

**LEGISLATIVE COUNCIL**  
**Tuesday, 26 September 2023**

**The PRESIDENT (Hon. T.J. Stephens)** took the chair at 14:16 and read prayers.

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

*Bills*

**CRIMINAL LAW CONSOLIDATION (CRIMINAL ORGANISATIONS - PRESCRIBED PLACES)  
AMENDMENT BILL**

*Assent*

Her Excellency the Governor assented to the bill.

**STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (EMISSIONS REDUCTION  
OBJECTIVES) BILL**

*Assent*

Her Excellency the Governor assented to the bill.

**STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) (NO 4) BILL**

*Assent*

Her Excellency the Governor assented to the bill.

*Parliamentary Procedure*

**ANSWERS TABLED**

**The PRESIDENT:** I direct that the written answers to questions be distributed and printed in *Hansard*.

**PAPERS**

The following papers were laid on the table:

By the President—

Report by the Independent Commissioner Against Corruption titled Response to  
Inspector's Review of the investigation and prosecution of Mr John Hanlon  
[Ordered to be published]

Annual Report, 2022-23, of the Judicial Conduct Commissioner [Ordered to be published]

Report of the Auditor-General—Report 6 of 2023: Modernising SA public sector audit and  
strengthening audit independence

Report of the Auditor-General—Report 7 of 2023: Access to Cabinet documents

By the Minister for Aboriginal Affairs and Reconciliation (Hon. K.J. Maher)—

Fee Notices Under Acts—  
Lotteries Act 2019

By the Attorney-General (Hon. K.J. Maher)—

Fee Notices Under Acts—  
Liquor Licensing Act 1997

Report of the Retail and Commercial Leases Act 1995—Disputes Lodged

By the Minister for Primary Industries and Regional Development (Hon. C.M. Scriven)—

Corporation By-laws—

City of Unley—No. 6—Local Government Land Amendment

City of Prospect—No. 7—By-law Amendment

Regulations under Acts—

Planning, Development and Infrastructure Act 2016—General—Schedule 13

*Parliamentary Committees*

**SOCIAL DEVELOPMENT COMMITTEE**

**The Hon. I.K. HUNTER (14:20):** I bring up the report of the committee on the inquiry into the impact of the National Disability Insurance Scheme on South Australians living with disability who have complex needs and are, or are at risk of, residing for long periods in inappropriate accommodation.

Report received and ordered to be published.

*Question Time*

**QANTAS CHAIRMAN'S LOUNGE MEMBERSHIP**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:27):** My questions are to the Minister for Primary Industries and Regional Development regarding the Ministerial Code of Conduct. Is the minister a member of the Qantas Chairman's Lounge; if so, has the minister made use of the privileges of the Qantas Chairman's Lounge during either official or unofficial travel?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:28):** I am a member of the Qantas Chairman's Lounge. It was brought to my attention, through a media report over the weekend, that I had omitted to include that on my register of interests for 2023. As soon as I became aware of that I rectified the situation by advising the Clerk and requesting that it be added to my register.

**QANTAS CHAIRMAN'S LOUNGE MEMBERSHIP**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:28):** Supplementary: why did the minister not declare her membership of the Qantas Chairman's Lounge? Will she apologise to the parliament and people of South Australia for this breach?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:28):** As I just said, it was accidentally omitted. As soon as I became aware of that fact I rectified it.

**QANTAS CHAIRMAN'S LOUNGE MEMBERSHIP**

**The Hon. J.M.A. LENSINK (14:28):** Further supplementary: does Qantas Chairman's Lounge membership constitute a gift under the Ministerial Code of Conduct?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:29):** My understanding is that it does not constitute a gift but that it should be declared on the register of interests, which I have now done.

**QANTAS CHAIRMAN'S LOUNGE MEMBERSHIP**

**The Hon. J.M.A. LENSINK (14:29):** A further supplementary: is the minister aware that the Premier's documents relating to this state that 'gift' is a gift under the definition of the Members of Parliament (Register of Interests) Act?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:29):** As I understand it, I have now complied with all of my obligations to do with the register.

*Members interjecting:*

**The PRESIDENT:** Order, the Hon. Mr Hunter! The Hon. Ms Girolamo!

**QANTAS CHAIRMAN'S LOUNGE MEMBERSHIP**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:29):** I seek leave to make a brief explanation before addressing a question to the Leader of the Government on the Ministerial Code of Conduct.

Leave granted.

**The Hon. N.J. CENTOFANTI:** It was reported in *The Advertiser* on 25 September that the Premier and nearly his entire cabinet have declared being members of the Qantas Chairman's Lounge, with some omitting it from their register of interests. The article states that a government spokesperson said that:

...under official guidelines in place under successive governments, airline lounge memberships are not classified as gifts provided they are part of [the ministerial] role and are not given in exchange for favour—

but that, and I quote—

All MPs should publicly disclose any membership as the Premier has to the parliament.

The Members of Parliament (Register of Interests) Act quotes:

gift means a transaction in which a benefit of pecuniary value is conferred without consideration or for less than adequate consideration, but does not include an ordinary commercial transaction or a transaction in the ordinary course of business;

My questions to the Leader of the Government are:

1. What is the leader's understanding of whether ministers are or are not required to declare membership of the Qantas Chairman's Lounge?
2. Under what instruments did the leader declare his membership of the chairman's lounge in his own parliamentary register of interests?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:31):** I thank the honourable member for her question. I am not aware of any way that I haven't complied with all requirements in terms of declarations in the same manner, in the same form and in the same way as former members of the Liberal government would have done and, as I understand it, likely as the Leader of the Opposition in the lower house, the member for Black, does in terms of his register of interests and his membership of the chairman's lounge.

*Members interjecting:*

**The PRESIDENT:** Order! I will listen to your supplementary after the Hon. Mr Wortley ceases to interject—and the Hon. Mr Hunter.

**QANTAS CHAIRMAN'S LOUNGE MEMBERSHIP**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:32):** Supplementary: does the Leader of the Government believe the membership meets the test of being a gift under the Premier's guidelines associated with the Ministerial Code of Conduct?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:32):** As I have said, I have declared it in the way in which I understand previous Liberal ministers have and the way in which I presume the member for Black, the Leader of the Opposition, does as well.

**QANTAS CHAIRMAN'S LOUNGE MEMBERSHIP**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33):** Supplementary question: what directives or advice has the Premier given to cabinet ministers in relation to their membership of the Qantas Chairman's Lounge?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:33):** I thank the honourable member. I can't recall a directive that has been given.

*The Hon. R.P. Wortley interjecting:*

**The PRESIDENT:** The honourable Leader of the Opposition, your third question. The Hon. Mr Wortley, we are not needing your help.

### BIOSECURITY

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33):** I seek leave to make a brief explanation prior to addressing a question to the Minister for Primary Industries on biosecurity.

Leave granted.

**The Hon. N.J. CENTOFANTI:** The National Management Group, which manages the spread of varroa mite across Australia, made the unanimous decision on Tuesday 19 September to transition its approach to addressing the biosecurity issue confronting beekeepers and the pollination industry. The group said noncompliance by some beekeepers and a recent spike in new detections and over a wider area made eradication a non-viable option, and I note there have been over 260 identified outbreaks in the Eastern States since the parasite was first detected 14 months ago.

Tony Mahar from the National Farmers Federation says he's not as confident in managing varroa mite, with an estimation that \$14 billion could be lost to the deadly bee parasite. My questions to the minister are:

1. Has the minister requested or received a briefing from the National Management Group?
2. What is her government doing to prepare apiarists in the industry for the new management strategy of varroa mite?
3. What is the estimated potential economic cost to apiarists and the industry of varroa mite here in South Australia?
4. Given that the minister met, I believe, with the Cross Border Commissioner—or so she told us last sitting week, that she was meeting with the Cross Border Commissioner last week—what will be the Commissioner's role in this important issue?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:34):** I thank the honourable member for her question. It is certainly a question of great importance as so much of our industry relies on pollination, and therefore the intrusion of varroa mite into Australia has been particularly disappointing.

The bee pest varroa mite (officially, *Varroa destructor*) was detected in hives at the Port of Newcastle in New South Wales on 22 June last year as a result of routine surveillance on sentinel hives. There have now been more than 275 infested premises in New South Wales, and that includes outbreak areas around Newcastle and the Sydney Basin; a new cluster of detections in the Kempsey region traced forward to detections in Euston, Nericon, Euroley, Boggabri and Somerton; and a new infestation in beehives at Barcoongere in the Coffs Harbour region. It is important to mention that varroa mite has not been detected in any other state or territory at this time.

The New South Wales Department of Primary Industries is leading a national emergency eradication response, under the Emergency Plant Pest Response Deed, that involves containment, tracing, surveillance, education and compliance. Up until now, that response has allowed for delimitation of the varroa incursion to eradication emergency zones (EEZs) and surveillance emergency zones (SEZs), with the remainder of New South Wales classified as free from varroa as a general emergency zone (GEZ).

In response to a number of eradication response plan trigger points being met, the Consultative Committee on Emergency Plant Pests (CCEPP) recommended to the National Management Group that it was no longer practically feasible to achieve eradication. The National Management Group supported and agreed to this recommendation and, on 19 September this year, the response moved to a transition to management phase.

The South Australian apiary industry pollinates agricultural and horticultural crops, valued at an estimated \$1.7 billion dollars, and produces in excess of \$11 million worth of honey bee products

annually. The South Australian government of course continues to take the New South Wales varroa outbreaks very seriously. PIRSA is working closely with the New South Wales Department of Primary Industries; the other neighbouring state departments—obviously, specifically Queensland and Victoria; the Australian Department of Agriculture, Fisheries and Forestry; pollination-dependent industries, such as almonds; and the South Australian apiary industry to ensure an appropriate response.

Movement restrictions for bee colonies and bee commodities entering South Australia have been in place since June 2022, and they have been updated over time as the situation changes. Initially, movement restrictions restricted any movement from all of New South Wales and permitted movement from Victoria and Queensland only with permit approval from the Chief Inspector of Stock.

On 19 July 2023, a new movement restriction notice was published in the *South Australian Government Gazette*. The notice permitted movement from the New South Wales general emergency zone, based on risk assessment and evidence that the New South Wales GEZ had a varroa-free status consistent with decisions made by Queensland and Victoria, and updated the required conditions for permit approval from the Chief Inspector of Stock.

Before a beekeeper can enter South Australia with their goods, they are required to seek permission from the Chief Inspector of Stock. Before and after approval is granted, they are required to adhere to strict movement conditions imposed by the chief inspector. PIRSA reviews the applications with an initial risk assessment and, where necessary, requests additional information before making a recommendation to the chief inspector. The chief inspector then reviews the application in conjunction with the risk assessment and makes a decision of whether to permit movement and, if so, subject to what conditions.

Beekeepers granted permission of entry into South Australia must comply with the strict entry conditions for the transport into and within the state, managing colonies, sampling and record keeping and submitting notifiable occurrences, such as a detection of a notifiable condition. These conditions remain in place at present but of course may need to be reviewed or updated as the situation further develops.

Over the last two weeks of July and in the weeks since, almond pollination took place in South Australia in the Sunraysia region, resulting in a small number of movement applications into South Australia being approved and a small number of movements between South Australia and Lindsay Point requiring permit approval to return to South Australia.

Following the Kempsey cluster outbreak in New South Wales, a number of South Australian movement permits were withdrawn on 25 August to enable a risk assessment of the impact of the evolving Kempsey situation on movement approvals into South Australia to occur.

Following the review, the chief inspector was satisfied to reissue the permits which had been withdrawn. Whilst a small number of new permit applications continue to be received and processed, PIRSA has further increased vigilance of the application and assessment process in light of the recently expanding detections in New South Wales.

PIRSA has taken a responsible approach to the emerging situation in New South Wales. PIRSA has been conducting surveillance and compliance activities in the Riverland region during almond pollination, with a priority focus on the interstate beekeepers. Activities have included border inspections of transiting bee colonies and equipment; almond site inspections and surveillance, including sampling of 10 per cent of hives; and checks that apiarists are compliant with movement permit conditions.

