven't spoken yet of the reckless cuts to stamp duty of either $1.6 billion or $2.3 billion, depending on whom you speak to in the opposition. How are they going to fund this? That is half a billion dollars in one sentence in a press release. They will plunge the government into deficit. That is what South Australians can expect if the Leader of the Opposition becomes Premier. This is not just an accounting figure on a balance sheet; this is a real and lasting impact on South Australians' budget, our capacity to invest in infrastructure and, ultimately, on our services that South Australians rely on. That is funding for schools, hospitals and roads gone in one sentence. That is how reckless they are. This would leave a significant hole in the budget, but to date there has been no alternative revenue-raising policies announced by the opposition to fill this gap.

We have seen this play before. When Dominic Perrottet announced he was cutting stamp duty on all houses, what did he replace it with? A broad-based land tax. When the ACT government announced they were cutting stamp duty on houses, what did they replace it with? A broad-based land tax. When members opposite announced they were abolishing stamp duty, what's next? We know what's next. They have legacy on land tax.

Mr TEAGUE: Point of order: standing order 98(a). The Treasurer has gone from responding, arguably, to the broadest of questions to now speculating about the entirety of the unknown, which is debate and impermissible, contrary to standing order 98(a).

The SPEAKER: I will listen carefully to the remainder of the answer.

The Hon. A. KOUTSANTONIS: By the time I am finished, everyone is going to be talking about the potential broad-based land tax the Liberals might have to impose to replace $1.6 billion or $2.3 billion of annual funding to the budget. Under either measure, it is either 25 per cent or 33 per cent of the budget of revenue we raise. Everywhere else it has been done in Australia, they have replaced it with a broad-based land tax. Members opposite have form on land tax. They have form on land tax. They have done it before and I suspect they will do it again. You can't trust them on land tax. They have gone after family homes, they have gone after family trusts and now they are going after the principal place of residence.

ALGAL BLOOM

Mr BASHAM (Finniss) (14:49): My question is to the Minister for Health and Wellbeing. Can the minister advise whether SA Health has seen an increase in the number of cases of bronchitis and pneumonia since March of this year?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:49): I am happy to check the exact statistics, but that's certainly not the advice that I have received from SA Health. I again reiterate that we are acting in terms of the health advice. We are acting on the advice of public health officials who served the previous government well during the COVID pandemic and have served us well since then.

I think it is disappointing to hear a continual politicisation of our public health officials and their advice. There is very clear public health advice on the algal bloom. It's come from our public health officials—not from me or my office or anyone on the political side of the government but from the public health officials in SA Health. That is on the website. It's based on the evidence of algal blooms around the world.

We have been in touch with general practitioners. I have been part of a teleconference we have undertaken with general practitioners. Certainly, we are keeping in contact with general practitioners in terms of what they are hearing and seeing, but we are not receiving advice along the lines that the member is referring to.

ALGAL BLOOM

Mr BASHAM (Finniss) (14:51): My question is again to the Minister for Health and Wellbeing. Can the minister advise whether SA Health has seen an increase in the number of cases of bronchoconstriction since March of this year?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:51): It is a very similar answer to the question in terms of we obviously have been speaking to our hospitals and

speaking to our general practitioners. Obviously, we see a number of people who are sick every year but the advice that I have received is that there is not an increase related to algal bloom in any of these particular conditions.

But, obviously, we are asking people to be mindful of that public health advice. I am very happy to go through it with the members. This is the same information that is available for all members of the community on our website, which is:

South Australian beaches can still be enjoyed but it's best to stay away from foamy or abnormally coloured water which may cause irritation.

If you do enter this water, or experience any irritation, rinse off with clean water afterwards. If the water is clear, it's fine to swim.

When the algae are broken up by wave action, algal particles may cause short-term irritation, including:

- skin irritation
- eye irritation
- cough and shortness of breath.

If you notice these symptoms, move away from the beach or the water. Most symptoms will resolve within hours of leaving the area.

Advice for people with asthma

Some algal species can release biotoxins into the air through wave action that may trigger symptoms in people with asthma.

People with asthma are advised to:

- carry their reliever medication with them while on beaches, especially where there is thick foam or abnormally coloured water
- take their preventive medication as prescribed
- check their asthma management plan is up-to-date.

People with known asthma, emphysema, bronchitis, or other form of chronic lung disease may be more vulnerable to the respiratory effects of biotoxins and should avoid areas where there is abnormally coloured or foamy water, particularly if there is an onshore breeze.

International evidence indicates there are no long-term health consequences of exposure at the beach to either algal particles or biotoxins.

If symptoms persist, see your doctor.

That is the advice that we have received, both the task force and me personally, but which has also been released to the public of South Australia. I ask the opposition, for the reasons articulated by the Premier earlier, not to try to play politics with what is an important issue for this state and actually seek to work constructively with the government and our public health officials to make sure that accurate information can be provided to our community.

Mr TEAGUE: The minister has referred to documents claiming that that's reference to advice. I call on the minister to table the document.

The Hon. C.J. PICTON: He has got me, sir! I will table the printout of the algal bloom website for the member.

Members interjecting:

The SPEAKER: Member for Florey! You've been doing it all day.

Members interjecting:

The SPEAKER: No, no, I'm finding him entertaining. He's very good.

ALGAL BLOOM

Mr BASHAM (Finniss) (14:54): My question is again to the Minister for Health and Wellbeing. Was a coordinated public health alert issued at the time the toxin-producing harmful algal bloom was first identified and, if not, why not?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:54): Ministers, politicians, political officials do not issue public health alerts. They are issued by the Chief Public Health Officer and her officials based on their determination of public health risk. I will check the records, but I am sure it would be up to the Chief Public Health Officer if she believed that such an alert was necessary. But, as I have said—and I have just tabled it for the member for Heysen, who was so keen to read it, so I do not have a copy of it anymore in front of me—the information is available on I think the SA Health website and also the state government algal bloom website. They are available for information, which has that information from the public health experts.

As I said, we have also undertaken teleconferences with our general practitioners to make sure that they've got available information. There's been communication that's gone out to GPs across the state as well. We are obviously wanting to keep in contact with our general practitioners as well. But I am not going to politically interfere with the issuing of public health alerts, and nor do I think that is a matter with which the opposition should be playing politics. We saw, during the course of the COVID-19 pandemic, bipartisan support for our public health advice, to be a constructive opposition, and I think we are seeing now what the opposite of that looks like.

COPLEY MEDICAL CLINIC

The Hon. G.G. BROCK (Stuart) (14:56): My question is to the Minister for Health and Wellbeing. Can the minister update my community at Copley and surrounding locations why Pika Wiya and other organisations and people cannot get access to the Copley Medical Centre? With your leave and that of the house, sir, I will explain.

Leave granted.

The Hon. G.G. BROCK: I have had several inquiries to ask for the reasons why there is non-access to the Copley Medical Centre, which has been fenced off for many months and not available for anybody to attend.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (14:56): I thank the member for Stuart for his interest in this matter and all things related to health in his community, particularly, in this instance, the community of Copley. I am advised that the Copley Medical Clinic is not, as I understand it, a site which we operate in SA Health. As the member may be aware, Pika Wiya Aboriginal Health Service of course is an Aboriginal community-controlled health organisation that provides health services to the Far North areas of South Australia.

Pika Wiya operates the premises in Port Augusta and also has clinics in Davenport, Copley and Nepabunna communities, as well as providing services to other communities. As an Aboriginal community-controlled health organisation, they provide primary health services. They are predominantly funded by the federal government and are therefore not a state government-run health service. I am advised that the building that the Copley Medical Clinic have operated from is owned and operated by Pika Wiya, who provide primary health outreach clinics, including monthly visiting general practitioner consultations.

In May this year, the Flinders and Upper North Local Health Network were advised by the chief executive officer of Pika Wiya that a large fence and locked gates had been erected around the Copley Medical Clinic and have removed Pika Wiya's access to the clinic. I understand that there are matters regarding the land ownership that the clinic resides on, and they are being worked through between Pika Wiya and the local Aboriginal council.

It is our expectation, of course, that services are appropriately provided to community members. Whilst this is a matter being worked through by the parties involved, outside of state government control, we want to ensure that health care remains available for people in the local community. Therefore, since June this year, the Flinders and Upper North Local Health Network, through SA Health, have allowed Pika Wiya Aboriginal Health Services to conduct their health clinic sessions from the Leigh Creek Health Service, which is obviously just about five minutes down the road, while this matter is being resolved. The member will be familiar with the Leigh Creek Health Service, of course, because both he and I visited it some months ago for its opening in March this year when we were pleased to open this new $4.5 million modern health facility providing those services to the Leigh Creek community.

Obviously, while this issue is being worked through between Pika Wiya and the local Aboriginal community in Copley, we stand ready to support the continuation of those important health

services, making available a brand-new state-of-the-art modern health service in Leigh Creek to be able to have those services continue.

REGIONAL BUS SERVICES

Mr BROWN (Florey) (14:59): My question is to the Treasurer. Can the Treasurer inform the house of any budget impact of alternative trials of on-demand bus services in regional areas?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (14:59): The opposition has a penchant for trials: a trial of on-demand bus services in Mount Gambier for six months, $4 million; a trial for on-demand bus services in Victor Harbor, that's another $4 million; a trial of an on-demand bus service in Port Pirie, another $4 million; a trial of on-demand bus services in the Barossa, another $4 million; and a trial of on-demand bus services in the Adelaide Hills to Echunga, Meadows and Macclesfield, that promise made by the Deputy Leader of the Opposition, $12 million for six months.

These are conservative figures. I have included the cost of new buses. I have done them a favour, however, and I have not included the cost of new depots. Depots are expensive. Of course, they are very, very expensive. That is $28 million for a trial. Let's assume these trials are successful. Why would you conduct a trial if you didn't want it to succeed? If the trials are successful and they're elected, now we are talking about $224 million over the forward estimates. Again, I haven't even spoken about cutting $1.6 billion out of revenue, one-third or a quarter of the state's total revenue in taxes.

Members interjecting:

The Hon. A. KOUTSANTONIS: Members opposite like these types of trials, and yelling out abuse doesn't change the fact that they are spending—

Members interjecting:

The SPEAKER: The member for Chaffey will come to order.

The Hon. A. KOUTSANTONIS: —$3.7 billion in commitments to date. I haven't even spoken about the things they have called on us to do. These are commitments that they have made if they are elected but, of course, there are all the things in the meantime that they have said that they would call on us to do had they been in office. We will detail all of these in the lead-up to the election, but it's not even Christmas yet.

We haven't even started the campaign yet and they have spent $3.7 billion. They are talking about cutting either a quarter or a third of the state's total tax revenue, and they claim they can do it by just growing the economy. So it is the power of Tim Whetstone's personality that is going to somehow fill this void. This is the same party that promised us they could get a tram to turn right. Remember that? 'Easy! Yes, we can make the tram turn right, no problem. We'll do that just by saying it can happen.' Of course, they get elected and they realise the laws of physics apply and it can't be done.

It is just like promising you can cut a third of the state's revenue and it won't matter, no-one will notice, it will be easy. 'We will just click our fingers, this revenue will be gone and it won't matter.' This is the same party that promised GlobeLink. Remember GlobeLink? Remember the sweeping roads behind the Adelaide Hills? Remember the 24-hour airport out at Monarto? Remember the railroad all the way up to the Adelaide Hills? Remember those things? 'We will just click our fingers and build it.' Of course, it didn't happen.

That's $3.7 billion and we haven't even started the campaign. Six months of bus trials, $28 million. This keeps on racking up. We have gone through every single social media post every member has made, every Facebook post and everything they have said. We have added it all up and we will show members opposite exactly how much they have spent.

ALGAL BLOOM

Mr BASHAM (Finniss) (15:04): My question is to—

The Hon. V.A. Tarzia interjecting:

The SPEAKER: Leader, I can't hear the member for Finniss's question.

Mr BASHAM: —the Minister for Health and Wellbeing. What reports has SA Health received of illness or respiratory effects linked to brevetoxins or similar algal toxins, and when were those reports first made?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (15:04): This is obviously very similar to the previous two questions and it is going to receive a similar response and that is that we have been listening to our public health officials. Our public health officials have been examining all the international evidence in terms of harmful algal blooms, have provided that advice to the public, have been in contact with general practitioners across South Australia and have been making available information to them, as we of course have done publicly but also through forums across the state. Our public officials have been speaking to hospitals, particularly in areas—

Members interjecting:

The Hon. C.J. PICTON: —close to our marine environment.

The SPEAKER: The member for Chaffey can leave until the end of question time. It has just been nonstop. I am trying to listen to what the minister has got to say and it's just been nonstop from you.

The honourable member for Chaffey having withdrawn from the chamber:

The SPEAKER: The Minister for Health.

The Hon. C.J. PICTON: Thank you very much, sir. SA Health has been providing this information publicly. We have been monitoring the impacts. I am happy to provide further advice, as I have said in answer to the previous two questions. But what I do think is disappointing is trying to play politics with public health advice, trying to cause division in our community, trying to spread conspiracy theories using ChatGPT from Frank Pangallo to try to whip up fear. We clearly know that there are some short-term health impacts and there are particular things that people with asthma and other lung conditions need to be mindful of. Those are detailed in the health advice as is available publicly and as I have just tabled for the parliament today.

We have made available our public health officials for media interviews to explain this and at all of our different forums that we have conducted across the state to answer questions from people who have concerns about this. We will continue to be transparent with this information as we receive it. It is coming from our public health officials, certainly not from me, certainly not from my office or the political arm of the government.

ALGAL BLOOM

Mr BASHAM (Finniss) (15:07): My question is again to the Minister for Health and Wellbeing. When was SA Health first advised that a new toxin-producing algal species had been detected and what public health risk assessments were undertaken?

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (15:07): To put it best as did the Acting Chief Public Health Officer, Dr Chris Lease, when he was doing media interviews about this last week, he said to the effect that we knew for many months that there was brevetoxin in the water. We knew therefore that there was a type of *Karenia* that was causing brevetoxin and what we know now is the name for it. That doesn't change the public health advice because we knew there was a brevetoxin being produced in the water. That informed that change in the public health advice some months ago.

The confirmation of the exact species of *Karenia* doesn't change the advice because we already knew there was a type of *Karenia* in the water that was producing brevetoxins. It took that further work by, I believe, the University of Technology, Sydney, which took some time, to be able to specifically identify what type of *Karenia* it was, but that doesn't change the public health advice, and that has been a decision for our public health officials and they have communicated that and answered questions to the media about that publicly.

ALGAL BLOOM

Mr BASHAM (Finniss) (15:08): My question is to the Minister for Climate, Environment and Water. Will the government commit to funding permanent, locally based water-monitoring programs across the state. With your leave, sir, and that of the house, I will explain.

Members interjecting:

The SPEAKER: Treasurer, I can't hear the member for Finniss's question.

Mr BASHAM: I was seeking leave, sir.

Leave granted.

Mr BASHAM: Benchmarking consistent testing for coastlines will ensure harmful algal blooms are detected early, accurate information is collected and the community knows what is dangerous and safe.

The Hon. L.P. HOOD (Adelaide—Minister for Climate, Environment and Water) (15:09): I thank the member for his question. This is why we invest in the science and the research, and this is why we have released a $102.5 million summer plan, in partnership with our federal colleagues, to be able to invest in science and monitoring, to invest in coastal communities that we are backing and to invest in supporting local coastal small businesses. As part of our $102.5 million summer plan, we have an extensive amount set aside specifically for science and monitoring. For example, it will be an investment in FlowCytobots, which will be able to provide us with some near or real-time monitoring. That is just as an example.

As I have mentioned in previous responses, there is a significant amount of funding as well in environmental recovery initiatives, like seagrass restoration and like native shellfish reefs. So, on this side of the house, we are definitely backing the science, backing our researchers and backing our health experts.

The SPEAKER: Before everyone heads off, I want to do a station promo: coming up later this afternoon, we will have the member for Unley's valedictory speech. Last time we had so many people doing valedictories that we were here till 1.30 in the morning, with Paul Caica doing a very funny speech, mainly with the aid of a long dinner break. So we are trying to formalise it a little bit more this time around. We have eight members who have indicated that they are retiring at the next election, so we have places for people to do their valedictory speeches. I encourage people to come in and listen to them, as we do for people when they make their first speech.

We have the Auditor-General's Report questioning up until 5.30pm, and then we want to try to start as close to 5.30pm as we can so the member for Unley can do his valedictory speech. Then we will break at 6pm, and we will come back after the break if that is the way the house wants to do it, and if anyone wants to contribute or respond they can then do that.

Grievance Debate

REMEMBRANCE DAY

Mr WHETSTONE (Chaffey) (15:13): Earlier today, on the 11th hour, I stood in silence alongside much of the country. It is an important day of remembrance for all Australians, and, like many members here, I attended one of my local RSLs to honour those who have served. Early this morning I left and travelled to Waikerie to visit the RSL sub-branch, and I had the opportunity to reflect with members of the local community. It was a moving service for those who fought for our freedoms in all wars and armed conflicts.

I met students from the Ramco Primary School: Thomas and Miya, who are two students from the year 3/4 class. They both gave a beautiful presentation on Australian dogs in conflicts. Miya spoke about an Australian bulldog called Digger. Adopted by Sergeant James Martin from Hindmarsh in South Australia, he was smuggled on a troopship to Gallipoli in 1914 and later served on the Western Front in France and Belgium. Miya told us that Digger was well known for sensing incoming bombardments and gas attacks, giving soldiers time to take cover, and he would run food and messages to and from wounded soldiers.

Thomas spoke about Sarbi, a Labrador-Newfoundland cross. She was deployed in Afghanistan in 2007 with her handler, Corporal David Simpson. She served as a bomb detection dog, specialising in improvised explosive devices. Thomas told us that Sarbi sadly went missing on her second tour to Afghanistan when her vehicle convoy was ambushed but, thankfully, she was spotted 13 months later in an Afghan village and was eventually returned home.

It was great to hear from our local students and to see them involved in such an important day. I must say that a lot of the proud and rich history of the Riverland is based on the returned

soldier settlement properties that were set up after those men and women who served their country came home. They set up farm and created a new life for themselves. I spoke with RSL members, many of whom are still active in the local community. I thank President Andrew Walker and his team at the Waikerie RSL Sub-Branch, for putting on an outstanding effort, and Father Karl from Barmera for his touching tribute. As I said, there is a rich history of returned service personnel, particularly with our soldier settlement properties.

Regional Returned and Services League clubs always organise an outstanding service, and they do play a vital role in maintaining an important part of our history and reminding us just how lucky we are. The contribution to our local community does not go unnoticed. Thank you to all who have held services right across the electorate and right across South Australia for those of us here today who attended. It reminds us of the sacrifice made by those who served our country, creating community and supporting our veterans.

Some of the other RSL sub-branches in the electorate had services at Swan Reach, Loxton, Waikerie, Morgan, Barmera, Berri, Renmark and Blanchetown. I want to reiterate that Remembrance Day in many ways is about looking back on those who served and the legacy they left us, but it is also important that new generations look forward to make sure that they send the message they reflect and that they continue to prompt us to give homage, to give respect, for those who did such an outstanding job in giving us the free democracy that we live in today. For all those who attended the services we say thank you as proud Australians, remembering those who served our communities.

SCHOOL PRINCIPALS

Mr ELLIS (Narungga) (15:17): I rise today to highlight some concerns that I have about the appointment of principals in our local schools around the state and across the peninsula. We are undoubtedly quite lucky in Narungga—and possibly more so than quite a few other regional electorates—to have extremely high-quality local schools. Many of them have tremendous and generous grounds, and all of them have valued and engaged staff.

Unfortunately, though, there have been two examples of poor selection of principals relatively recently that have resulted in significant damage being done to those school communities. On both occasions, a much-valued local candidate was overlooked in favour of an import who has not quite worked out. I intend to share these examples with this house, not in an attempt to critique the person who was ultimately appointed, but because I sincerely think that there need to be changes to the process to prevent this from happening again.

As I understand it, the current appointment process is conducted by a three-person panel. It features a member of the school governing council, a member of the school staff and the education director of our district. As I understand it, those three people work together to assess applications, interview those applicants and then to appoint a person to that position.

The first of these two examples that I want to share occurred at Central Yorke School when local principal, Grant Keleher, left in 2020 for another opportunity and his deputy, Scott Moore, was the local pick to replace him. Grant had been responsible for some tremendous work in growing the school and fostering its identity after its 2017 amalgamation with Point Pearce, and the community had hoped that Scott would continue that work and continue to grow the school. Unfortunately, for whatever reason, Scott was overlooked and a new principal was brought in from Whyalla, bringing with her a number of staff from her previous school and an attitude from there as well.

The community geared up to give her a chance. They were keen to see the school continue to succeed, and while Scott left for another opportunity elsewhere, we waited with bated breath to see how it would work out. Unfortunately, the school deteriorated rapidly. Something like eight or 10 local staff departed through choice, or otherwise, and there was a complete breakdown in the school's relationship with parents. The damage has been significant. We now have an excellent new principal, having recently joined, Rob Jeffries, and hopefully it can recover soon. Thankfully also, Scott Moore has not been lost to our region and he is now taking stewardship of the Port Broughton Area School. But there was significant damage done because of the local candidate being overlooked.

The second instance has happened only in the past week or so and has been the subject of significant media attention. Wallaroo Mines Primary, which is actually in Kadina, is a school of 80 or

90 kids and it needed a new principal. Amongst the applicants was a beloved former principal who had performed the role to the immense satisfaction of the school community for a number of years before having a brief hiatus in the head office and who had expressed a desire to return. There was also another candidate from a school on Eyre Peninsula. Somehow the candidate from the EP won the contest and started at the beginning of term 3.

Well, I regret to inform that we are now halfway through term 4 and she has essentially been placed on leave pending an investigation on a number of allegations. I do not intend to litigate those allegations here as I am sure they will be properly investigated, but I do want to thank all the community members who have shared their concerns with me, particularly Lorrin, Nicole, Cassandra, Billie and Jordyn, who all visited my office last week to share their concerns. I just cannot understand how a former principal who had performed the role to such acclaim, and who had been promoted by the very same department to a higher leadership position recently and who wanted to return to that school, could be overlooked. I shared my concerns with the government way back in June about the process resulting in that outcome.

So there we now have two examples of valued, experienced local candidates being overlooked in favour of other candidates who have had to be removed from office relatively soon after taking over. Granted, this does not always happen and I should now highlight a couple who have done extraordinarily well. We have new principals who started relatively recently at Yorketown and at Kadina who have come from different regions and are doing an outstanding job in their community. They ought to be congratulated on the work they have done.

But the fact that this has happened twice in the past five years, with quite disastrous results, is enough in my view to ask whether something needs to change. I am proposing one change to the process subject to the answer to my question from question time today. We need confirmation that an aspirant principal will have their disciplinary record and other internal education department documents compulsorily shared with the selection panel.

I have been told by some community members that not all members of the selection panel for the Wallaroo Mines Primary decision were aware of the complaints that had been formally made by members of the school community at that aspirant principal's recent school stops. I have seen the online petition and I am wary of taking everything written online as true, but if some of them are, then I am sure the committee that considered whether to appoint might well have made a different decision. I look forward to the minister's answer to my question today, and if there are opportunities for improvement to the process then I look forward to seeing them implemented in due course.

MARSHALL, THE HON. S.S.

The Hon. J.A.W. GARDNER (Morialta) (15:22): Today I would like to reflect on the legacy of former Premier Steven Marshall and, in particular, his government's handling of the COVID pandemic. What might have been 10 minutes of your Thursday afternoon can instead be dealt with in five today. Premier Steven Marshall has been the most substantial servant of the 95 members of the House of Assembly with whom I have served since 2010. The scale of his capacity and reputation is reflected in the role he now undertakes as President of the Australian American Association in New York, and, while that role may be privately funded, through it, he continues his public service to South Australia.

I am absolutely certain that history will cast an extremely kind reflection on his service as Premier. I am also dead certain that he would prefer I not give this speech because it is absolutely not his style. He never liked self-aggrandisement in others and he never practised it himself. He did not even give a valedictory speech in this house upon his retirement. Personally, I take a very different view so in my last few days here I choose to seek his forgiveness rather than his permission and will press on.

As Premier his economic record was transformative and our state continues to benefit from many of his reforms. His agenda lowered costs for South Australians who paid hundreds of dollars less for electricity and water in our last year than they did in our first. He halved the emergency services levy and abolished payroll tax for thousands of South Australian small businesses. Along with the member for Unley, David Pisoni, he reinvigorated our training sector with nation-leading growth and apprenticeships and trainees. Along with Stephen Wade, our health minister, he revitalised the Repat as a health precinct as part of a $1 billion investment in health infrastructure.

He was my strongest supporter for our successful education reform proposals and massive upgrades to school infrastructure.

After years of procrastination at the old Royal Adelaide Hospital site, Premier Marshall's vision for a new innovation precinct came to life at Lot Fourteen. He won, for South Australia, the Australian Space Agency, along with the Cyber Collaboration Centre, and with Stone and Chalk at Lot Fourteen delivered the largest start-up centre in the state's history. His actions generated significant new investment, high-tech jobs and exciting opportunities for our young people.

In the months prior to the onset of COVID, net interstate migration was restored to South Australia's favour for the first time since the State Bank calamity, and that was amplified during the pandemic as we in South Australia enjoyed better, freer and safer lives than most other places in the world. So for those two years there was no place on earth that anyone here can even pretend to say that they would rather have been than South Australia. Well supported by health minister Stephen Wade, police commissioner Grant Stevens, and Chief Public Health Officer, Professor Nicola Spurrier, Premier Steven Marshall led our state through the most difficult of times, with better outcomes than pretty much anywhere else in the world. He kept our community as safe as possible while ensuring that we were able to live our lives as normally as possible.

While some of the premiers were running tallies of how many days in a row they were doing solo press conferences, Premier Marshall and cabinet took the view that when experts were giving the advice to government that they were giving, we wanted those same experts to be giving the same advice to the public as soon as possible. The idea of wrapping it up in a cabinet committee to protect secrecy was never an option. This decision certainly gave up political advantage but it contributed mightily to public safety. Public understanding of and support for public health measures was far higher in South Australia than other states as a result.

Listening to the best available health advice and sharing it with the public also helped us keep schools open, a key priority for us all at the time. From the beginning of the pandemic right up to March 2022, South Australian school students faced less disruption than any other jurisdiction in Australia, a world-class outcome. In 2021 we reach our vaccination targets quickly. These were essential in suppressing the eventual spread of COVID, and our health system was never overwhelmed as were so many others. Thousands of deaths were prevented.

The outbreak of Omicron changed the landscape. Close contact rules that had served us well for 18 months saw thousands of families, including mine, stuck at home for two weeks at Christmas. Ironically, if we had had a slower vaccine take-up, like Queensland and Western Australia, our borders would have still been closed when Omicron arrived. Instead, we lost a lot of goodwill that Christmas and it hurt us badly in March. First-term governments are often given some leeway from voters but by the election the previous four months had felt like four years. People were fed up with the pandemic and with the government.

But it is worth noting, from a political point of view, that Steven Marshall's popularity remained strong and always strongly in double digits net positive favourability. I am glad Steven Marshall was leading our state during the pandemic. I am proud to have played my role in his cabinet and I am very proud to have served with Steven Marshall for 14 years here. He did an enormous amount for this state, and it must stand on the record that his service was truly worthy.

DOWNTON, MR G.

The Hon. B.I. BOYER (Wright—Minister for Education, Training and Skills, Minister for Police) (15:27): I am pleased to rise today to share a few short comments about a constituent of mine, Mr Greg Downton, who recently lost his very long-term battle with motor neurone disease (MND). Greg lived with his wife, Jean, in Gulfview Heights, being long-term residents there.

I first met Jean in her capacity as a long-term staff member at Tyndale Christian College at Salisbury East. She worked with the then principal, Mike Potter, for many, many years. I had occasion to bump into her when I visited the school, and she was always exceedingly pleasant. When I became the candidate for the seat of Wright, while doorknocking in Gulfview Heights I knocked on their door and bumped into them. I then had the opportunity to meet not just Jean again but also her husband, Greg, who was a long-term groundskeeper and much loved member of the Tyndale community, as was Jean.

By this stage, Greg had been diagnosed with MND. They were really welcoming. I guess that is the right word in terms of not just inviting me into their home but talking to me about what Greg was experiencing and going through as a fairly recently diagnosed person living with MND. I remember one of the first things that Jean, Greg's wife, said to me about MND. I made the mistake—that I am sure many other people who have not had a lived experience or someone in their own family dealing with MND make—of assuming that all the money raised through the wonderful cause 'the big three' actually goes to benefit people like Greg or people living with MND. The answer that Jean and Greg gave me quite strongly was that as important as that is, of course, because it is looking into research for a cure, potentially, of MND, there was no money really being raised to support people living with it.

Off the top of my head I think maybe 30-something South Australians at any given time are living with MND, and most people in this place now would know about how torturous the symptoms of MND can be as they progressively get worse. Parts of your body essentially just shut down; you are less and less independent and less and less able to do things for yourself, and you rely upon the care and support of other people more and more.

That was a learning curve for me, to understand that as wonderful as Big Freeze is—and it really is—there is work we also need to do, and I am pleased about what this government has done and what Minister Picton has done in relation to better supporting MNDSA. There are people living with it who need a lot of support.

Greg's journey with MND has been across, I think, the best part of 10 years now. There are some who are diagnosed and whose symptoms come on and worsen quite quickly, but Greg's have been progressive. I have known him through that whole time and have seen his life change, but he has remained the same person all the way from when I first met him, when you would not really know that he even had MND, to his last days. I was really touched that Jean gave me the opportunity to visit him at Modbury Hospital so I could say a few final words to him, but I saw that progression.