Surveillance will continue in coming weeks and move focus to the South Australian apiarists returning from Lindsay Point in Victoria. PIRSA is continuing to monitor the evolving detections in New South Wales from the Kempsey cluster, is actively kept informed by New South Wales DPI of situational developments, and continues to participate in the national discussions with industry, state government and commonwealth government stakeholders and experts.

PIRSA is also continuing with preparedness and planning considerations for the ongoing biosecurity risk that varroa mite poses to South Australia. This includes the purchase of acaricides and sticky mats for PIRSA surveillance for varroa mite, updating the response plan for an

SA detection, and planning how to work closely with SA industry to best educate and engage with South Australian apiarists.

By its nature, this planning must be reviewed regularly, of course, to account for developments both interstate and here. PIRSA continues to engage in this review. An updated plan is expected soon. The plan will be the subject of ongoing review as developments occur and we are pleased to continue to work with the apiarist industry that includes both commercial apiarists and hobbyists.

### BIOSECURITY

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:41):** Supplementary, although I am afraid to do so: whilst I appreciate the minister's comments on long-term management of varroa mite, I specifically asked about post 19 September and the transition to the new management strategy of varroa mite. So I ask again: what is the government doing to prepare apiarists and the industry for the new management strategy of varroa mite, and, given the minister met with the Cross Border Commissioner last week, what will be the commissioner's role in this important issue?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:42):** As I have already mentioned, the updated plan is expected soon. It's something that we are working on, as I did say. In terms of the Cross Border Commissioner, this perhaps is a bit broader than simply a cross-border matter, given that it affects all jurisdictions and is subject to national agreements.

The Cross Border Commissioner will be involved wherever it might be helpful. We of course appreciate the various relationships that she has already with the Victorian Cross Border Commissioner and the New South Wales Cross Border Commissioner. This issue of varroa mite overall was something that she got herself across very early in the piece when she came on board in the role, and I certainly value ongoing discussions that will include the Cross Border Commissioner as well.

### BIOSECURITY

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:43):** Final supplementary: has the minister requested a meeting or a briefing from the National Management Group in New South Wales to better understand their management strategy of varroa mite?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:43):** The National Management Group engages with all the various jurisdictions. It's usual practice—and I have certainly followed that practice—that then the state jurisdiction that is involved with those discussions gives a briefing to the minister.

**The PRESIDENT:** The Hon. Ms Pnevmatikos, there has been a public statement made today and I am sure that we all wish you very well and will get the opportunity to say that over the next few days, but we hope that you are well.

### HORTICULTURAL NETTING INFRASTRUCTURE PROGRAM

**The Hon. I. PNEVMATIKOS (14:44):** Thank you. My final question is to the Minister for Primary Industries and Regional Development. Will the minister inform the council about the recent expansion of the Horticultural Netting Infrastructure Program?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:44):** I thank the honourable member for her question. Members might be aware that previously the South Australian government secured funding from the commonwealth government for the South Australian horticulture infrastructure program, which provided \$14.6 million in grants for horticultural producers. This was in response to repeated severe hail events experienced in 2016, 2017, 2018 and 2019.

When the funding was announced it was specifically for producers situated in the Adelaide Hills and the Riverland growing region. The program provides funding to producers for the

purchase and installation of new netting or replacement of damaged netting over land used to grow horticultural crops.

I am pleased to update the council that I have now approved the change in scope for the Horticultural Netting Infrastructure Program to list the whole state as eligible areas. This means that producers in areas such as the Northern Adelaide Plains or the Limestone Coast will now be eligible to apply for this grant, which will give primary producers the potential to capitalise on the opportunity to protect their crops from adverse weather events in the future.

The grants available under the program provide for up to 50 per cent of cost to purchase and install permanent netting and throwover netting, with grants being capped at \$300,000 per business. We know that increasing protective cropping within South Australia will not only assist producers to mitigate climate challenges but will also result in productivity gains and increased marketability of products.

Netting is an effective and sustainable method of protecting fruit orchards against hail and bird damage, with the benefits extending to improved yields, pack outs and labour and water savings. I understand my department has recently received interest in the grant from a company that was just a few short kilometres out of the previous boundaries, which has previously been affected by hail. As a result of this change, they will now be able to invest in this infrastructure, and I encourage any other company in other regions to do the same.

The program is due to end on 30 June 2025. All applications must be received by June 2024, and all funding needs to be spent by that date of June 2025. As of 30 June this year, the program in the Adelaide Hills and Riverland has seen a total of 127 grants being approved totalling \$10.2 million, with a total project cost worth over \$22 million; 110 projects have been completed; 774 hectares of crop have been covered through the approved grants; 455 hectares covered by permanent netting structures; and 319 hectares covered by throwover netting. The average grant to date is just over \$80,000.

It is clear there has been a strong take-up from industry in the Adelaide Hills and Riverland and they are, of course, still eligible to apply under this expanded framework. I look forward to continuing to see strong uptake across South Australia as a result of these changes.

#### **FERAL PIGS**

**The Hon. T.A. FRANKS (14:47):** I seek leave to make a brief explanation before asking the Minister for Primary Industries a question regarding feral pig culling.

Leave granted.

**The Hon. T.A. FRANKS:** In August, the Limestone Coast Landscape Board recorded three outbreaks of feral pigs over the last 18 months, with the board saying that more than 80 feral pigs culled in the state's South-East were likely released illegally by members of the community. The outbreaks were geographically isolated from one another, and whilst the first two only involved 10 and two pigs respectively, the third has resulted in more than 70 being killed by trapping and aerial shooting. The board's manager of landscape operations, Mr Mike Stevens, said:

They're deliberately and illegally released across the region to establish them for personal use or for whatever reason.

One assumes that means for hunting. Feral pigs have a financial impact right across our nation to the tune of millions of dollars, as well as causing significant environmental impacts. They are incredibly destructive, not to mention dangerous. The fine for illegally releasing feral pigs is \$125,000 or two years' imprisonment. My questions to the minister are:

1. What information can she provide to the council with regard to these feral pig releases or outbreaks?
2. What steps is the department taking to investigate this and bring those who have done this action to justice?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:48):** I thank the honourable member for her question and her

interest in this matter. While we have had great success in terms of eradication of feral pigs on Kangaroo Island, due to the nature of an island, it is of course far more difficult on mainland South Australia. There are, I am advised, between about 1,000 and 2,000 feral pigs on mainland South Australia. Most are found in the Murraylands and Riverland Landscape Board region, followed by the SA Arid Lands Landscape Board region.

In terms of the specifics of the question, feral pigs are declared for destruction under the Landscape (South Australia) Act 2019, and under that act it is illegal to possess, move, sell or release feral pigs without a permit. Sightings of feral pigs or any indication of their presence must be reported to the regional landscape board or the chief executive of the Department for Environment and Water or their delegate. I am happy to refer the specifics in terms of prosecutions or similar that were outlined in the member's question to the Minister for Environment and Water in the other place and bring back a response.

### FERAL PIGS

**The Hon. T.A. FRANKS (14:50):** Supplementary: could the minister please address the question?

**The PRESIDENT:** The Hon. Ms Franks, the minister is entitled to answer the question as she sees fit, so it is very difficult for me to rule on a supplementary question arising from the answer.

**The Hon. T.A. FRANKS:** Supplementary: given the impact on landholders in this particular landscape board, what has the PIRSA minister done, through her department, to address this serious issue?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:50):** PIRSA works closely with the landscape boards, including in the Limestone Coast. The impacts absolutely are very much on the agricultural sector, as well of course on the natural environment. Feral animals, particularly feral pigs, have very considerable negative impacts environmentally as well. However, given that the question was particularly around legal follow-ups—

**The Hon. T.A. Franks:** The illegal release, deliberate illegal release of these feral pigs.

**The Hon. C.M. SCRIVEN:** Yes. So a contravention of an act that is under the jurisdiction of the Minister for Environment and Water, and therefore, as I mentioned, I will seek additional information from her.

### YABBY NETS

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:51):** I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries regarding opera house yabby nets.

Leave granted.

**The Hon. J.S. LEE:** An announcement was made two days prior to the banning of the opera house nets that there would be a swap scheme for the now-banned opera house yabby nets, and the proposed scheme to be run in partnership with RecFish SA and Green Adelaide. Whilst we applaud the minister for taking on the suggestion of the opposition to have such a scheme, we are now three months on and still no details have been established or published for recreational fishers.

Summer is fast approaching, the busy school holiday period is on the doorstep, and recreational yabby fishers are keen to have answers. There is still no announcement on the PIRSA, RecFish SA or Green Adelaide websites. My questions to the minister are:

1. Where is the information publicly available for recreational yabby fishers to find out about the exchange program?
2. Can the minister inform the chamber which budget line the money for this incentive will come from?
3. Can the minister inform the chamber which agency will have the responsibility to administer this exchange program?



**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:52):** I thank the honourable member for her question; I think it is an important question. I am not sure if members are aware of the benefits of outlawing the type of net under discussion and replacing it with one that has fewer fatalities for particular aquatic animals. We have been working with RecFish SA on a number of matters, and they have also been working with Green Adelaide particularly in regard to a swap situation. I am happy to get updated advice in terms of where the information appears and bring that back to the chamber.

#### CLONTARF FOUNDATION

**The Hon. R.P. WORTLEY (14:53):** My question is to the Minister for Aboriginal Affairs. Will the minister inform the council about his recent visit to a session of the Clontarf Foundation's academy?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:53):** I thank the honourable member for his question and his interest in this area. I am pleased to be able to say that I had the great pleasure of being invited to attend a recent session of the Clontarf Foundation's academy at Christies Beach High School during last week.

The Clontarf Foundation is a not-for-profit organisation that works with young Aboriginal and Torres Strait Islander men at school in years 5 to 12. The foundation seeks to maximise the student's engagement with their education through participation in before and after school activities, in turn building life skills discipline and, in particular, furthering employment prospects.

The foundation was launched in 2000 as a pilot program in WA and since then has grown, with 148 academies now operating across Australia and some eleven and a half thousand students participating. Ten of these academies are located in South Australia, with over 450 students spread throughout. The Christies Beach academy launched earlier this year, with 47 students enrolled by the end of term 1.

As I said, I was honoured to join with these students in a before-school session last week and was put through my paces in a footy fitness training session in the morning and was not only impressed by the excellent skills on show but the teamwork, sportsmanship and enthusiasm that the young men showed.

After the training session, students Dion and Peter showed me around the dedicated facility for the Clontarf program at the Christies Beach High School and showed me the visual displays demonstrating the academy's value in action, their school attendance tracker and plans for the term ahead. It was great to hear about the other activities involved in the academy, including leadership camps, health and wellbeing checks, social outings, as well as projects to assist students in getting themselves workforce ready. It was clear all these students take great pride in their participation in the academy.

Before ending the morning with their usual post-training breakfast, I was quizzed in an interview by the students about my life and work and advice for students. They asked a lot of informative questions, and I was able to share my experiences with the students, including one left-field question at the end which asked what would I have if I had a superhero power. I was pleased to be able to answer the ability to kick straight after a recent performance at the Kilburn football club that people regarded as shockingly poor kicking.

I thank the Clontarf Foundation for inviting me to spend the morning with the students and I look forward to seeing the exceptional things that many of these students achieve in the future as the leaders they will grow into.

#### COVID-19 MANDATORY VACCINATIONS

**The Hon. S.L. GAME (14:56):** I seek leave to make a brief explanation before directing questions to the Attorney-General, representing the Minister for Health and Wellbeing, regarding COVID-19 vaccine mandates for frontline SA Health workers.

Leave granted.

**The Hon. S.L. GAME:** Media outlets recently reported that the Queensland Chief Health Officer has deemed COVID-19 mandates unnecessary. The Queensland health minister remarked, 'Given the global workforce shortages, it now makes sense to reconsider this mandate.' My questions to the Attorney-General, representing the Minister for Health and Wellbeing, are:

1. Why are SA Health employees facing immediate termination for refusing COVID-19 vaccinations, as alerted to me by a worker terminated on 30 August 2023, when Queensland has deemed such mandates unnecessary?

2. How many SA Health employees have been terminated for the sole reason of refusing COVID-19 vaccinations?

3. Does the government agree with Queensland's Chief Health Officer and health minister that COVID-19 mandates are no longer necessary, especially considering global workforce shortages?

4. Why have I not received responses to the questions I asked in this chamber on 28 June 2023 regarding SA Health employees forced on paid leave, given that over two months have elapsed?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:57):** I am happy in terms of the questions that refer to numbers of employees to refer them to the minister in another place and bring back a reply and also to check on the status of the questions that have previously been asked.

But in terms of most of the other questions, I am quite sure the answer will be because the government, as it did when the previous government was in power during the height of the pandemic and since, tends to rely on the best possible evidence and advice about what is in South Australia's best interests in relation to COVID.

#### **QANTAS CHAIRMAN'S LOUNGE MEMBERSHIP**

**The Hon. J.M.A. LENSINK (14:58):** My question is to the Minister for Primary Industries and Regional Development. Did the minister disclose her membership of the Qantas Chairman's Lounge to Cabinet Office?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:58):** As far as I am aware I have complied with all requirements on me.

#### **QANTAS CHAIRMAN'S LOUNGE MEMBERSHIP**

**The Hon. J.M.A. LENSINK (14:58):** Supplementary question: why then did the minister not disclose that in her parliamentary register of interests?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:59):** I have already answered that question.

#### **QANTAS CHAIRMAN'S LOUNGE MEMBERSHIP**

**The Hon. J.M.A. LENSINK (14:59):** Further supplementary: has the minister had discussions with the Premier about her failure to disclose?

**The PRESIDENT:** You really can't get that out of the original answer.

#### **SOUTH AUSTRALIAN AGRICULTURAL TOWN OF THE YEAR AWARD**

**The Hon. T.T. NGO (14:59):** My question is to the Minister for Primary Industries and Regional Development. Can the minister tell the chamber about the progress of the 2023 town of the year award?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:59):** I thank the honourable member for his question. The AgTown of the Year Award for 2023 is certainly getting to the pointy end of the competition, where the judging panel has the very difficult job of splitting very worthy finalists and determining which will be this year's champion.

The competition is now in its fifth year. The award highlights the vital role that agriculture plays in the regional landscape, recognising towns that are supporting advanced agricultural practices, thriving primary industries and regional development. By promoting the strengths and successes of regional communities and regional industries, the award aims to play a role in attracting and retaining people in regional locations.

I am informed that this year's competition was so close that one town, Wudinna, even mobilised their local radio station to perform a rap battle to promote their involvement in the competition, and the independent judging panel convened for an extra day to select the finalists.

*An honourable member interjecting:*

**The Hon. C.M. SCRIVEN:** And before I have any interjections, no, I am not planning to reproduce the rap from the Wudinna radio station.

*Members interjecting:*

**The Hon. C.M. SCRIVEN:** Thank you for the requests, but I will be declining on this occasion. The three finalists eventually selected are spread from Eyre Peninsula to the Clare Valley and to the Limestone Coast. They are, in no particular order—no priorities here—Wudinna, Eudunda and Bordertown. These towns are in the process of being individually visited by the judging panel, who meet with prominent locals and focus on how the towns have supported the growth of primary industries, how they have invested in leadership development activities, demonstrated resilience and attracted people to their region.

This part of the competition provides a great opportunity for each town's champions and leaders to showcase what is particularly special and significant about their town on the ground in their part of this great state.

I wish all the finalists well in this final stage of the competition. The winner will be announced at the Regional Showcase awards celebration in November. The winning town will receive town signage noting their achievement, a community celebration event and promotion through *SALIFE* magazine and *InDaily*.

Once again, I would like to thank all 49 regional towns nominated for the awards, and I commend the other eight towns that were shortlisted as part of this year's top 11, which were Ardrossan, Jamestown, Myponga, Orroroo, Strathalbyn, Waikerie, Crystal Brook and Yunta. I look forward to discovering in November who will be next year's AgTown of the Year.

### WESTERN SUBURBS MAJOR PROJECTS

**The Hon. F. PANGALLO (15:02):** I seek leave to make a brief explanation before asking a question of the Leader of the Government, representing the Minister for Transport in the other place and the Premier, a question about major projects in the western suburbs.

Leave granted.

**The Hon. F. PANGALLO:** Business owners on Adam Street are upset about the level of consultation over proposed changes to the intersection of Adam Street and Manton Street at Hindmarsh to accommodate an expected increase in city-bound traffic flow from the multibillion-dollar Torrens to Darlington project.

Without any consultation with businesses hurt when South Road was undergoing an upgrade two or more years ago, the department distributed a flyer in May proposing the removal of right-turn access from Manton Street into Adam Street, with access to Adam Street maintained only via a new projected right-turn lane at the Richard Street junction of Manton Street or, some distance away, by travelling south on South Road.

Affected businesses say the Richard Street manoeuvre is unsuited to larger vehicles like trucks and would also deter, confuse and inconvenience customers from attending those businesses. They say two brief meetings with the government have resolved nothing.

Intensifying their concerns and those of local Thebarton and Hindmarsh residents, the Premier announced plans for a targeted 1,000 homes and commercial properties on the cleared

former brewery site on Port Road and separated by the Torrens River to adjacent Adam and Manton streets. Their fear is this project will create an enormous traffic headache in surrounding streets and is likely to involve reconfiguring traffic movement on Port Road. My question to the minister and the Premier is:

1. If the only traffic access to the brewery site is by travelling west either along busy Port Road or via much smaller side streets like George Street and West Thebarton Road, and with no access from Adam or Manton streets, can he and the Premier explain how and where the government intends to create the necessary entry points to this large urban redevelopment and at what cost?

2. Will compensation be paid to the affected businesses expected to suffer financial losses as a result?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:05):** I thank the honourable member for his question and his interest in these areas. I will refer those questions to the relevant minister in the other place and bring back a reply for the honourable member.

#### **PRIMARY PRODUCERS, SPECIAL DRIVING PERMITS**

**The Hon. H.M. GIROLAMO (15:05):** I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development regarding special permits.

Leave granted.

**The Hon. H.M. GIROLAMO:** There is a special application form known as an MR33 which allows family members or employees of a primary producer to drive heavy tractors or agriculture machinery when they do not hold the appropriate class of licence. The applicant must be aged 18 years or over and must have held at least a class C driver's licence for 12 months, but frustratingly this restricted licence can only be applied to a South Australian class C driver's licence.

Many primary producers require their transient staff, whether it be working holidaymakers, grey nomads or other interstate and foreign workers, to operate primary industry vehicles such as trucks and tractors. This is across farm and aquaculture operations.

Producers have told us that it is imperative that a solution be found for this issue. I understand my colleague from the other place, Sam Telfer MP, wrote to the minister about this issue in early July and is yet to receive a response. Given that it has been 10 weeks since the minister was made aware of these issues by our team, my questions to the minister are:

1. As the key representative for primary producers, has the minister advocated for the sector to find a solution for special permits for workers from interstate and overseas?

2. Has the minister or her department engaged with the Cross Border Commissioner on this issue?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:07):** I thank the honourable member for her question. I would perhaps just like to query when she says that her colleague in the other place has written to the minister, whether that was to me or whether that was to the Minister for Transport in the other place, who I would imagine has carriage of the acts that relate to this matter.

I have not seen a file in relation to this matter. I am happy to follow up with my office to see whether it has been received, but certainly I have not seen such a file. I am happy to take down the information that has been provided in the question today and correspond with my colleague in the other place, the Minister for Transport, about this matter to see whether it has been considered and, if not, whether it can be considered and what the restrictions and opportunities are around such a matter.

### YOUNG LAWYER OF THE YEAR AWARD

**The Hon. J.E. HANSON (15:08):** My question is to the Attorney-General. Will the minister inform the council about the winners of the Law Society of South Australia's Young Lawyer of the Year Award for 2023?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:08):** I thank the honourable member for his question, and I will certainly be most happy to inform the chamber of the winners of this year's Law Society SA Young Lawyer of the Year Award. The winners were honoured at the annual legal profession dinner on 11 August and have not only demonstrated exceptional legal acumen but also shown a deep-seated passion for advocating for justice, equality and the betterment of society. Their tireless efforts have not gone unnoticed, and we as South Australians and the legal profession are grateful for their contributions.

Zainab Alsweedy's story is one of resilience and determination. As a child, her family fled Saddam Hussein's oppressive regime embarking on a journey that eventually led her to the shores of Australia. As Zainab herself recounts:

When we arrived in the Australian Regional Authority, we were received by the Australian Navy and we were placed in a detention centre in...South Australia where we spent about nine months.

My brothers and I were children. They didn't call us by our names but (we)...had a specific number. We used to eat when the bell rang and then go back to the room or go [outside].

It was these experiences that ignited Zainab's passion for helping others facing similar hardships. Today she stands as a prominent immigration lawyer committed to assisting those who have fled their homeland in search of safety and a better life. Zainab has been a guiding light for many Afghan refugees, in particular, who sought refuge following the Taliban's takeover in 2021.

Zainab's remarkable journey does not end there. She has also been instrumental in establishing hospitality venues, and even worked as an executive assistant to the senior vice president of Emirates airlines in Dubai. Her diverse experiences have enriched her dedication to making a positive difference.

In addition to her legal work, Zainab actively practices in wills and estates, and hosts informative seminars, particularly for the Adelaide Iraqi community. Her focus on educating Iraqi women about their rights in succession law is testament to her commitment to empowering others.

The other recipient of this prestigious award is Raf Piccolo. Raf is a distinguished barrister specialising in criminal law. His commitment to justice extends far beyond the courtroom, as evidenced by his involvement in many committees and organisations. Raf serves as a member of the Law Society Council, where he chairs the society's Human Rights Committee, and contributes thoughtfully to the Corporate Governance Committee, Criminal Law Committee and government structure working group. His detailed and insightful submissions on legal issues, particularly those related to human rights, have been invaluable in guiding the society's advocacy efforts.

In addition to his legal contributions, Raf is deeply committed to education and mentorship. He teaches in the Law Society GDLP, serves as a mentor for law students at the University of Adelaide, and volunteers as a judge for the Law Society's mock trial competition.

Beyond the legal realm, Raf donates his time and expertise to various committees, including the Discipline and Appeals Committee for Football SA, the Human Research Ethics Committee at Torrens University, and the Central Adelaide Local Health Network. At the national level, Raf is a member of the Law Council of Australia's Business and Human Rights Committee, and contributes to the Volleyball Australia internal sports tribunal.

His extensive legal expertise is further evident in his authorship of over 330 headnotes for legal publications. Raf's commitment to human rights extends beyond his role as a member of the Membership Review Committee for Amnesty International, and his active membership in the South Australian Bar Association.

The achievements of Zainab Alsweedy and Raf Piccolo are testament to the remarkable potential and dedication of young lawyers in this state; in particular, their commitment to justice,

human rights and community engagement serves as an inspiration. I offer my congratulations to the Law Society's South Australian Young Lawyers of the Year 2023, Zainab and Raf.

### REGIONAL ENERGY SUPPLY

**The Hon. R.A. SIMMS (15:12):** I seek leave to make a brief explanation before addressing a question without notice to the Minister for Regional Development on the topic of South Australia's energy in the regions.

Leave granted.

**The Hon. R.A. SIMMS:** On Thursday 14 September this year, SA Power Networks announced that it had cut the power to parts of regional SA due to high risk fire conditions. As a result, approximately 2,500 properties were without power in areas between Streaky Bay and the Nullarbor for approximately three hours. In November of last year, more than 163,000 South Australians were left without power for days after severe storms. My questions to the minister are:

1. Is the Minister for Regional Development concerned that so many South Australians in regional areas are without power during extreme weather events?
2. Would the minister support putting electricity back into public hands so that South Australians can finally have an electricity network that can actually weather a storm?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:13):** I thank the honourable member for his question. I am sure we all agree that we want to have ongoing electricity supplies, but at the same time safety must be first. Everyone is well aware of the issues around bushfires and the tragedies we have had, not just in recent years but over many different years, and therefore decisions that are taken are generally taken with regard to safety around that. In terms of any other specifics, I am happy to refer that to the minister in the other place.

### REGIONAL ENERGY SUPPLY

**The Hon. R.A. SIMMS (15:14):** Supplementary: notwithstanding safety concerns, does the minister think it is acceptable for people living in the regions to be without power for hours and days on end?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:14):** I don't think we can ever ignore safety concerns when it comes to things such as bushfires.