Just to give an idea of how wonderful the Downtons are, what they took upon themselves to do in the north-eastern suburbs, because they could see a real gap, was to actually start what is essentially a care and support group of their own. It started as a small cafe and was eventually at The Grove pub in Surrey Downs because the numbers had grown so much. People were coming to seek their support, and they were supporting people from a really wide area, some of whom had never heard of MND and had just been diagnosed or had a loved one just diagnosed. They took them under their wing.

I just want acknowledge that Greg lost his battle on the 1st of this month, and I will be attending his funeral soon. He was as good a community person as you could meet, as is his wife, Jean. I know I speak on behalf of all those people in the seat I represent who have known the Downtons, either through their professional work or as neighbours, when I say he will be so hugely missed. We send all our love and thoughts to Jean and the kids. Vale Greg Downton.

COUNTRY SHOWS

Ms PRATT (Frome) (15:32): On rotation, for the last five years, I have enjoyed my unofficial role as country show ambassador for the many communities I represent and the thousands of people who flock to attend them. The season is set in September with the Royal Adelaide Show putting everyone else on notice that it is time to shine and show off country produce, country people and our country way of life.

I celebrate the positive influence of the current president of the Northern Agricultural Shows Association of SA and former state and inaugural National Rural Ambassador Peter Angus, and I want to acknowledge his passion for engaging young people to keep our country shows thriving. He continues to represent SA as a lively and youthful board member of the peak body for royal and country shows, Agricultural Shows Australia, and his influence is certainly evident in the positive relationships he continues to establish with those ambassadors—and I give a shout out to George Seppelt, Rural Ambassador for this year.

In the Mid North you can set your watch by the rhythm of our shows, and every weekend for two months there is a chance to learn more about my electorate by visiting Balaklava, Jamestown, Burra, Clare, Kapunda, Gawler and Eudunda. Late in September the Balaklava and Dalkey Agricultural Show features all the favourite exhibits that we love: livestock, cooking, floral art and

more, and I am grateful that over the years I have been joined by friends such as Duncan Crawford, Mel and Craig Davis, Richard and Kay Daley, and Les Moore. I welcome the changing of the guard with my new federal colleague the member for Grey, Tom Venning, who continues to share that privilege with me by attending so many shows together.

Up in Jamestown they make an art form of the country show and turn the October long weekend into a master class of fun and frivolity, kicking it off with the races on Saturday and keeping visitors engaged for all three days. I must mention Richard Daley again for his dedication and years of service not just to this event but to his town. The Burra Show is set up on the hill and offers the best views, and from every vantage point one can see the horse eventing down on the oval, the show rides through the middle and the shearing exhibitions up in the open pavilion before you stretch your legs and stroll up towards the floral arrangements, cooking and craft section.

This year in Clare marked a very special anniversary—160 years of the Clare Show—and I was very proud to be front and centre supporting those red shirts we call the committee. The committee is ably led by Paulie Calaby and Peta Smith, but special mention to our president, Sid Nicholls, who had lots of dignitaries this year, including the Premier, visiting Clare to demonstrate the importance of our country shows and that these anniversaries do matter.

I enjoy every year working with Annabelle Homer, who has schooled me in the role of judge. She assures me it is not career limiting to advise local parents whether their sons and daughters have delivered a good speech, but we have lots of fun in the meantime. Thank you to all those people who put in entries to floral art, succulents, fresh produce and photography, including the local school students. I put myself forward for the marmalade competition this year and did not do too badly, but I am never going to compete with those CWA ladies.

I am grateful for all the emergency service officers who establish themselves at the country shows and my knowledge has increased by spending time with amazing volunteers like Fiona Hill and Jacob Hayes. Thanks to Charmaine Bowden, who continues to invite me—I am not sure why—to the Ute Muster. I have learnt a lot. I will continue to wear earplugs when we see the key banging, but it is lots of fun. They finish off with the Grand Parade and the Jack Russell competition and the fireworks make Clare a pretty special day out.

Kapunda has only just passed and that show is ably led by President Doug Hazel, with a special mention to Mrs Mandy Gerhardy, who has run the eventing for the past 26 years and is now hanging up her organising reins. I love catching up with Kirsty Glen and her chocolate honey from Kapunda Honey Co., the Light Archers and, of course, Paul Vinall every year with the sculptor and carvers' group.

I spent time this year at the Gawler fair, which always maintains that country vibe, and just this weekend past, of course, was the Eudunda Show, where people like Kip and Mary Laucke, Steph Schmidt and President Garry Schutz keep the vibrant community buzzing. I love seeing how youthful these committees are. I want to thank everyone who has contributed to the country show season this year. Every show has its own personality and I cannot wait to do it all again next year.

STUART ELECTORATE

The Hon. G.G. BROCK (Stuart) (15:37): Today, I would like to enlighten my communities as to the great communities that I have had the pleasure of visiting in the last 10 days. First, I had the opportunity to visit Coober Pedy over a weekend recently. I spent two days up there and during that time I had what I call listening posts. I was able to have private one-on-one discussions with over 30 people so they were confidential. I also had the great opportunity to better understand the issues that may be confronting the residents and the concerns about both council roads and state government roads.

I had discussions with members of the RSL. The RSL up there is an absolutely fantastic organisation and I had a great meal on the Sunday night. I had discussions with the miners' association, tourist operators, business operators and also the Community Alliance Association, which is working together with the community to understand a bit better the opportunities.

I also had the opportunity to visit the shooters club. I must make it quite clear in this house that I had the opportunity to handle a gold-plated 45 magnum and I will make it public that I did not fire it. I was under very strict supervision and I must admit I did not fire it, even though I used to have a licence when I was at the smelters.

The following Wednesday I had the great privilege of opening the new barge at Cooper Creek on the Birdsville Track. This is a joint project between the state government and the federal government, and it has been a long time coming. It is a $27½ million project and it allows the people from both sides, specifically the cattle trucks, to get their cattle to the markets down in the south but also people from the south to get to their cattle on the northern side. These discussions between the community, the pastoralists, the station owners and the state government were the most collaborative and best I have ever seen. Minister Bourke from the other place was at the Mungerannie Hotel and she talked directly to the people there. I also want to sincerely thank David Bell and Sharon Oldfield for their great work there.

This great partnership between the state and federal governments and the local communities, as I said, has resulted in an everlasting barge facility, which is far better than the one that operated over 50 years ago when I was the area manager for BP Australia. This can carry a cattle truck with two trays, whereas the other one had a car only.

Last weekend, there was a great turnout at the Rotary Club of Campbelltown Drought Muster at Hawker, which was attended by lots of young families facing great challenges from previous droughts. The community there is very well looked after and the Rotary Club of Campbelltown had lots of prizes. I give credit to everybody there.

I also had the opportunity to attend the Carrieton Gymkhana and Motorkhana, which was on the same day. It was a great event. Another event I attended was the Bundaleer Forest's 150th year celebrations, officially opened by Her Excellency Frances Adamson AC. This event was extremely well attended and was organised by the local committee chaired by Greg Boston.

Yesterday, I also had the opportunity to attend a heartwarming citizenship ceremony at Port Augusta conducted by Mayor Linley Shine. There were 21 new Australians sworn in as citizens of Australia. When I go to the citizenship ceremonies for the Port Augusta City Council, Mayor Linley Shine brings me in as an ex-mayor (and I had the opportunity to do lots of citizenship ceremonies as mayor) and she also gives me the opportunity to speak to the new citizens. That was an absolutely heartwarming ceremony yesterday and 21 new citizens is the most I have ever seen in a regional area.

This morning, I drove back to Port Pirie and attended the Remembrance Day service at Port Pirie RSL. It was absolutely fantastic. It was good to see a lot of young people there. The schools did the presentations. I pay tribute to the Port Pirie RSL for conducting the Remembrance Day service. I also want to pay tribute to the high school and the primary schools for allowing their students to attend the Remembrance Day ceremony and to do the presentations and also the students' prayer.

Private Members' Statements

PRIVATE MEMBERS' STATEMENTS

Ms PRATT (Frome) (15:42): This month will mark the 10th anniversary of the devastating Pinery fire which tore through my region on 25 November 2015. The scale of the fire was the size of Greater Adelaide, similar to 210,000 acres of scrub and farmland and naturally a sensitive approach is required.

On that day, two lives were tragically lost and an enormous toll was taken on families, farmers and local communities. The two lives need to be remembered: Janet Hughes and Allan Tiller. Their families continue to mourn. I have developed a particular friendship with Allan's wife and widow, Jenny.

We know their story: significant loss of homes, property, crops, livestock and businesses, and we are still reflecting on and counting the cost today. It was damage that reshaped the Mid North for years to come, with many positive initiatives since established. I honour the courage and endurance of local residents. We all bore witness to the extraordinary efforts of CFS volunteers, first responders, neighbours helping neighbours and all who fought to protect life and property. I was on the ground the next day and it is a vision I will never lose.

I commend the leadership of local councils, community groups, recovery committees and service organisations who helped each other rebuild. The Pinery fire strengthened community resolve and we know that a commemoration event will be held in Freeling on 23 November. I hope

to see many of my parliamentary colleagues attend and support. It would be very surprising if senior ministers did not see this as a poignant and important reminder of the threat that bushfires have to rural Australia. I imagine it will be a priority for the Minister for Emergency Services and I look forward to welcoming her to our region to impress upon her why we need to see an urgent upgrade of the Freeling CFS station.

The Hon. A. PICCOLO (Light) (15:44): Today, being 11 November, is obviously a day of reflection. I would like to advise the house that I was very privileged to be invited to participate in the Remembrance Day service held by the Mallala RSL. It was held at the monument at the centre of town. The Mallala RSL, like many other RSL groups, provides an important service to our veterans and serving members of the defence services. Joanna Grotto, the President of the Mallala RSL, organised this event today, and her committee needs to be congratulated on the great event it was.

It is interesting that the highlight for me today was the presence of the school kids from Mallala Primary School. One of the young boys—I am sorry, I do forget his name now—read out the poem, *The Poppy*, and that was a highlight of the service. The way he read that was quite touching and really paid tribute to our fallen heroes. Mallala was home to the 24th Squadron. It is interesting to note that the catafalque party today was related to that squadron and that Mallala began its life as a Royal Australian Air Force Base in 1939, so it was a fitting tribute that in the town today we held that service.

Mrs HURN (Schubert) (15:46): Last week, I had the pleasure of attending the Barossa Australia AGM, which is a really fantastic opportunity to have a chat with so many growers, winemakers and tourism providers from right across the Barossa Valley region. It is safe to say that it was a year that provided hope and optimism, but there are also some really big challenges ahead for grapegrowers in our region. I would like to acknowledge the serious impact that they are under at the moment.

Lots of growers in my region have not had their contracts renewed with some big wineries right across the region, and that is placing extraordinary financial pressure on families across my region. It is placing a large mental toll on them. I would like to remind everyone that, with Christmas coming up, it is always worthwhile having a bit of a tipple to support our wine industry. The Barossa Valley has so many fantastic drops, and I just encourage you to get around all of those.

I would like to thank the board of Barossa Australia for all of the work that they did in the last financial year: Kevin Scarce AC, the Chair; Marc Allgrove; Will Holmes; John Lienert; Amelia Nolan; Courtney Ribbons; Jon Durdin; and Geraldine Frater-Wyeth; and, of course, a shout-out to CEO Scott Hazeldine for the leadership that they show for our region. The Barossa Valley puts South Australia on the map in terms of the wine industry. I encourage everyone to get out and support local as much as you can.

The Hon. S.C. MULLIGHAN (Lee) (15:47): Today, I want to speak briefly about the pleasure I had this morning attending the Henley Grange RSL. It is not in my electorate; it is in the electorate of Colton, but my RSL, the Seaton Park RSL, does not usually hold a Remembrance Day service, only an ANZAC Day service. I have been very grateful to receive an invitation for the last few years to attend at Henley Grange RSL, I am told the largest and most successful RSL branch in South Australia, with over 440 members.

I was there with the member for Colton and, of course, our putative replacements, the candidate for Colton, Aria Bolkus, and also Bec Sutton from the other side. Geoff Pierson as always did a great job as MC, as well as Ian McKenzie and the incomparable Malcolm Whitford. I want to place on record how well the students from West Lakes Shore Primary School did in reading a poem at the service, not missing a syllable. It was a really impressive performance.

Very briefly, members will know well the statistics of the casualties of the Australian Imperial Force in the First World War, but I did want to reiterate the impact it has on our local communities, and in particular in the western suburbs how many families and sporting clubs and other community clubs were impacted. Of course, nothing compares to the loss of the Yongala community just south of Peterborough, where the Smith family lost six of their seven sons during the course of the First World War. However, many members in this place would be aware that our communities had similar impacts to sporting clubs and families throughout our communities as well, so lest we forget.

Bills

WAITE TRUST (ACTIVITIES ON AND USE OF CERTAIN TRUST LAND) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 October 2025.)

The Hon. D.G. PISONI (Unley) (15:50): This bill obviously affects the Waite Trust and that area sits within my electorate of Unley. I was first aware—

The DEPUTY SPEAKER: Sorry, member for Unley, are you the lead speaker?

The Hon. D.G. PISONI: No, I am not. I am very supportive of this proposal, given the location of the oval, the fact that it is an oval that is underutilised and, most importantly, it is about supporting the expansion of juniors' and women's football. We know how popular women's football has become since it was recognised and supported by the SANFL and the AFL. It has grown at an astronomical pace.

As we witnessed, when you have girls competing with boys, even when it is not traditionally a boy's sport, boys tend to get the better facilities and they tend to get things quicker. That reminds me of a big fight that happened at the Unley High School Rowing Club. Obviously, because of the age of the rowing club, it had been established at a time when women were expected to take second place to men and all new boats went first to the male rowers. When the boats of the male rowers needed replacing, those formerly new boats that were now a bit rickety and second hand were moved over for the girls' use, and that was their new boat as the boys got another boat. Back in 2011 when my daughter was rowing, a group of girls thought that was very unfair and challenged that process.

So it is terrific to see a facility that is being supported and developed by the Sturt Football Club. Those who know me—and Sturt are fully aware of this—know that I am not a big fan of any sort of sport; however, I am a big fan of what sport does in the community and what it does for young people in particular. There is no doubt that the Sturt Football Club is a very strong supporter of youth through the work it does beyond football for the community.

I am pleased that Rosalie Rotolo, the Liberal candidate for Unley, also supports this project. She wrote a letter to Belinda Marsh, the Head of Infrastructure and Government Relations at the SANFL. She wrote:

> Dear Belinda
>
> Further to our meeting I am writing to strongly support the Sturt Football Club / Urrbrae Agricultural High School Oval Development Project.
>
> This project will provide much-needed facilities for Stuart FC, support the growth of junior and female competitions, and deliver important new amenities for Urrbrae students. It will also activate an under-utilised oval for the wider community.
>
> With funding secured, urgent legislative progress is needed to avoid delays and rising costs. I urge its timely delivery for the benefit of both the school and local sporting communities.

That is from Rosalie Rotolo, the Liberal candidate for Unley. So, beyond my retirement, this will still be a very strongly bipartisan supported project.

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (15:54): I rise briefly, and I appreciate the contribution just now of the member for Unley highlighting the local importance of the activities that the changes to the trust are expressed to permit. I think it is important on this occasion—and there have been others, although rarely, over the course of the parliaments that have continued in the now more than 100 years since Peter Waite and his wife, Matilda, made this really momentous gift to the state—to recognise that this continues to be a lifeblood, a part of the south of the city and, although expressed in terms that only the member for Unley could, in terms of the broader context of sporting activities and the benefits that they bring, about which we might have some varying views, clearly this is all about extending the capacity of particularly the Sturt Football Club to be able to carry on its training activities in particular.

It needs to be highlighted that this is very much in connection with the Urrbrae Agricultural High School. It was agriculture, and innovation in agriculture, that Peter Waite was so dedicated to,

and was the primary purpose for which the trust was established and the lands—the subject of it—are continuing to be set aside.

Way back in 1913—I say 'way back', but it is a really quite modern gift. We are not talking about something at the very foundation of the state but rather not quite a century into colonial South Australia. In 1913 Peter Waite advised the government that his gift of the Urrbrae estate was for two main purposes: firstly, for the University of Adelaide to establish an agricultural research centre and that is now the famous Waite Research Institute, and that continues, and, secondly, for the South Australian government to establish a secondary agricultural school which is now the Urrbrae Agricultural High School. The fact that both of those institutions have been established and continue to thrive, and continue to be really at the global leading edge of their respective disciplines, is a tribute to the vision of Peter Waite and his wife, Matilda.

It is no small thing for the government to bring to this parliament a bill that will amend the terms of the trust. It is a serious matter and a committee will be established shortly to consider that and the nature of the bill that is required to be considered by the house. I just wish to place that squarely at the centre of our consideration. For mine, it is important to observe that I am pleased there are these crossover benefits. The interrogation, such as it will be, can be confined, by me at least, to a short committee stage. I otherwise commend the bill.

Debate adjourned on motion of Hon. N.D. Champion.

Auditor-General's Report

AUDITOR-GENERAL'S REPORT

In committee.

(Continued from 30 October 2025.)

The CHAIR: I declare the examination of the Report of the Auditor-General 2024-25 open. I will remind members that the committee is in normal session. Questions have to be asked by members on their feet and all questions must be directly referenced to the Auditor-General's 2024-25 Report and Agency Statements for the year ending 2024-25, as published on the Auditor-General's website. We open with the Auditor-General's Report regarding housing and urban development. I welcome the Minister for Housing and Urban Development and the member for Flinders for the opposition. Member for Flinders, the floor is yours.

Mr TELFER: Firstly, minister, I will turn your eyes to pages 328 and 329, looking at the SA Housing Trust maintenance backlog and tenant impact. I am referring to Part C. The Auditor-General outlines pressures in maintenance, notes a focus on vacancy works and summarises SAHT's actions, including a $28 million increase in process changes. Could the minister advise the current quantified value of the maintenance backlog?

The Hon. N.D. CHAMPION: We do not have an outstanding dollar value, but we do have an outstanding number of maintenance orders. Last year, 2024-25, as of 30 June, it was 13,367, and as it stands at 30 September it is 13,098.

Mr TELFER: So you do not have an estimated value of the maintenance backlog. You do not know how much that amount is likely to cost, estimated.

The Hon. N.D. CHAMPION: There are number of maintenance orders. Of course, the average age of a Housing Trust property is now 44 years, so we have increased the maintenance budget by $37.1 million over the next four years because we want to properly maintain our properties. Obviously, it is impossible to come up with an accurate global number because of the decisions made about some of these properties, because when they become vacant typically what happens is not maintenance but restoration or demolition, so it depends.

The Housing Trust make a judgement on a property when it becomes vacant: can we restore it and put in new kitchens, bathrooms and flooring, and a whole range of things—and that will cost different amounts per house—or do we demolish, for instance? Sometimes it is more sensible to demolish so, by its nature, those decisions get made as properties come up and become vacant, and obviously that would change a global number if one was to have one.

Mr TELFER: So you are saying that of the 1,300 estimated maintenance orders—this is about maintenance of properties, but you do not action those maintenance orders until there is a

vacancy. Is that what you are saying? And then the decision is made to demolish the house or otherwise. I thought these maintenance orders are a process that you can go through. Say you budget an extra $37.1 million, surely that is in response to an estimate of how much you believe the quantified value of that maintenance backlog is.

The Hon. N.D. CHAMPION: There are two elements to the government's additional investment. The first one is responding, obviously, to the maintenance issues that come up from tenants. Again, we are relying on tenants notifying us of problems. Some of those could be predicted, some of them could not. We do not know when a stormwater pipe is going to break or be invaded by a tree root. It might be fine for a while, working for a while, and then suddenly not work. Toilets break. There are other maintenance issues that come up because of the age of the property. That is an issue for tenants. Hot-water systems break. You can predict with the age of properties that we have a looming maintenance bill and that is why we have made additional investments.

The second thing is when a property becomes vacant, and it is typically when someone moves out or dies, you would then have a close look at the property. Part of the work that the trust does with its contractors is to work out what has to be done. As members would be aware, you would have some idea as you enter a property, but you might find structural damage or the like, which means that you have to make decisions about, as I said before, how much you restore.

When we are talking about these things, we should not be talking about maintenance because maintenance makes you think of routine pedestrian things that need to be fixed as opposed to restoration, which is what we are doing with many of these trust homes that are vacant—the vast majority—and sometimes we have to make the decision: are we throwing good money after bad? Should we not just demolish and rebuild? Often, in those circumstances, we are building more properties on the single block as well.

Mr TELFER: I am using that terminology because that is the terminology that has been used in the Auditor-General's Report, so it is obviously very pertinent. Do you have the number of how many tenants are waiting on priority repairs?

The Hon. N.D. CHAMPION: I am happy to get the figure for the member, but I do have response times. We were responding to priority 1 cases with an 87.4 per cent figure as of 30 June 2024-25, and that has improved as of 30 September this year to 87 per cent. Priority 2 has gone from 43.3 per cent to 51 per cent. The maintenance contractors are responding more quickly to these response times that are in the contract. I think this has been a challenge for preceding governments before us who made the choice to divest themselves of properties, mainly because of the age, and that is why public housing was divested. People looked at the looming maintenance budgets and thought, 'We will divest of this property and it will go off to the private sector and be the subject of development.'

This government is growing public housing, growing our maintenance budget, but with that come certain challenges and one of the challenges is the average age of properties, and that is a challenge for the trust that we are going to confront head-on. That is why we are putting in additional money as investment, but we are also making very calculated judgements when we do get a property become vacant: is it something you should keep, can you extend the asset's life?

Given that a lot of this stock was built in the 1950s, 1960s and 1970s, there is a lot of nostalgia about these things, but if you look at the actual quality of the property, it is at the end of its life sometimes and you have to just make a calculated judgement to knock down and rebuild. The principle that we have adopted at Seaton and other places is a one-for-one replacement of public housing.

Mr TELFER: I might come back to priority 1 and 2 as we wander our way through. I just point the minister to page 328, the commentary around the six recommendations that the Maintenance Contracts Audit Committee made to the minister. Out of those six recommendations, how many have now been implemented?

The Hon. N.D. CHAMPION: They have all been accepted and they are all in the process of being implemented. In terms of a summary of the key head contractors, as of 30 September 2025—just to give people an idea of the KPIs—there are benchmarks set out for P1, P2, P3 and P4, and then we are marking the contract against those benchmarks and, happily, we are hitting our P1s for the first time basically under this contract, so that is good. The P2s and P3s are a little more

challenging. We understand we have ageing Housing Trust stock, we have a contract in place and we are pouring more money into that and it is performing better at that P1 level, but we have work to do on the upper levels.

Mr TELFER: Point 1 of the recommendations talks about the approach to vacancy maintenance. What reduction in vacancy turnaround time has been achieved as a result of the steps that have been put in place?

The Hon. N.D. CHAMPION: Of the offerable vacant properties it has happily come down, even from 30 June this year. It is useful for members to understand that there are offerable vacant properties: there were 295 as of 30 June, and as of 30 September that is down to 180. Of the non-offerable vacant properties—as I said before, these are properties that need significant restoration. I can understand that people walk past them and see all the doors and windows shut up and think, 'Why isn't someone in there?' What we are doing is significant work to bring them back online. The trust has been working very hard at that element of the maintenance contract to make sure that we are bringing properties back online.

As of 30 June the number of non-offerable vacant properties was 1,456 but as of 30 September it was 1,373. So that number—one is too many but that is, if you like, a reflection of the ageing housing stock and of the work that has to be done to update properties. As I said before, it is not something that you can do at a click of the fingers. Anybody who has done a restoration of their own home or work on their own home would understand the difficulty of coordinating trades and dealing with that element of things, and it is no different for the trust as a landlord.

Mr TELFER: Of that 83 decline, from 1,456 to 1,373 of the unofferable houses, how many have come back on stream and how many of them have been moved on by the trust? Is this a process of getting them back into the offerable? I note that there was also, in that period of time that you quoted, a decline of 115 houses in the offerable. It is not necessarily moving from the unofferable into the offerable, or does that mean that there is now near on 200 more houses being utilised, or has the trust decided that those ones that are unofferable have got to the point of degradation that you speak about and they are moved on?

The Hon. N.D. CHAMPION: You have to be a bit careful here because there will be new—

Mr Telfer: I am always careful.

The Hon. N.D. CHAMPION: Of course, and so am I. There will be new stock coming into the offerable column as we build it. We have a well-documented building program of public housing, and we have increased those numbers also under SHAP, and there are also restored walk-up flats and the like coming in. For instance, once we build the 48 apartments at Camden they will enter the offerable pool.

Simultaneously, there is a judgement being made as a property comes up asking, 'Do you restore?' Essentially the trust goes in there and has a look at the property and asks, 'Do you restore or do you demolish? If you demolish, do you divest?' Those judgements are being made all the time. I guess there is going to be a global figure for public housing, which is growing, and the total number of properties at 30 June—public housing—was 32,979, and at 30 September it was 32,949, so you can see it is going to bounce around. If you go down to Seaton, for instance, you will see that there were a whole lot of demolitions down there.

The numbers will fluctuate, and of that vacant number of properties it will bounce around a bit, but the point is that the trend line, particularly if you look at the start of the year, was somewhere north of 1,800 when we started the process and that number now is down to 1,373.

Mr TELFER: So how many properties were divested in the past financial year?

The Hon. N.D. CHAMPION: I want to stress that we are not selling for budgetary purposes. Any money that happens out of a divestment is reinvested in public housing.

There is a lot going on, and Seaton is probably the best example. Stage 1 is well under way with houses being built, but you have had a loss of public housing from stage 1 when those opposite, when they were in government, did the demolition. We have now demolished stage 2, and there will be a lag before the stage 2 civil works and building commences. If you like, the macro numbers are the important ones, and I am happy to take on notice the exact number of divestments. I will also try to get a rough estimation about demolition as well.

Mr TELFER: Do you have a number on how many dwellings were vacant for more than 90 days as at 30 June 2025?

The Hon. N.D. CHAMPION: I can get an answer on notice. That number is going to concertina around because of the nature of—

Mr TELFER: That 30 June one?

The Hon. N.D. CHAMPION: Yes; I am happy to take it from 30 June. I guess the issue the trust has is that it is a landlord of thousands of properties. What is important in that is what is your vacancy rate for offerable properties and what are your non-offerable properties. We would try to get the opposition a picture on the non-offerable properties, but some of that will be age, some of that will be fire—occasionally we get a fire in a property—and some of that will be undiscovered structural damage such as termites and the like. There will be a range of different things that impact that figure at any one time.

Mr TELFER: I absolutely respect that. The one thing about this data is that although it is complex it is comparable, and we can do those comparisons to other times to gauge where things are at. Casting the minister's attention to pages 321 and 322, I refer to Part C. The snapshot shows 31,226 tenants and indicates that the trust can make only a relatively small number of allocations each year. How many category 1 households are currently on the register?

The Hon. N.D. CHAMPION: From memory it is a bit north in category 1, but we will get the exact figure for you. The number of overall application numbers is about 15,523. Just in regard to your comparable number, happily it is a bit less than that at 3,796.

Mr TELFER: Ten per cent out.

The Hon. N.D. CHAMPION: Ten per cent out. Category 2, though, is 4,091 (that must have been what was in my mind), and category 3 is 7,659. Then there is 20 or so in the low demand category. On the issue of comparable numbers, what I would say about public housing and the age of the stock is that if you went back to Jay Weatherill's government the figures would look better because the houses are literally not as old. As we go on we have a bigger challenge in terms of public housing renewal because of the age of properties; that just has to be factored in.

Maintenance budgets are going to be a challenge for the trust, and that is one of the reasons we have put together the team in the trust that looks at the vacancies to make sure we can get those properties on line as quickly as we can, and that we are making rational judgements about not throwing good money after bad. If a property is too old, sometimes you just have to make a judgement about it.

Mr TELFER: I could make a joke about politicians there as well about making a judgement call when they reach a certain age, but I will just point the minister's attention to the trust's separate financial statements on page 319. What is the current total value of tenant debt outstanding?

The Hon. N.D. CHAMPION: Just to give a bit of context around this, the percentage of tenants on an arrangement—they have a debt but there is an arrangement—is 86 per cent and the percentage of non-tenants on an arrangement is 15 per cent. So, if you look at the value of tenant debt, which is, as of 30 September, $28.4 million, $23.5 million of that is being paid back through an arrangement. That is people getting behind in their rents. This is not surprising because we have low-income households in the main and that was a change that was made in 1999 by the federal Liberal government, embraced with some enthusiasm, I have to say, by state governments.

I think that is a problem. If you look at the old mix, it used to be about 50 per cent category 1 and 50 per cent other categories. Now it is 90 per cent category 1. Of course, debt then becomes an issue because you have the majority of your tenants on very fixed incomes.

Mr TELFER: So then what is the current total value of tenant debt? That is the number I was wondering if you had there.

The Hon. N.D. CHAMPION: The total number of tenant debt is $28.4 million.

Mr TELFER: In the last financial year, how many debt write-offs occurred and what was the value?

The Hon. N.D. CHAMPION: The total number of written-off debt, as of 30 June 2024-25, was $7.3 million.

Mr TELFER: In the last financial year?

The Hon. N.D. CHAMPION: Yes.

Mr TELFER: Looking at the contract management plans and performance and going back to the main document at page 319, the Auditor-General reports delays of up to 196 days in approving contract management plans and delays in assessing contractor performance. Can the minister inform what accountability measures were applied?