### REGIONAL ENERGY SUPPLY

**The Hon. R.A. SIMMS (15:14):** Supplementary: what action has the minister taken to address the issue to ensure there is ongoing provision of power during extreme weather events in the regions?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:14):** Our government is doing a lot of work in terms of the energy space and I am sure members are well aware of the many initiatives that we have been progressing that will have benefits across the state.

### TREATY

**The Hon. L.A. HENDERSON (15:14):** I seek leave to make a brief explanation before asking a question of the Minister for Aboriginal Affairs concerning comments he made in this chamber last week.

Leave granted.

**The Hon. L.A. HENDERSON:** On Wednesday 13 September 2023, the minister told the chamber that the process to restart Treaty negotiations will commence after the elections for the South Australian First Nations Voice have occurred. Professor Megan Davis, one of the Uluru Statement architects, has stated, and I quote:

The treaties are about reparations for past injustices and they are about land and they are about resources.

In March 2023, Teela Reid, a prominent yes campaigner, called for reparations and compensation to be paid to Indigenous Australians. My questions to the minister are:

1. Do you agree with Professor Davis' statement that treaties are about reparations, land and resources?
2. Do you support the payment of reparations and compensation to Indigenous Australians?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:15):** I thank the honourable member for her question. I can remember answering very similar questions four or five years ago when the Hon. Rob Lucas was on the other side of the chamber and might have even been in the same position that the honourable member sits in—almost identical questions back then when we started Treaty negotiations in, I think, 2016.

I will give a very similar answer to what I gave then. We are one of the only jurisdictions of those that we compare ourselves to that didn't even attempt any sort of agreement with Indigenous people when the land was colonised. We are some 230 years overdue to look at agreements with the First Nations people of Australia. I am not going to stand up here and rule out and in how those negotiations might play out and how those negotiations might occur, as I didn't do that way back five or six years ago when the Hon. Rob Lucas invited me to do so.

As I have said previously, we will wait for the Voice body in South Australia to be elected to give us some advice on processes going forward and then that is what we will continue to do. One thing I do know, from about a year and a half or so of Treaty discussions that we had when Labor was previously in government, is that many different people have many different views over what these sorts of agreements may or may not contain.

The discussions developed and were quite well progressed with three Aboriginal nations in South Australia, as I think I have said before: Adnyamathanha, Narungga and Ngarrindjeri. Many of the things that came up in those discussions were things to do with what the government would do in terms of provision of services in education in particular, in health and in the justice systems. We look forward—as our commitment is to the implementation of the Uluru Statement from the Heart—to restarting those Treaty discussions once the Voice is elected.

Unlike last time we started them in this state, we are not alone in this endeavour in Australia. Victoria is well developed and have had their second elections for the First Peoples' Assembly of Victoria, the elected Treaty negotiating authority. Tony McAvoy SC has handed down the report, as the acting Northern Territory Treaty Commissioner, on the way forward for the Northern Territory. Queensland has a Treaty process underway and the new New South Wales Labor government has committed to a Treaty process.

The former Liberal government in Western Australia, with the South West Native Title agreement (the Noongar settlement), in all but name entered into a Treaty with the peoples from the south-west of that state. This is not something we are alone in endeavouring to do, endeavouring to right historical wrongs, and I look forward to the day when we get started again.

#### TREATY

**The Hon. L.A. HENDERSON (15:19):** Supplementary question: will the minister rule out the payment of reparations and compensation to Indigenous Australians?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:19):** As I said, I am not going to, as I didn't when the Hon. Rob Lucas asked me questions about what will or won't form Treaty discussions or negotiations. I might just note that, interestingly, one of the biggest proponents of moving forward a Treaty agenda is Warren Mundine, one of the major lights in the no campaign. In fact, I think he was quoted in the last week as saying that the no vote makes treaties more likely. So for those who would oppose righting historical wrongs and injustices and entering agreements, even those who propose a no vote at the federal referendum are strong advocates and in fact say that a no vote makes treaties more likely.

### STOLEN GENERATIONS REPARATIONS SCHEME

**The Hon. T.A. FRANKS (15:19):** Supplementary: does the minister miss the days when it was the Liberals actually bringing a stolen generations compensation scheme to this council?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:20):** I thank the honourable member for her question. She does raise good point. Much of what has happened in Aboriginal affairs in recent years and decades has largely been a bipartisan endeavour—it certainly was with the former opposition, when the member for Dunstan was the opposition leader, and I know the calls were repeated in this chamber by the Hon. Tammy Franks in relation to it, and you, Mr President, and I think the Aboriginal Lands Parliamentary Standing Committee did a very significant body of work in relation to a Stolen Generations Reparation Scheme; that is, paying reparations.

It was a bipartisan endeavour and I was proud to be the Minister for Aboriginal Affairs under former Premier Jay Weatherill's government that instituted that Stolen Generations Reparation Scheme. We were the first on the mainland to do so, after Tasmania had instituted one previously. The commonwealth has moved in this area. So the idea that reparations for past wrongs is somehow something that is unheard of just isn't the case.

We have done it before, and it has been a bipartisan endeavour. When the former Liberal government, under the member for Dunstan, introduced the Aboriginal representative body legislation into this parliament it was an attempt to have some sort of representative body to allow Aboriginal people to have more of a say to the government of the day—to have a voice. The actual way that worked I felt could have been improved, but the honourable member points to a very big shift in the South Australian Liberal Party in terms of that bipartisan endeavour in Aboriginal affairs.

### REGIONAL DEVELOPMENT SOUTH AUSTRALIA

**The Hon. R.B. MARTIN (15:21):** My question is to the Minister for Primary Industries and Regional Development. Will the minister please inform the chamber about the important discussions that took place at last week's Regional Development South Australia annual summit and whether the themes raised in these discussions align with the government's regional development agenda?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:22):** I thank the honourable member for his question. Each year, South Australia's Regional Development Australia network convenes a summit with a broad range of interested stakeholders from federal, state and local governments, as well as private sector peak bodies and businesses.

Each year, a central theme is selected for discussion, and this year it was my great pleasure to open the summit in Gawler last Friday, because the central theme was not simply a discussion point, it was a call to action. The theme was 'Population and Prosperity: regional population growth for South Australia—making it happen'.

The 2023-24 state budget calculated the annual economic contribution of regional South Australia at \$36½ billion. In recent years, regional economies have been buoyed by major investments in agtech, the expansion of agricultural processing facilities, renewable energy and mining projects.

In this context, and in light also of the rising prevalence of work-from-home arrangements for many white-collar workers, the summit discussed the growing attraction of regional townships to capital city dwellers as well as opportunities for regional communities to contribute to this narrative and attract businesses and workers.

The summit also of course discussed many of the known barriers to regional growth, such as an insufficient supply of housing and skills needs between industries and the workers available. Local training opportunities were also part of that.

The question asked me about the alignment between the themes discussed at the summit and the government's regional development agenda. The government has been receptive in listening to regional communities about the major barriers they are confronting, and we have also been putting in place policies and programs designed to address some of those and to support regional growth.



We have an annual \$15 million Thriving Regions Fund, with three subprograms targeted at fostering community vibrancy through small grants, supporting business and worker attraction through grants for priority infrastructure projects, and providing support for those encountering significant changes to their operating environment.

In addition, the government has invested \$95 million over the forward estimates for regional road and transport improvements; \$35.7 million for upgrades at regional government schools and preschools; \$10.2 million to establish the Regional Skills Development Fund, which will ensure that TAFE SA can offer more courses in rural and regional South Australia, those courses being the ones which align with the needs of local industry and priorities; and three and a half million dollars over five years for a dedicated office for regional housing to work with local government, economic development agencies and employers to address housing shortages in regions.

They are just a few of the investments we have made, and the policies continue. We have also made it easier to construct temporary worker accommodation, for example, in response to the ongoing challenges in that space. I would like to congratulate the RDA network on once again hosting a relevant and practical summit, and I encourage all members of this chamber to support the government's ongoing efforts to facilitate and champion regional economic growth.

### ADELAIDE CASINO

**The Hon. C. BONAROS (15:25):** I seek leave to make a brief explanation before asking the Attorney, representing the Minister for Business and Consumer Affairs, a question about the Adelaide Casino.

Leave granted.

**The Hon. C. BONAROS:** As has been ventilated in this place for some time now, the New Zealand based owners of the Casino, the SkyCity Entertainment Group, is in a world of pain, it seems. At the centre of its pain, in Federal Court action initiated by AUSTRAC alleging criminals have laundered almost \$4 billion at the Casino over the past six years, the Casino recently advised the ASX it has put aside \$45 million to cover a potential civil penalty from its anti-money laundering case in the Federal Court.

Now moves are afoot in New Zealand to temporarily suspend its operations in that country over alleged breaches of gambling harm minimisation rules, an announcement that has wiped some \$250 million off the company's market capitalisation. My questions to the minister are:

1. Does the government continue to have confidence in the operators of the Adelaide Casino, given the more serious allegations that have been levelled against the parent company?
2. Has the company briefed the government on the moves underway in New Zealand to temporarily suspend its operations? If not, why not?
3. How many compliance checks inspections have been carried out by government inspectors since the AUSTRAC allegations were revealed? Is that more than would normally occur, given recent events?
4. Is the government aware of any plans for SkyCity to sell its Adelaide operations, and what contingency plans has the government got in place should that occur?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:27):** I thank the honourable member for her questions and her interest in this area. The honourable member and the party she represents and its predecessors have been, I think, very staunch advocates in terms of antigambling. The forerunner to the party originally was the No Pokies Party in South Australia. The name actually says the issue that enlivened the political movement to which the honourable member now belongs. I thank her for her advocacy on behalf of South Australians in this area.

In relation to the questions asked about the Casino, I am not aware of any looks or attempts to sell interests from SkyCity, but the regulation in this area, as the honourable member pointed out in her question, is not in my portfolio area, it's the Hon. Andrea Michaels, the member for Enfield, the

Minister for Consumer and Business Affairs, so I will be very happy to pass on those questions to the minister in another place and bring back an answer for the honourable member.

*Bills*

**VETERINARY SERVICES BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 12 September 2023.)

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:30):** I rise to conclude the debate. I would like to thank those who have made contributions to the debate so far. I acknowledge that there is broad support for the bill, but there have been a number of amendments filed on matters of detail related to the definition of veterinary services, references to premises, consultation on appointments to the board, consultation on code standards and guidelines, contents of the annual report, how 'fit and proper' is determined, the obligation of a health professional to report medical fitness, and constitution of the tribunal.

I very much appreciate discussions that I have had with my parliamentary colleagues to work through these amendments, and also the impacts should they be passed. I have also consulted widely, and that has included the Australian Veterinary Association (AVA) and the Veterinary Surgeons Board of South Australia, in regard to the amendments filed and to inform the development of amendments that I have subsequently filed myself.

As we head into the committee stage, assuming we get there today, I ask that the scope of this bill, represented by its long title, be kept front of mind: that it is a bill for an act to support animal health, to support animal safety and to support animal welfare, as well as the public interest, by providing for the registration of veterinarians and premises at which veterinarian services are provided, to regulate the provision of veterinary services for the purposes of maintaining high standards of competence as well as conduct, to recognise the registration of veterinarians in certain other jurisdictions, to make related amendments to various acts, to repeal the Veterinary Practice Act 2003 and for other purposes.

It is very clear that on the whole there is strong support for this bill. It is important to modernise the current act to reflect current veterinarian practice, and I seek support for the passage of this bill.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**The Hon. N.J. CENTOFANTI:** I have a series of questions for the minister in regard to the consultation process. Can the minister inform the chamber as to the consultation process and the stakeholders who were specifically asked to comment on the bill?

**The Hon. C.M. SCRIVEN:** Consultation on the draft bill was involved with the public by the YourSAy website. It ran for a period of 9½ weeks, from 14 December 2022 to 19 February this year. Feedback was sought through YourSAy by email or by post to PIRSA's legislative reform team. The commencement of consultation on the draft bill and the process of making a submission was widely publicised through a number of communication channels.

A ministerial media release was published on 15 December 2022 to announce the commencement of the consultation, and a direct message from myself as minister was emailed to a targeted stakeholder list of 140 persons and relevant industry or professional associations and other organisations. This list included organisations representing the veterinary profession, consumer organisations, educational institutions, government agencies and individuals who had participated in the previous consultation on a discussion paper.

PIRSA's Facebook, Twitter and LinkedIn accounts, with a combined following of over 19,000, were used to create awareness and call for feedback at various points during the consultation. Where requested, PIRSA's legislative reform team also met with key stakeholders. This included meetings with the Australian Veterinary Association, the Veterinary Surgeons Board of SA, Livestock SA, the SA Dairyfarmers' Association, the Department for Environment and Water, SA Health, the Department of the Premier and Cabinet and the South Australian Civil and Administrative Tribunal. In addition, at many of my regular meetings with many of those organisations, the matters or their goals were discussed as well.

**The Hon. N.J. CENTOFANTI:** Given that we are discussing the Veterinary Services Bill, were individual vets specifically written to about this bill and invited to contribute through communications from either the Veterinary Surgeons Board or PIRSA?

**The Hon. C.M. SCRIVEN:** I am advised PIRSA does not have the individual contact details of each registered vet, and therefore it was not possible for PIRSA to communicate directly. There was circulation, I am advised, of PIRSA's communication material by the Veterinary Surgeons Board at the end of October 2022. In terms of the Australian Veterinary Association, my understanding is that they have communicated, but I have not sought specifics about the methods they have used.

**The Hon. N.J. CENTOFANTI:** Can the minister please clarify whether PIRSA communicated the bill to the Veterinary Surgeons Board, and was any direction given from PIRSA or the minister to the Veterinary Surgeons Board to seek direct communication with the vets registered in South Australia, inviting them to make submissions?

**The Hon. C.M. SCRIVEN:** I am advised that my letter went to each board member of the Veterinary Surgeons Board. In terms of specifically directing the board, that would not have been applicable because under the current act it is not a function of the board to educate or inform veterinarians. That is one of the things we are addressing in the bill that we are discussing, because it is clearly important that there is that level of communication that will provide the best support to veterinarians in order to ensure that they are informed and able to comply with the requirements that are upon them.

**The Hon. N.J. CENTOFANTI:** Is the minister aware of whether the Veterinary Surgeons Board communicated directly with registered vets in South Australia inviting them to make a submission on the Veterinary Services Bill?

**The Hon. C.M. SCRIVEN:** I am not aware of that occurring.

Clause passed.

Clause 2 passed.

Clause 3.

**The Hon. N.J. CENTOFANTI:** I move:

Amendment No 1 [Centofanti-1]—

Page 8, after line 25 [clause 3(1), definition of *veterinary service*]—After paragraph (d) insert:

(da) the castration or spaying of an animal; and

This inclusion is in the current act. Whilst the meaning within the new Veterinary Services Bill includes 'the performance of an invasive or surgical procedure on an animal', there are some non-invasive techniques, for castration in particular, which are often done via biocompatible implants which are injected under the skin which temporarily suppresses testosterone. That should still only be performed by a registered vet, therefore certainly the industry was asking for this definition to remain, and I support that position wholeheartedly and hence have moved this amendment.

**The Hon. C.M. SCRIVEN:** My advice is that castration and spaying are currently specified in the definition of 'veterinary treatment' under the Veterinary Practice Act and as such its inclusion was explored during the bill development. The draft bill released for consultation proposed that these two procedures be included in the definition of 'veterinary service' but then feedback received suggested that it was unnecessary duplication to specify, given that in the most part castration and spaying fall within another aspect of the definition, being 'the performance of an invasive or surgical

procedure on an animal'. However, it is duplication, which is not ideal in legislation, but nor is it particularly problematic, so whilst we do not specifically support it it is not a problem if it does go through.

Amendment carried.

**The Hon. N.J. CENTOFANTI:** I move:

Amendment No 2 [Centofanti-1]—

Page 8, after line 30—After subclause (1) insert:

- (1a) A reference in this Act to premises will be taken to include a reference to a mobile hospital or clinic (whether a vehicle, demountable building or otherwise) in which it is intended that veterinary services will be provided (including the performance of invasive or surgical procedures on animals).

This amendment extends the definition of 'premises' to include variations such as mobile veterinary hospitals. We need to ensure that we futureproof this bill, and currently this bill does little in the way of mobile veterinary hospitals.

Vans and trucks that offer veterinarian services remotely are on the rise around the globe and have been introduced in other states around Australia. These are hospitals or clinics essentially on wheels, as I alluded to in my second reading speech, but it could also be a dismountable in which it is intended that veterinary services will be provided, including the performance of invasive or surgical procedures on animals within that premise.

In particular, we know that in the US there are 26-foot mobile vet clinics, which do include separate surgery suites, that are available for purchase and are certainly advertised as state-of-the-art mobile vet clinics with all the comforts and technology of a bricks-and-mortar veterinary clinic and with the advantage and convenience that they obviously come to the client.

So we know they are coming, and we need to ensure that this bill facilitates and also regulates their existence. The current bill does not contain stipulations for these types of functional mobile clinics—only bricks and mortar. We must ensure that veterinarians who practice from mobile vet clinics and vet hospitals are held to the same standard as those operating from traditional clinics. We also must ensure that those vets operating in these environments are offered the same professional protections as their peers.

#### *Parliamentary Procedure*

### **VISITORS**

**The PRESIDENT:** I acknowledge in the gallery the former President, the Hon. Mr Dawkins.

#### *Bills*

### **VETERINARY SERVICES BILL**

#### *Committee Stage*

Debate resumed.

**The Hon. C.M. SCRIVEN:** I understand this amendment seeks to ensure references to premises are taken to include a reference to a mobile hospital or clinic in which it is intended that veterinary services will be provided. That is a vehicle, a demountable building, or otherwise, inside of which a veterinarian can provide veterinary services.

This amendment is also linked, as I understand it, to further amendments regarding mobile hospitals or clinics, including an amendment relating to information kept on relevant registers, amendment No. 7 [Centofanti-1], and an amendment which would require the veterinary premises standard to contain requirements relating to mobile hospitals and clinics, amendment No. 8 [Centofanti-1].

Veterinary premises registration requirements outlined in the bill are intended to apply to bricks-and-mortar premises within which veterinary services are provided. Examples of such premises include clinics, practices, hospitals, emergency centres and specialist centres. These

premises are typically occupied by a veterinary business fitted out for the purpose of providing veterinary services and create an expectation as to the types of veterinary services that may be offered within them.

Registration of such premises will enable the board to set minimum standards for veterinary premises and will enable the board to set conditions on premise registration where that might be required. It will ensure premises where veterinary services are provided are fit for their intended purpose and appropriately regulated. It will also provide confidence to consumers when seeking veterinary services at different types of premises.

I do note examples interstate. I understand there are no similar mobile premises in South Australia at this time, but interstate there are, for example, purpose-built semitrailers or B-doubles which operate to provide veterinary services where they are needed, whether that be in regional areas or as the result of an emergency or a natural disaster.

One example is the Animal Welfare League of New South Wales mobile veterinary animal care truck, which was deployed to flood-affected areas in New South Wales in 2021 to provide emergency veterinary relief to companion animals and livestock. The Byron Bay Wildlife Hospital also operates from within a full-sized custom-built semitrailer, which can be transported to the scene of a natural disaster such as a bushfire, flood, mass stranding or oil spill, for example—anything such as that which may affect wildlife on a large scale.

It is possible that such mobile hospitals and clinics may commence operating or become more commonplace in general and in South Australia in particular in the future. As these mobile hospitals and clinics are typically fitted out for the purposes of providing veterinary services within them, I accept that there is a case that they too should be registered and held to appropriate minimum standards similar to those standards that a traditional bricks-and-mortar premises will be held to.

Minimum standards offer protection to both veterinarians and also to consumers of veterinary services. So on this basis, I support this amendment. I can also indicate at this time my support for the two related amendments to clause 39 and clause 40.

Amendment carried; clause as amended passed.

Clauses 4 and 5 passed.

Clause 6.

**The CHAIR:** Clause 6 has an amendment in the name of the Hon. Ms Centofanti and also the minister.

**The Hon. N.J. CENTOFANTI:** If possible, I would like to ask some questions of the minister around clause 6, particularly on board composition.

**The CHAIR:** Yes.

**The Hon. N.J. CENTOFANTI:** How was the criteria or area in terms of skills, knowledge and experience determined in regard to board composition?

**The Hon. C.M. SCRIVEN:** I am advised that the skills, knowledge and experience was determined by looking at the requirements in other Australian jurisdictions, and also through feedback to the discussion paper. I think a skills-based board is particularly important. We want to have input from those who are intimately involved in the profession and also ensure that there is confidence from the public in the way that any matters are dealt with.

**The Hon. N.J. CENTOFANTI:** Why was the Australian Veterinary Association SA Division representative removed from that board composition?

**The Hon. C.M. SCRIVEN:** The change was in relation to it becoming a skills-based board, which I alluded to in the answer to the previous question. I think there is a great deal to be had from input from the AVA, but rather than being a representative board, if this bill passes, it is a skills-based board and therefore inappropriate to be specifying which particular bodies should be represented on the board in that manner.

**The Hon. N.J. CENTOFANTI:** Why then does the teaching of veterinary science remain, given that there is really only one organisation in South Australia where veterinary science is taught?

**The Hon. C.M. SCRIVEN:** I think that is entirely consistent with changing to a skills-based board. We need to have skills in training and teaching. I am a little confused by the question because if the bill suggested that it should be the university of X, then that would be indicating a specific, whereas what we are saying is the skills necessary. If those skills are only provided by one body that is not a problem, but we do not need to specify the body, we need to specify the skills because of the emphasis on it being a skills-based position.

**The Hon. N.J. CENTOFANTI:** Could a veterinarian out in practice then who had their memberships in a certain field, whether that be surgery, medicine, etc., be considered sufficient to have skills in the teaching of veterinary science?

**The Hon. C.M. SCRIVEN:** Sorry, could you repeat the question? There were a couple of words there that—

**The Hon. N.J. CENTOFANTI:** In a situation where you have a practitioner out in general practice but who has obtained their memberships, rather than a specialist—there are two different things, memberships and specialists—will those vets who have obtained their memberships in a certain subject, whether that be surgery, medicine, etc., be taken to have enough skills to fulfil that composition on the board in regard to the teaching of veterinary science?

**The Hon. C.M. SCRIVEN:** I am advised that any person putting forward a nomination would need to demonstrate their skill set, their expertise and their qualifications and then it would be taken on merit, remembering also that in terms of the skills that we are looking for—this is collective skills of the board—we are trying to get that appropriate balance between all the members to ensure that they are able to continue supporting the purposes and the objects of the board in a way that is of benefit to the state.

**The Hon. N.J. CENTOFANTI:** Is the minister suggesting that it is on a case-by-case basis, in terms of the teaching skills?

**The Hon. C.M. SCRIVEN:** It would be on merit. If someone nominates to be a member of the board, they need to demonstrate their expertise, their qualifications and their skills and then that will be assessed as part of the overall nomination process for the board.

**The Hon. N.J. CENTOFANTI:** If a member puts forward their name and does not have membership or specialist skills, will they not be accepted onto the board? When you say you want broad, are we saying that they need to encompass all of the requirements? I would assume not because there are urban companion animals, rural mixed and production animals, commonwealth responsibility, teaching of veterinary science, and management of governance and any other area.

I guess what I am trying to decipher is what is it specifically about the teaching of veterinary science; what qualification would the member need to have regarding the teaching of veterinary science to become a board member?

**The Hon. C.M. SCRIVEN:** First of all, to clarify the honourable member's first point, there is no suggestion that every member of the board would have each and every one of those listed skills, knowledge and experience. That is impossible, of course. I was not aware that anyone was interpreting it in that way at all. Instead, the board collectively or holistically needs to be able to demonstrate that the board as a whole possesses those skills, knowledge and experience. The bill sets out that:

...as far as reasonably practicable, endeavour to ensure those veterinarians collectively—

so it is actually in the wording, 'collectively'—

have skills, knowledge and experience in the following areas:

It then refers to:

- (b) teaching of veterinary science;

In order to teach veterinary science, there are no doubt certain qualifications that one must have and therefore that would form part of the person's nomination, and part of the consideration of the board would include all of those things I mentioned: qualifications, experience, skills and knowledge.