The Hon. N.D. CHAMPION: The trust has responded and I think we accept that it is not ideal, but basically further updates are being made to provide reminders in the system to make sure there is closure on the reports within 60 days following the contract and the dates and then those updates are due to be completed by 31 December 2025. Staff training is being strengthened. Requirements are now in the capital construction building procedures to make sure we have consistency and accountability.

Mr TELFER: On page 320, the Auditor-General speaks about areas where IT general controls could be improved, including patch management, user access, management for privileged user access, and the commentary then talks about the 'weaknesses increase the potential for unauthorised access to the Connect system and its data'. What steps are being taken to remediate the issues that those findings speak about, and by what timeframe are those measures estimated to be put in place?

The Hon. N.D. CHAMPION: I think this is not unknown when the Auditor-General looks at agencies. Obviously, access to data is a critical responsibility so the trust are undertaking to constantly review it and make sure the right people are accessing the right files at the right times for the right reasons.

Mr TELFER: That is a really great non-answer there, minister. On page 323, the Auditor-General notes arrangements where community housing providers redevelop trust assets and the trust recognises assets on completion at least equal to the original value. What evaluation is undertaken to measure tenant outcomes and asset utilisation? How is value for money measured in those processes?

The Hon. N.D. CHAMPION: Community housing providers?

Mr TELFER: Yes. On page 323, where it is talking about the community housing providers redeveloping trust assets.

The CHAIR: That was your last question and this will be the last answer.

Mr TELFER: Fleeting moments. We could speak for hours.

The CHAIR: I am sure you could.

The Hon. N.D. CHAMPION: We survey the tenants for tenant satisfaction. It has been an issue of concern, for me in particular, because the drive of commonwealth policy has been to push public housing stock into community housing providers. Then, as part of those arrangements there are some benefits. Tenants can get rent assistance. Councils do not get their rates anymore. It is less popular with Playford council for one, but there are some benefits and that is the direction of federal public policy.

When this was done, in a number of cases there were commitments and undertakings made for restoration of stock. I think I wrote to all of them, or at least if I did not, the then CE of the Housing Trust, David Reynolds, did to just remind all the community housing providers of their obligations and to work with them to make sure that we did that process, and we do monitor it.

The CHAIR: The allotted time having expired, I thank the minister and his advisers and I thank the member for Flinders. We now go to the Minister for Child Protection and the member for Heysen. Start the clock.

Mr TEAGUE: I will start with the financial statements at page 7, table 1.3. Minister, you might also have reference to Part C: Agency audits at page 26. Table 1.3 at page 7 tells us that the

original budget—about halfway across the page—for DCP in 2025 was $8.108 million, with total expenses of $796.002 million, which we see in the expenses table immediately below. The actual income expenses for 2025 were $988.223 million and total expenses were $971.482 million. That is a $188 million variance in income and a $175 million variance in expenses over what was provided in the 2025 budget. My first question is: can the minister provide a more particular line-by-line breakdown of that $175 million variance in expenses for the year?

The Hon. K.A. HILDYARD: Thank you to the member for the question. I first want to point out that also on page 7, which the member referred to, that further detail about expenditure is of course in that table. Also, to provide some further elaboration, particularly in relation to the table broadly and to the commentary on page 26, we have been very determined to progress reform of the child protection and family support system utilising a number of levers. We are seeing results of that reform.

As the Auditor-General points out, we are seeing a significant reduction in the growth of the number of children and young people coming into care. Those levers that we have used to assist with that result include, as the Auditor-General also refers to, our successful Finding Families program, our successful Additionally Approved Carer Program and our investment in family group conferencing. Expenditure is directed to each of those programs and also to our reunification efforts. Those programs are delivering results that are directly showing that reduction in terms of the growth of the number of children and young people coming into care.

What we also find, though, is that, whilst we are reducing the number of children and young people coming into care, the children and young people who are in care have increasingly a range of complexities that we need to respond to. That means that we need to contract particular services to ensure that the complex needs of particular children and young people are absolutely met.

Of course, we cannot not provide those services, as the member would appreciate, but they are complex services to respond to the complex needs of children and young people. We will meet those needs by providing those services, and that means particular expenditure is required. Also, various costs relating to running households are built in to the cost of those services that are provided to care for those children and young people.

We continue to look at how we can ensure we keep providing those quality services. I am very grateful to our non-government partners who help us and who work with us to provide those complex services to children and young people who really need support and who do have complex needs. I am very grateful to them, and we work to make sure that those services are provided. We also continue to expend funds on our reform efforts, including on those programs that I have just mentioned, and I am really pleased that they are showing results.

Mr TEAGUE: The minister has referred to three areas of expense that are not more particularly listed in the expenses table. Therefore, just to be clear, I do not understand the minister's answer to be saying so, but I presume that the examples that the minister has given—Finding Families, the additional money for carers and the family group conferencing—are examples of programs that had budgeted resources but that there were resources in excess of budget in respect of each of those three; is that is that correct?

The Hon. K.A. HILDYARD: There was also an uplift in funding in the most recent budget for some of those programs.

Mr TEAGUE: We are talking, of course, about variance to budget; that is what the Auditor-General is there dealing with. When I asked for a line by line or a particularised breakdown of the variance of expenses of $175 million, the minister at the outset of that answer referred to the expenses table, which does provide some particularisation. Of course, the vast bulk of the variance is the first line of expenses, which is child protection services, and we see there on the far right that the variance is $163,901 million. Can the minister again provide particularity line by line in terms of the breakdown of the variance in the child protection services expenses?

The Hon. K.A. HILDYARD: To make a broad comment, the variance that the member refers to is of course variance in relation to the original budget. I think the member's question is not taking account of the additional income into the department's budget or using that as a comparison. I guess I just wanted to add that to our discussion.

In terms of that question about the first line, in terms of child protection services, as I said, there is reducing growth in the numbers of children and young people coming into care. However, the children and young people who are in care have often extraordinarily complex needs. Sometimes those needs mean that in a particular placement the department needs to contract and fulfil to provide the right and the best possible services to a particular child. It may be that a child requires multiple carers 24 hours a day, particular therapeutic and clinical sorts of interventions and those particular placements, of course, come with a cost. As I said to the member earlier, we will always provide the services. We will provide services that a child needs to meet those complex needs, and of course, again, that costs money and we will need to meet that cost.

We are always looking at those processes and those needs. I know that in April the department established a new commissioning position within the department to continue to look at those processes. I know, of course, it is not a matter for me but I am advised that the department is currently in the process of negotiating particular contracts and of course they will do that in a fulsome way, in a way that is focused on ensuring the best possible support to a child and to ensure that we are expending the funds for that support in the best possible way.

To go back to the substance of the member's question, we have to meet—of course we have to meet, it is right that we meet—the complex needs of children and young people in care and we need to expend funds to meet those needs.

Mr TEAGUE: Just dealing first with the minister's broad comment as I think the minister described it, I thought it might go without saying in that the Auditor-General puts it in a couple of short words: the $175 million variance—the vast bulk of which is comprised of the $163,901,000 of additional to budget expense in child protection services—is funded by additional appropriation. It is an excess to budget and DCP needs to appropriate money. It is money spent in addition to budgeted amount and of course it is appreciated that the source of the funding is from additional appropriation. It has been described numerous different ways: it is an additional burden on the budget; it is a budget blowout. It is a variance in that amount.

The question, and I might put it again to the minister, is can the minister provide any particularisation, a line-by-line breakdown, of what that $163,901,000 is comprised of?

The Hon. K.A. HILDYARD: I note the way that the member has described and provided additional information about appropriation. I will bring the member back to my previous answer, and that is that we are expending funds on our deep reform of the child protection and family support system in ways that are pleasingly making a difference. We are also spending funds, as we absolutely should and must, on caring for those children in care who often have complex needs.

We need to meet the requirements that particular children have. Not every child has the same needs. Each child who comes into contact with the system, and comes into care and requires to live in accommodation away from their family, has particular needs and we have to meet them. So we are constantly engaging services, rightly, to meet those needs.

One of the things that is really pleasing, as we have also been looking at those services and how we are providing them, is that part of our reform has focused on reducing the number of temporary staff who are relied on. On coming to government that number was high, and we are working very hard to reduce that reliance on temporary staff. Our strategies in that regard are also working very well, as are our strategies around reforming the system to ensure that our efforts in intensive family support services, in family group conferencing, in the Additionally Approved Carer Program, and in reunification efforts are delivering results. Those efforts are doing that, and that is why, in relation to some of those programs, we had a further uplift in the most recent budget to ensure that we can continue those programs.

Finding Families is the other one that I wanted to mention, which I am advised has so far, through the efforts of Department for Child Protection staff in partnership with the Aboriginal community controlled organisation Kornar Winmil Yunti, delivered around 140 stable family placements for children and young people who otherwise would have been in residential care.

We are really pleased with the results of those programs. We will continue with those programs, and we will continue to consider how we can best provide the services that will meet the complex needs of children and young people. That is what we need to do and what we must do to

meet those children and young people where they are at with their own unique needs—to respond to those unique needs.

Mr TEAGUE: The minister refers to reliance on temporary agency staff. I wonder if I might turn back more particularly to page 26. We have of course been dealing with the first of the significant events and transactions, but in going up on the page to the audit findings, the final one in those six dash points, the Auditor-General finds that incorrect overtime rates were paid to temporary agency staff. If we have a look at the middle of page 29, a couple of pages on, the Auditor-General observes that those incorrect overtime rates were in favour of the temporary agency staff, in that the Auditor-General observes that there were some overtime payments paid at double-time rates where time-and-a-half rates were applicable. The Auditor-General there further observes, 'We reported similar findings in 2023-24,' so that has continued year on year.

Can the minister advise what the amount of those are and, as it seems to have persisted in terms of those temporary agency staff, what is the minister doing about ensuring that the DCP response this year in terms of new deeds and any other measures are going to be effective?

The Hon. K.A. HILDYARD: I am very happy to provide some information to the member around that question. First of all, can I just say I am really pleased that we have reduced that reliance on temporary staffing and that, since coming to government, I am advised that we have grown the Department for Child Protection workforce by around 230 FTEs, which is really good news.

In terms of the member's question about changes, first of all I will take him back to March 2020 when the original panel deed, I am advised, was signed. That original panel deed was based on the South Australian Public Sector Enterprise Agreement, which triggers overtime after a particular number of hours of work. That meant that some panel providers had applied that rate according to that deed that was signed in 2020 rather than ensuring compliance to the actual relevant award, which is the Social, Community, Home Care and Disability Services Industry Award, which requires that that particular overtime payment is triggered at a different level of hours.

I am advised that the new panel deed that is now in place absolutely sets out that there is a need to ensure compliance to the relevant award—the Social, Community, Home Care and Disability Services Industry Award. So there was that understanding in relation to rates and when particular levels of overtime should be paid based on that earlier deed. Now, I am advised, the new panel deed sets out the need to comply with the relevant industrial instrument which is, as I said, the Social, Community, Home Care and Disability Services Industry Award.

Mr TEAGUE: I just ask the minister again how much money is involved, and is the department recovering that money or is that going to be retained by those temporary workers?

The Hon. K.A. HILDYARD: I have been advised that the issue surrounded an interpretation of the relevant industrial instruments and the relevant panel deeds. Rather than the particular provider overpaying, it was their interpretation of which particular industrial instrument would apply to those wages.

Mr TEAGUE: I am not sure that is an answer. The Auditor-General has found that they were incorrect payments, so is the minister's answer that that all just gets left?

The Hon. K.A. HILDYARD: The deed has been corrected so that it is now in line with the appropriate payment, as the Auditor-General has pointed out needed to be addressed.

Mr TEAGUE: I go back to the financial statements at page 12, table 4.1, child protection services. If we are looking for continuity from the table that we have just been looking at, the expense line on page 7, table 1.3, the total for child protection services is $613.969 million and we see that replicated at page 12 in table 4.1.

Going to the top of that table we see under the heading 'Contracted services' for 2025 the first line item is non-family based care services, which is $377.496 million. We see there a $39 million increase from 2024 to 2025 on non-family based care services, going from $338 million to $377 million. The question is: how many children are currently in non-family based care services and can the minister provide a breakdown by age? What is the average cost of a placement in non-family based care per year and how many children does the $39 million increase represent?

The Hon. K.A. HILDYARD: The Auditor-General's Report also sets this out, but pleasingly we have seen a significant decline in the growth of the number of children and young people coming

into care. As the Auditor-General also pleasingly points out on several occasions in their report, there are around 4,900 children and young people in care and just under 84 per cent of those reside in family based care.

Mr TEAGUE: I am not denying the minister the opportunity to answer the question, so I will just leave those open. I am still at table 4.1. A bit further down, the final line item is carer payments and client-related costs. We see there that carer payments and client-related costs have increased from nearly $142 million to not quite $149 million. How many carers' clients receiving payments does this represent and what proportion of this amount is special-needs loading?

The Hon. K.A. HILDYARD: I am advised there are just under 3,000 family-based carers in our child protection and family support system—family-based carers that I am really grateful to every single day for the love, the care, the stability and the support that they provide to children and young people. Those people are there 24 hours a day, seven days a week for some of the children and young people in our community who most need our love and support, and I am exceptionally grateful to them. I am really pleased with the changes that we have made since coming to government to provide further and better support to those family-based carers.

In the 2023-24 budget we provided an increase in the carer payment, for approved carers caring for children 16 and under, of 4.5 per cent plus an additional $50 per fortnight. We have instituted the flexible respite payment for carers. We have instituted the Carer Council in our most recent legislation, in the significant change we made there. We have strengthened the provisions to ensure that carers' voices are heard. We look forward to our ongoing, deep listening to carers, and continuing our journey with them on our process of reform.

The ACTING CHAIR (Mr Odenwalder): The allotted time having expired, I thank the minister and her advisers. I thank the member for Heysen. I call on the Minister for Emergency Services and Correctional Services. The lead speaker is the member for Chaffey. Where would you like to start, because I understand there are 20 agencies?

Mr WHETSTONE: Maybe we will start with the CFS. Welcome to your first Auditor-General's, minister. I am sure the member for Bragg and I will take it very easy on you. We will start off with the CFS PPC cleaning at page 299, Part C. In both 2023 and 2024 the Auditor-General found PPC cleaning rates were low for the SA CFS, potentially increasing staff and volunteers to exposure of carcinogens. The SA CFS planned measures to address this in both years but compliance remains low. Has the CFS carried out any initiatives in the past two years to address the issues?

The Hon. R.K. PEARCE: Thank you very much for your kind comments, and it is a pleasure to be doing this with you today. I am pleased to share that the CFS is continuing to work collaboratively with the service provider to be able to help strengthen service delivery and build a shared sense of accountability, including enhanced reporting and monitoring frameworks which have been introduced to help support the transparency, responsiveness and continuous improvement in meeting the service commitments.

To help improve on the uptake of commercial cleaning services and increase presentation, the CFS has completed and is working towards establishing a dedicated role to work with the CFS Volunteer Association, regional staff and local courier providers to service remote breathing apparatus brigades that are not covered by the IDS courier routes. There are, of course, some areas that remain challenging, but we are ensuring there are additional PPC sets to be issued as a temporary solution to help ensure operational readiness.

We have completion of phases 1 to 5 of the lock box rollout as well, with larger lock boxes now being issued to help support increased collection volumes. Additional requests for further lock boxes are being accommodated where they are required as well.

We are finalising and communicating with collection locations through a comprehensive list published by the volunteer portal, regional communications, newsletters and RVMC discussions to ensure that volunteers and staff have clear access to the information, because it is as important that they know what is available to them as much as what we are rolling out to the areas to make sure there is optimum uptake and ensure we are continuing to see improvements in that space.

Of course, improved signage for courier access has been underway as well, in particular with these lock boxes, to help address issues such as missed collections and the like. We want to make

sure this is not only safe but also as efficient as it can possibly be for all involved. We will continue to work closely with IDS regional teams and volunteers to help strengthen trust in the service, highlighting the successes and addressing issues constructively.

Mr WHETSTONE: Given the result has remained the same for the last three reports, when will we see some of these expected results? You just talked about it, but when will we see some tangible results?

The Hon. R.K. PEARCE: I am really pleased to share that we are already seeing improvements. These are components that have been rolled out as a result of the last report that has come through. It goes to show that the initiatives being put in place are being received well and are having an impact in local communities.

Mr WHETSTONE: In 2023-24 the Auditor-General found that the SA CFS could not provide evidence that it was managing some key clauses of its PPC cleaning contracts. This year the CFS was still unable to confirm and provide evidence for a number of requirements. Can you confirm that all supply standards and performance requirements in the CFS PPC cleaning contracts are being met?

The Hon. R.K. PEARCE: I am able to advise that we are close to full compliance, which is really promising to see. There have been significant improvements since previous reports we have seen come to this place, and this has come about due to the findings and recommendations that have been made.

I would like to advise that there is a new state manager for IDS as well, and the conversations, communications and processes that have been put in place as a result have been very promising. We are also now pairing with the new IDS app to help make the cleaning and decontamination process simpler and more efficient for volunteers.

It is something we are seeing a lot of improvements in, and we are continuing to work to improve in that space. As I said, logistics can be difficult depending where you are, but we are not shying away from that challenge and are doing what we can to build and improve in that space to keep our volunteers safe.

Mr WHETSTONE: How frequently are contract management meetings occurring? Can you give me an understanding as to why the CFS was unable to provide evidence that they had occurred?

The Hon. R.K. PEARCE: I might have to take that one on notice to get you a more comprehensive answer to that question. I can confirm, I am being advised, that they are meeting regularly, but in terms of the specifics about what was and was not in the report I can bring that back to you.

Mr WHETSTONE: Moving on to page 300, Part C, in the last two financial years the Auditor-General found that 226 SES fleet assets had not been serviced, 40 per cent of them being high-risk assets, and 30 per cent of them had no record of ever being serviced. Minister, will you commit to ensuring these vehicles are serviced and when? Sorry, we are moving to the SES.

The Hon. R.K. PEARCE: This is another area that I am pleased to share that we have had significant improvements in. Originally, it was looking at about 68 fleet assets. That is down now to approximately 30. A lot of those are trailers that are being decommissioned and we have been putting others in place that are to a higher standard.

Mr WHETSTONE: Minister, are you aware of, or have there been, any reported incidents involving SES fleet assets within the last 24 months?

The Hon. R.K. PEARCE: Thank you very much for the question. I understand that from time to time there can be minor incidents that occur that are not attributable to the condition of the trailer. As you can understand, being on the road sometimes that can occur. There was a minor incident that happened, I understand, on Kangaroo Island. It was minor in the sense that no injuries occurred in that particular case.

Mr WHETSTONE: In the last four Auditor-General Reports, he has reported that the emergency service sector should develop strategic asset management plans. In this year's report, he found that limited progress had been made on these plans. What is the current status of those plans and when are they expected to be completed?

The Hon. R.K. PEARCE: In regard to the SES, a detailed review and data analysis has been underway in terms of the fleets that we have in place and we continue to update those figures. We do have an ongoing audit and targeted action plan to help address the gaps as we see fit as well and there are also enhancements planned to Emerald, which is the SES data recording system, which will include automated notifications for servicing and also maintenance deadlines, reminders to ensure timely documentation, and also the escalation points to address overdue or missing records. Essentially, they aim to further improve the document recording and data analysis capabilities that we see.

I understand the finalisation of capability equipment lists within the SES has been a really key step. They have provided a real solid foundation for developing a formal procedure for the regular inspection of stowage kit assets.

In the longer term, these specifications will assist to inform requirements for an asset management system, considering both the record management needs and also the ease of use for the users as well, which is equally important.

Mr WHETSTONE: At page 301, Part C, previously the CFS regions were unable to provide evidence of trailers and plant equipment being serviced within the requirements. What is the status of the CFS's minimum service requirement procedure and when will it be completed?

The Hon. R.K. PEARCE: I am really pleased to share that we have seen some significant improvements in this space in 2025 in being able to implement, develop and embed improved asset management practices across operational and administrative areas. These are helping to enhance the accountability, the data quality and consistency across statewide operations.

The implementation and coordination of asset management practices take time to become fully embedded, as we can all appreciate, but these processes are being progressively integrated into standard operational practices and also the organisational culture to help ensure long-term sustainability and continuous improvement.

In response to the audit findings, CFS has strengthened asset management governance by updating key guidelines and establishing a structured framework for vehicle and facility fault reporting. A QR code-based reporting system has been rolled out across all regions, linking directly to a centralised database for job allocation to approved and onboard contractors as well.

In addition, the CFS has enhanced its asset management system, Hardcat, by incorporating company compliance data, supplier qualification records and personnel competency information to help ensure that only verified and compliant contractors can be issued work orders.

Mr WHETSTONE: Minister, are you concerned that there seems to be a trend of lack of maintenance programs with the equipment that is used for emergency response? It appears that this has happened over two and three years. I know you are a new minister but I would like to hear some commentary from you about changing the culture of equipment that has systematically been overlooked for servicing, particularly when it has been used to roll out into an emergency situation.

The Hon. R.K. PEARCE: I thank the member for his question. As the minister, I am incredibly honoured to have this position and I am certainly doing all that I can to ensure that our emergency services feel supported and safe to do the important work that they do. As has been highlighted, there has been a lot of progress in recent years in regard to systems in place to ensure that we do have the best on the ground for these amazing people. I am really proud that we have a really diverse state here in South Australia, each with different needs depending on where you are.

I have been out where we have been rolling out the quick response vehicles in certain components. I have been out on the ground to understand our aerial firefighting fleet as well as all the different appliances that we have on the ground for our SES, our CFS and our MFS, and understanding what their particular needs are, depending on where they are and what they need on each of those appliances.

I am really pleased that we are doing what we can to improve our tracking and maintenance, and I certainly want to help ensure that they feel as supported as they possibly can. That also includes what we have behind the scenes in terms of our tracking and our data keeping. I do know that our facility-tracking QR digital form has been a pivotal player in this role. I will continue to be working very closely with emergency services personnel to ensure that they feel that they have the

backing to do what they need to do to keep all of our communities safe, no matter where they are and no matter what they need to use.

Mr WHETSTONE: I am moving on to rec and sport now. I refer to the Racing Industry Fund financial statement on page 12. Grants for the Racing Industry Fund fell from $16.8 million to $12.3 million. Can you give me an understanding of why there was a cut and what codes have been affected?

The Hon. R.K. PEARCE: With regard to how the funding in this space works, it is a hypothecated tax, which means it is accumulated out of the net gaming revenue, which means if there are more people placing bets and putting money through the system in that sense you will have more, and if there are fewer there is less. That then is distributed out across the different market codes within the sector. If it is going up, it is going up and it is distributed and, likewise, if it is going down as well. That is essentially how they are determined.

Mr WHETSTONE: Given the volatility of the Racing Industry Fund, how is the minister giving the racing industry a predictable funding profile for 2026 and beyond?

The Hon. R.K. PEARCE: I have just explained how the money is accumulated, so it might be more of a question for Treasury. Ultimately, there is an agreeance on the percentages that are provided out to each of the codes, and that goes over a four-year period.

Mr WHETSTONE: The office transferred $20.5 million to the Consolidated Account in 2025. Why was the money not retained for rec, sport and racing purposes?

The Hon. R.K. PEARCE: I have been advised that this is a Treasury process and it is a cash alignment in that regard.

Mr WHETSTONE: Sorry, can you repeat that please?

The Hon. R.K. PEARCE: Essentially, what you are referring to is a Treasury process, so it goes in regard to the cash alignment policy.

The CHAIR: Are there any more questions?

Mr BATTY: No. The time being 5.30, I understand the member for Unley has a bit to say, so we are happy to stop there.

The CHAIR: I thank the minister and the members for their questions. The committee has further considered the Auditor-General's Report 2024-25 and completed its examination of ministers on matters contained therein.

Members

VALEDICTORY

The Hon. D.G. PISONI (Unley) (17:31): I seek your indulgence, sir.

Leave granted.

The Hon. D.G. PISONI: On 3 May 2006, just a couple of weeks after my 43rd birthday, I stood in this place, elected as the new member for Unley. It was only this year that I learned that I was in fact allocated number 679, the 679th person to join the South Australian House of Assembly in its history. That number is a stark reminder of just how privileged we all are to serve the people of South Australia in this place.

During my first speech, I spoke of my difficult experience as a 16 year old in obtaining an apprenticeship: 100 job applications and 50 letters of rejection across a variety of trades, finally landing an apprenticeship with a family firm. I did not know it at the time, but this opportunity was the key to my professional career. Although today I reflect on my 20 years in this place, I will always be grateful to the people of Unley in particular who were prepared to hand over deposits to order bespoke furniture based on a hand drawing and a handshake with an unknown 21 year old from Salisbury starting their own business in Unley.

Then, 22 years later, once again my local community were prepared to give me a go, this time representing them in the South Australian parliament. Without their support over the past 40-odd years, I would not have had the opportunities of self-employment and public service. The biggest

debates in this place are not about what we believe in; we all believe in mainly the same things. We all want the best schools, the best hospitals, safe communities, reliable public transport and accessible economic and social opportunities. Debate is about how to achieve those public outcomes in our community. That is the politics.

My biggest personal reward in business and in politics has been making a difference for others. I am proud that during my 22 years of running my business I trained 20 apprentices who went on to use their trades, enterprise and work ethic in successful bigger careers as they moved on from Eureka Furniture. Starting my own business at age 21 locked me in to a strong belief that the private and free enterprise system delivers Australians with one of the highest standards of living in the world and is the fairest and most accessible economic system we know. It may not be perfect, but it is the best system there is for delivering opportunity for everyday citizens.

Getting a start in your own business can be difficult, but sometimes the bigger barrier is not understanding that the opportunity is there for you. In my early years in business, I was amazed at how generous those much older, more successful and more experienced were. They were happy to give me, a newbie, a go, offer advice and recommend my business to others. To many of you who gave me your advice and support, I thank you.

For seven years I was the shadow minister for training and further education. I was a regular attendee at apprenticeship graduation events and often the only member of parliament attending. I used the opportunity to build relationships with those doing the heavy lifting in skills training, the non-government RTOs and GTOs.

I was then fortunate to serve as the Minister for Innovation and Skills, in the first Liberal government in South Australia in 16 years, where I was able to use my hands-on experience to try a more practical approach to increasing South Australia's skilled workforce by lifting the status of trades and working directly with employers and training organisations to remove barriers and enhance opportunities. In just four years some 3,300 mainly small business employers, with the support of the Marshall government-funded bespoke programs, hired an apprentice for the first time. I seek leave to have statistical tables inserted in *Hansard*.

Leave granted.

State/Territory	Growth in In-training Apprentices & Trainees (2018—2022) (%)
South Australia	71.7
Queensland	48.7
Tasmania	45.8
Western Australia	38.9
Victoria	34.9
New South Wales	33.0
Northern Territory	23.3
Australian Capital Territory	7.0

Figures represent the percentage change in the number of in-training apprentices and trainees between the March quarter of 2018 and the March quarter of 2022.

In-training time series—quarterly (as at end of quarter)

	As at end of March					% change	
State/territory	2021 Mar Qtr	2022 Mar Qtr	2023 Mar Qtr	2024 Mar Qtr	2025 Mar Qtr	2021-2025	2024-2025
New South Wales	105 015	121 075	114 710	103 625	94 735	-9.8	-8.6
Victoria	72 240	84 665	80 730	73 820	67 255	-6.9	-8.9
Queensland	71 455	94 580	92 850	84 905	78 935	10.5	-7.0
South Australia	22 635	28 950	28 140	24 305	23 305	3.0	-4.1
Western Australia	36 600	46 110	45 090	42 145	39 890	9.0	-5.4
Tasmania	10 545	12 600	11 815	10 515	8 955	-15.1	-14.8
Northern Territory	3 645	3 740	3 610	3 605	3 395	-6.8	-5.8
Australian Capital Territory	7 495	7 600	6 525	5 330	4 355	-41.9	-18.3

	As at end of March					% change	
State/territory	2021 Mar Qtr	2022 Mar Qtr	2023 Mar Qtr	2024 Mar Qtr	2025 Mar Qtr	2021-2025	2024-2025
Total	329 630	399 320	383 465	348 250	320 830	-2.7	-7.9

Commencements time series—12 month series (12 months ending 31 March)

	12 months ending 31 March					% change	
State/territory	2021	2022	2023	2024	2025	2021-2025	2024-2025
Now South Wales	57 455	65 295	55 675	45 110	42 255	-26.5	-6.3
Victoria	37 985	51 575	43 655	33660	26 735	-29.6	-20.6
Queensland	45 395	68 000	SI 530	43 685	40 900	-9.9	-6.4
South Australia	12 630	17 820	12 970	9 040	9 225	-27.0	2.1
Western Australia	22 845	30 720	24 570	20 105	17 860	-21.8	-11.2
Tasmania	6 020	8 410	6 255	5150	4 455	-26.0	-13.5
Northern Territory	2 335	2 285	2 130	2 035	2 210	-5.3	8.6
Australian Capital Territory	4 910	4 920	3 850	3 215	2 775	-43.5	-13.7
Total	189 575	249 025	203 640	162 000	146 415	-22.8	-9.6

Source: National Centre for Vocational Education Research (NCVER), 'In-training time series—quarterly,' March 2022.

The Hon. D.G. PISONI: Before coming to government, South Australia experienced a 66 per cent decline in apprenticeship and traineeship commencements over six years. In just a single term, the Marshall Liberal government turned that around and delivered the highest growth for apprentices and trainees in training in the country—a 71.7 per cent growth. This took South Australia's national share of apprentices and trainees from 5.7 per cent in 2018 to 7 per cent in 2022, reflecting the strongest growth in the nation.