**The Hon. N.J. CENTOFANTI:** I guess I am trying to work out what degree of skills is required in terms of the teaching of veterinary science. I am happy for you to take on notice whether or not you need to have a doctorate, or whether or not you can have a membership, or whether or not you can have a specialty. That is what I am trying to ascertain out of this line of questioning.

**The Hon. C.M. SCRIVEN:** I think it is fair to say that the bill is not intended to be prescriptive. It is going to be on a merit basis. I would be surprised if someone who did not have a high degree of qualification as well as experience would be a preferred candidate if others had far greater experience, qualifications and so on. Rather than being prescriptive in the act, it is referring to the board collectively having the very skills, knowledge and experience that are required, and teaching of veterinary science is a key part of that. I have a question for the mover of the amendment.

**The CHAIR:** Yes, minister.

**The Hon. N.J. CENTOFANTI:** Should I move my amendment? I have not moved it yet.

**The CHAIR:** Would you like to move your amendment?

**The Hon. N.J. CENTOFANTI:** Could I ask the minister some questions before I move my amendment, because the answers will indicate whether or not I move it. That is the reason I asked whether I could ask the minister some questions about her amendment. The minister has obviously put forward a similar amendment about consulting with a peak body.

**The CHAIR:** Hang on. The minister has not moved her amendment either.

**The Hon. N.J. CENTOFANTI:** Can I move it and then withdraw it?

**The CHAIR:** You can move your amendment and you can withdraw it.

**The Hon. C.M. SCRIVEN:** Chair, is it possible just to have some various questions before either of us moves the amendments, or is that not permitted under the standing orders?

**The CHAIR:** Yes, we can allow that.

**The Hon. N.J. CENTOFANTI:** I will go straight to the question, and hopefully you will know what I am talking about, minister. Can more than one peak body be prescribed by the regulations at any given time?

**The Hon. C.M. SCRIVEN:** Certainly that is possible. At the moment there is only one peak body representing the veterinarian profession in this state, that of course being the AVA. Therefore, if the bill passes with the amendment that I have foreshadowed I will move, it is the AVA that would likely be the prescribed peak body.

However, discussions were had around if that peak body were to change its composition or if there were another peak body that might arise, so, in theory, yes, it is possible there could be more than one peak body. If that were the case, I cannot see any issues with consulting with such additional peak bodies, but at the moment it would refer to the AVA. However, this is just a matter of ensuring that, should that change in the future, we do not need to come back and change the act. As I understand it, this is an amendment that the AVA has indicated they support—that is, the amendment that I seek to move.

**The Hon. N.J. CENTOFANTI:** Your amendment describes—and I am conscious that we are heading into difficult territory—that the minister may consult with a peak body prescribed by the regulations. Are you able to provide examples where the minister would consult with the peak body and examples where the minister would decide he or she does not need to consult with the peak body?

**The Hon. C.M. SCRIVEN:** I am advised that some of the discussions have been around the fact that, given that under this bill the board will be a skills-based board, it is important that any consultation on the veterinarian board appointments adds value and does not become a tick-the-box activity that adds administrative burden.

One of the examples I can think of would be if there was the reappointment of a board member or maybe an extension for a short period of time to align with dates of other vacancies. There are various administrative reasons why it might be appropriate to simply make that appointment without necessarily consulting with the peak body. Most of the time I would expect that it would be appropriate, but this just ensures that there is flexibility not to add administrative burden.

**The Hon. N.J. CENTOFANTI:** I indicate I am happy not to move my amendment and support the minister's amendment that she will move shortly.

**The Hon. C.M. SCRIVEN:** I move:

Amendment No 1 [PrimIndRegDev-1]—

Page 10, after line 12—After subclause (2) insert:

- (2a) Before recommending veterinarians with primary registration for appointment as members of the Board, the Minister may consult with a prescribed peak body representing the veterinary profession in the State.

Amendment carried; clause as amended passed.

Clauses 7 to 10 passed.

Clause 11.

**The Hon. N.J. CENTOFANTI:** Minister, does this provision extend to or include governance training? I say that given section 12 talks to governance training and the requirement for a member of the board to complete training related to corporate governance.

**The Hon. C.M. SCRIVEN:** I am advised that governance training would not generally be considered under remuneration—they are separate aspects—but I will just talk to the point around requiring governance training. The bill introduces a requirement for members of the board to complete training related to corporate governance in accordance with any requirements that will be set out in the regulations. Requiring board members to complete governance training will support the board to successfully carry out their functions and of course, through that, provide effective regulation of the veterinary profession.

It will also support board members, importantly, I think, who may not have had previous board experience, and support them to be able to contribute effectively and in a manner that best represents the skills, knowledge and experience for which they were appointed. Any further requirements specifically in regard to governance training can be set out in the regulations. In terms of the cost associated with governance training, that is intended to be met by the board.

It is certainly my view, and I think the view of many others, that such an investment is a very worthy investment. We want to have higher levels of governance expertise and so undertaking that training means that, firstly, members of the board will be confident in their ability to carry out their obligations and, secondly, it will not discourage those who do not have existing board experience. Certainly, in my many meetings and discussions around the state, when we talk about boards—because I am always keen to encourage particularly regional people to be more involved with boards and put their names forward—understanding the requirements and obligations of board members, and also what they need to be aware of, can be quite intimidating.

I think it is an important initiative that will actually safeguard those members of the profession and others who might consider applying to be on the board, and it will create a better outcome for the board and for the profession overall.

**The Hon. N.J. CENTOFANTI:** Can the minister give an indication of whether she is envisaging that the cost of the governance training will fall to individual members of the board, or would that be covered through the Veterinary Surgeons Board's annual budget?

**The Hon. C.M. SCRIVEN:** As I said, the costs associated with governance training are intended to be met by the board, not by individual members. So, yes, one would expect that it would come from the board's overall budget.

Clause passed.



Clauses 12 and 13 passed.

Clause 14.

**The Hon. N.J. CENTOFANTI:** Before I move my amendment, I note the minister's amendment before us, and I would like to ask the minister a question before moving my amendment. Is the minister able to give this chamber an undertaking from her—that is, the minister—that the Veterinary Surgeons Board will continue the work they have recently been doing to engage with the national body on a regular basis to assist with national consistency?

**The Hon. C.M. SCRIVEN:** It is fair to say that the current board is very keen to engage with the AVBC on all relevant matters. Recently, on 22 September, I am advised the council put out a media release welcoming the South Australian vets board to their list of members, and that they are continuing to work very productively.

From my discussions with various stakeholders, including the AVA, it was noted that it is important to look at national consistency wherever that is appropriate, and of course the council has a key role in that. However, it is not always necessarily the case that South Australia will agree with a particular direction the AVBC is heading in, and therefore it is important to retain the flexibility.

The other reasoning is simply that there might be some minor matters where they are pretty administrative in nature, or whatever, where there is not a necessity to go out to wide consultation. We also want to make sure we are not putting an additional administrative burden for no benefit. The amendment I have foreshadowed does indicate there will be consultation with relevant stakeholders, and in many cases the AVBC would be one of those relevant stakeholders.

**The Hon. N.J. CENTOFANTI:** I am happy to withdraw my amendment, and I indicate that I am also happy to support the amendment standing in the minister's name.

**The Hon. C.M. SCRIVEN:** I move:

Amendment No 2 [PrimIndRegDev-1]—

Page 13, line 26 [clause 14(4)(a)]—After '(as the case requires),' insert:

with veterinarians, a prescribed peak body representing the veterinary profession in the State or relevant stakeholders

Amendment carried.

**The Hon. N.J. CENTOFANTI:** I move:

Amendment No 1 [Centofanti-2]—

Page 13, line 33 [clause 14(4)(c)]—Delete 'a reasonable period' and substitute '30 days'

**The Hon. N.J. CENTOFANTI:** Currently, the bill talks about changes to code standards and guidelines being communicated to veterinarians within a reasonable period. Certainly, in the opinion of many stakeholders and in my opinion, that is too vague. Given that it is largely administrative in nature, that 30 days should be sufficient time to notify veterinarians of any changes to codes, standards or guidelines via email communication. I think this really comes down to improved transparency, accountability, but also improved communication.

I want to note at this point in time and place on the record that the current Veterinary Surgeons Board have significantly improved their communication with the veterinary industry, so I do want to put that on the record. This is simply about futureproofing this bill and therefore 30 days should be sufficient time to notify vets of any changes to codes, standards or guidelines so that they are aware of them going forward in their daily lives.

**The Hon. C.M. SCRIVEN:** I indicate that the government will be supporting this amendment. The original wording was that it would be a reasonable time, and I note that an amendment was foreshadowed to change that to 14 days. Upon further discussion, that has now been amended to 30 days and that is to ensure that there is sufficient time. Whilst emails are one way of communicating, there are obviously also websites and newspaper channels and various others, so 30 days is likely to be a reasonable period, noting that at times some of that communication will happen much sooner.

I would also like to acknowledge the work of the current board to improve their communication and their relationship with veterinarians. I have had some very positive feedback from a variety of quarters about that, so I would like to commend the current board on that.

Amendment carried.

**The Hon. N.J. CENTOFANTI:** I am just wondering if the minister can confirm to the chamber that the wording 'high professional standards' with regard to veterinary services does not imply that the veterinarian is under an obligation to provide a high standard of care that not every animal owner can afford. As the minister would be aware, the provision of veterinary care operates in a private market with no public funding, so the costs of the services are borne by the owner of the animal. So I am just wanting the minister to clarify and confirm to the chamber that the wording 'high professional standards' does not necessarily equal the standard of care but rather the professional conduct of the vet.

**The Hon. C.M. SCRIVEN:** Could the member point out which particular part of clause 14 she is referring to with that wording.

**The Hon. N.J. CENTOFANTI:** Clause 14(8).

**The Hon. C.M. SCRIVEN:** I thank the member for her question. I am advised that this is the same wording as is in the current act, but I am happy to expand on the reasoning behind it. The intent of the Veterinary Services Bill 2023, which is reflected both in the long title and the functions of the board and consistent with the current Veterinary Practice Act 2003, is to regulate the provision of veterinary services to achieve and maintain high professional standards of competence and conduct, with the object of supporting animal health, safety and welfare, and the public interest.

The term 'high standards' refers to veterinarians' conduct and competence as reasonably expected by users of veterinary services. So it is not a reference to the expected standard of care but rather a veterinarian's conduct—that is, the manner in which a veterinarian behaves—and their competence, meaning the ability to provide a service successfully or efficiently. The reference to high standards in the long title and within clause 14 of the bill is also unchanged from equivalent provisions in the existing legislation.

I am advised that no change was made in the bill in terms of the wording, as it is considered that 'high standards of competence and conduct' continues to appropriately reflect the intent of the regulatory framework and the reasonable expectations of the users of veterinary services as well as, indeed, the broader community.

Clause as amended passed.

Clauses 15 to 22 passed.

Clause 23.

**The Hon. N.J. CENTOFANTI:** I move:

Amendment No 6 [Centofanti-1]—

Page 16, after line 41 [clause 23(2)]—After paragraph (c) insert:

- (ca) include the following information in respect of complaints received about the conduct of veterinarians under this Act:
  - (i) the number of complaints received by the Board in the relevant financial year;
  - (ii) the number of complaints received by the Board in a previous financial year that were ongoing in the relevant financial year;
  - (iii) the number of complaints finalised (including by dismissal, decision to take no further action, Board resolution and order of the Tribunal) in the relevant financial year;
  - (iv) the average time taken for complaints referred to in subparagraph (iii) to be finalised;
  - (v) the number of complaints dealt with in the relevant financial year that were ongoing for more than 6 months, 12 months or 18 months; and

This amendment is around increased transparency for both the profession and the public. Concern was repeatedly raised throughout the consultation process about the lack of transparency around the complaints process. Whilst it is extremely pleasing to see that this new bill addresses the majority of these concerns, many vets have indicated to me the importance to legislate for some requirements with regard to reporting on the complaints process, specifically the number of complaints received, dealt with and finalised.

**The Hon. C.M. SCRIVEN:** I understand that this amendment seeks to require the board to include certain information in respect of complaints received about the conduct of veterinarians in its annual report. Already, requirements relating to the annual report are outlined in clause 23 of this bill. It includes the ability to further prescribe information required in the regulations, should this be required. In addition to requirements outlined in the bill, the board's annual report must also adhere to the legislated requirements under the Public Sector Act 2009.

This proposed amendment would require the board to report a range of statistics relating to complaints handling, some of which are already voluntarily reported by the board. I do note that in their recent newsletters they have been providing a range of information to assist with transparency and information for the profession and others.

The preference is that this additional information would be prescribed in the regulations as opposed to in the act itself. There are a few reasons for that. First of all is that it could be more easily changed or expanded should that be required. It may well be that in the future we think there would be benefit and value in additional information being provided, and that would be much easier to include if the requirements are specified in the regulations.

As the regulations would be consulted on as they were being developed, it would also create the opportunity for broader analysis and stakeholder consultation relating to the required information—so including it in a broad consultation, which I think is particularly important, rather than including it here in the act itself, which has not had that broad level of consultation. It would also ensure that matters of details, such as the reporting of complaints, are maintained in one place to support a simple approach to regulation, which is always, I think, to be pursued where possible.

The Australian Veterinary Association does not support this amendment, but it does support that information being included in the regulations, and I think it is also happy for it to be consulted more broadly. I am also advised that the Veterinary Surgeons Board of South Australia supports inclusion of information relating to complaints also to be prescribed by regulation.

So, on this basis, I intend to oppose this amendment in favour of further considering these complaints reporting requirements during the development of regulations and with the expectation that something along those lines, or certainly very close to, once we have had proper and appropriate consultation, would be likely to be in those regulations.

**The Hon. C. BONAROS:** My colleague will speak to the amendment itself, but I just want to make a couple of points in relation to transparency and accountability, especially given the volume of material that we now see being prescribed by regulation as opposed to that included in the substantive piece of legislation. With respect to the comments concerning the AVA, from a drafting perspective I think there is in here an onus on us to ensure that the bare minimum that we require is actually prescribed in the legislation as opposed to regulations.

I will be surprised if those regulations are seen by anyone in this chamber once they are drafted, let alone the subject of any disallowance motion if they were not to satisfy the needs or outline the bare minimum of the information that we seek to achieve by having this provision in there.

I would ask the minister to just clarify that, even with the insertion of this amendment, that does not prevent the government from making additional regulations that would canvass all the issues that she has just described following consultation, and all the other issues that she just outlined. What is it in this amendment that would prevent the minister from doing that, regardless of whether it was included or not?

**The Hon. C.M. SCRIVEN:** I am advised that the reasoning is that, whilst it is true that we could add through regulation, we would be able to change anything that is being proposed here. In terms of enabling that flexibility, that is one aspect. Secondly, I guess, it is about the clarity of having

requirements in one place rather than some in the act and then some additional ones in the regulations. Whilst that is not necessarily a huge issue, it is certainly preferable in general to have that. So being able to change some of these things would be more easy in regulation.

I do come back to the point, too, that as far as I am aware, certainly from the government, but from the mover of the amendment, that has not been widely consulted. Perhaps I might end with a question to the mover of the amendment as to what consultation has occurred around this?

**The Hon. C. BONAROS:** Just before we do that, my first question is: more preferable to whom, because it would appear to me that it is only more preferable to the government to hold that position? Secondly, if we look at the intent and objects of this bill, what is it in this amendment that could possibly be problematic in terms of requiring, in the form that it has been drafted, the number of complaints, the number of complaints received by the board in the previous financial year, the number of complaints finalised, the average time taken for the complaints referred to, and the number of complaints dealt with in the relevant financial year?

What objection could there possibly be in relation to having that material prescribed in the legislation, and anything additional that the minister wishes and the government wishes, if this parliament so agrees, to have prescribed in regulation?

**The Hon. C.M. SCRIVEN:** On face value, I would agree with the honourable member that there does not seem to be anything that is problematic, but that is why we do consult: to ensure that there are no unintended consequences. That is basically the reason this has not been consulted on. The Australian Veterinary Association does not support the amendment, nor does the Veterinary Surgeons Board. They are important stakeholders, and if they see the benefit of it being prescribed in regulations I think that is an important consideration. I would also like to come back to the question that I want to ask the mover of the amendment: what consultation has occurred?

**The Hon. N.J. CENTOFANTI:** I have had a great number of conversations with a very large number of vets. I have certainly had conversations with the AVA and, whilst I respect their current position in terms of it being in the regulations, the conversations I have repeatedly had with vets have been around transparency and accountability, and making sure there is something in the legislation that requires the Veterinary Surgeons Board to ensure they are reporting on the complaints process, ensuring they are reporting on the number of complaints, the number of complaints that are ongoing and the number of complaints that have been finalised.

These are not big, onerous pieces of information to report on an annual basis, and I bring it back again to what vets have been discussing with me over the last two years that has led to this bill: that they are very, very strong in wanting transparency and accountability, particularly with the complaints process when it comes to the Veterinary Surgeons Board.

**The Hon. C. BONAROS:** I have another question for the minister, again respectfully to the AVA: did the minister have discussions with the AVA following the filing of these amendments? Regardless of whether it is the AVA or individual vets, the consultation we have undertaken on the bill—my colleague has carriage of this, but I will ask the question—is that these principles have been broadly supported. It would not take away from any consultation process. Has the minister had any discussions that have landed us in this position now, given that we have previously been of the understanding that very broadly these provisions have been supported?

**The Hon. C.M. SCRIVEN:** As I mentioned earlier in this debate on the bill overall, yes, we have had broad discussions with the AVA and the Veterinary Surgeons Board in recent days since these amendments were filed. I do not disagree at all with the honourable member that there is broad support for the inclusion of these matters in terms of reporting. What we are talking about here is the distinction of whether it is in the main part of the act or in the regulations.

Referring to the Hon. Ms Bonaros' earlier comment that the parliament will not see the regulations, I think perhaps that wording was not what was intended because, of course, we all have the opportunity to see regulations and potentially move a disallowance motion, if that is required. There is absolutely the opportunity to have consultation about the regulations—that is the intention in developing those regulations.

Can I ask a further question of the mover of the amendment: how many vets has she spoken with about whether these requirements should be in the act or in the regulations?

**The Hon. N.J. CENTOFANTI:** What I can again state is that I have been having conversations with a large number of vets over the last two years. This process started in 2020 under the former Liberal government, and I was involved in some of the first meetings with the veterinary stakeholders. What they stressed back then, and what they have continued to stress to me over the last two years, is the importance of ensuring there is transparency and accountability when it comes to reporting of the complaints process.

My concern is that, by not having it in the legislative framework but by having it via regulations, the executive can at any stage at any time make changes to these regulations. As the Hon. Connie Bonaros has pointed out, certainly regulations have far less scrutiny put on them than pieces of legislation do in this place. That is why I am continuing to move this amendment, because I firmly believe that this is what the veterinary industry are wanting when it comes to transparency and accountability within the veterinary industry, particularly when it comes to reporting of complaints and processes by the Veterinary Surgeons Board.

**The Hon. T.A. FRANKS:** I rise to indicate that the Greens will be supporting this amendment. We believe that the number of complaints received by the board in the previous financial year and the relevant financial year and the ongoing resolution of those—the time that they take to conclude—is actually the bare, basic minimum we should expect to see in the annual reports.

The Greens have long held that the requirements that this parliament expect to see in annual reports are quite rightly put into the act, it is far more transparent, and if the minister is worried about having to look in different places, surely the basics should be in the act. Then the minister knows what her job is, the AVA knows what is required of them, the board knows what is required of them and the parliament knows what we believe to be the bare minimum to be reported on. I congratulate the mover on the amendment.

**The Hon. F. PANGALLO:** Following the words from my colleague and also the Hon. Tammy Franks, we will be supporting the amendment moved by the Hon. Nicola Centofanti. Again, just to reiterate, we are all about openness and transparency. I cannot see that publishing any of this information is going to be detrimental to the profession or the organisation that is responsible for producing that annual report.

**The Hon. C.M. SCRIVEN:** Just some further advice: as I mentioned I think at the beginning in regard to the requirements under the Public Sector Regulations:

A public sector agency's annual report to the agency's Minister must contain information (including relevant statistics) with respect to the following:

- (a) the functions and objectives of the agency;
- (b) the legislation administered by the agency...

It further goes on to provide, in regard to the agency's operations and initiatives, 'including an assessment of their effectiveness and efficiency'.

The view and the advice I am receiving is that really it is covered and it would be better in the regulations, but we have had the indication here from members of whether they will be supporting it or not. I just have one final question, though, for the mover of the amendment and that is whether she consulted with the Vet Surgeons Board about this amendment.

**The Hon. N.J. CENTOFANTI:** Yes, I did.

**The Hon. C.M. SCRIVEN:** What was their feedback?

**The Hon. N.J. CENTOFANTI:** Their feedback was that they are currently doing most of this in their annual report.

Amendment carried; clause as amended passed.

Clauses 24 to 28 passed.

**The CHAIR:** The next indicated amendment is in the name of the Hon. Mr Pangallo to insert new clause 28A.

**The Hon. F. PANGALLO:** I rise to say I will not be moving this amendment.

Clauses 29 to 38 passed.

Clause 39.

**The Hon. N.J. CENTOFANTI:** I move:

Amendment No 7 [Centofanti-1]—

Page 28, line 28 [clause 39(3)(b)]—After 'premises' insert:

(if relevant)

This is consequential to [Centofanti-1] 2.

Amendment carried; clause as amended passed.

Clause 40.

**The Hon. N.J. CENTOFANTI:** I move:

Amendment No 8 [Centofanti-1]—

Page 29, after line 10—After subclause (2) insert:

(3) Without limiting the matters that may be included in the veterinary premises standard, the standard must contain requirements relating to mobile hospitals and clinics.

Again, this is consequential to [Centofanti-1] 2.

Amendment carried; clause as amended passed.

Clauses 41 to 48 passed.

Clause 49.

**The Hon. N.J. CENTOFANTI:** This clause refers to veterinary services to be provided by veterinarians and it being an offence otherwise, except in circumstances prescribed by the regulations. Can the minister please outline to the chamber the types of prescribed circumstances she intends to regulate?

**The Hon. C.M. SCRIVEN:** I am advised that the regulations, in respect of the query from the honourable member, would likely refer to vet nurses and vet technicians, but not necessarily exclusively those. Just to touch a little bit more on that point: because this was part of the discussion in the lead-up to developing this bill—whether vet nurses and vet technicians should indeed be included—I think it is fair to say that there is a diversity of opinion on that, and there is a lot more work that needs to go into it.

As members would be aware, the final bill that we are looking at does not provide for registration of veterinary nurses or technicians. It is important, though, to acknowledge the important work that they do. Veterinary nurses and vet technicians and paraprofessionals play a very important role in the provision of veterinary services, along with the opportunity that there are certainly some benefits that registration might provide.

However, the Australasian Veterinary Boards Council, the Veterinary Nurses Council of Australia and the Australian Veterinary Nurse and Technician Regulatory Council are all currently working together to progress regulation and title protection for veterinary nurses and veterinary technicians through the development of a national framework for registration.

To support efficient, rationalised, national harmonisation, which would be the ideal, it is vital that any national work be afforded due consideration prior to South Australia making a decision independently to require registration of vet nurses or technicians. As a government we will, of course, continue to monitor that progress towards a national framework and be involved in any consultations that might occur.

In the meantime, it is clearly very important that vet nurses and technicians can still undertake their employment without being in contravention of this bill, and there are potential avenues to enable this to occur. The regulations that have been referred to in the question that I had from the honourable Leader of the Opposition are certainly envisaged to include vet nurses and technicians within those regulations.

Clause passed.

Clauses 50 to 53 passed.

Clause 54.

**The Hon. N.J. CENTOFANTI:** Can the minister explain to the chamber how clause 54 and the provisions under division 2 will not have unintended consequences on the business relationship between veterinarians and livestock producers?

**The Hon. C.M. SCRIVEN:** Just as a little bit of background in regard to this provision, the undue influence offence in clause 54 is intended to prohibit certain persons in positions of power from inducing or attempting to induce a veterinarian to provide or, indeed, to not provide veterinary services. The improper directions offence in clause 55 is intended to prohibit certain persons from inducing or encouraging a vet to engage in conduct in the course of providing vet services that would constitute unprofessional conduct or that does not reflect current standards of veterinary practice in the state.