It is disappointing to see that South Australia's in-training figures have steadily decreased each year since the Marshall government's peak of March 2020 and, unfortunately, the NCVER figures show that they will not improve anytime soon, with the latest figures showing commencements falling from a peak of 17,820 in March 2022 to just 9,225 in March this year.

Free enterprise is the driver of innovation. However, a government does have a role in backing innovation and enterprise, especially ensuring that the fiscal and regulatory environment is right whether it be science, technology, manufacturing or enterprise. This is what generates skilled, well-paid jobs and better opportunities for each new generation and tax revenue to deliver government services.

I was pleased to serve a startup innovation and science sector and work alongside Premier Steven Marshall with the establishment of Lot Fourteen at the former Royal Adelaide Hospital site on North Terrace. The Weatherill government's plan for this site was a residential luxury apartment complex, which would be there now had there not been a change of government in 2018. Lot Fourteen and industries behind it have changed this state and its economy for the better forever.

I completed a four-year apprenticeship to become a cabinet-maker but it was an 11-year apprenticeship as a shadow minister before I became a cabinet minister. Just like a trade apprentice, as a shadow minister you are almost always playing second fiddle but it is so important to remember you are still in the orchestra. I found I could be heard if I turned up the volume, which I often did. We hear and we all agree when people say good government needs good opposition and, although we often hear from our constituents that they wish we all got together to get things done, it is the adversarial nature of parliamentary democracy and a free, independent media that keeps our system transparent and honest, encourages public participation and promotes policy alternatives. I believe this system has served Australia well.

I am often asked, 'How can you make change from opposition?' I reflect on some of my experiences as the shadow minister forcing transparency and delivering policy alternatives. I took on the role of shadow education minister just as the government was rolling out a plan to build a series of superschools, one of which was to be a new school, built at Gepps Cross, for children living in Prospect due to Adelaide High School's overcapacity. It wasn't long before my office was receiving

calls from families who simply did not like that idea. A movement was formed. I worked with those families to develop and announce an alternative policy for Prospect parents to build a second city high school on the soon to be developed Bowden site. The government was late to respond and offered extensions to Adelaide High School, Glenunga and Marryatville high schools instead.

The education minister was the member for Adelaide who held that seat with a margin of 10 per cent. With the second city high school policy proving popular across the City of Adelaide it was an unexpected win for the Liberal Party at the 2010 election with a 15 per cent swing. Four years later, the Liberal Party again promised a second city high school. This time the government matched the promise, formed minority government and, after nearly a decade of debate, Adelaide now has two city high schools.

In 2012, I received correspondence from a concerned member of a western suburbs primary school governing council where a seven year old had been raped by an out-of-school-hours care director. The rapist had been convicted, and this was reported on the ABC, yet the school governing council were told by the Department for Education that the school community must not be told.

My question in parliament about this allegation led to a series of events, including the police issuing a media statement within an hour, contradicting the minister's answer to my question, and the then Premier, who was the education minister at the time of the rape, denying ever being told of the rape, despite an email trail to his office. It was a big story.

More reports of child sex abuse in schools around the state and of inappropriate department responses and cover-ups were coming to my office as parents wanted to share their own stories in the media to achieve the justice that they had been denied. The education minister at the time was soon moved on. Exposing the department's handling of the western suburbs school rape led to the Debelle royal commission, which in turn saw dramatic and lasting changes to school safety protocols and incident reporting in all government schools. Mark Christopher Harvey, convicted of the rape, was subsequently charged with more student rapes after additional families, whose children had used the out-of-school-hours care program, came forward in response to publicity that was generated.

It was a tough time, exposing a major departmental and political cover-up and hearing horrific and tragic stories from victims' families of incompetence and inappropriate responses by the department when parents had reported sexual abuse of their child at school. I even received concerns notices from known Labor law firms on behalf of Premier Jay Weatherill and education minister Grace Portolesi, designed to try to dull my pursuit of justice for the victims, which was embarrassing the Weatherill government. Of course, when challenged, those threats went nowhere. They were simply designed to try to silence me.

In 2014, the Liberal Party announced a policy for bringing South Australia in line with every other state and territory in Australia by transitioning grade 7 into high school, thereby introducing grade 7 students to specialist maths, science and humanities teachers in South Australia for the first time. The policy was opposed by the Labor Party and the Australian Education Union. The Liberal Party put the policy forward again in 2018, which it won.

Western Australia and Queensland had made the change several years earlier, but in those states the move had bipartisan support. The process was started by Labor governments and completed by Liberal governments in both states over eight years. Here in South Australia, the grade 7 transition, the biggest reform to education in South Australia in a generation, involved a massive building and upgrade program. It was delivered by Marshall government Minister for Education John Gardner and his department in just four years, without a hiccup. This was despite a two-year worldwide pandemic and opposition from the Labor Party and the Education Union. Until 2022, South Australia was the only state to teach grade 7 in primary school.

My shift to being shadow transport and infrastructure minister in 2016 provided new opportunities. I was pleased to have developed the policy for the building of an overpass for traffic entering Port Wakefield Road from Yorke Peninsula—a long overdue regional project and delivered by the Marshall government.

Conducting local school tours has been most enjoyable, sharing the history of not just the South Australian parliament but of the Westminster system more broadly and how, over centuries, it has evolved into the civil democracy we enjoy today. The Australian system of parliamentary

democracy is a stand-out when it comes to accessibility. Participation is achievable, regardless of your status at any level, whether that be engaging with your local MP, joining a political party or making a run for parliament yourself. You do not need personal wealth, social status or family connections; you just need a strong work ethic and good community support.

This building is itself a monument to how accessible democracy is in South Australia. Built in two halves, 50 years apart, premiers of South Australia Tom Price (1905) and Frank Walsh (1965) both worked on it as stonemasons, constructing the very building that they would later govern the state from.

Former test cricketer and former Speaker Gil Langley, an electrician by trade, held the seat of Unley for more than 20 years. I am told he had a screwdriver in his pocket when he was doorknocking so he could make minor electrical repairs on request. Although, as a cabinet-maker by trade, when knocking on doors my skills were not quite as portable, I was often invited to inspect, in situ, a piece of furniture that I had made years earlier. And I know that on the campaign trail, Rosalie Rotolo is enjoying sharing culinary advice when she encounters her former customers in shopping centres and out doorknocking. I found that connecting, not just through politics but also through real-life experience, is so important. Members with broad experience, shared aspirations and experience collectively make a truly representative parliament.

Politics is a real test of your own values. In my 20 years in professional politics, as in life, the true test of character is not how far you are willing to go to advance oneself, but how steadfastly you stand by your values, your team and the people who support and place their trust in you. We have seen examples in South Australian politics where individuals have chosen an easier path—abandoning their party, their colleagues and their principles they once claimed to uphold for personal gain. That path might deliver a short-term position or a headline, but it comes at the cost of integrity, credibility and respect. Real leadership, on the other hand, is not found in opportunistic deals or convenient alliances; it is found in those who stay the course, who work hard within their team, who debate honestly, who are loyal team players, who earn the respect of their peers and who understand that trust, once broken, is almost impossible to rebuild.

Achieving your goals through loyalty, consistency and conviction may sometimes be a little more testing but it builds something far more enduring: genuine respect, unity of purpose and a legacy of integrity. In the end, it is easy to change sides to suit yourself; it is far more difficult and far more noble to stand firm in what you believe in and bring others with you—not by betrayal, but by example.

In closing, it was the Liberal Party that ensured that Australians themselves were directly heard on the question of marriage equality and I will admit that, at the time, I was unsure whether a plebiscite was the right mechanism. I was pleased with the overwhelming public vote in favour. In hindsight, the result delivered something profound: it took marriage equality out of the culture wars. This issue was settled directly by the people, not politicians, and because of that it has not re-emerged as a divisive campaign toward election time.

After stagnation of social progressive reform during my first 12 years in this place, I am proud of what this parliament has achieved over the past eight years. We have removed pregnancy termination from the criminal code, we have legalised voluntary assisted dying, we have abolished the hateful gay panic defence, we have curtailed coercive control and limited so-called conversion therapy, but there is still much more to do. The fight for equality, particularly for women, remains unfinished.

Gains that were hard-won since South Australia became the first place in the world where women could run for parliament are now being eroded from the extremes at the left and the right of the political spectrum. We continue to see attempts to restrict women's reproductive autonomy and, at the same time, policies that confuse the protection of women's rights with the removal of women-only spaces. Fair rights for one must not compromise the fair rights for another. Even today, in 2025, there are still those in this chamber who claim that domestic violence is a private matter. Disturbingly, their comments go unchallenged. That alone shows we still have a lot more work to do.

We must also confront the uncomfortable truth that discrimination and violence against women too often hide behind the shield of culture or faith. Practices such as forced and underage marriage, female genital mutilation, the denial of education of girls, the exclusion of women from

religious leadership, the expectation of female submission in marriage are not traditions to be respected, they are injustices to be dismantled.

Many see freedom of religion as the cornerstone of our democracy, but it cannot be a free pass for the oppression of others. Religious and cultural traditions must never override the fundamental human right to equality. Faith may have its place in the heart, in the home and in the community, but it must have no place in the making of our laws and no place in this parliament when it seeks to deny others' rights and freedoms.

Before I sign off, thank you to my wife—she has been our family's rock, our champion and our safe place. She has been my chief adviser, my critic and my sounding board. To my children: thank you for your support and understanding.

Thank you to my long-suffering office staff, especially my long-suffering adviser and Chief of Staff when I was minister, Grant Ker, whose advice and guidance was instrumental in my success in this place, and whose advice has often saved me from myself. I also thank Kim Meier, my skills adviser when I was minister (and the real Opposition Whip), whose competence and intelligence lifts the entire team.

To those Liberal members and supporters in Unley and beyond who have been on this ride with me from the beginning, and those who have joined along the way, I thank you. To my parliamentary colleagues, friends, foes, thank you for the sport. And to those of you who are at the start of your political careers, I wish you well for the state for which you will deliver and for the future you will make. Thank you, Mr Speaker.

The Hon. J.A.W. GARDNER (Morialta) (17:50): On indulgence, sir. Thank you, David, for what you have just shared with us, and I think that nobody really knew what to expect when you rose to your feet this afternoon. I speak for everyone, I am certain, when I say that we were really impressed—and a touch relieved.

David, for seven years I know you have been waiting to use the expression 'from cabinet-maker to cabinet minister' and you nailed it. You have been a fierce competitor. You were instrumental in the performance of the Marshall opposition and our route to government in 2018. The respect in which you are held by many people in the business community, many people in politics and the media, and perhaps no more than in the skills and training sector of our economy, is something that will be with you for the remainder of your years.

While you have been an extraordinarily vigorous participant in the political system, you have always been committed to your values, you have been compassionate for the vulnerable in our community and you have been fearless in standing up to conventional wisdom and on behalf of those who have needed your advocacy. It has always been impressive to me. You have always stood for fairness, you have stood for justice, you have stood for people's rights, and perhaps a right that none of us had appreciated prior to meeting you, the right to one's opinion. The key to that is that you have always been unafraid to offer your opinion.

We used to have a rule over the years when Steven Marshall was chairing meetings that David Pisoni was always, always, always worth listening to. It was essential to listen to every idea that David Pisoni had. Admittedly, two out of three ideas were crackers, but the third was always a pearl and you had to listen to them all to make sure you picked the good one.

So thank you for your service to the parliament and thank you for your friendship. From Trudi and myself most sincerely to you and your beautiful wife, Michelle, and to your wonderful children, thank you very much.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (17:52): On indulgence, sir. I think it is fair to say we have not always agreed with the member for Unley, but I do make this observation: in the time he was a shadow minister—and I do not want to disparage his colleagues—he was without a doubt the hardest working shadow minister I have ever seen in my life. He was up before everyone else, he was on the radio, he was at events, he was at a crash at an intersection, or a bus that had broken down, or a burst water main—he was there. He was a workhorse for the Liberal Party. He wears his heart on his sleeve and he is passionate about his team and he is passionate about what he believes in. I always felt that he was a very, very good performer, a very good performer.

Now I am biased because he is of European descent and I have a bit of a soft spot for those of us from Southern Europe, but nevertheless he worked hard, and he can leave this place and hold his head up high amongst his colleagues that he did work hard, he did put his shoulder to the wheel, he did fight for his cause. He never gave up his faith in what he believed in. I do not think it always potentially helped him, it caused some criticism, but he always stuck by what he believed in.

He and I believe in very different things and, in hearing his remarks, I can see the differences. But what I can see in there is a man of conviction, and the hardest thing about being in this place is hanging on to those convictions. I think it is fair to say that the David Pisoni who came into this parliament and the one who is leaving has the same convictions if not stronger, and for that he is a credit to his family and his parents.

His parents made a big sacrifice to come to this country, and he has worked hard and he has returned to them the favour of succeeding and assimilating and doing a wonderful thing for the Australian community, and that is serving. For that service I thank you, and I think you have done an exceptional job, and I wish you well in what comes next.

The Hon. V.A. TARZIA (Hartley—Leader of the Opposition) (17:55): On indulgence, I, too, would like to wish the member for Unley all the very best in the next part of his journey. I think from the workshop to the parliament, as has been pointed out by several colleagues, David Pisoni certainly has not forgotten where he has come from. I think in one word I would describe one of his values and one aspect that he has shown in spades is grit. The member for Unley has grit.

He is always available for free advice, sometimes at 6 o'clock in the morning—which I am very grateful for as the Leader of the Opposition. He has served his community of Unley with distinction, and I acknowledge the distinguished guests who are with us today, but also the Liberal Party and the state. I can remember the night in 2018 when we were triumphant. I can remember the member for Unley and other members who were just so relieved and happy to have formed government. I acknowledge the hard work, determination and perseverance of people like the member for Unley and how hard they had to work, and the hurdles they had to overcome election after election after election, just to get to that point. Of course, he was instrumental in that.

He is a hardworking member of the opposition and his ministerial advocacy and achievements are there for everybody to witness, and I think the next member for Unley has big shoes to fill, but I know that she will do an exceptional job. David, we do sincerely appreciate all your work for the party and the community and the state, and we wish you, Michelle and your family all the very best for the future.

The SPEAKER (17:56): Thank you for those words, on indulgence, and I would like to add my best wishes to the member for Unley and thank him for his service to the parliament and to the people of Unley who he has represented so well for 20 years, and also to the portfolio areas he represented as a shadow minister and as a minister. Congratulations and, as the Leader of Government Business said, you can hold your head high for 20 years well served in this place.

Bills

WAITE TRUST (ACTIVITIES ON AND USE OF CERTAIN TRUST LAND) BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Mr PEDERICK (Hammond) (17:57): I want to make a brief contribution regarding this bill, noting that I am an old scholar of Urrbrae Agricultural High School, along with my brother, and some of my cousins from multi-generations—it is a great school.

I note in the past the vision of Peter Waite in 1913 to have a place of agricultural science at the Waite Institute and also a place of agricultural learning. It is my one wish in these very brief comments that we will see an outcome that not only gives benefits to the Sturt Football Club in what this Waite Trust bill is doing but also enriches the education experience at Urrbrae Agricultural High School. It was a school that I greatly enjoyed attending at the age of 15 and 16 when I was there.

I did not enjoy Adelaide that much, and I am still not that much in love with Adelaide, being a country boy, but it was a great school and still is a great school. I just hope that through the committee stage we can find how this enhances the education experience and is an opportunity for

the Sturt Football Club and others to work together in an appropriate way regarding these changes to the Waite Trust.

Sitting suspended from 17:59 to 19:30.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (19:30): I thank members for their contributions on this important piece of legislation. I understand it will be a hybrid bill. Having served on a number of hybrid bill committees of the parliament before, it certainly adds to your CV on the parliament website being a member of one. That is probably the most important thing to be said about hybrid committees. I am sure this hybrid committee will serve the parliament well and I look forward to its deliberations.

Bill read a second time.

The DEPUTY SPEAKER (19:31): The Waite Trust (Activities on and Use of Certain Trust Land) Bill affects the interests of a local body; namely, the charitable trust referred to as the Waite Trust. The Waite Trust land was transferred to the government in 1914 as a gift with the objective to:

…advance the cause of education and, more especially, to promote the teaching and study of Agriculture and Forestry and allied subjects.

This bill will amend the terms of the Waite Trust to enable the upgrade of the Urrbrae Agricultural High School oval and supporting facilities by the Sturt Football Club and the establishment of a long-term shared use agreement between the Minister for Education, Training and Skills and the Sturt Football Club to make use of these facilities at specified times outside of school hours.

The purpose of this bill is to vary the terms of the trust for a purpose that is different to that envisaged when the land was transferred by the installation and construction of certain facilities and amenities, by or on behalf of the Sturt Football Club, on a portion of the Waite land comprising the site of the school oval and surrounding areas. As such, the interests of the local body are affected.

As such, the bill meets the criteria of a hybrid bill as defined by the joint standing orders (private bills) No. 2 because in accordance with the precedents established by the house in the application of the joint standing orders, the bill has been introduced by the government, the Waite Trust is a 'local body' and the bill does not promote the interests of local bodies generally. Therefore, based on precedents, I rule this bill to be a hybrid bill.

Referred to Select Committee

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (19:32): I move:

That the bill be referred to a select committee pursuant to joint standing order (private bills) No. 2.

Motion carried.

The Hon. C.J. PICTON: I move:

That a committee be appointed consisting of Ms Clancy, Ms Hutchesson, Hon. D.G. Pisoni, Mr Whetstone and the Minister for Education, Training and Skills.

Motion carried.

The Hon. C.J. PICTON: I move:

That the committee have power to send for persons, papers and records, to adjourn from place to place and to report tomorrow.

Motion carried.

EDUCATION AND CHILDREN'S SERVICES (INCLUSIVE EDUCATION) AMENDMENT BILL

Final Stages

Consideration in committee of the Legislative Council's amendment.

(Continued from 30 October 2025.)

The Hon. C.J. PICTON: I move:

That the Legislative Council's amendment be agreed to.

Motion carried.

The Hon. C.J. PICTON: Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

FINES ENFORCEMENT AND DEBT RECOVERY (MISCELLANEOUS) AMENDMENT BILL

Final Stages

Consideration in committee of the Legislative Council's amendment.

(Continued from 30 October 2025.)

The Hon. A. KOUTSANTONIS: I move:

That the Legislative Council's amendment be agreed to.

Mr TELFER: I have a contribution on this one, sir. Thank you to the government for supporting this amendment. This is one on which there was a bit of ambiguity. The former Treasurer and I had some good discussion about it in the committee stage when this bill was last here. I appreciate the government providing that clarification by supporting this amendment.

Motion carried.

HELP TO BUY (COMMONWEALTH POWERS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 October 2025.)

Mr DIGHTON (Black) (19:40): I rise to speak on the Help to Buy legislation. I want to provide a brief discussion about the bill and then talk a little bit about some of the reasons why these sorts of schemes are really important. In late 2024, the federal government passed legislation providing for the commonwealth's Help to Buy assistance scheme. Under the scheme, the commonwealth will provide eligible applicants shared equity contribution up to 30 per cent of the purchase price for an existing home or 40 per cent for a new home.

The Help to Buy scheme is scheduled to commence during 2025-26 and is expected to operate for four years. It will be administered by Housing Australia on behalf of the commonwealth. A total of 40,000 Help to Buy places over four years will be available nationally, with each participating jurisdiction entitled to at least its population's share of available places, which means in South Australia 2,700 places will be allocated to applicants. The legislation adopts the commonwealth's Help to Buy Act, which is a prerequisite for a state wanting to be involved.

The bill adopts specified provisions of the commonwealth Help to Buy Act and refers matters relating to the operation of Help to Buy to the commonwealth parliament, pursuant to the constitution. The bill includes a safeguard allowing the state to terminate this referral at any time. It also includes amendments to relevant tax and homebuyer assistance schemes to ensure that Help to Buy participants are treated the same as other homebuyers when determining their liability for applicable state taxes and that they can access the same state-based support, such as the first-home buyer grant.

The participation in Help to Buy would not preclude South Australia from implementing other state-based assistance schemes in the future or its existing HomeStart support scheme, so it will operate alongside HomeStart. I want to talk a bit about HomeStart. Since its inception, it has helped over 83,000 South Australians into home ownership. It targets those who might not necessarily qualify for traditional loans, including single-income households and younger buyers. The program is especially relevant given our current very tight housing market, low rental vacancy rates and rising property prices.

In 2023-24, 19,000 loans to first-home buyers were issued, and almost two-thirds of the customers were first-home buyers. Actually, just this week, I spoke to a constituent, a Hallett Cove resident, who was using the HomeStart scheme to purchase his first house. He spoke about how it was his only way to get into the housing market. He talked about the significant challenges that he faces, being 25 and trying to buy his first house.

We know that housing affordability is a major challenge. Property prices have risen much faster than wages, making saving for a deposit much harder. Traditional lending requirements, such as mortgage insurance and banks often requiring 20 per cent deposits, are also an impediment to people entering the housing market. Of course, we know that renters are struggling to pay their rent and to actually be able to rent houses. So we have high rents and low vacancy rates, which also makes saving for a deposit really impossible.

That is why schemes like HomeStart and the commonwealth's Help to Buy provide solutions: low-deposit options, no mortgage insurance and shared equity models to reduce mortgage size and repayments. These schemes target people who are often excluded from traditional finance, such as single-income households, young buyers and low to moderate earners.

It supports individuals with financial security and home ownership. It stimulates construction and jobs, reduces long-term inequality and supports community stability. These programs, such as HomeStart, such as this scheme, are going to bridge the gap between rising household costs and stagnant wages and give Australians a fair chance at owning a home. I commend the bill to the house.

Mr TELFER (Flinders) (19:45): I rise on behalf of the opposition to indicate our support for this bill. This is fairly straightforward, basic, enabling legislation to ensure that, by my understanding, there is not the capacity for cross-jurisdiction incentive programs to be double-dipped by those who are opting in. I understand that there is only one other state government that has not yet agreed to this. All others have. I indicate the opposition's support for what is seemingly pretty straightforward enabling infrastructure.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (19:45): I thank the members for their contributions. This is an enabling piece of legislation to allow the commonwealth government to deliver its program of improving the housing crisis, and I commend the bill to the house.

Bill read a second time.

Third Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (19:47): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (ENERGY AND MINING REFORMS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 October 2025.)

Mr PATTERSON (Morphett) (19:47): I take the opportunity today to speak about the Statutes Amendment (Energy and Mining Reforms) Bill. This bill makes changes to a number of acts: the Energy Resources Act 2000, the Hydrogen and Renewable Energy Act 2023 and the Mining Act 1971. When I look through the changes a number of them are replicated in each of those acts but only to do with change of control for licence holders around forfeiture and transfer of licences that those go through, all three, but then the Mining Act also makes some important changes to how exploration licences are dealt with.

I would like to thank the department for providing the briefing. They went through the main aspects of each of those bills and what the amendments are seeking to do and, through that, trying to give consistency across those acts. I am using the learnings over the decades—you see those acts, years of them from the 1970s to the 2000s and to the current time—and modernising those acts and bringing them into line over time is important.

I will talk through what the substantial changes to the Mining Act are. The bill allows exploration licences to be extended beyond the current 18-year maximum in special circumstances. In talking through the briefing with the departments, it will be interesting when we go through the

committee stage. I indicate that we might have a few questions in committee around whether this effectively changes the 18 years as a hard limit, or whether that is the default.

What will the special circumstances be to extend those 18 years? We want to make sure it is not going to become—certainly not a fait accompli, according to the briefing—something that is expected when explorers enter into these leases, thinking, 'Well, the 18 years—that can be ad infinitum as well.' That is certainly not, from my understanding of the briefing, what it was meant to be, and certainly that is not what the opposition's expectations are either.

The bill talks about inserting new provisions to require ministerial approval for significant changes in the control of mining tenement holders, which aligns also with the Energy Resources Act and hydrogen and renewables. It also allows the minister to forfeit mineral tenements for material breaches and transfer them to other parties without compensation. We might have to unpack that a bit in committee, in terms of what the remedies are at the moment and how that fits within there.

At the moment there is a provision to cancel, and suspend as well, and now we have 'forfeit'. Forfeit yes, but transferring across I think would need to be handled quite transparently by the minister so it does not become something where, all of a sudden, there is a company that falls into favour with the government of the day and which allows it to be transferred out. You would hate to think that that is the case, but we would like to understand that more.

The amendment bill also introduces regulation-making powers to establish a mining rehabilitation fund to look towards making sure that companies can effectively contribute to this fund to help with mine site rehabilitation and legacy management. It will be interesting to see how that plays out. The briefing provided said that the amounts in the mining rehabilitation fund probably are not sufficient to allow for legacy mines to come through. So what are the expected levy contributions: are they going to be forward looking and back looking as well? Certainly we can talk to that, and some of the industry views as well.

In terms of looking at what this bill does, it also introduces new ministerial powers to approve or refuse changes in the control of licence holders. The idea is that it would give greater oversight of who holds or acquires significant resource tenements. Again, it would be interesting to unpack how that has come about—if there are issues there, or if this has come from trying to standardise the acts themselves. You can certainly see, in the Energy Resources Act and some of the other bills we have passed, the potential takeover of really important companies in the state, such as Santos. That is certainly an issue, and how does that filter down to exploration licences? Is it for standardisation, or is it also a problem foreseen in the way exploration licences occur?

These exploration licences, these junior miners, require a lot of capital, and ownership changes do occur as well. So that will be interesting to work through. There is the fact that there is no compensation payable to a former licence holder if it is forfeited and transferred. So there are serious ramifications in terms of what that means, and it will be interesting to see the appeal rights there.

To go with that as well, we can see that the maximum penalties for breaches under these acts have been increased substantially from $250,000 up to $16.5 million. Again, maybe under the Energy Resources Act, where you get big players, you can see how that is important. Certainly, for some of the junior explorers, $16.5 million is probably more than what their market cap is, so that is an issue as well. They are a few points coming out of the briefing that we can also go through in committee.

In terms of looking at the key stakeholders, a lot of their energy had gone into the extension of the special circumstances required to exempt the licence and both AMEC and SACOME themselves had been building up over time that this was definitely a necessary change. As it got closer and closer to the 18 years for exploration, they were seeing that investment in exploration was potentially drying up because there was the real threat of whether they were able to have that continuation, so that was certainly an issue.

There are about 58 companies holding 130 exploration licences that are coming up in the near future. I think it was AMEC that pointed out the need to have certainty around what was going on with the 18 years, and the prospect of extending it by up to five years would certainly be necessary before the end of 2025, hence the need for this bill to come before us.

One thing that was pointed out in the AMEC submission, and also by SACOME, was the consultation that has gone on with this, and the compressed timelines. It really has not been best practice, I think is a nice way of putting it. They made the point that they only had five days in which to provide feedback for this, which seems really quite rushed. SACOME made the point that, in terms of best practice for consultation—and that comes out of the Department of the Prime Minister and Cabinet—it should not be rushed or burdensome for stakeholders, and between 30 to 60 days is usually appropriate for effective consultation, with 30 days considered the minimum.

The industry bodies that I think the government, the opposition and the parliament rely on to provide boots-on-the-ground advice are saying that there was not a lot of time here. It speaks to the fact that the legislation coming before us had to be rushed into parliament because, as I said, there needs to be some certainty for those explorers before the end of 2025.

There has been ample time for this legislation to be worked through and consulted on but, because the timelines behind that were so compressed, it only allowed five business days of consultation to be provided, to then go through the process where, of course, it goes to the cabinet and then comes to the parliament here with only two sitting weeks left this year—potentially three, with the optional week.

SACOME and AMEC made the point they made every effort to provide feedback for this, but the period of five business days was potentially not enough. It also overlapped with a significant mining conference here in Adelaide and a public holiday in Western Australia, where a lot of these companies have their headquarters. It did not allow for in-depth consultation and the opposition certainly relies on that consultation process to be able to go to those industry stakeholders.

It is not clear how many primary producer industry bodies were able to provide stakeholder input to put their points of view across. Certainly the opposition is in the process of reaching out to them and getting their views on this bill and, to some extent, that gives pause for thought just to make sure we get both sides of the story. As we have seen throughout the progress of mining here in South Australia and primary production, the best-case scenario is that they coexist together and that both major industries to the state are able to thrive. At times, of course, it comes into conflict, so it is certainly something that does need to be taken into account from that point of view as well.

Another point was made, in terms of that consultation and why it was so rushed and the timelines required to process these licences and the change of control provisions, which was: are there enough resources in the department to handle it?

Other stakeholder feedback was that a lot of the attention from the department has been focused on the hydrogen side of things, with resources being poured into the Office of Hydrogen Power SA, whereas insufficient resources have been available in DEM to be able to handle the regulatory side of things and take on the concerns of industry around that. Also, could this legislation that we now see before the parliament towards the end of 2025 have been accelerated and brought to the parliament a lot earlier, and could the consultation with stakeholders have been done a lot earlier?

If you look at what is going on in terms of exploration here in South Australia, one of the key indicators is the Fraser Institute. They release their annual Survey of Mining Companies that looks at how jurisdictions are ranked throughout the world in relation to the mining industry in terms of investment attractiveness, the policy perception and the best practices. Certainly mining is very important to the state of South Australia, but over the last three years we have seen South Australia drop significantly in all three of those major indices.

We talked before about the Investment Attractiveness Index and South Australia has dropped from 19th out of 86 in 2023, to 35th out of 82 in 2024. You can see the drop in the last ranking under the former Liberal government was 10th out of 84 in 2021. If you look at the Policy Perception Index, South Australia has dropped from 20th out of 86 in 2023, to 30th out of 82 in 2024, compared to the last ranking of the former Liberal government being 16th out of 84 in 2021, so you can see a decline over those years. If you look at the Best Practices Mineral Potential Index, back in 2021 South Australia was ranked 9th out of 84. It had dropped to 19th out of 58 in 2023 and then to 34th out of 58 in 2024.

They really point to an issue in terms of investment attractiveness in the state compared to other jurisdictions. It is not like these warnings have just crept up on us and something had to be

acted upon late in 2025 and hence the short notice in terms of consultation. These warning signs were there when talking with AMEC and SACOME in the lead-up. In terms of this 18-year licence limit, there was cause for concern. It is not the only reason potentially that those rankings are on the decline, but it was one reason given.

Of course, when it comes to these licences, the advice that the explorers were giving was that once you get to two years towards the end of the exploration licence, it makes it really hard to justify spending more capital on exploration in what is a speculative and, many times, a capital-intensive process. There are certainly risks there because of the probabilities of finding new minerals to an extent that they can then move on to be mined economically. If you have had 16 years then in those final two years they are reticent to invest.

That is certainly one of the things, and I note that the department said that there are other reforms to come out of this going forward, but that is certainly one of the reasons given by AMEC as to where we are going in terms of investment attractiveness—those indexes in South Australia. Of course, it is really important to the state that these explorers are able to go through. As I said, it is a risky business in terms of exploration, but there are opportunities there if finds are made and mineral deposits are found.

In terms of the reasons given, as I said before, the briefing was that the underlying principle is that the 18 years for licences is still the norm, and it is only in terms of special circumstances that there would be an extension to the licence. It talks through some of the provisions of that and, hopefully, the committee will be able to get some more clarity around what potentially would enliven the minister to be able to consider reasons to have a special circumstance extension.

If we talk a little bit more in terms of the changing control, certainly what was initially consulted on it seems was that if there was a change to control of 20 per cent that caused industry a lot of concern to the point where AMEC was making the submission that if that was the cause then the clause should be removed and, as an alternative, a 50 per cent threshold was proposed, and that has come through.

From that perspective and because of that they have at least been able to live with that, but it is interesting to go through in terms of what is currently in place. It shows that these explorers rely a lot on capital and on having ownership interest change over time to bring in capital. They also had questions around how it was going to interplay with some of the other bodies such as ASIC in terms of them also having an oversight on changing control. They were some of the considerations that were pointed out.

In terms of the Mining Rehabilitation Fund, I think the feedback they got from industry is that they are supportive of having a rehabilitation fund. They had questions around the funds that were put into the scheme and how they were going to be used, whether they were going to be used on legacy mines to rehabilitate or whether they were going to be only forward looking. There is overall support, and you can understand that, but we will be trying to get to the bottom in committee around potentially how those funds will be levied and collected from that point of view.

Circling back, we can see from the shortened consultation that is provided that there is certainly still the need to be able to consult more broadly with stakeholders, especially the primary producers and the industry, around what their thoughts are from that perspective. We are still waiting for that.

We understand the necessity to have speedy passage of this bill, predominantly to assist with the special circumstances extensions, so we do not want to stand in the way of that, but we note that we still want to get feedback from the primary producers and from the peak industry bodies around their views, just to provide comfort that can be done, certainly between the houses. I look forward to maybe fleshing out a few of those questions as we go into committee, going forward, and then again consulting, but between the houses ensuring that we look at both sides, both the mining side and the primary production side as well.

Mr ELLIS (Narungga) (20:11): Here we are again: another mining bill that may well have adverse impacts on our farming communities presented for debate in this parliament in November. It is like clockwork that we have these experiences. It seems that when the headers come out of the shed the bills also come out of the drawers of the Department for Energy and Mining for presentation to this parliament for our consideration.

You may remember that this—in fact, I am sure you do remember this, Mr Deputy Speaker—has been a longstanding passion of mine, this issue. I have had quite a bit to do with the battle between mining and farming and agricultural land over the seven years that I have been in here, and that was most famously exemplified by my crossing the floor in November 2018. You might note that date: that was in November. That was when the previous Liberal government presented a mining bill to this parliament to significantly change the land access arrangements that farmers had to endure when a mining company approached their land.

That was the most famous example of my interaction with this issue, and on that occasion we were able to get that debate delayed until February. We did so on the basis that it was the middle of harvest and the farming community were out there in their headers attempting to feed the nation and were unable to partake in the debate or influence the outcome because they were otherwise engaged in reasonably important pursuits.

That was a wonderful decision by that parliament. It was made possible, of course, with the support of the then Labor opposition. They were the ones who supported that motion to adjourn debate until February on the basis that it was in the middle of harvest. In fact, the now Premier was the person who amended the motion to ensure that it was moved to February. So to see this bill now put before this parliament in November again, despite having had that lesson presented to this parliament four years ago, is incredibly disappointing.

What is more, the previous iteration of that bill that we successfully adjourned to February was presented to the parliament in November 2017. These bills just seem to keep coming before the parliament in November, in the middle of harvest, whilst the farming community cannot have its proper interaction and say on the outcome of the bill.

You may well call me a conspiracy theorist. I can see the minister giggling in such a way. Maybe once or twice it might be a coincidence; three times not so, I would say. I might ask the question in committee whether we might consider putting this off until February, or after the election as well, on the same basis that the last mining bill that was presented to this parliament was.

The Hon. A. Koutsantonis: Second mandate, you say?

Mr ELLIS: I think that would be a wise idea. I think it has some merit, because the department is advertising this piece of legislation on the department website and is also identifying that there will be a far more broad suite of reforms that will be coming after the election. I have written some notes about it. I quote from the website:

> A broader suite of reforms in respect to the Mining Act may be considered for a legislative program in the new term of government following the March 2026 State election.

So why do we not we just tie them all in together? Why do we not present these four or five changes that are presented to the parliament now, at the eleventh hour of this government, all tied into the bill that seems to be forthcoming following the March 2026 election?

It would, of course, as the minister just alluded to, allow all parties and participants to take their positions to the election. It would allow all of us who have formed strong positions on this issue in the past to repeat our bona fides to the community that have elected us previously to see if they are still important issues to them, and it would allow us not to have to rush this bill through parliament.

Mr Speaker, you would be well aware that at the conclusion of today's sitting we will have five days left of parliament, not including the optional sitting week. That would in my view constitute a rushed bill that goes through this place and an undesirable outcome for such an important piece of legislation.

So I would submit to this parliament and to the government that perhaps we would be wisest, in the same spirit that we did in the last iteration, in the last November effort, to put this off until February, until after harvest is completed, until after the election has been conducted, so that we can properly interrogate all the different parts of it.

While we await an answer to that idea that has been put—and I am sure it is being given proper consideration in the halls of power as we speak right now—I would like to address what we do have before us now. What we have before us has been advertised as an effort to give certainty. That is an interesting word that I would like to touch on just that little bit further.

This word, 'certainty', will presumably be only to the benefit of exploration companies. They will now be able to operate with the certainty that there is unlikely be any danger of their exploration licence ever expiring. As best as I can tell now, the minister has the absolute discretion to grant five-year extension after five-year extension to an exploration licence without any end date in sight.

I am sure in the rebuttal we will hear that there is, of course, some criteria that the minister is able to consider in making his decision to exercise his discretion, but he is certainly not constrained by it. He is certainly not obliged to consider those criteria, and if he decides to exercise his discretion in another way then that is a matter entirely for him. It is a matter entirely for any future minister that comes and occupies his position.

So I think whilst that criteria we find in the bill is certainly a thing that we might put forward to the farming community as desirable and to ease their minds, ultimately what we have here is a discretion that is 100 per cent up to the minister to exercise and completely within his power to do so. I can quote from the second reading speech:

> The minister retains absolute discretion to refuse an application for a special circumstances exemption.

At the end of the day, I would contend that those criteria are not worth the piece of paper that they are written on.

On the other side of the coin, of course, where the exploration companies get absolute certainty that they will be able to operate in perpetuity, farmers get the opposite. They get the uncertainty that they will have an exploration licence hanging over their head forever.

The Hon. A. Koutsantonis interjecting:

Mr ELLIS: Well, that is a theoretical possibility.

The Hon. A. Koutsantonis: That's not right.

Mr ELLIS: There is a theoretical possibility that there will be a five-year extension granted after five-year extension and that that exploration licence and that operator will be there in perpetuity. These are the two sides of the coin that we must consider. The certainty given to the exploration company comes at the expense of the uncertainty now bestowed upon the landowner.

This, of course, was a key theme in the select committee report that this parliament and a committee therein worked assiduously on at the end of the last parliament. I disseminated that when I shared my amendments with everyone—the key passage from that select committee report, which was made possible, of course, with the then member for Frome, now member for Stuart, and chaired quite ably by him. The burden that was being borne by landowners with mining licences was quite clear to see from everyone we spoke to. So that certainly, whilst good for explorers, I think will come at the expense of landowners.

I will now touch on those couple of amendments. Where the bill will allow for an indefinite number of extensions theoretically to be granted to an exploration company, I propose, and will propose when I move the amendment, that it will be limited to one two-year extension. That will give an exploration company 20 years total, hard cap, to turn their exploration project from an idea to a mining licence. That, I would contend, is more than enough time for these companies to go about their business and determine whether it would be a profitable and economic venture for them to undertake. That amendment will come in two parts, and I intend to move both of them, regardless of the outcome of the other, and I will be seeking the parliament's support in so doing.

There are other amendments I would have liked to have moved had I had more time, but this bill was presented to the parliament approximately two weeks ago and I had my briefing about eight days ago. That has not been enough time for me to properly consider the ramifications for a number of amendments. I do note that there will be some in my community and others who would have liked for me to go even harder on some amendments, in line with my previous positions.

I would like to make quite clear that there are other amendments I would have liked to have moved, and chief amongst them as a headline is that this would have been a tremendous opportunity for the government to instil a mining ombudsman or commissioner or a land access ombudsman or commissioner. It has just happened in New South Wales, where there is an ag commissioner who will be able to adjudicate on complaints that are filed to the mining department, and now would have been the perfect time to present one to South Australia.

Another key finding that came out of that select committee report which was tabled in parliament some four years ago was that there is an inherent conflict with the mining department being both the promoter and regulator of mining in South Australia. That was a key finding of the select committee report and something that came up time and time again as we moved around the state and listened to different farmers who felt that they were not being heard by the umpire when there was a break in the rules.

Now we are proposing that the minister will have the power to revoke an exploration licence or a mining licence should the breach of the terms and conditions of that licence be so egregious as to justify it. That I think would be a power better bestowed on an independent umpire rather than a minister, a member of the government. I think this would have been a wonderful time to separate the promoter and regulator to enable the regulator to be an independent umpire so that we could have consistent, transparent and universally trusted regulation conducted across both the mining and farming sector.

We will now inevitably have questions—rightly or wrongly—about whether a government had its preference for a different operator, whether there was different treatment given to a different breach of the terms and conditions, whether one was allowed to continue and the other was barred from doing so or vice versa. I can foresee that there will be problems coming, or at least the perception of conflict, for the mining department as they attempt to adjudicate on issues presented to them by the farming community.

I would have liked to have presented an amendment like that to establish a commissioner or an ombudsman so that farmers could present their complaints to an independent umpire and have faith that the process was being conducted free from any interference from a party or organisation that wanted to see mining promoted in our state. Unfortunately, I did not have time to conduct that properly but it will be something that I continue to pursue in the lead-up to the election in March and it is something I have pursued since the select committee and since the issue became quite topical in my electorate.

There is quite a bit more I would like to say, but in the interests of time I will wrap up. I will be opposing this bill if both of my amendments do not pass. I have referenced a couple of times the select committee that was formed as part of the deliberations in this house in the last parliament. The multipartisan committee was set up in large part thanks to the current government and did some incredibly thorough work across the state and met with a large number of people. Hansard will be able to attest to the work that that select committee did. It seems to me that the findings from that committee have been summarily ignored. There does not seem to be anything that has come from that select committee report that was tabled in this place that has managed to find its way into the next iteration of the mining bill. I think that is incredibly disappointing for those farmers who turned out across the state who were able to present their ideas.

We heard some genuinely heart-wrenching grievances presented and to have none of those find their way into this bill is incredibly disappointing and, might I say, possibly even somewhat offensive to those people who turned out. Also, I know for a fact that a number of farming industry groups put submissions in for the consultation on this bill specifically. As best I can tell, none of these suggestions were picked up either, so those submissions have been ignored. To borrow some words from a different author, it presents:

> …a serious failure of consultation and accountability that reinforces fears that the reform process has been designed primarily to facilitate new mining activity rather than to protect South Australian ag, environment and community.

The Hon. A. Koutsantonis: Who said that?

Mr ELLIS: That was said by the Limestone Coast Sustainable Futures group. I know that they put a submission in and are disappointed that their feedback was not taken into account, or at least did not form part of the final product. The fact is that it is going through in November, right in the middle of harvest, as all mining bills seem to do; the select committee report did not make it into the final copy, after so much work was put in by so many across the entirety of the state; and finally, those farming communities that did put in submissions to the consultation on this bill have not had their voices featured in the final product.

On that basis, unless my two amendments pass, I will be inclined to oppose the bill as well and take forward to the election my position that it is well time for an ag commissioner, a mining on

ag land commissioner or someone to assume these responsibilities of the independent umpire to make sure that complaints from farmers and landowners about misgivings or malpractice that occurs on their land are properly heard, properly adjudicated, and they can get a fair hearing and hopefully some of these are held to account.

Mr McBRIDE (MacKillop) (20:25): It gives me great pleasure to be able to stand and respond at the second reading of these mining amendments. I thank the member for Narungga, and I even thank the Minister for Mining for bringing these amendments forward, because as I have heard in his second reading, he is endeavouring to bring about some efficiencies and some changes that will hopefully bring more prosperity not only to the mining sector but to the state as a whole.

Unfortunately, some intentions are not always well understood by everyone in Adelaide, and this is what I am seeing: the greater divide, this type of process and what is happening here tonight. As the member for Narungga has clearly described, the previous attempts by another government previous to this one to do what it did were late in the year, in a rush; under the carpet, in a way. That caught the government by surprise, and it did not act or did not end up being delivered as intended.

Since then, there has been no real great opportunity or movement to address what was understood back in 2018. This is why I actually have to thank the Minister for Mining for doing what he is trying to achieve in addressing this 18-year period. It goes down to five-year increments; that is how I would best try to describe it. Readdressing mining licences and functions of mining companies goes back to this five-year period. My counterpart the member for Narungga is bringing in a clause where he can hopefully bring it back to two years.

One of the things I think is really interesting in this process is it is my understanding that if there is a large mining development that is just suddenly found out of nowhere and they have to start out from day one, if they were well resourced with millions and billions and money was no object, there would be no way that this mine, depending on its size and proximity, would even be functioning in the first five years and turning over a sod of soil because of the paperwork that may be involved and the processes that they have to go through.

I was told that if the same mining outcomes happened here that are happening in Western Australia, like at Roy Hill for Gina Rinehart, it would now require 1,200 pieces of information and paperwork and legislation and so forth to be worked through to do that same mine. I could not tell you the number of years or amount of time it might take to get done. That is how difficult it has become to do work in Australia. I am talking about a Western Australian example; I do not have an example to give you in South Australia.

What I would say is this is why we wanted an inquiry into the Mining Act that would work in the interests of both miners and landowners, and for the Australian people. On social media even today we are hearing about the way that we export product out of this country—particularly gas and coal, which are great forms of energy—to little benefit for Australians. We actually can buy it back in some cases cheaper than we can dig it up and keep it for ourselves because of certain contracts that were put in place 20-odd years ago.

Just to touch on the issue around the whole process of the Mining Act and the way it does and does not work, what I see from those in the offices of the tall towers in Adelaide is that they have the best of intentions, but they really have no idea about the unintended consequences. The unintended consequences are the raft of paperwork and the legislation and rules that people and businesses have to work through to make a dollar and get things working, which puts added pressure and risk to mining in this state. This is happening everywhere. Australia is not a lone soldier here. That is one of the reasons when, if we consider what happened in 2018, we were looking at other mining acts and other jurisdictions outside of Australia, recognising that maybe even Queensland, New South Wales or Western Australia did not have it as well as what they could have it.

Coming back to my local area, I will touch on the Mining Act and the difficulty in regard to small quarries and earthworks and so forth. We see that earthmoving businesses that work on roads—lime and dolomite and gypsum—have all of the paperwork and regulations around those small types of processes, and then that goes on to metal and rubble for roads and infrastructure. It is really tough on these businesses, finding and getting approval to work and extract these materials out of the ground, and it adds extra burden and extra cost to anyone who wants to buy those products out in the market.

The other overlaying issue that is giving my region concern—and it probably emulates a little my offsider from Narungga and the copper mine on Yorke Peninsula—is this new proposal of rare earths in the Limestone Coast. I do hope that these amendments tonight that the minister is bringing forward will help, not only so rare earths can operate bilaterally, in parallel, and landowners who have valuable land and valuable environmental aspects that need protecting are protected but also so those landowners can participate in Australian rare earths and be part of that mining operation, which may even lend themselves to better agricultural lands in the end, when rare earths have been through and put it all back together.

One of the things highlighted by these amendments, as has been said, is that the government hates shadows and people being locked out and stopped from investment, where people put down their claim and title, and they sit on it. They might sit on it because they have no money to invest. They might not have any interest really, but they are speculative. It is seen as so bad, and I am not suggesting it is not. One of the main things that happened around renewable energy is that they were deliberately making sure that people could not go and apply for a renewable energy development like a wind farm site, get the approval and then say, 'I'm not developing this now. We're going to sit on it for five years or 10 years and lock everyone else out.' There is no doubt this takes place in the mining sector.

I hope that the government's change from 18 years back down to five years is one of the reasons they are looking at this and addressing this tonight. I hope that that is an aspect of allowing these mining titles to fall into the right hands, rather than the silent hands or the speculative hands that are sitting on it and watching and waiting for time to go by.

With that, I hope and pray that we do have some good outcomes in this mining bill and the amendments that will be moved tonight. I will be looking out for my landowners who do not want to suffer the rare earth mines and want to keep them well away from what I hopefully say is either really pristine country with environmental aspects or productive agricultural land that it is too valuable to turn upside down and put back together. But then on the other side of the equation, I know that we can find other landowners who are going to be more welcoming. They have been sought and will be sought into the future. With that, I will sit and watch tonight's proceedings and wish the minister and the government luck.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (20:34): Interesting contributions, Mr Acting Speaker. I thank the Liberal Party for their support of the mining amendment bill. The Liberal Party have been strong advocates of mining for a long time, and I thank them for their continued support, and the Independent regional members, of course, standing up for farmers as they usually do, and I completely understand.

I suppose my concern is that my job here is not to play fair or favourites with either side. My job here is to make sure that we can have a good outcome for farming communities, a good outcome for the mining industry. Why? There is always going to be a natural tension between freehold farming land and mineral rights, and that extends because the taxpayer—that is the community as a whole—owns the minerals under the ground, and the farmer owns the land on top. So the question then becomes: if we own the minerals underneath, how do we get to them? Through the freehold land.

I do not want to put words into the mouths of the regional Independents, but I suspect their view would be, 'Listen, the farming land is more valuable than the minerals underneath, so therefore we sterilise that; farming is more important.' And there are others who would say, 'Mining is far more valuable than farming land, therefore, push the farmers aside and just get to the minerals and get them out of the ground.' I have to find the balance between both, and it is difficult.

When you speak to the member for MacKillop and the member for Narungga, these are two passionate advocates for regional communities who care about farmers, and there are farmers who have been on these farms for generations. So their connection to the land is not financial, it is emotional. I understand that. My father was a farmer. I completely understand the connection to country. However, I am also the Treasurer of the state, who wants to build the state's economy and build our revenue base and create jobs. I also point out to members in regional communities: do you know what mining does? It droughtproofs communities. It gives you the opportunity to have work in areas that are not reliant on weather.

The member for Narungga once said to me, 'There are exploration companies that have a lower capital value than some of these farming entities.' That is, the farmer can buy and sell the

mining company that gets access to their land, and I understand his point. But my point is that finding the balance between giving the right access is valuable.

Now, why the extension? The former Liberal government brought in an 18-year hard deadline on developing a mine. Otherwise you lost your mining licence. My argument is commodity prices in the minerals sector go up and down. You might have a deposit that is vast and, to the novice or to the uneducated: they've got a mining licence, they've got all their approvals, they've got their capital, why aren't they mining? Well, it is not economic to mine yet because the commodity price is not high enough. You might argue, 'Well, bad luck.'

A larger investor may come along in year 16 and say, 'I want to buy this mining licence, I want to buy this company, I do not want to develop this mine, but it's going to take me another six years to get it operational'—and the truth is, from discovery to development, it is about a decade, from finding the first store in the ground, if everything goes right, with commodity prices on the same trajectory as discovery and capital-raising. The question for me is: do I sterilise that mine site at year 18 and say, 'Start again,' when we could have had the jobs, the investment, the capital invested in South Australia, the royalties being paid to South Australia, people being employed in South Australia, two years after the mining lease expired?

With regard to the point the member made about the uncertainty for farmers, this is the point I make in response: let's say you have a mining licence over a family farm, and there is a copper deposit under the ground. The copper deposit is at a depth that is uneconomic to mine unless the copper price reaches a certain point. Over that 18-year period, the copper price never reaches the point where it is economic to mine. That mining licence expires. That farm is not extinguished from the mining licence from the Mining Act. A new explorer can turn up, lay a tenement over the top and start again, and put the farmer through that entire process all over again.

My point is, where the member's argument falls over about the uncertainty is that there is no sterilisation of land here. So I think his argument is wrong. I would like to point out to the member, just because this is the sort of thing I do, that he talked about November. Do you know when he introduced his bill?

Mr Ellis interjecting:

The Hon. A. KOUTSANTONIS: Sure, yes, but you introduced it in November. The truth is that the member, who is a very proud advocate for farming communities, introduced a bill that amended the Mining Act that had amendments he could have moved now—they were ready to go. Where I do give him credit is that he believes passionately in the democratic process, and, from what I can tell, he is taking his points of view to the people of Narungga at the next election about mining, and the Labor Party will take theirs.

If I was a betting man, in Narungga you will do better than we will. But as a whole, across the entire community, the South Australian public will rightly say to me, 'We have mineral wealth under the ground. What are you doing to get it out of the ground and return a return on our investment? We have been endowed with that mineral wealth. It belongs to the people of South Australia. It funds our schools, it funds our hospitals, it funds our roads, it funds the good governance of this state. Why aren't we developing it and creating jobs and creating royalties?'

Mr Ellis: Most of them don't have to live next to it or drive past.

The Hon. A. KOUTSANTONIS: Sorry?

Mr Ellis: Most of them don't have to live next to it or drive past. They just get to read about it in the papers.

The Hon. A. KOUTSANTONIS: Yes, but they do get the benefit in their schools and their hospitals. They get the benefit on their roads. This tension is always going to exist, and I suspect there is no bill that I can introduce that will satisfy some members of the farming community, and I do regret that because they are good people and they work exceptionally hard.

Living off the land is probably one of the most noble and difficult pursuits you could ever undertake, but so is public service and so is balancing the public good. So I make no apology for attempting to grow the state's wealth. I make no apology for attempting to create jobs. I make no apology for attempting to improve the state's standard of living and our income from royalties.

I also point out to members that if you looked at all the farmland that had been taken up by mining, it is a fraction of what we produce in this state. There is no real threat to farmland in this state. There is threat to individual farmers, but there are provisions within the Mining Act that make sure that they are well compensated for the loss of their endeavour, the loss of their work, and in the end it removes the uncertainty of weather for a lot of these farmers.

What it gets down to is the emotional response, 'This is my land and I have lost control of what happens on my land,' and that is a normal human response to have. Members might disagree, but it is no different to the government turning up and saying, 'We need to buy the family home to knock it over to build a road.' That is painful. That is a painful conversation.

I have been in people's living rooms, as transport and infrastructure minister, where they have taken me to the corridor and shown me the architraves around the doorframes and said, 'This is when my daughter was four years old and I carved her height in it, and this is my son's height, and there on that tree is where I put a swing up for my kids, and in this driveway is where I taught my son how to ride a bike,' and I am going to turn up and bulldoze it to build a road. These are difficult conversations. Progress is important for the greater good and good governance of the state and sometimes we need to make difficult decisions.

What this bill does is minimalist. This is minimal change. This change does, I think, a number of things that I want to explain to the house. The first thing is it gives me the opportunity to make sure we do not inadvertently undo the chance of agreeing for an extension of a mining licence from beyond eight years for circumstances that are beyond the control of the mining licence holder: commodity prices, a buyout, a new buyer coming in year 17 saying, 'I have only had it for a year. It's unfair. I can't develop it in time. Why extinguish it and make me start all over again? I can have the mine producing in a couple of years.' Tick.

But I point out to the member for Narungga and the member for MacKillop that this is not an automatic approval. This is not an approval that I will just grant on the basis of application. I do not think there are many mining ministers who would be inclined to just grant consistent approvals for an extension because I think people do hold land and I do like the idea of use it or lose it. So I will be pretty strict about its application.

The member quite rightly makes the argument: what is the discretion? It is up to the minister. I say to the member that you do not want this in unelected hands. You do not want this in the hands of the bureaucracy. You want this in the hands of elected officials. Why? Because you have my number and you can call another elected official and the unwritten rule of the parliament is that we take seriously what backbenchers and local members say.

The truth is that my bigger constituents are the members of this place. If you release it and put it into some sort of independent hand that you are talking about, you are going to have even less say—a lot less say. Every time we remove the public from the decision-making process—and when I say the public, I am talking the parliament—the less democratic the outcomes are. I see this a lot in public life—hand over infrastructure spending to independent bodies, hand over health spending to independent bodies. They do not hear the real-world stories from constituents. They do not hear the mother talking about holding her child in an emergency waiting room for hours at night. What they hear is the efficient allocation of capital to where it is needed the most.

What we want in our system is elected officials hearing the complaints of elected members of parliament who represent the constituents about real-world problems because that is when you get real-world outcomes and the more you remove it from those real-world outcomes you get the economically efficient outcome; that is, what is written in the textbook is what would occur. That is not the outcome the public wants. That is what happens in countries where there is less democracy and I would caution against that.

If members opposite or any member of this parliament thinks that giving the discretion to an unelected official or ombudsman to decide whether a mine should proceed or not or whether a mine licence should be extended or not you will get a better outcome for the public, I caution you on that completely. I would say that there is absolutely no pressure that any community could put on an unelected official who has either a lifetime appointment or a seven-year appointment and a contract. What you want is the fierce fire at the feet of democracy, at the feet of politicians, every four years about every decision they make.

I know that I am not going to convince you and I accept that and I know you are fighting for a constituency and I accept that. But I say to you that this legislation is the best outcome for farming communities because we did consult and we did listen to farming communities and we did make changes. We listened to AMEC and we made changes about changing control and change of control is important.

In relation to change of control, currently, the mining minister has no say in who owns our mining licences. I submit that the public would be horrified to hear that—horrified to hear that—and the changes I am bringing in insert the public, that is the minister on their behalf, to have a decision-making process about whether or not the right persons, the right people with the right credentials, own these mining licences. That is not a bad thing: that is a good thing.

There are foreign countries and foreign states that use state-owned enterprises to buy mining licences in other countries to control those commodities. We have the Foreign Investment Review Board (FIRB). No-one criticises their ability to have a say in who owns what. Why would we not do the same here? I will give you an example: let's say FIRB just passed through a small mining licence that is not a mine yet and it has been sold to a foreign country. The state has no recourse other than the parliament.

These clauses give me the ability to intervene and say, 'Actually, I do not think you are the right owners for this.' I think that is a good outcome for the people of South Australia, not a bad outcome for the people of South Australia. I know the mining industry do not like it. The mining industry want me to have no say in who owns the mining licences. They want the market to apply, which means they want to sell all their mining licences to one country to our north, which is our largest trading partner.

I think that is a bad outcome for the people of South Australia. I think the people of South Australia want us to have a say in who owns the mining licences, the same way farming communities want us to have a say in who owns our farms, the same way the public of South Australia want us to have a say in who owns public housing or private housing and why they want us to discriminate in favour of our citizens as opposed to foreign citizens who want to buy houses here.

What we are introducing here is the ability for me to intervene and say no. For example, I have these powers in the Petroleum and Geothermal Energy Act. If someone who is not an Australian company wants to buy Santos, we have a say. That is a good thing. It is not a bad thing. The way the member characterised it in his second reading address I think was a little bit unfair. I think what the government is attempting to do is to give the people more say in who has these licences to make sure we protect the public from the coercive influence of state-owned subsidies coming in and buying up our mineral wealth. So I caution the member there as well.

Having said that, I consider this a pretty uncontroversial bill. There are relatively few changes. Are there more changes coming after the election? Yes, there are—of course there are. We are always refreshing legislation. I will go out and consult, I will talk to the community about them and I will take them to the election. We will publish our mining policy. Members will see it, see what it means. They can hold it up to the light, they can look at it, they can think about it and they can debate it. People can choose: do they want to vote Liberal in Narungga, Liberal in MacKillop? Do they want to vote Independent in those two seats or do they want to vote Labor? They will make up their own minds on the basis of policies.

The member has put a stake in the ground on his views on the mining industry and the farming industry, as has the member for MacKillop and so have I. My view is that the two industries can coexist and coexist well. I think it can benefit regional communities. I think mining on Yorke Peninsula would benefit the Yorke Peninsula, not hurt it. I think mining on Eyre Peninsula will help. I think mining in the Mid North helps. I think mining, in general, grows our wealth, relieves us of our dependence on international trade, gives us more economic sovereignty, allows us to produce the raw materials we need to produce the metals we need to fund our economy and build our economy. With those few words, I commend the bill to the house and I look forward to the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr PATTERSON: As I mentioned in my speech, there is significant concern around the duration of the industry consultation on this bill. Can the minister explain why industry consultation was limited to five business days, and during that time it overlapped with a major mining conference but also public holidays?

The Hon. A. KOUTSANTONIS: Because the industry asked for these changes. The industry are the ones who have been at me for the last four years to undo the changes you made when you were in government about the hard 18-year cap. Here we are, after four years of lobbying, I have brought it in and there are some consequential changes to it. The change of ownership provisions are something that is just aligning it with the Petroleum and Geothermal Act. I am not quite sure that industry have much to complain about given that they are the ones who asked for the changes. I say to the industry, if the industry are not happy with these changes, I will withdraw the bill.

Mr PATTERSON: Can the minister advise which primary producer industry bodies were contacted for consultation on this bill and, if they were contacted, did any of those primary producer industry bodies provide feedback to the bill?

The Hon. A. KOUTSANTONIS: The bodies that were consulted were AEP, AEMC, CCAA, Clean Energy Council, H_2 Council, SACOME and Energy Producers. We received written submissions from AEP, Alliance Resources, Alligator Energy, AMEC, Barton Gold, Havilah Resources, Investigator Resources, Marmota, Revera Energy, Santos, Sinosteel, Veritas and SACOME.

Mr PATTERSON: You have given there a list of who was contacted. I notice there were no individual licence holders contacted. Again, a point made by the industry bodies was that there were no licence holders contacted individually. My question then is: is that the case and, if so, why were individual licence holders not consulted about this change?

The Hon. A. KOUTSANTONIS: Industry associations, which individual licence holders are members of, lobbied for these changes. I am not going to go out and write to every licence holder and say, 'What is your view of this change?' We publish it, we ask for written submissions and they come back to us. I have yet to meet an industry body that is opposed to an extension of the 18-year hard cap. If the member has a mining interest that he thinks is opposed to the extension of the 18-year cap, I would like to hear it.

Clause passed.

Clause 2.

Mr PATTERSON: In terms of the commencement, when this comes in, and going through the timelines again, you made the point industry are asking for this. You talked about the special circumstances, the exemption there, but there were also other parts of the act brought in which are quite substantive in terms of how they go about it, such as changing control, the forfeiture of the licence and the transfer of the licence as well. It is not just changes to the special circumstances extension.

I think they are quite right to make the point as leading to the question I asked around that. Just because they are not the one part that industry may well be comfortable with, there are other parts of the bill tacked on, to the point where some of the submissions were that some of the clauses be totally removed because they have not been consulted on properly. There was an issues paper released in May and then the consultation for this bill was only circulated in September. Why was there such a gap between the issues paper and the consultation? Could that consultation have been brought forward to allow for more consultation to occur?

The Hon. A. KOUTSANTONIS: I think trying to find unanimity of opinion in the mining industry is like trying to find unanimity on net zero in the Liberal Party: it is impossible. If I can only introduce legislation on the basis of everyone agreeing, that is complete unanimity and that I consult within an inch of my life before I get an outcome, it reaches a point where you have to have some leadership. We have to say, 'I'm the mining minister. I have listened to industry. These are the changes that I think need to be made. Also, while I'm here, I think these are other consequential changes that I should make in the interests of the state.' And I am not particularly interested in what

the mining industry has to say about this because it might not be in their financial interests but it is in the financial interests of the state and the people of South Australia.

In terms of change of control, there is no company in Australia that wants there to be any government oversight of change of control, yet we do it. The Liberal Party are free to vote against this. I believe we have a right to have a say about who owns our mining licences. If the Liberal Party disagrees, you can vote against it. I think, if there are foreign interests that wish to buy our mining licences, the people of South Australia should have a say through their elected government: pure and simple. There is not a mining company or an investment company in the state that would think that is a good idea.

I wanted to set a cap at 20 per cent. After consultation, we moved it to 50 per cent. That is me listening. That is the government being responsive to consultation. However, I make no apology for it because we should have a say in who owns our mining licences. How many times have members of this place complained to me about foreign ownership of Australian farming? Constantly, it happens all the time. I am doing something about it. Get on board.

Mr PATTERSON: We have the timing of the commencement of the bill and there is an intention to make further changes in 2026 and beyond. In terms of coming back and reviewing these changes, is it the government's intention to do a post-implementation review of the bill's impacts on exploration and the regulatory efficiency of this bill? If so, what would be the timeframe in which such a review would occur?

The Hon. A. KOUTSANTONIS: No, we make constant improvement. We constantly review our regulatory framework. My mining agency is probably more in touch with this industry than any other mining regulator in the country. They regularly get feedback from the mining industry about what is working and what is not working. They are constantly at me about tweaking the Mining Act.

My concern has always been: what outcome do we get out of parliament? As far as I am concerned, these changes will either pass or they will fail. It is very simple. If members attempt to amend this in the upper house, then the bill will be withdrawn. I am not interested in making changes to this bill because this bill is minimal in its change. It gives good certainty for the mining industry, it gives taxpayers the protection they need, and it gives the state its economic sovereignty. I think these are good outcomes for the people of South Australia. So, no, there is constant improvement but there is not a statutory process for review in the bill.

Clause passed.

Clause 3.

Mr PATTERSON: In terms of the change of control, the bill states:

Without limiting anything in subsection (2), the Minister may, in considering an application for approval for a change in control under this section, have regard to the following matters,

It lists five of them. The question would be: to what extent is this a guideline? Is the minister constrained by this, or can the minister have other considerations? If so, can the minister provide further explanation on that?

The Hon. A. KOUTSANTONIS: I do not think we are trying to constrain the minister. I think that what we are trying to do here is give him a guide, a framework, of what to follow. The act is setting out the principles he should consider. I also point out that these are all justiciable, so if the minister makes a mistake people are free to go to our courts and say, 'You haven't considered what the act has said.' We are giving some general constraints within the bill, and the minister should follow those.

Mr PATTERSON: Maybe if you could explain: we are talking largely about companies purchasing this, and under new subsection (2a) it provides:

(a) whether the holder of the licence after the change in control takes effect is a fit and proper person to hold the licence;

If you could explain how that plays out: what is a fit and proper person and what criteria would be used to assess what a fit and proper person is? How subjective is that and how much of a guideline is there for that?

The Hon. A. KOUTSANTONIS: Technical capability, reputation, financial capability: for example, if someone had a mining licence and had created massive environmental damage in another jurisdiction or in South Australia, that would be something the department would consider. Past practice and regulatory performance—these are all the things that the department, in any fit and proper test, would consider as part of any legislation. It is no different to any sort of test we would have for a regulatory licence application scheme.

We do not have it in place now, and it is appropriate in 2025 to put that type of regulatory framework around a fit and proper person test. You do not want someone having a mining licence who is reckless with the social licence that is implied with mining, because the damage that they could do could be horrific. The members knows what the examples are. If you give someone a mining licence who has never done something before and has no capability or no financial ability to deliver on the regulatory guardrails that we put around them, or on the rehabilitation guardrails that we put around them, the department would be concerned and they would say that you failed the fit and proper person test. These are normal, modern-day precautions that we would put in place.

Let's say, for example, that you are choosing a candidate to run for parliament and you want to do a fit and proper person test. Let's say you are assessing an upper house candidate who is an existing member who wants to run for a lower house seat. You would go through and see what they have said previously about things, and you would check. You would check to see what they have said and you would ask, 'Does it match our values?' That is what we do. I know it is probably foreign to you. You can think of a few examples. That is the type of thing we are trying to talk about here.

Clause passed.

Clause 4 passed.

Parliamentary Procedure

VISITORS

The CHAIR: Before I go to clause 5, if my eyesight is correct I would like to acknowledge in the gallery the Hon. Greg Crafter, former member of this house, who I understand is a guest of the Hon. Stephen Mullighan tonight.

Bills

STATUTES AMENDMENT (ENERGY AND MINING REFORMS) BILL

Committee Stage

Debate resumed.

Clause 5.

Mr PATTERSON: In terms of determining what is a material breach of sufficient gravity to justify this, can the minister give some examples in terms of what would trigger a forfeiture of the licence in terms of the Energy Resources Act?

The Hon. A. KOUTSANTONIS: It depends, and it is complicated. It is not as simple as saying, 'Here is a codified list of offences. If you break these, you lose your licence.' Are they repeat offenders of environmental breaches? Are they unable to financially submit appropriate regulatory improvements that they are being asked to do? It is a pattern of behaviour. There could be potential outcomes in other jurisdictions that we are concerned about: late payment of bills, not paying royalties, who knows? I do not think we should restrict this; I think we should have a broad scope. Remember, ultimately, at any stage any proponent can go to a court and have an independent assessment of the decision-making made by the minister in this area.

So I am relatively relaxed about having these powers. These powers would be obviously on the basis of a recommendation of the department to the minister that the proponent has breached these requirements by the department on numerous occasions, we have made an independent assessment that this person is no longer a fit and proper person to hold a licence and these breaches now have reached the level where we think you should act.

Obviously, the reverse is that the only tools I really have are very blunt, which are a complete extinguishment of the mining licence. So this gives us a bit more of a surgical scalpel to be able to remove people, but it also allows us to have greater intervention if there are environmental breaches,

financial breaches or repeated breaches that might trigger public outrage or action that any reasonable person will think is unfair.

Mr PATTERSON: You have laid the picture out of a licence holder not paying royalties or continually causing environmental harm. Would there be a structured process around warnings and opportunities to rectify as we go through? Is that formalised, or is it informal, before the forfeiture is triggered? Are there formal notices?

The Hon. A. KOUTSANTONIS: I think all of the above. Ultimately, this would need to stand up in a court, and a court would naturally ask, 'What are the natural justice principles that you followed? Did you inform the proponent that they were making breaches? Did you give them an opportunity to rectify? After an opportunity to rectify, did they do it again?' It is pretty standard regulatory process, and what we are doing is giving the regulator the pretty standard 2025 tools that they need in their arsenal to make sure they can offer modern regulatory processes for any type of mining regulation.

If you regularly built tailings dams that regularly leak: you are warned, you make a repair, it happens again and it happens again. Obviously if there are constant repeats and warnings it will reach a point where the department will reach the end of its tether and say, 'We have made continual requests, we have given continual warnings, we have given them final notice, we have done all the things that we think will stand up in court to allow us to act under this section of the act,' and they would advise the minister to do so.

If I just turned up arbitrarily and said, 'I am removing BHP's licence', or OZ Min's licence, or so and so's licence without cause, a judge would force me to make my decision again on the basis that I have not given this proponent natural justice, I would assume. There are protections in common law as well and there are protections that we give our proponents but there are also foundational principles in the regulatory process. If you keep on breaching the directions of the regulator, what should the regulator be allowed to do? This is the point of freshening up the act.

If someone is told, 'You are doing repeated environmental damage in breach of your licence,' what is the consequence? There needs to be a consequence. We want remedy. If there is no remedy and it continues to happen, what are the public to say? 'Minister, this person is continually polluting the environment. Why won't you act?' The response, 'I don't have the powers under the act,' is not sufficient.

What we are doing is making sure that the department has the arsenal it needs for effective regulation to make sure it can enforce these improvements, with ultimately the penalty being at the end if the remedies are not enforced.

Mr PATTERSON: I am assuming if you cancel the licence there would be a similar process? What I was trying to elicit there is that it would be similar to cancelling the licence in terms of lead-up. At the moment, you are saying it is quite a sledgehammer, you can only cancel it, whereas this is now giving you the option to cancel or forfeit and then once it is forfeited then the next consequence is, 'Okay, I am looking to transfer the licence over.'

Maybe if the minister could tell us how a transfer would be conducted? Would there be a competitive tender for this once it is forfeited? Would there be someone who the minister has chosen beforehand sitting in the wings and then just does a transfer straightaway? Maybe if you could talk through how you see that process running and how transparent that process would be as well.

The Hon. A. KOUTSANTONIS: I want the department to have maximum flexibility here. If there are two proponents in a joint venture, one joint venture party is a minority owner who is attempting to do the right thing and the majority owner is continually breaching, you might consider transferring that licence to the minority holder or vice versa, depending on their behaviour. My natural instinct would be that there would be some sort of competitive process that would be conducted.

What I am trying to avoid here is just termination and going back to exploration licences and starting all over again, which could take years. This is one of the issues we had with Gupta and the mining licence. I really only had one sort of play, which was the cancellation of the licence and then there is no ability to sell the mining licences to another provider who might buy the steelworks. So whoever bought the steelworks would have to go through the entire process all over again to build up a mining licence, rather than being able to transfer those mining licences directly to someone else.

I think this gives us the ability to be a lot more nimble to maintain the investment previously made and move out a rogue operator who is not adhering to the regulatory standards that we would expect.

Mr ELLIS: This is the juncture at which the minister cautioned me during his closing debate about placing the power of decision-making into the hands of an unelected official and bestowing upon them the ability to adjudicate as to whether breaches of a licence would be so egregious as to constitute a breach. I tend to agree with him. I think making sure that the parliament has primacy and that the decisions are representative of the people who have elected us, and come through us as closely as possible, is generally and more broadly right. Again, for once, I find myself in agreeance with the minister.

The problem we have, though, obviously, is that he also made the point that he would take his mining policy to the election and we could take ours, and that he was confident that his would be more broadly popular across the entirety of the state. We have a situation where, despite the fact that we have maintained or returned, I suppose, decision-making to a public sphere, we will find ourselves in the minority and with limited influence on that decision.

So how do we ensure that as a smaller population base in regional South Australia we can exert appropriate influence on that decision commensurate with the fact that we are the ones who are unduly affected by the outcome of these breaches of the Mining Act?

The Hon. A. KOUTSANTONIS: That is an excellent question. I will answer it in this way: you are our neighbours. There is no animosity between city and farming and regional communities. The amount of sympathy in the city for regional communities is huge. When farmers are doing it tough in drought, most of the money raised for drought assistance comes from metropolitan Adelaide. I do not view this as 'us versus them'—I just do not.

I do not think any of my constituents in West Torrens, who live in Torrensville and Thebarton and Mile End, hate farmers. I think they actually really respect farmers and really care about their wellbeing and want to make sure that they are okay. If I was trying to do something that actively hurt farming communities, my constituents would not be very happy with me. I think the member fundamentally misunderstands the high regard in which farming communities are held within metropolitan Adelaide—in fact, within metropolitan Australia.

All it takes is to open the *Financial Review* or watch morning TV or listen to FIVEaa or the ABC. If I go on radio and say that we should push aside the rights of farmers for the rights of miners, I guarantee the member that most of the phone calls that come in, in opposition to that statement, will not be from regional South Australia, they will be from metropolitan South Australia because we care deeply about our farmers. They do care deeply about them. I just do not think that mindset is there.

What I am saying is that I have to have a balance between the interests of one group over another. In my own party, in my own broad spectrum of 'the left', there are people who are passionately opposed to fossil fuel extraction but I cannot get to net zero without more gas, so I have to have a difficult conversation with my own people. 'I am sorry, if you want more wind farms, more batteries you need more gas, to have gas-fired generation as backup.'

I say the same to you. The responsible thing to say to the farming community is: this plough is made of steel. Where did it come from? The diesel that goes into your tractor is not synthetic. It has come out of the ground. The fertilisers that you use are from mining endeavour. The paint that you use is from mining. The applications of the mining industry within farming are vast.

It is not us or them; it is symbiotic. You cannot exist without the other. Farming is the foundation of our economy because it provides us with food. The mining industry provides us with the advanced metals and minerals that we need and the complexity that gives us jobs. You cannot have one without the other, and we are blessed to have both. What I am trying to do is to come up with a regulatory framework that looks after both.

I am not looking for a mandate from the people to do you over. I am looking for a mandate that allows me to have co-regulation that allows farming to coexist with mining. That is what I am trying to do.

Mr ELLIS: When this decision-making power is returned to the minister and he is able to exercise it in line with what the right thing to do is, how will independent members or backbenchers know that this decision is on foot? How will we be able to have our say and put the views of our electorate through the process to ensure that they are considered? Will there be notice given to parliamentarians? Will there be notice given to community that consideration has been made as a result of a breach that it will be happening? What will the practical realities of public decision-making and direct input be to this process?

The Hon. A. KOUTSANTONIS: With any system of government, it is goodwill. You can prescribe it and codify it as much as you like. In the end, it comes down to the practice of the parliament. It is no different to a stamp duty exemption. As Treasurer, I have the ability to grant stamp duty exemptions. We grant stamp duty exemptions all the time for certain individual pieces of transactions, whether it is land tax or whether it is other forms of discretion that ministers hold.

The process is that I am here every day when parliament is sitting and I am subjected to your questioning every day, and I cannot make decisions in secret, which is the whole purpose. Whatever decision I make, whether I grant an extension or do not grant an extension, I cannot keep it secret. I am legislating to make it public, so you would know about it.

As a good local MP, you would know that there is a mining licence being granted in 2024. We are getting close to the 18-year mark in 2040, or whenever it might be, and nothing has occurred. It would be normal to think that a member would get up in the parliament and ask the mining minister, 'Hey, so-and-so resources' mining lease is at 17 years: (a) have they applied for an extension? (b) will you grant it? (c)' insert other question.

I think the accountability is the fact that it is an elected member. Think of the alternative. Let's say it is an ombudsman, as you want. Do you know what you would get? You would get an annual report tabled in the parliament once a year, and that would be it. That would be justiciable in a court, taken up mainly by the mining companies rather than ordinary citizens. Ordinary citizens are at my front door every day.

I asked the member for MacKillop about the impact of a member of parliament when we did a compulsory acquisition that impacted family farming communities with a road in the South-East. We were getting nowhere with the department. He called a public meeting with me and had the communities that were impacted voice their opinions. I instructed the agency to listen to the communities. He has got a good outcome.

With an ombudsman or an independent, unelected official, you will read about it in the annual report after the decision has been made. That is my view. I accept that your perception is that my agency is biased towards mining.

Mr Ellis: They should be.

The Hon. A. KOUTSANTONIS: I disagree. I have had many times when my guys walk in and say, 'This is not an exploration licence we should grant, because it's a dubious deposit and the farmland is too rich. It's not wise.'

So I disagree about that. I think they care just as much about maintaining farmland as other agencies, but ultimately we want deposits out the ground because it creates wealth, not for us personally but for the state. I am more relaxed about this than I ever have been, because of the nature of the system. As long as we have this parliamentary democracy, I think the checks and balances are in place and ultimately they are subject to legislation, which can be changed.

Mr ELLIS: Just for the thrills of being here so late: one key difference perhaps would be that with an ombudsman providing an annual report to parliament there would be a record, pattern and precedent that is set by decisions. How will we know where there has been a decision not to revoke or remove a licence from someone? I guess there has been a decision made, but the decision has been made not to take it away. Will that be publicised, or will that be considered no case to answer, case closed and shut away?

I can see, obviously, how the ones that are revoked will become publicly available information. How will we know when it is not enough for it to be taken away so we can rely on that for precedent going forward?

The Hon. A. KOUTSANTONIS: Any notice of transfer will be gazetted.

Mr Ellis: What about where the decision is not the transfer? Are we not going to take the licence away and decide the breach is not—

The Hon. A. KOUTSANTONIS: Well, if they have not breached anything, why would you take the licence away? We do not publish every year everyone whose driver's licences we have not suspended. There is the good order of regulatory transparency, and then there is just bureaucracy gone mad. We are not going to report on things we have not done. Why would we?

But I suppose the point that I think that you have lit up within me is: if you are reaching the end of your 18-year period of your mining licence and you are granted an extension or not granted an extension, what is the public notification process? I suppose that is the point that you are making, or are you talking about transfers of licence?

Mr Ellis: Clause 5 is about the forfeiture of a licence for a breach—

The Hon. A. KOUTSANTONIS: Well, that would be gazetted. If you have not forfeited, what are we reporting?

Mr TELFER: Just looking at new subsection (4)(c) which speaks about 'undue damage to the environment in connection with any operations carried out under the licence' as one of the criteria for consideration that the minister is satisfied has occurred, 'undue damage' is quite vague terminology. I have had experience in my electorate where probably perspective on damage that is caused may be different depending on whether it is the landowner, the mining operator or department staff coming and looking at it.

What do you envision the process would be to ascertain or judge whether damage that is done is undue or whether it is to be expected within the processes of the following out of the licence? And what will that process look like? My electorate was probably at the cutting edge of this 10 years ago, when you were the minister previously, when some of the exploration companies were first going into farming land, and there were some less than ideal situations. I think probably at the time the DMITRE staff were not properly equipped to, firstly, supervise and, secondly, enforce some of the obligation that was within the act at the time.

So what do you envision that process looks like? What is going to be the threshold for judgement when it comes to undue damage, and what agency involvements are there going to be?

The Hon. A. KOUTSANTONIS: I suppose the best way to explain it is what is outside the scope of the authorised activity within the licence. So if you are creating activity that is outside that, that you have not been authorised to do, that could be considered undue environmental harm. I know one of the big issues from farming communities about exploration has been compaction of soil by driving through paddocks rather than following existing paths and the damage that does. I think the mining industry is pretty well educated on that, as is my agency.

So we will authorise certain conduct. If that conduct has not been authorised and that activity occurs outside the authorisation, that is outside the scope. Then, ultimately, it will be an independent assessment by the agency. You know, a farmer makes a complaint: 'They have broken my fence.'

Mr Telfer: That's not environment.

The Hon. A. KOUTSANTONIS: Well, it could be. Or they have spilled something outside an area which they were not authorised to do. I do not want to codify this, because I want to give the ability for maximum protection to farmers and the maximum ability for commonsense outcomes from the department. The moment you codify this to within an inch of its life, there is no discretion. I think we have the balance right.

But this will continually be improved and changed. I can guarantee you this will not be the last amendment to the Mining Act. We will have continual improvement, probably every parliament, to the Mining Act as new practices come into place and as new activity is either to be outlawed or allowed. I think basically it is, by and large, what is outside the scope of what is approved to be considered 'undue environmental impact'.

Mr TELFER: Can I just unpack that a little bit more, minister, to try to have an understanding of what you envision the process for reporting of that might be. Is this going to be a judgement that a departmental officer will make based on periodic supervision of an exploration or will it be upon a concerned landowner making a report or, if it is a roadside, a council making a report? Within the

licence for mining exploration, for instance, there is not a lot of specificity when it comes to what is allowed and what is not.

As part of the committee in the former term, I know you heard about some of the challenges that were faced by landowners. I remember presenting. You did not make it to Tumby Bay, but I presented to some of your parliamentary colleagues about some of those nuanced challenges where there is a power imbalance. For instance, you talked about the compacted soil but in high rainfall areas the ramifications of that are also run-off and erosion and that sort of other environmental damage.

Is the process that you envision going to be one which is clear as far as the reporting of concerns of potential undue environmental damage? Is the burden of obligation of reporting on the landowner or a third party, or do you envision that the department will be more actively involved in the monitoring aspect of it?

The Hon. A. KOUTSANTONIS: Obviously, once the PEPR is entered into, farmers will have access to it so they will know what the approved activity is.

Mr Telfer: A lot of it is pre-PEPR, though.

The Hon. A. KOUTSANTONIS: Sure, but they know what the approved activity is and if it is outside that they can make reports. Obviously, we have a greater role in monitoring, which I expect my agency to do and I am very keen for them to be appropriately funded to do so. I understand that they now have a greater impact with the Treasurer than they did previously.

Mr Telfer: Symbiotic.

The Hon. A. KOUTSANTONIS: I am very keen for them to have the resources that they need to make sure they can do the monitoring. The way I view it is, one of the big concerns that I hear from regional communities is by the time the impact occurs and the responses from the agencies are delayed, it is all too late. That gets down to resources sometimes and just us not knowing what has occurred.

It is no different to any regulated licence. If someone gets building approval to build two storeys and they build three, we will not know until someone reports it. There is monitoring that occurs intermittently, but ultimately we rely on people being aware of what the conditions of approval are, that if there are breaches of those conditions they report them, and that the regulator has the tools within the legislation to respond adequately and make remedy. That is what we are attempting to do here.

If you are asking me, 'Can you run through step-by-step every single individual process for every individual breach?' I cannot do that, because the truth is I am not going to be out there doing it. It is going to be Ben and his team; it is not going to be the minister. I am going to get the reports and I will read about them. It will be our mining inspectors who will be out there saying, 'This is the PEPR, this is the approved activity. They acted outside the scope and this is the penalty we have under the act.'

From my perspective and especially the department's perspective, if there is an ore body in an area and there is one farmer impacted by that mine and a proponent is acting appallingly, the one thing I know about ore bodies is they do not respect land borders. They run across entire regions. I tell you who communities trust more than mining regulators: they trust the farmer who has the proponent on their land right now. So it is incumbent on us to make sure we do everything we can to empower that farmer to know that, when we set conditions and approve the activity, it is enforced.

It is no different from the stuff that I saw members of the Liberal Party talking about with the nuisance bill. For us to know something is a nuisance, you have to make a complaint. We are not going to have people out there monitoring farm pumps, checking for noise, and then giving them an expiation notice.

Mr Telfer: You don't license farm pumps.

The Hon. A. KOUTSANTONIS: Exactly. No, we do not license farm pumps, but we do license activity. I suppose there is a sense of we license the activity and the farmer knows what the approved activities are. If the mining proponent is acting outside their remit, they can complain to us, and we will do regular inspections anyway to make sure that they are fitting that. We do that with

quarries, and we do that with mining licences regularly. We do inspections, but we are not going to have someone on the farm the whole time doing a checklist. There will be a level of cooperation that is required, which is just the nature of regulation.

Mr TEAGUE: Just to pick up on what the member for Narungga was addressing in terms of reporting, it is true, is it not, minister, that the two obligations to report publicly are the section 91AB(2) and the section 91AC(5) obligations to publish a notice in the *Gazette*. That is of the forfeiture on the one hand and then the transfer on the other.

In terms of the minister's discretion, let us just be clear on the face of the change. Under section 91AB(3), the minister has to give a notice that the minister only needs to be satisfied of the subsection (4) criteria. It does not need to enter into the subsection (5) 'notice to make good' criteria; that is a discretionary point. So the notice could just be simply: 'I am letting you know this is coming up, this is out.' It is effectively one step.

In terms of section 91AC, transfer: section 91AC(2)(a)(ii) combines to say that the minister can go ahead on the minister's own initiative to transfer that forfeited licence. So, on the face of it at least, there is actually a lot of discretion, one might say almost complete discretion, residing in the minister, and the minister has the obligation on each occasion to publish a notice in the *Gazette*. They are just the new rules of the game.

The Hon. A. Koutsantonis: Yes. I do point out, though, those are the existing rules for granting a licence. The minister has the ultimate discretion.

Mr TEAGUE: I am just doing my best as succinctly as possible to set out that, regardless of all the likely practical consideration and the ultimate accountability to all of the above, the result of section 91AB and section 91AC is that the discretion is going to reside almost entirely in the minister to decide on a forfeiture and to exercise a transfer, subject to the criteria in subsection (4).

If there is a question, it is: does the government indicate to the committee that the criteria in subsection (4) might be justiciable? Is that the case? If so, we do not see anywhere else criteria upon which it might be justiciable. It is going to be for an aggrieved party, on receipt of the notice, to kick and scream as quick as they can about that. Perhaps can I put it this way: is the notice going to have to specify the subsection (4) ground that the minister is satisfied of? If not, how is it practically going to be brought before a court?

The Hon. A. KOUTSANTONIS: The answer to that is no. It is no different to the granting of a licence. In your neck of the woods, Bird in Hand is a good example, where the agency recommended one outcome, but the minister decided against it for his own reasons.

Mr TEAGUE: It is a bit different to the granting of a licence in that here you are dealing with a status quo ante, in that there is a holder who is now the subject of a forfeiture notice. I think the result of the variety of indications there from the minister is that the holder of the licence is not going to know necessarily the grounds upon which the notice has been issued under subsection (3), and they are not necessarily going to be given any opportunity to rectify whatever it is that is the reason for the notice. All they will have in their hand is the notice, so if they want to run to the court, then they will just have to say to the court, 'Look, we've got a notice. We don't know any grounds upon which the notice is issued.' Is it just going to have to be teased out if the court determines that the minister, as respondent, is going to have to describe the grounds? Is that the way it is going to work?

The Hon. A. KOUTSANTONIS: Yes.

Mr TELFER: I just have one additional clarification, minister. I think it was in response to the member for Narungga's question that you spoke about repeated offences or the burden of proof. A company that potentially has had their licence forfeited might push back legally on the minister's decision, but nowhere within this clause is the word 'repeated' used. When you speak about the four different reasons and that a minister must take into consideration that they are satisfied that one or more of the following has occurred, it is the first time it happens. But to build the case, are you envisioning that the minister would take into account something that is repeated?

The point I was making about subparagraph (c), the undue damage, is the threshold for undue damage is one thing, but would you envision that a minister would use their discretion? We have spoken about the fact that ministers have the ultimate discretion with this when considering the

repeated action or the intention of a company—negligence of process, that sort of thing. I was just curious when you use the word 'repeated', when it is not within the legislation itself.

The Hon. A. KOUTSANTONIS: It might not be repeated. It might be one event that is so overwhelmingly harmful that it would not justify allowing them to continue. Again, to go to the earlier point raised by the deputy leader, there is maximum discretion for the public to intervene.

Clause passed.

Clauses 6 to 8 passed.

Clause 9.

Mr PATTERSON: In regard, again, to forfeiture and the provisions made for that as well, the member for Heysen spoke to it to some extent, but maybe you could talk through it. If a licence holder is subject to forfeiture, what would be their right to appeal via the ERD Court? What would that process entail, and when can they go through the appeal process? Is it before the forfeiture takes effect, or is it straight after the minister's decision? What are the timelines between getting the notice and the forfeiture? How does that play out in practice?

The Hon. A. KOUTSANTONIS: Once the minister makes their decision, the proponents can take legal action in the ERD Court.

Mr PATTERSON: You talked about guidelines here, but, ultimately, in terms of that decision, it is the minister's call. Are there any safeguards around this? What guardrails are in place to ensure that there are not politically influenced forfeiture decisions where the minister just says, 'Well, we are going to move one out and put one in'? How is that prevented in the act? From what I understood from what you said, ultimately, it is the minister's call, but is there a process leading up to this?

The Hon. A. KOUTSANTONIS: Political interference would be corrupt and there are other provisions and other acts that deal with that. You are not going to say, 'Here is a Liberal proponent who wants to build a wind farm or do something. I am going to move them on because there is a Labor proponent who wants to do it.' That is clearly improper, so I am not following the line of questioning. Are you saying—

Mr PATTERSON: So you are saying the protections are the bodies—corruption, etc.—as opposed to within this—

The Hon. A. KOUTSANTONIS: In relation to the granting of mining licences, they could do so within the act but have corrupt intent, which would be found out by another body. I think you are asking me a question I cannot answer. You are saying to me, 'How do you stop someone who has behaved inappropriately and breached clauses of the act from being dismissed for political purposes?' I would not remove someone for political purposes. However, I might add, you might not grant a licence in the first place for political reasons because a community, despite the proponent having met all the regulatory requirements for the licence, may not have met the hurdle of community acceptance.

We do not have a clause in here that says, 'Everyone in Glenelg North must like this before we approve it.' This is pretty standard regulatory approval stuff that is in place. I am not trying to be clever about it, I am just saying I am not sure I can answer your question because the way you framed it is like asking, 'How do I stop political interference?' Well, I am a politician and there is going to be political decision-making.

I am not trying to be clever. I see the deputy leader shaking his head. My point is that it is impossible to remove the inherent biases of politicians in decision-making because we are politicians. For example, in my local community, someone wants a bus stop here instead of there. The department says it should be there instead of here. My political bias is to listen to my community about where they want their bus stop, not where the agency wants it.

I do not want to invite more debate on this than is necessary, but we are here because of our political biases, right? Some members do not want mining in the Adelaide Hills, others do. Some people do not want fracture stimulation in the South-East, others do. These are not questions of science or regulatory approvals; these are questions of political bias. That is why we have elected parliaments.

Otherwise, we would just have independent experts making decisions on the basis of their independent assessment. We allow communities to have a say, which is what politics is all about. People are entitled to say, 'Despite meeting all the criteria set out under the act, we do not want this to occur.' An example of that is fracture stimulation in the South-East. You did not like it and I did and you passed the law to ban it—political bias.

Mr PATTERSON: In terms of the notice provisions that are in place, you get a notice of forfeiture and you said the appeal can occur immediately. What information would be provided in the notice? Is it going to be provided via regulation that it stipulates that this information is provided? Where I am getting to, of course, is that, as part of the appeal process, in terms of the reasons given for the minister to forfeit this, it certainly would help in terms of any appeal processes if you knew the reasons behind the minister's decision. So will that ever appear in the notice to them, or will it be quite to the point and just say it is forfeited and then it is up to the licence holder to then go to court and say, 'It has been forfeited. I am not quite sure why, but these are why it should not be'?

The Hon. A. KOUTSANTONIS: Yes.

Mr TEAGUE: I note the admonishment before. I should not be demonstrative. It is good sportsmanship that you are dismissed and you just get off the ground, I guess. The point is that it is exactly the same as clause 5 for these purposes. I hear the minister rehearse the point about the politics. Just to be a bit more particular about it, the structure here is that the minister has discretion on the minister's own initiative, notice in the *Gazette*, to determine that the licence is forfeited to the Crown and the only stipulation is that, before making that determination, the minister has to give notice.

The minister has already told the committee that the notice, even though the minister needs to be satisfied of the subparagraph (4) criteria, none of which are political, thankfully—breach of the act, breach of a term or condition of the licence, undue damage, and failure to carry out activities—are not cover, they are merits. That notice has to be issued before the determination is made, but we hear that the notice does not have to stipulate which of those grounds is the cause of the notice. So the whole thing could potentially concentrate very, very quickly, and whoever is in receipt of the notice is only going to find out if they choose to try their luck.

But the thing I want to stress here is that there is a stipulation that before making the determination the minister issues the notice. So perhaps the first question is: what work does that have to do? If you are not allowed to make the determination until you issue the notice, what purpose does that serve? What is the minister necessarily going to find out as the result of issuing the notice?

The Hon. A. KOUTSANTONIS: We are going through procedural fairness. We are checking if there has been activity outside the licence operation. We are having a look at it. But, ultimately, the member is right. I am giving discretion to the parliament, to the minister, because if you are conducting activity outside your licence on someone else's land that is not yours, or you are being licenced for an activity on your land that the parliament has decided needs to be regulated, the minister should have the right to intervene if you act outside of that scope.

It is, I suppose, no different from a FIRB approval and having to submit to FIRB or the ACCC—the ACCC is probably not the right example because the ACCC publish their thinking. But FIRB, for example, the minister can make his decision and ultimately is subjected to an independent court process and if they are in error will have to make the decision again. And through that court process, if the minister has made an error and not followed the act, the court will intervene. It is no different, I think, from what we have in other pieces of legislation. I suppose the one error the member is trying to tease out is: is this fair to a proponent?

Mr TEAGUE: Or licence holder.

The Hon. A. KOUTSANTONIS: Or licence holder. My view is that the role of the parliament is to protect the public.

Mr TEAGUE: Well, perhaps just to underscore then, the minister talks about procedural fairness. This is the holder of a licence, and I can hear all the responses about practicalities and what might go on in the real world, but the minister is not protesting too much. If you are the holder of the licence, on the face of this you can be in receipt of a notice that is issued prior to a determination but that notice is not actually helpful to anybody in particular, and whatever grounds the notice is issued on are not disclosed to anybody and there is no period of time that the notice stipulates is provided

for a response or a question, and so you are going to have to be in the hands of the court to determine whether or not to require disclosure by the minister of the grounds upon which the notice was issued before even possibly considering a question of whether or not a determination was improperly predetermined. But there is not really a lot on the face of it to sort of characterise procedural fairness there.

The Hon. A. KOUTSANTONIS: It would not be the first you have heard about it because you would have been receiving questions from the regulator about your conduct. Why would we force someone to forfeit their licence if they have not breached any of their conditions?

Mr TEAGUE: For the political reasons that you have just described.

The Hon. A. KOUTSANTONIS: No, they are already an existing licence holder. For example, if a politician said, 'There's an active mine in this area,' let's say in an electorate in the Adelaide Hills and it is deeply unpopular locally and the opposing political party hears the minister has granted the licence and that member goes to the election saying, 'If our government is elected we will cancel this mine licence.' I am not saying this allows it, I am just saying in principle. I think what you are talking about is mandate. Are you talking about political mandate?

Mr Teague interjecting:

The Hon. A. KOUTSANTONIS: Okay. If you are breaching the conditions of the act or conditions of your licence, you are not hearing about it for the first time when you get a forfeiture notice. The practicalities are you are hearing about it from the regulator regularly and the department has reached a point where the next step is forfeiture. So I do not think we are at any point here in dispute because there is no reason to issue a forfeiture notice if the person has not breached any of their conditions. Why would you?

Mr TEAGUE: Just so we are really clear, there was some allusion there to an election commitment.

The Hon. A. KOUTSANTONIS: I asked if you were asking about mandates. That is what I was asking you. You said no.

Mr TEAGUE: I did not ask about mandates. I am just wanting to be clear. I was asking about the provisions of the second round of these criteria and to be clear, this criteria certainly does not give the minister the opportunity to fulfil an election commitment. This, curiously, actually keeps the minister on the rails; it is just that the process does not require disclosure of the reason and the notice does not have any process associated with it.

I hear what the minister has said about how the licence holder is likely to have heard from the regulator lots of times and practicalities and all that sort of thing. But when it boils down, on the face of it there is no real rein on the minister's power to exercise these steps within the minister's discretion and with very little stipulated procedure, let alone procedural fairness.

The Hon. A. KOUTSANTONIS: In this hypothetical situation where out of nowhere a forfeiture notice has been issued to a licence holder, the reality is that the only way it would get the attention of the minister would be if there had been repeated breaches and regulatory involvement by the regulator. I think we are chasing a straw man here. There are powers in numerous acts that give ministers extraordinary powers to do things. This is no different.

This is not going to an unelected official who is not accountable to anyone. This is going to a minister who is accountable to the parliament and ultimately to the public, so I am less concerned about it. I would be more concerned if these powers were going to an unelected official who did not have to submit to questioning and regular scrutiny. In this situation I do, so I am comfortable with it and I think the parliament will be as well.

Clause passed.

Clauses 10 to 15 passed.

Clause 16.

Mr PATTERSON: In subsection (3) of new section 30AAB at paragraph (b), it gives reasons for the minister to be looking at giving a special circumstances extension. It provides:

the applicant has been unable to meet the requirements of the expenditure commitment, work program or other requirement under their exploration licence within the existing term of the licence due to circumstances—

(i) beyond the control of the applicant; and

(ii) that could not reasonably be foreseen at the time at which the licence was last renewed…

I am more interested in subparagraph (i) but you could maybe talk also about subparagraph (ii). What really would constitute 'beyond the control of the applicant' and is that only 'beyond the control of the applicant' since the last renewal in terms of your response to this?

The Hon. A. KOUTSANTONIS: This gets down to basically land access or anything that might be unforeseen. It could be a commodity price or environmental regulations. It could be a corporate process that is in place that is stopping them from getting access to land to conduct their expenditure that they required. It could be a whole series of reasons that would be independently assessed by the agency and then put to me and I will make a recommendation. If there is an environmental condition that is put over the top that means they cannot do their expenditure: that is one reason. There might be a court process in place that means they cannot get access to land to conduct activity: that could be another reason to be contemplated.

There are a number of reasons that you would contemplate under this section: a process for an extension if they cannot get access to land and meet their expenditure requirements, or it might be as simple as the commodity process has tanked and they cannot raise capital.

The question for us as a regulator then is: do we act commercially and say, 'There was an incident in Fukushima which saw the uranium price collapse globally, therefore uranium explorers weren't fulfilling their basic requirements for exploration expenditure'? If it is on the basis that the commodity price had collapsed during an event somewhere else, that might be a reason you would grant an extension—if it is something out of their control. It could be a landowner taking court proceedings. It could be native title issues in not allowing land access or not getting agreement from the traditional owners. There are a number of reasons you would consider.

Mr PATTERSON: In terms of some of the reasons, if I look at new section 30AAB it is basically stating 'The Minister may only receive and consider an application under subsection (2) if the Minister is satisfied'. From the briefing provided to me, the default position is that the 18 years stand unless there are special circumstances, and this subclause lists some of the reasons why.

Maybe the minister could talk through subsection (3)(a)(ii) where it states 'has made a discovery of minerals, has a new exploration model in respect of minerals or is further developing a mineral deposit'. Maybe you could talk through the new exploration model and whether that relates to the existing licence holder, because potentially a new one could come in with a new exploration model. Is that where it would be looked at, or would it just be that the existing licence holder has had 16 years and then, all of a sudden, has discovered a new exploration model?

Maybe you could talk through that. Also, that is a reason, but is the minister constrained to these reasons or does the minister again—a bit similar to the forfeiture—have the ultimate decision and, as you said, potentially politically?

The Hon. A. KOUTSANTONIS: Suppose I put it another way. The reason we supported the change to an 18-year cap that the former Liberal government made was that we support the 'use it or lose it' principle. As a foundational principle within the act, once you are granted a mining licence you have 18 years to develop the project. That has not changed. What we are doing is giving ourselves flexibility through a different exploration model, a commodity price change, a change in ownership, a new investor, or potentially different commodities being discovered. This happens often. An iron ore player can turn into a graphite player, or a gold player can turn into a uranium player. It depends entirely on the geology and the circumstances around it.

But yes, you are right: ultimately the discretion remains with the minister because—and I go back to the foundational principle—how long should you be allowed to sit on land where exploration has discovered an ore body and you have been granted a mining licence with approvals to mine? How long should you be allowed to sit on that before you develop it? The parliament decided that it is 18 years. We decided that in the last parliament, when the Marshall government was in office.

The question I am posing to the parliament now is: should we give discretions to allow an extension on the basis of circumstances that are beyond the control of the proponent or which are

just sensible changes? I think what you outlined in your question is absolutely right. Yes, the minister maintains full discretion. Yes, the minister can consider these other options. So we are giving the public maximum scope to approve or not approve.

Fundamentally, my biggest concern in the mining sector as the mining minister—and this might not be yours but it is certainly mine, and my regulators will hate me saying this—is that I think we have fostered a behaviour of approval mining, which really worries me. That is, proponents peg out land, get their approvals, sit there and just wait to sell their proposal to someone else. Now that is a legitimate business model, and that is how we got Carrapateena if the truth be told.

However, the taxpayer has no discretion to look into that and say, 'No, you have gone too far. You are holding onto a mine that could be developed and you haven't developed it yet, so you've got to go. You have reached your 18 years. Time is up. We are not giving you an extension.' There are some people who get the approvals and then are offering to sell it on the basis that they receive a royalty on top of our royalty for the minerals that are removed.

Again, that is a legitimate business practice within the mining industry. That is not necessarily in our interest, because that additional royalty they could be charging could make the deposit uneconomic. They reach their 18-year gap and, had it not been for that additional royalty they are charging, the mine would have been developed and the taxpayer would have the jobs, the investment and the royalties that come with the development of that mine.

So we are drafting a piece of legislation here that benefits the public, and the public outcomes of granting these licences, and gives great discretion to the minister to act in the interests of the public. You would assume that whoever holds this position as the mining minister will always act in the public interest. If you are like me, you would think that on most occasions the interest of the public is to develop the mine. But if a proponent is land banking or ore banking, and keeping that ore there waiting for a greater return later, and sterilising it for anyone else to develop and extract, we should act.

I remind members of the parliament that we have made this decision already. We have decided this. If this legislation fails, after 18 years you are gone. You lose your licence, we start again. I am not changing that. All I am saying is that there might be a good reason to grant you an extension, but there might be a reason not to, and we will not always intervene. So let's not overcomplicate this. The parliament has made a decision—we are not trying to change that—I am just giving us a bit of discretion at the end of that 18 years.

Mr PATTERSON: Moving forward, subsection (7) provides:

> (7) The holder of an exploration licence to whom this section applies who has been granted a special circumstances extension may apply for a second or subsequent special circumstances extension however, the Minister may, in the Minister's absolute discretion, refuse to grant the second or subsequent application.

Why is there a need for more than one extension? My understanding on reading that is that there is no real limit on the number of extensions. No matter how difficult that may be, it is open-ended. So the question would be is there a limit on the number of extensions that can be granted, and why is there a need for more than one?—a use it or lose it principle.

The Hon. A. KOUTSANTONIS: It is a good question. I will give you two hypothetical situations. A proponent turns up, it is an iron ore play and they say, Well, actually now we think there is more gold than there is iron ore. We changed the exploration model, we want to extract gold.' The gold price plummets and the iron ore price surges. They say, 'Actually, we want to go back to an iron ore play.' 'Okay, we will grant an extension.' It makes sense.

However, if someone is continually changing their exploration model or we feel, for whatever reason, internally that, actually no, they are just land banking—and remember, I have an independent agency who have expertise looking at this, advising the minister—we have complete discretion to say, 'No, that's enough. You've had extensions, you haven't developed the mine, it's time to move on.' So we are giving ourselves maximum flexibility.

I will give you another reason. You might grant an extension on the basis that commodity prices are suppressed. We reach an upcycle. Commodity prices elevate to a point where the mine is economic, they plough down the path of developing the mine and then an event occurs where the commodity price crashes again, which happens in the mining industry quite regularly, and they ask

for another extension, and they have expended a large amount of money. Why would we punish that company that has done everything right, and, through no fault of its own, the commodity price has collapsed, making their mine uneconomic? Of course you would grant them another extension, because the alternative is you extinguish the licence and you have to start all over again.

In effect, the taxpayer is picking and choosing the optimal outcome for itself, which is what the public would demand of us. 'What is best for us as the public?' Commodity prices collapse, 'Yes, you can stay.' 'You have been banking the land for 18 years hoping to get someone to develop it for you and pay you a royalty. Nothing has occurred, no, you cannot. It is time for someone else who is serious.'

Or, if legitimately, through new advances in technology, you are able to extract another commodity and you want to change your exploration model and develop some other type of mine or new technique, why would we not allow that to occur? But we would make an assessment each and every time. Again, that gives us back some flexibility. But I go back to the foundational principle: you have 18 years to develop your mine. Unless there are extenuating circumstances as set out in the act, that 18 years is it, which is something all of you imposed on us.

All I am saying is why not give the taxpayer the ability to cleverly say, 'You are close to something. We will let you extend'? Maybe a small start-up company has got Rio Tinto buying in at 49 per cent—it would probably not be 49 per cent, it would probably be 51 per cent but whatever—and all of a sudden Rio Tinto turn up and they say, 'This company's mining licence expires in six months. We would like there to be an extension.' Am I going to say no? Of course I am not. We are going to say yes because a very large mining company with experience and a track record of developing mines has come in and farmed in. There might be an offtake that has come up. Whatever it might be, it gives us maximum flexibility to intervene.

I think that was the one flaw in the previous government's legislation and if you asked Dan van Holst Pellekaan today, he would accept it probably was a flaw, that they should have allowed an exemption regime at the end of 18 years to continue that. I do not see this as being anything other than being in the right interests of the taxpayer.

Mr TELFER: Just to unpack that a little bit, I am sure there are probably some exploration licences that may well be reaching the 18-year mark sooner rather than later. Like I said, some of those ones in farming areas over my way, doing the maths, will not be too far away.

Taking into account the likelihood of there being an exploration that culminates in actual mining happening, and the justification or otherwise that the minister takes into account when they are considering an extension for a period of time, as you have alluded to with your explanation, do you envision there could be a scenario where a minister, when a licence is reaching the 18-year anniversary, being uncertain about the capacity of that company to reach the point of actually mining an ore body, would say, 'Well, your time is up'?

As we know, tenements are then open to whoever to come in and it is game on. When there is an ore body there is always going to be an interested party that is going to be looking at it. In my mind, as a landowner, I do not see that there is any better outcome one way or another for a landowner. In reality, if you are a landowner who has had a licence holder for 17 years that has not reached the point of mining, probably you are more certain about what they are going to do—e.g. nothing—than potentially a new miner coming in. I do not see necessarily, as far as landowners go, that it is going to be a better outcome one way or the other.

Do you see a scenario, though, that a minister may test the market, for want of a better word, where there is interest, and say, 'Your 18 years has extinguished,' test the market and the only ones that may be interested are the ones that already own the collateral, the knowledge, the base for that licence? Do you envisage a scenario where a minister could consider that although they have rejected the company that owns the tenement from extending beyond 18 years, after a process has been opened that that same company can apply straight up? There is no sort of cooling-off period where a company cannot reapply; at the end of the 18-year mark they can reapply even if the minister has rejected their application for an extension.

The Hon. A. KOUTSANTONIS: Yes, of course. This again goes back to the tension between farming and mining, and I understand this. Being on Eyre Peninsula most of the farms are freehold I would have thought, and the idea that a Western Australian exploration-based company

can peg out your land, get a licence from us and walk onto your farm and start drilling can be quite confronting for people.

If they have a tenure of 18 years over your land it can be quite an issue. And then, at the end of that, because iron ore commodity prices are below 60 and staying below 60 and the ore bodies are at depth and there is the cost of mining, and there is no rail line and there is no water to process it and get it out to export, the port has not been developed, it just sits there and they keep on asking for extensions, you are right, I could say, 'No, you're not being granted an extension.' We could issue another round of auctions for tenements or we could say, 'We're not interested in tenements in this area for a while. We are going to hold back.'

Again, it gives maximum flexibility to the taxpayer to maximise their return. My role as Treasurer and mining minister is to maximise the return for our taxpayers. It is in the taxpayers' interests to develop that mine. If the plan is not developing that mine, it is in my interests—when I say 'mine' it is in the public's interests—to remove that person and put someone else in who will develop that mine. If it is not possible and it is just causing angst and heartache to the farmer, why continue it?

The department has come to me asking to release tenements in certain areas and I have said no, it is not worth it. So I do envisage where there are ore bodies that are, in my opinion, currently not likely to be mined anytime soon, reaching the point at the end of the exploration period where I will say, 'You are not being renewed and we're not putting this land out for tenement release again for a while,' and just leave it there. It might happen or we might go out straightaway. It will be done on a case-by-case basis on what gives the best return for the taxpayer.

The hard part of that is, of course, the poor old farmer who is sitting there thinking, 'I'm going to deal with someone else now. I have to get to know this other person again. I have to educate them about my farming routine and what I need and what I don't need'—whereas the other guy generally knows. But you and I both know what usually happens: if it is a substantial deposit they will buy the farmer out. If they do not buy the farmer out, and the farm is bigger than the exploration company, usually the farmer is adequately compensated with rent, and it droughtproofs the farm.

I think what it really boils down to—and this is me making a value judgement, and I apologise in advance for it—is the emotional impact of having someone else tell you what they can do on your land, which I completely understand. The problem we have is that the resources that you and I own on behalf of the people of South Australia are under that farmer's feet, and they belong to us. When I say 'us', I mean all of South Australia, and there is the impasse.

The member from Narungga would like me to pass a law that says everything from the top of the ground all the way to the centre of the earth belongs to the freehold landowner—it all belongs to them. No, the mineral wealth is endowed to the people of South Australia, and therefore the government on their behalf. We own the mineral resources and we are not changing it anytime soon.

Mr TELFER: Just to unpack that a little bit more, for me as a landowner I do not see it as much about the emotional aspect. It is more about the operational impact, and this is one, I think, which is probably underestimated by those who do not have a detailed understanding of agriculture and management of an asset base. It is that uncertainty that comes in. There is a range of shored-up knowledge about ore deposits in my electorate. There certainly are those who have the certainty that there is a significant ore body under their tenement, in the footprint that they have rights over, who indeed are paying farmers holding fees, for want of a better word, creating some certainty for the farmer.

Those cases are uncommon; I will put it that way. The most likely experience that we have is companies that have little capital behind them holding tenements for exploration over swathes of regional South Australia, predominantly agricultural land, that do not certainly have the capital to be able to provide certainty for farmers through that process. A farmer, basically, at any one time could have someone coming and saying, 'Well, this is what we are doing.'

More and more, we are starting to see the turnover of these exploration companies. You and I both well know that there is a big difference between a mining company and an exploration company. Exploration companies are a bit more speculative investment and a lot less capital. If you are a serious mining company that owns a tenement and you are looking at trying to advance that to a point of extraction, you certainly have a longer term and larger capital perspective. If you are an

exploration company that is trying to shore up an ore body to be able to then onsell that tenement to a potential developer of that mining lease, it is a completely different game.

I am just trying to unpack a little bit as far as this process goes for extension what you envision. I was interested in your reflections that there may well be, or there have been, areas where a tenement is in place and then a decision is made to not open up for applications for that tenement to be taken up again. The feeling, certainly in regional South Australia, is that once there is an identified tenement that is going to continue to be that way infinitum. In two years' time, five years' time or 50 years' time, there could be someone who wants to utilise that tenement.

Under what scenario do you envision that a minister would either make a decision to not put that tenement back out to market or make the decision that that is unviable or—I cannot remember the exact terminology that you used. What conditions, what information do you think a minister—you in that situation or a future minister—might take into account to make that decision? You talk about in the best interests of the state as the owner of the minerals. The reality is that any money coming in for a tenement is going to be advantageous to a mining minister who is looking at the financial opportunities for the state.

What would be the threshold for a minister to say, 'No, I don't think this is going to be something which is viable,' because in the end that is a minister making a judgement on a business call where a speculative investor may look at it very differently. I am uncertain about what that scenario might look like. Can you unpack it a little bit more for me?

The Hon. A. KOUTSANTONIS: My personal view is 18 years is enough. If it has not been developed in 18 years it is probably not going to get developed. But there could be extenuating circumstances that might justify an extension. That is my personal view. Worldwide events occur. Imagine someone getting to the end of an 18-year tenement term in the middle of COVID and the state having no ability to grant an extension. How could they possibly have done their minimum expenditure? How could they possibly have developed that mine during COVID? There are circumstances.

But my personal view is if you cannot develop a mine in 18 years, you are not trying. Something has happened. And I am reluctant to grant extensions. I have been convinced by the agency that there are rare circumstances where an extension should be considered, and I have said to the industry—because I resisted this call because I do like the idea of use it or lose it; but I was convinced by the agency and the industry that there are circumstances that are beneficial not just to the mining company but mainly to the taxpayer in terms of the ability to grant an extension. And it will be done on a case-by-case basis.

But I tell the industry now publicly, 'If you haven't developed your mine in 18 years, don't come crying to me.' I'm not in the extension-giving business. Eighteen years is enough. However, if someone bursts through the door and says, 'Look, it's year 16. We've been looking for graphite this whole time. We found this massive deposit of gold. Gold prices are through the roof. We think the deposit's massive and it's a 30-year mine,' I'd be crazy to say, 'Bad luck. You've still only got two years to develop a mine' or 'two years of exploration.'

So, obviously, you have to be sensible about this. I go back to my original point: what is in the interests of the taxpayer? It is not in the interests of the taxpayer to continue somebody who has not been developing a mine on that land, because they are not going to develop a mine. But I also point out to the member for Narungga, who talked about 'this tenement', that it does not extinguish the tenement. So what is the difference to a landowner? Other than personnel, it is nothing. Nothing. There is no change. So I think this is really much ado about nothing here, because I do not see many of these extensions being granted personally.

Mr TELFER: Sorry, the question I was asking was about the point you were making about once an 18-year period is up or 18 plus whatever. You spoke about a scenario where a minister might envision that that tenement not go back out to market, for whatever reason. Can you give me some understanding as to what you think a minister would be taking into account to not put it out for another 18 years? That is the point I was making. It has to be an interesting scenario where a minister says, 'Well, because X company for 18 years hasn't been able to get to a point of extraction, that probably means the whole thing's not viable and I'm not going to put it out again.' I don't see that scenario happening. Can you give me an example as to where a scenario like that might come into play?

The Hon. A. KOUTSANTONIS: I can. Like I said to you in my earlier answer, if you can't develop a mine in 18 years, you're not developing a mine.

Mr Telfer: Yes, but someone else might.

The Hon. A. KOUTSANTONIS: Someone else might have a different proposal, but they will come to us and they will consider that. But I would not let the department issue tenements on areas unless I felt there was a reasonable prospect of there being a discovery.

Mr Telfer: Based on—

The Hon. A. KOUTSANTONIS: Based on geology. That is for a greenfield site. On an existing site if there have been proponents exploring there for the last 36 years or since 1971—since the Mining Act—right up till now and no mine has been developed we are wasting our time. I am wasting my regulator's time, I am wasting the farmer's time, I am wasting everyone's time. My view is: 18 years is enough. The industry might not like this.

Without wanting to mention anyone in particular as an example, I think Iron Road's mine is developable. I think it will be a mine eventually. Magnetite is in hot demand. Haematite is going out of business very quickly and South Australia is blessed with magnetite reserves. There is a good port nearby, there are railways nearby and Northern Water could produce water adequately for them. I am more confident about that.

But if there is another mine somewhere else that has been looked at that is not prospective, that is not going to happen and that has just been sitting there causing people grief, then I am not really in the business of granting them extensions. That will be based on the advice I receive from my agency on a case-by-case basis.

I have done this previously. The department have come to me and said they want to release prospective tenements on an area and I have said no, because I am not going to go through 18 years of grief in this regional community on the basis of there potentially being a mine when I think the chances are that it is probably uneconomic. I am not going through it. I am not into 'the entire state is a mining tenement and people can just pick and choose where they want to mine'. I want to make sure that we have a prospect of getting a mine up.

We still have to be speculative, we still have allow entrepreneurship and we still have to allow some risk, but I am sufficiently confident that we have the ability internally to say some areas just are not worth going to.

Mr TELFER: As a supplementary to that, and it will be a quick one, what do you envision the process would be for community involvement in that? I do not know when a tenement is coming up in my area. I know the concern that a community would have if the consideration—I am interested in that consultation process, because you might not know the level of community angst if 12 years ago there was uproar and the company has not done anything for six years. What would that engagement process look like? Thank you for your flexibility.

The Hon. A. KOUTSANTONIS: In my experience, if there are any people with tractors and ploughs nearby they are going to be opposed to what I have said about mining. That is the general rule. You can assume if it is freehold farmland there will be concerns about mining access. If there is an exploration area release occurring, you would have public consultation on it and people would know about it and people would have the ability to put their say in.

We would not allow mining in the Barossa Valley; we would not allow mining in McLaren Vale. These are small, iconic areas—we would not allow mining. We were doing the geological surveys for the tunnels to understand the soil types for the tunnel boring machines. We found large gold deposits in Unley. We are not allowing gold mining in Unley, you know? So, yes, there is discretion there but I think the process is common sense.

Mr ELLIS: I have a process question, Chair. I obviously have amendments on file but I have a couple of questions that I would like to ask about what will inevitably be the clause. Do I do that now or after my amendments have failed?

The CHAIR: I suggest you move your amendments and then you can ask questions about them. Or do you want to ask questions about the substantive bill itself?

Mr ELLIS: The clause as it is currently written, which is—

The CHAIR: You can ask your three questions on the substantive bill and then you can still move your amendments.

Mr ELLIS: Thereafter?

The CHAIR: Yes.

Mr ELLIS: Right, thank you.

The CHAIR: I am assuming you will not ask questions about your own amendments, though.

Mr ELLIS: I am very confident that they are brilliant and unquestionable. I have two really quick questions, please, minister. Forgive me, you have said quite clearly that your personal view is that 18 years will be sufficient. How did you reach the conclusion that a five-year extension is the number that you need? If there is a solution imminent, would two years not have been enough?

The Hon. A. KOUTSANTONIS: I followed the advice of my agency, which said that five years would be an adequate time to be able to deal with the regulatory approvals that would be needed for a change of environmental conditions for a different type of exploration plan that might be in place. I am not a mining expert, and I hazard a guess there is no-one in this building who is a mining expert. I rely on my mining regulators giving me advice as the minister. They gave me the five-year number. I interrogated why they wanted five years, and I was satisfied that five years was an adequate number.

Mr ELLIS: Second question: we have no reason to believe it is not the case, but if your personal view is that 18 years is enough and that there will be exceptional circumstances where an imminent improvement will come that will allow a mine to be viable, why then do we need the capacity for multiple five-year extensions to be presented?

The Hon. A. KOUTSANTONIS: Events, dear boy, events. Things happen. Wars happen. Pandemics occur. Commodity prices change. Stock markets crash. Nuclear reactors explode. Tsunamis occur. There are impacts on commodities and prices. China dumps a vast amount of iron ore onto the system and iron ore prices plummet. They stop buying iron ore and iron ore prices plummet.

Whatever it might be, we have to have the ability to be nimble and allow extensions, because through no fault of their own there are some companies who are not land banking, are doing the investments and do want to get a mine up, who are seeing the commodity price not reach a point where it is economic. We should be supportive of that. So that is why: it is events. We should have the ability to be nimble here rather than just a blunt guillotine.

I am a politician: I want my cake and I want to eat it, too. I want to be able to say to people, 'You have had 18 years, that's enough,' but I also want to be able to say, 'You get an extension,' because that is what the public would demand of me because they want to have the good outcome for the taxpayer. I keep on going back to this point. I feel like I am repeating myself, but I just want to let the parliament know again: the foundational principle of 18 years has been set by the parliament. It was passed unanimously. I think there were 26 Liberal MPs. The remainder were 19 Labor MPs and a few Independents.

We passed a bill in here unanimously for an 18-year hard deadline. Through that 18-year hard deadline's implementation, we have seen credible evidence through the agency that there should be the ability for a ministerial exemption. That does not mean everyone gets one. It is still 18 years. You have to satisfy a lot of very cynical people that you deserve an extension, and I think that is the appropriate mechanism to have in place.

Mr ELLIS: Mr Chairman, is now the opportune time for me to move my amendments? Can I seek the consent of the house, or those therein, to move them collectively rather than separately?

The CHAIR: I am happy for you to move both, if you like, on the understanding we then vote on both at once. Are you happy with that?

Mr ELLIS: Yes, that is my preference. It is already quite late.

The CHAIR: Okay. You are happy, I am happy, we are all happy.

Mr ELLIS: Excellent. I will be even happier, I am sure, when the parliament sees the wisdom of the amendments and supports them unanimously.

The CHAIR: That might be stretching it a bit.

Mr ELLIS: I move:

Amendment No 1 [Ellis–1]—

Page 11, line 25 [clause 16, inserted section 30AAB(2)]—Delete '5 years' and substitute '2 years'

Amendment No 2 [Ellis–1]—

Page 12, lines 39 to 43 [clause 16, inserted section 30AAB(7)]—Delete subsection (7)

I do not mean to add a great deal to my second reading contribution. I have not yet been convinced, unfortunately, by the minister's submissions. I do not see that a five-year extension is necessary, nor do I see that multiple extensions would be necessary. I will take the minister at his word that his personal view is that 18 years is enough and that it would be extraordinary circumstances that warrant a five-year extension, but alas, he will not be in the chair indefinitely. There will be other ministers who come in whom we might not have the same level of faith about their capacity. I worry for those days as well.

I do accept, however, that there will be exceptional circumstances that warrant an extension. I do appreciate that leniency and flexibility might be an admirable thing for the department to have, but I do not accept that five years is the number, acknowledging that, of course, I am not a mining expert, as the minister has just said.

I think that two years will be sufficient, because these projects that we are talking about, these special circumstances exemptions, are for projects that are on the cusp of being finalised. Two years should be enough, in my view. That will make it 20 years in total. I submit that that is more than enough time to get an exploration licence converted into an actual mining licence. So I have moved both those amendments collectively for the consideration of the parliament.

The committee divided on the amendments:

Ayes 13
Noes.....21
Majority 8

AYES

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

NOES

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

PAIRS

Tarzia, V.A.	Malinauskas, P.B.
Pisoni, D.G.	Boyer, B.I.

Amendments thus negatived; clause passed.

Clause 17.

Mr PATTERSON: Clause 17, regarding a change in control of a tenement holder, is more expansive than the previous changes of ownership in the Energy Resources Act and the Hydrogen and Renewable Energy Act. It goes into more detail around what is considered in the interpretation of what is involved and then it moves on to approval of change of control.

Overall, though, we have spoken before around change of control and, ultimately, the minister has discretion. There are a few guidelines in place that are put into the act, but it seems from previous questions that the minister can also make their own sovereign decisions. Can the minister again confirm that is the case here in the Mining Act? Also, again, can the minister talk to whether there will be transparency around this? Will the minister publish reasons for approval of change of control or refusal?

The Hon. A. KOUTSANTONIS: Yes and no.

Mr PATTERSON: In terms of notices that are given—again, we have talked about the notices and how expansive they are—what consultation will be done with the landowner, especially with regard to farmers if there is going to be a change in ownership for the tenement holder? Will they be notified that you are considering changing it, and the reasons why you agreed to the change? Maybe if you could talk through the consultation around that?

The Hon. A. KOUTSANTONIS: No.

Mr PATTERSON: So what is the mechanism then, if there is a change of ownership for the landowner that the tenement is upon, to be given notice? Is it incumbent on the actual licence holder of the tenement itself, or will the government give notice that this has happened for transparency reasons?

The Hon. A. KOUTSANTONIS: I am not sure why I would be negotiating with a landowner about a tenement condition.

Mr PATTERSON: That was not the question; the question was in terms of giving notice to them that this has happened, that there has been a change of ownership and that you have approved it and these are the reasons why, seeing you are giving yourself the powers.

The Hon. A. KOUTSANTONIS: It would be updated on the mining register.

Mr PATTERSON: There are also offences there and, again, for consistency, the maximum penalty is $16.5 million. That is the maximum, of course. Is there going to be proportionality in terms of what the penalties will be for smaller explorers, because the point was made I think by AMEC that with some of these smaller explorers their market cap is less than the $16.5 million that is the penalty?

The Hon. A. KOUTSANTONIS: This would be at the discretion of the court. They will take into account the market capitalisation, their indiscretions against their conditions. I am not sure what point you are getting at.

Mr PATTERSON: The point is proportionality. I can understand that with the Energy Resources Act you are dealing with big companies. I can understand with renewable energy. But here you have quite a big penalty in comparison to the actual size of some of these companies. So how did you arrive at that $16.5 million? It has gone up from $250,000 in the other act.

The Hon. A. KOUTSANTONIS: The advice I have is that we mirrored the Corporations Act.

Clause passed.

Clause 18.

Mr PATTERSON: We have asked a lot of questions. Transfer of ownership: we can understand for energy and resources or for renewables, but when you have farmers involved and there is a transfer—and I know that you have said previously there is no consultation or no notice given in terms of if there is a change of ownership, but when it comes to forfeiture, again, you have said before there will be no consultation—when you are transferring it over to another operator, is there any provision for consultation with the landowner themselves?

The Hon. A. KOUTSANTONIS: No, because the conditions of access to the tenement are unchanged. It is just the ownership structure.

Mr PATTERSON: You are saying the conditions are unchanged, so there are no provisions in there for the minister to say, 'Okay, we are going to transfer ownership, but also apply other conditions as part of this.' Because certainly when you are looking at transferring it, is there the scope to move it across but then also apply extra conditions looking at fit for purpose?

The Hon. A. KOUTSANTONIS: Obviously, there are other provisions within the act that allow consultation if there are changes in condition, and that would apply in this case. If you give an extension with different conditions, or you approve a different exploration plan, there are other provisions within the act that would cover this, so it is unnecessary for it to be covered within this provision.

Clause passed.

Clause 19 passed.

Clause 20.

Mr PATTERSON: In terms of the Mining Rehabilitation Fund, how will the proposed scheme allow voluntary payments into the Mining Rehabilitation Fund? How will that be structured in reference to existing companies that have already paid a bond, but then also to future companies that have not yet paid a bond? I think there were provisions in there around whether the entire bond be paid up-front, but in lieu of that potentially voluntary payments be put towards the Mining Rehabilitation Fund.

The Hon. A. KOUTSANTONIS: The regulations will follow, which will govern the way the funds can be paid into the rehabilitation fund, but ultimately what we are attempting to do here is we will have maximum flexibility. So you can either have a bond, which is easily bankable, or there can be other opportunities where there are people with better financial credentials and we can arrange voluntary payments into a rehabilitation fund to offset any need for a bond, but it will give the department maximum flexibility and this will come through in the regulatory process afterwards.

Mr PATTERSON: In terms of the funds that are collected—you have companies that are opting in to do this—will those funds be strictly quarantined for the rehabilitation of the current and future mining activities or will they be more geared towards addressing legacy site issues? If it is to raise funds to address legacy rehabilitation issues, has there been modelling undertaken to determine what the proportion might be that goes towards previous legacy sites and funds that are stored in future in anticipation of maybe potential future rehabilitation sites?

The Hon. A. KOUTSANTONIS: There is a very large legacy of unrehabilitated exploration sites of about a quarter of a billion, so these payments will take a long, long time, but we need to start somewhere. This is just giving us the chance to begin.

Mr PATTERSON: That is a substantive amount, so maybe, minister, you could explain how the levies would work and coexist alongside the existing requirements for rehabilitation bonds. How do you see that working both for upcoming or new tenements and then for existing ones where they have already paid a bond, there is already a bond in place?

The Hon. A. KOUTSANTONIS: We want to be as flexible as we possibly can be with the timing of these payments to try to keep financial liquidity within the proponents. If you have a bond, environmental rehabilitation requirements grow as a mine and exploration processes grow. You have ever increasing contributions to the fund and you allocate them as need be. But as I said, there is a very large legacy unfunded liability, as it were, for legacy sites. This is a beginning. We are trying to fix past errors and we will get there eventually but this is just a process of beginning.

Mr PATTERSON: What is envisaged in terms of the quantum of the levy? How are you going to apply it for a small mine site compared to a big mine site? How is it going to work proportionally? Is there a prescribed amount? Is it going to be a percentage of the rehabilitation bond or is it going to be a transaction that is done on a case by case basis?

The Hon. A. KOUTSANTONIS: We will do an assessment of what the rehabilitation liability may be, look at the ability of the company to pay and their financial capabilities, and then work backwards. But we will do an independent assessment of what we think the rehabilitation liabilities

are, the ability for them to pay, what the size of the bond may be, what the size of the levy may be, and voluntary payments. This will give us the full discretion we need to make sure that we are able to (a) continue exploration to discover the geology of the state, (b) make sure we are able to rehabilitate as we go, and (c) understand the economic viability of the proponents who are on country who can actually make payments in a sustainable way without it being crippling.

Clause passed.

Remaining clauses (21 and 22) and title passed.

Bill reported without amendment.

Third Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (23:12): I move:

That this bill now be read a third time.

I thank members for their contributions. Again, I think these amendments to the act give us maximum flexibility in the interests of taxpayers in the state, and I look forward to its bipartisan passage through the house.

Mr PATTERSON (Morphett) (23:12): The committee stage has fleshed out some questions and brought up some concerns as well. I get back to what I was saying in the second reading debate and the glaring problem that I think was glossed over, which goes to the point around consultation. The minister's attitude with the consultation was that the mining industry is supporting this, and why would they be complaining about this. The consultation was perfunctory: not necessary. Other aspects were not really consulted on, which saw both AMEC and SACOME saying the consultation period was lacking.

The minister says, 'Well, I want to do this anyway, so I am doing it.' That is his right but when, in the committee stage, we asked him to list through who was consulted on this bill it was quite clear in the list that was provided—unless I misheard—that there were no primary producers in there. There were no representatives of the farming industry and, throughout the discussions, we could hear the need to balance both the needs of the mining industry and the farming industry as well. We have the mining industry which—I would agree with the minister—are supportive of the changes there, but even they are complaining about the lack of consultation. SACOME made the point in their submission, and I will reiterate it:

> We note advice issued by the Department of Prime Minister & Cabinet's Office for Impact Analysis that best-practice consultation should not be 'rushed' or 'burdensome' for stakeholders; and that 'between 30 and 60 days is usually appropriate for effective consultation, with 30 days considered the minimum'.

At the same time we have AMEC making the same point:

> While AMEC and other industry associations have made every effort to raise awareness of the release of the Draft Bill, it is understood that the Department for Energy and Mining…did not directly inform licence holders of the consultation. This obligation is a critical oversight given the limited consultation period of just five business days, which also overlapped with a major mining conference in Adelaide and a public holiday in Western Australia where many companies are headquartered. Meaningful engagement requires sufficient time to consult with industry participants, legal advisors, and other relevant stakeholders. The timing and brevity of the consultation has significantly constrained stakeholders' ability to review the Bill and prepare considered responses.

That is coming from the industry, and yet we heard nothing from the farmers, from the primary industry. Through the committee stage we saw the opposition, because of this lack of consultation, supporting the reduction of the special circumstance extension to two years, which would get us past the election and would allow those licences that need to be acted on straight away to be looked at, and then for proper consultation to be informed to come to a considered position.

Here we again see a bill rushed through in this place. We will continue to consult, as I said in my second reading speech, between the houses to try to get proper insights, not only from the industry but also from the primary producers as well. As I said in my second reading speech, we are not going to oppose this in this house. We are going to continue to consult between the houses to make our way through this and to actually get proper consultation, which this government has not provided, because we take the opinions of our primary producers and farmers seriously.

Mr ELLIS (Narungga) (23:16): I intend to oppose this bill for the reasons outlined in my second reading speech. To summarise, it is chiefly because I believe that the results and findings of the select committee report, tabled nearly four years ago, have been basically ignored and have not found their way into this bill. I am fearful that the consultation submitted by the relevant farming groups in this round has been ignored. I am concerned, once again, that this has been a mining bill that might have adverse impacts on landowners and regional people, and it has been presented in November during harvest, once again. So it is for those three reasons.

I make the point for the benefit of *Hansard* and for the benefit of the record that the private members' mining bill that I presented to this parliament was introduced during November, but the vote on that bill was held in April, after the harvest was finished and at a more opportune time. For those three reasons I will be opposing this bill. I would like to see more done in this area straight after the election.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Energy and Mining) (23:18): If this bill does not receive bipartisan support in the upper house it will not pass, and the people responsible for that would be the Liberal Party of South Australia. If that means that tenement holders are not able to be granted an extension, I will let every single one of them in the mining industry know that the person responsible for them losing their tenements is the shadow minister for net zero and shadow minister for mining. There are no excuses on this bill. These are minor changes, and if the opposition do not want to support them they should vote against it in the House of Assembly and let us know, and we will withdraw the bill and take it to the election. It is very simple.

The house divided on the third reading:

Ayes 34
Noes.....3
Majority 31

AYES

Andrews, S.E.	Basham, D.K.B.	Batty, J.A.
Brown, M.E.	Champion, N.D.	Clancy, N.P.
Dighton, A.E.	Fulbrook, J.P.	Gardner, J.A.W.
Hildyard, K.A.	Hood, L.P.	Hughes, E.J.
Hurn, A.M.	Hutchesson, C.L.	Koutsantonis, A.
Michaels, A.	Mullighan, S.C.	Odenwalder, L.K.
O'Hanlon, C.C.	Patterson, S.J.R.	Pearce, R.K.
Pederick, A.S.	Piccolo, A.	Picton, C.J.
Pisoni, D.G. (teller)	Pratt, P.K.	Savvas, O.M.
Stinson, J.M.	Szakacs, J.K.	Teague, J.B.
Telfer, S.J.	Thompson, E.L.	Whetstone, T.J.
Wortley, D.J.		

NOES

Brock, G.G.	Ellis, F.J. (teller)	McBride, P.N.

Third reading thus carried; bill passed.

GUARDIANSHIP AND ADMINISTRATION (TRIBUNAL PROCEEDINGS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 October 2025.)

Mr TEAGUE (Heysen—Deputy Leader of the Opposition) (23:24): I rise and indicate I am the lead speaker for the opposition. I indicate the opposition's support for the bill and, in doing so, I just make some brief observations about the purpose that the bill is serving.

This is really about expediting the hearing of guardian administration applications where the person concerned is an inpatient of a local health network hospital. There is basically operative change that will require the SACAT to hear matters of that nature as a matter of priority and in any event within 14 days. We understand that is SACAT's practice already to legislate that.

The safeguard measures that are the subject of clause 7 require SACAT to provide notice of such hearings to the applicant, the person to whom the proceedings relate, the Public Advocate and any other persons that SACAT considers have a proper interest. There is discretion to dispense with certain notice provisions that apply, including where the person is proposed to be discharged to their own home to live with the applicant or to an aged-care facility. In those circumstances SACAT will be permitted to shorten the timeframe for providing notice where appropriate.

It is all about providing for such processes to occur with minimum delay. There are safeguard mechanisms in terms of the capacity to apply to vary or revoke those orders without needing to demonstrate that a change of circumstances has occurred, which would otherwise be the case. You would otherwise have to meet that threshold to make the relevant application in a non-section 65A matter. There is therefore an endeavour to say that on the one hand there is an expedited regime for inpatients in those circumstances, but on the other hand there is a means of redress amendment without the ordinary threshold needing to be met.

The final point to note is that the clause 5 change amends section 57 of the act to extend the maximum timeframes for review of SACAT guardianship and administrative orders. The maximum period for such review is extended out to a year for a first review and subsequent reviews are set at intervals of up to three years and for other protected persons out to five years. There is a retained discretion to require earlier reviews in cases of concern.

Again, the amendment is intended to deal with the reduction of mandatory reviews in non-controversial matters and so intended to be a practical matter in terms of time and resources. It is a balancing act matter that is intended to achieve practical improvement, particularly in respect of inpatients.

I note that the Attorney in another place introduced the bill back on 21 August. The bill has therefore been the subject of debate already in another place. I note that I appreciate the opportunity to be afforded a briefing by the government that occurred later in that month, back in May. The amendments have been the subject of consideration already in the parliament. It is also something that has been of some note publicly.

At this point, for the purposes of members and the record for those who are interested in the process and the subject area, I would provide some words of reassurance in that this is really a matter of administration in the interests of such inpatients, often the direct interests of those who would be seeking to act in their best interests so that the proper care can be provided without delay. As I said at the outset, the opposition supports the bill, and I commend its passage through the house.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (23:32): I thank the opposition for their support for this legislation. I thank the Attorney-General and his department for drafting it and putting it together and also working collaboratively with the health department and our clinicians and officers in terms of the drafting of it. We think this is a sensible amendment and are glad that it has been passed through the other place. We are also thankful for the opposition's support to ensure a speedy passage through this house, and we think it will make a meaningful difference.

Bill read a second time.

Third Reading

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (23:33): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (HEALTH AND WELLBEING) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 October 2025.)

Mrs HURN (Schubert) (23:35): I rise to speak on the Statutes Amendment (Health and Wellbeing) Bill 2025 and indicate that I am the lead speaker for the opposition. The bill was introduced by the minister last sitting week, and it is a pretty substantial portfolio bill that seeks to amend 13 pieces of legislation across the health and wellbeing framework. These include the Advance Care Directives Act 2013, the Assisted Reproductive Treatment Act 1988, the Automated External Defibrillators (Public Access) Act 2022, the Blood Contaminants Act 1985, the Controlled Substances Act 1984, the Food Act 2001, the Guardianship and Administration Act 1993, the Health and Community Services Complaints Act 2004, the Health Care Act 2008 with consequential amendments, the Mental Health Act 2009, the Research Involving Human Embryos Act 2003 and the Suicide Prevention Act 2021.

In his second reading speech the minister described these amendments as really a series to update, modernise and enhance the operation of our health laws here in South Australia. Whilst it is largely technical in nature, the bill does touch on really a broad range of areas, from aged care to mental health and assisted reproductive treatment, suicide prevention and food safety.

We were really thankful for the briefing by SA Health that we received. We appreciate the time provided by those public servants and also the speed with which they came back on a number of the questions we had. We are supportive of the changes in this bill—the proposed amendments. I think clearly one of the biggest changes is to the Health Care Act, particularly in relation to new incorporated health services. That is a big change for the way in which health governance is structured in South Australia.

Probably one of the biggest things that we wanted to get on the record, which we spent a little bit of time discussing in the briefing, was the amendment to the Health and Community Services Complaints Act. We appreciate the need to make some of these changes; however, we did have concerns about the fact that it makes clarifications that a person is not obliged to provide information requested by a conciliator through this process. We had concerns about whether this would result in less information being provided and/or disclosed through the commission and whether this would have a negative impact on the people of South Australia getting answers about the health care that they receive in our public health system.

We were satisfied with the response that we received from SA Health. Obviously, conciliation is just one of the many ways in which people can have their complaints reviewed in relation to their engagement with the health services in South Australia. Other than that, a number of the amendments really were clearing up some technical elements which we support. I note that my colleague, the member for Frome, will be making some contributions. This is a bill which we have both worked together on. We will be going into committee just to get a few more things on the record from the minister. I commend the bill to the house.

Ms PRATT (Frome) (23:38): I also rise to speak on the Statutes Amendment (Health and Wellbeing) Bill 2025 and indicate, as did the member for Schubert, that the opposition will be supporting the bill, while noting that we have reserved some questions for closer inspection in the committee stage.

A broad and complex piece of legislation by virtue of the number of acts that it encompasses, introduced by the minister to amend 13 separate acts within his health portfolio, this is in essence an omnibus bill, a legislative housekeeping exercise to designed to bring clarity and some administrative consistency to the way the South Australian health system is governed and delivered.

This bill touches on matters as diverse as reproductive technology, controlled substances, blood contaminants, mental health, ambulance licensing, food safety, suicide prevention and the structure of our health governance framework. While the opposition accepts the rationale for this tidy up, it is certainly an opportunity in committee to ensure that these amendments are both practical and safe, particularly when they interact with the rights of vulnerable South Australians in relation to regional health and mental health services.

From the minister's second reading explanation he makes it clear that this bill seeks to tidy up outdated provisions, improve administrative practices and ensure consistency. We agree that these goals are sensible in the main. We also agree that, for the most part, the amendments being

put forward are commonsense reforms—they ensure that our legal frameworks keep pace with advances in medicine, technology and governance practice.

In relation to the advance care directives amendments, it is worth noting that there are provisions in the bill that deserve some closer scrutiny—for example, a new section that confers additional powers on substitute decision-makers to determine that a person who has both given an advance care directive and has impaired decision-making capacity may, upon discharge from hospital, be placed in a residential aged-care facility.

While we note the briefing that was offered to the opposition, and we thank the minister and his team for that, there will be an opportunity in committee to explore that a little bit more to ensure that the intent of this amendment is aiming to prevent delayed discharges and ensure safe transitions for those patients who cannot safely return home. The bill also provides that this detention power may only be exercised if no guardian with similar powers has been appointed under section 31 of the Guardianship and Administration Act 1993.

I will not continue to prosecute the details, given the time of night and the fact that we are going into committee. I think the member for Schubert has detailed what is obvious to the house, which is that with a number of amendments in 13 acts encompassing this omnibus bill there is a lot of detail to pay attention to. We understand the government advises the house that these amendments intend to bring clarity and consistency to quite a complex web of information-sharing rules. It is clear, through the amendment bill, that there is an effort to tidy up bills, make sure they talk to each other and harmonise them with some commonwealth acts as well. On the whole, it makes sense.

It is clear that this bill represents a package of updates to South Australia's health laws. It is seeking to streamline outdated provisions, enabling more flexible service delivery and strengthening those governance structures that patients rely on. I do thank the minister and the departmental staff, always, for their detailed briefing on this substantial bill. Both the member for Schubert and I look forward to the committee process that is upon us so that we can ensure that these reforms are serving all South Australians, particularly those who are living in the regions or are ageing well in place. With those remarks, I support the bill.

The Hon. C.J. PICTON (Kaurna—Minister for Health and Wellbeing) (23:43): I want to thank both the member for Schubert and the member for Frome for their speeches and for their support for this legislation. I look forward to discussing some of the issues that they would like some more information on in the committee stage of the debate.

I want to thank all of the officers from various parts of the health portfolio who have had input into this portfolio piece of legislation, but particularly some of the key officers who have worked on it: Alicia Tsogas, Scott Hodges, Josie Crowley, Peter Knapp and also Josh Harmer from my office. Thank you to all of them for their very important work in bringing this legislation to the house. I move that it be supported by the house.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 and 2 passed.

Clause 3.

Ms PRATT: I should clarify that my first question relates to the advance care directives. It is simply a clarification in terms of the language that is used in new section 39A—Persons to whom this Part applies, where, as I interpret it, all three of subsections (a), (b) and (c) must be in play for a decision to be made. My question is: who decides that there is an advance care directive and that the person has an impaired decision-making capacity and is admitted as an inpatient at the same time? Who determines that those three elements are in play?

The Hon. C.J. PICTON: The advice I have is that two elements of that are statements of fact, one in terms of having an advance care directive and the second being an inpatient of an incorporated hospital. Subsection (b) would be the judgement of the medical practitioner, the doctor who would be caring for that patient.

Clause passed.

Clause 4.

Ms PRATT: Again, this is a question around the language in the drafting. I refer to new section 39B(2)(b), 'the action is reasonably necessary'. Can you provide some understanding around the use of the word 'reasonably' and how that would be defined or interpreted, and who would do that?

The Hon. C.J. PICTON: Again, similar to the previous question, this would be the medical practitioner, the doctor, who would be in making this judgement, and it would be reasonably in the context of the their clinical judgement. Based on their experience in clinical treatment, they would form that judgement.

Ms PRATT: How might any conflict between a substitute decision-maker's authorisation and the later guardianship order be resolved in relation to new section 39B(7), where this section refers to the Guardianship and Administration Act 1993? I am assuming there is some harmonisation taking place between the two acts, but my question is: how might any conflict be resolved between a substitute decision-maker's authorisation and any later guardianship order? How do the two acts speak to each other?

The Hon. C.J. PICTON: The advice that I have is that the guardianship act would come into play where there was not a substitute decision-maker, essentially. This section obviously is specifically in regard to where there is a substitute decision-maker under an advance care directive. If that was not the case, then obviously the provisions of the Guardianship and Administration Act would apply.

Ms PRATT: With regard to new section 39C(3), my question is in relation to the timeframe. Why was a six-month timeframe chosen? Could this delay expose individuals to unnecessary detention before that oversight occurs? What was the advice with the six-month timeframe?

The Hon. C.J. PICTON: This was arrived at in consultation with SACAT. In talks between Health and SACAT, this was the figure that was arrived at. In terms of the context of this, obviously this is only specifically in relation to aged care. Obviously, all the rules, the quality safeguards, the inspections and the commonwealth regulations apply in terms of aged care, so in that context it was the government's view that this is a reasonable approach, given our consultation with SACAT about when we should set that. The other point to make is that this is within six months, so it could well be before that as well.

Clause passed.

Clauses 5 to 19 passed.

Clause 20.

Ms PRATT: In terms of consultation—and I did not have the benefit of attending the briefing to ask about consultation—has the Attorney-General's Department or the Human Rights Commission been consulted to assess compliance with the charter of rights for residents of aged-care facilities or the Aged Care Quality Standards where that act is referenced in clause 20, part 2? Has that consultation taken place, and, if not, why would it not be necessary?

The Hon. C.J. PICTON: Clause 20, part 2?

Ms PRATT: In reference to clause 20, section 1 and section 2.

The Hon. C.J. PICTON: There was extensive consultation with the Attorney-General's Department in the drafting of this legislation. It is obviously something on which we have been working with them for some time. In terms of the Human Rights Commission, I do not believe so, but, again, when it comes to aged care, there is obviously a very significant amount of regulation that applies to the federal aged-care system. This is limited to that system and the regulation that applies to federal aged care.

It is also consistent with what we believe happens in other states and territories across the country as well, and so we do not believe that there are human rights issues associated with it given that the rights of people within aged care will be well protected through the commonwealth regulations in the act.

Clause passed.

Clause 21 passed.

Progress reported; committee to sit again.

STATUTES AMENDMENT (RECIDIVIST YOUNG OFFENDERS) BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

CHILD SEX OFFENDERS REGISTRATION (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

At 23:59 the house adjourned until Wednesday 12 November 2025 at 10:30.

Estimates Replies

COMPANION CARD HOLDERS

In reply to **Mr WHETSTONE (Chaffey)** (24 June 2025). (Estimates Committee A)

The Hon. N.F. COOK (Hurtle Vale—Minister for Human Services, Minister for Seniors and Ageing Well): I have been advised:

The provision of universal keys to accessible toilets and changing stations to Companion Card holders began on 1 January 2025. In 2024-25, 2,645 Master Locksmiths Access Keys (MLAK) were provided free to Companion Card holders. The cost per key to government was $44 (excl GST), made up of $25 for the key and $19 postage and handling.