Both offences are intended to ensure that vets are enabled to provide vet services free from inappropriate influences from persons in positions of power. My advice is that there was some discussion and feedback about this during the development of the bill and/or consultation on the bill, so 53(2) was developed to address the issue that I think the honourable member is referring to, with that saying:

...this Division does not apply to a person merely because the person is the owner, or has control, of an animal in relation to which a veterinarian provides veterinary services.

That was developed to address what I think is the concern being raised by the honourable member.

**The Hon. F. PANGALLO:** Can the minister provide any examples where this could apply?

**The Hon. C.M. SCRIVEN:** An example would be where an employer of vets was to encourage one of those vets to essentially cut corners in a way that would be unprofessional or potentially problematic in order to save money. Given that they are the employer, they could be either directly or indirectly threatening a person with a loss of employment if they do not cut the corners, which might be inappropriate. That is just one example of the sorts of things it is designed to overcome.

**The Hon. F. PANGALLO:** Could it also apply to a senior citizen who had an extremely close relationship with a pet, for instance, and the pet unfortunately would need to be put down, and the senior citizen would not want that pet to be euthanised and may offer some inducement or put some influence on the vet not to carry that out? Could it apply to that?

**The Hon. C.M. SCRIVEN:** My advice would be that 53(2) covers that, namely, that the division does not apply to a person merely because the person is the owner, or has control, of the animal. It appears unlikely that that would be a consequence, is my advice.

Clause passed.

Clauses 55 to 60 passed.

Clause 61.

**The Hon. C.M. SCRIVEN:** I move:

Amendment No 3 [PrimIndRegDev-1]—

Page 36, line 11—Delete 'endangering the animal's health, safety or welfare' and substitute:

putting the animal at significant risk of serious injury or harm

This amendment makes specific reference to 'putting the animal at significant risk of serious injury or harm' with the intention to improve clarity. This amendment is linked to clause 62 as well and discussions that will no doubt occur in regard to that.

The revised wording—remembering that this is in relation to medical fitness to provide veterinary services—is considered a higher threshold than the current wording. So 'endangering the animal's health, safety or welfare' is a much lower threshold and the revised wording is considered more proportionate to the strength of powers available to the board under clause 62.

The discussions around this clause and the one that follows are very much around ensuring that any veterinarian who has some incapacity—it could be mental ill health, it could be a physical incapacity—is not discouraged from seeking appropriate assistance and treatment where applicable by a fear that they might have their livelihood put at risk if they were to seek that assistance in terms of the duty in the following clause for a health professional to report medical unfitness of a veterinarian.

We know that there have been significant concerns around mental health within the veterinary profession and particularly around attempts at self-harm, so what we want to make sure is that we have the appropriate balance between what is expected, and rightly so, from the public that if someone is unable to perform a particular kind of veterinary service without endangering the life of an animal, then obviously they should not be in a position where that could occur.

Similarly, we want to ensure that we are not discouraging those from seeking treatment out of possibly unfounded fear that they might be reported unnecessarily. This is about trying to find the right balance, and of course it does refer to the amendment which has been foreshadowed by the Hon. Mr Pangallo, and I would like to thank him for his involvement in this part of the discussion.

Given the serious, sensitive and personal nature of medical fitness, and the right of veterinarians to receive treatment without fear of compromising their livelihoods, it is considered important that the bill offers improved clarity around this. It is also important for treating health professionals who might contemplate the medical fitness of veterinarians seeking treatment and at times be faced with a challenging decision to report so as to prevent significant risk of serious injury or harm to an animal. So it is essential that we consider the two in tandem. The revised wording, in my view, gives the appropriate threshold to ensure the balance that we are seeking is achieved.

**The Hon. N.J. CENTOFANTI:** The opposition are very happy to support this amendment, which really supports the amendment moved by the Hon. Frank Pangallo, and I too want to acknowledge the work of the Hon. Frank Pangallo, but I will do that once the Hon. Frank Pangallo has moved his amendment.

Amendment carried; clause as amended passed.

Clause 62.

**The Hon. F. PANGALLO:** I move:

Amendment No 1 [Pangallo–3]—

Page 36, lines 12 to 23—Delete clause 62 and substitute:

62—Duty to report medical unfitness of veterinarian

- (1) If a health professional who has treated, or is treating, a patient who is a veterinarian is of the opinion that the veterinarian is or may be unable, as a result of a physical or mental illness, disability or deficiency, to provide veterinary services personally to an animal without putting the animal at significant risk of serious injury or harm, the health professional is under a duty to inform the Board, in writing, of their opinion and the reasons for that opinion.
- (2) If a health professional makes a report to the Board under subsection (1), the health professional must notify the veterinarian of that fact and of the nature of the information provided.
- (3) A person incurs no civil or criminal liability in carrying out the person's duty under subsection (1).



I indicate I will not be moving amendment No. 3 [Pangallo-1], amendment No. 4 [Pangallo-1], nor amendment No. 1 [Pangallo-2]. My initial amendment was to strike out the clauses dealing with mandatory obligations for persons, including a medical practitioner or an employer or others who might be connected to the person, to report a veterinarian if they were considered medically unfit to provide their services where failure to do this would carry a heavy \$10,000 fine.

My view initially was that this was a very heavy-handed approach and placed an unnecessary burden on the reporter and the individual. As I outlined in my second reading speech, we know through various reports and industry surveys that vets are having to deal with highly charged situations and workplace pressures daily and that they have higher rates of mental health issues and suicides than many other professions.

My concerns were that this clause had the potential to accelerate health problems for vets and could have other consequences, with individuals either avoiding or being reluctant to seek medical treatment if there was the prospect of losing their career or a likelihood of it. It can also constitute an invasion of privacy.

I would have asked the minister to produce any evidence why this step was even necessary and whether it could one day be applied to other professions and industries, particularly those outside of health and human welfare—for instance, in the legal profession, in police work, or in this job. Imagine if you had to force a doctor to report a colleague in this place who might be seeking medical treatment for mental health, wellbeing or other ailments. Would you have such a law in place that could destroy a person's life or damage a reputation in the event of a vexatious or unsubstantiated report?

As I said, this clause was not initially supported by the AVA; however, they seem to have had a change of mind in recent days after consultations with the minister. I have also had consultations with the minister and have been reassured about the actual intent of this particular clause. The result is this amendment, which clearly defines that a health professional has a responsibility to report to the board if they are of the opinion that a veterinarian is incapable of carrying out their duties because of a serious medical condition which could put animals at significant risk of injury or harm.

I also note that there are now no civil or criminal liabilities in relation to carrying out this duty, although on the surface it could still be seen as a mandatory obligation. As a result, that is the amendment I have moved.

**The Hon. C.M. SCRIVEN:** The government will be supporting this amendment. I will just expand a little on what I said in relation to clause 61. Just to clarify, the amendment seeks to remove the offence that is currently provided in clause 62 of the bill in favour of a duty, which is a slightly lesser requirement. That duty will be for a health professional to inform the board of a veterinarian's medical unfitness but specifically where there is significant risk of serious injury or harm being caused to an animal.

Just to reflect back on the Hon. Mr Pangallo's comments about potentially this kind of thing being expanded to other people such as us here in parliament, I think much as we like to think our speeches are very important—and in many ways they are—they certainly do not place a person or animal at risk of serious or significant harm or injury, in my view. Therefore, I do not think there is a particular risk in terms of it being expanded, for example, to people in this place.

The amendment also removes the obligation on an employer or a responsible person in respect of registered premises to report medical unfitness. There is still the ability for persons of all types to be able to make a complaint about the conduct of a vet, and those processes are provided in part 7 of the bill. This is about trying to find the right balance between ensuring that animals are not placed at significant risk of serious injury or harm, but making that threshold at that level so that there is not a tendency to report things that would not place an animal at such a significant risk.

We want to ensure, as I mentioned in my previous contribution, that anyone with a health problem, be that mental health or otherwise, is free to seek assistance and treatment where appropriate without being concerned about a loss of income. So those where the health professional

is of the opinion that the veterinary services being provided would put an animal at significant risk of serious injury or harm are the only ones that would need to be reported to the board.

**The Hon. N.J. CENTOFANTI:** I rise to say that the opposition is more than happy to support this amendment from the Hon. Frank Pangallo, and again thank him for bringing this amendment forward. This amendment has the support of the South Australian division of the AVA. When we so often speak about the importance of the mental health of our veterinary professionals and the critical nature of ensuring they receive the support they need in times of crisis, it seems counterintuitive for health professionals or employees to mandatorily notify the Veterinary Surgeons Board if a client or a colleague seeks professional help, and for it to be an offence if they do not do so.

Vets should be able to ask for help without fear of being investigated by the Veterinary Surgeons Board. If we are trying to improve mental health outcomes for our veterinary professionals, this seems an absolutely critical step in that support process. As I indicated earlier, I am very happy to support this amendment moved by the Hon. Frank Pangallo.

**The Hon. T.A. FRANKS:** The Greens will also support this amendment and we thank the Hon. Frank Pangallo for bringing it forward and note the words of the Hon. Nicola Centofanti. Mental health and mental ill health is quite a significant issue and I think this is a much more modern and destigmatised approach.

Amendment carried; clause as amended passed.

Clauses 63 to 78 passed.

Clause 79.

**The Hon. N.J. CENTOFANTI:** I move:

Amendment No 9 [Centofanti-1]—

Page 45, line 33 to page 46, line 10 [clause 79(1) and (2)]—Delete subclauses (1) and (2) and substitute:

- (1) For the purposes of section 22 of the *South Australian Civil and Administrative Tribunal Act 2013*, there will be a panel of assessors consisting of—
  - (a) veterinarians with primary registration or deemed registration; and
  - (b) veterinarians (however described) registered under a corresponding law but who do not provide veterinary services or engage in other conduct as a veterinarian in this State.
- (2) Subject to this Act, in exercising its powers for the purposes of this Act, the Tribunal will, unless the President of the Tribunal determines that the Tribunal is to be constituted by fewer than 3 members, be constituted of 3 members of whom 2 will be selected from the panel of assessors referred to in subsection (1).

The current bill stipulates that the SACAT tribunal and proceedings under this act is to be constituted by three members of which only one is to be a veterinarian. Under the new proposed changes, this puts a percentage of vet experience on that panel to one-third, or less than 50 per cent. This is inconsistent with the make-up of other SACAT panels of assessors for other professionals. For example, the Architectural Practice Act 2009 stipulates that, for the purposes of section 22 of the South Australian Civil and Administrative Tribunal Act 2013, there will be a panel of assessors consisting of persons who are registered architects.

The argument should and can be made that to assess whether a veterinarian has displayed behaviour such that it constitutes grounds for disciplinary action there should be significant professional knowledge on the panel that understand the standards expected of the profession. One in three members on the panel being someone who is a registered veterinarian does not provide significant professional knowledge and therefore I am moving this amendment to increase the number to two members on the panel of assessors for SACAT being veterinarians.

**The Hon. C.M. SCRIVEN:** The government will be opposing this amendment, and there are a number of reasons for that, both in terms of practicality of administration and also in terms of what would, no doubt, be unintended consequences. To clarify, this amendment seeks to provide that for the purposes of section 22 of the South Australian Civil and Administrative Tribunal Act 2013 there would be a panel of assessors consisting of veterinarians with primary registration or deemed

registration and veterinarians registered under a corresponding law but who do not provide veterinary services or engage in other conduct as a vet in this state.

The amendment provides that the tribunal would typically be constituted of three members, of whom one is the legal member from SACAT and two who would be selected from a panel of assessors consisting of veterinarians, as previously outlined. The amendment would effectively remove the non-veterinarian panel of assessors from participating in tribunal proceedings, and this would represent a major shift away from the constitution of the tribunal provided by both the existing act and also by the bill.

There are a few concerns around that. First, it would remove what is often a consumer representative. Remembering that the existing act, and the bill we are looking at, is there not only to support veterinarians, which is an important component, but also to ensure the safety and wellbeing of animals, which is also of course an incredibly important component. Having the opportunity for a consumer representative is considered quite important.

What is also important is that the reputation of veterinarians is upheld. If there were a majority of veterinarians there is a concern that there could be a perception that veterinarians are regulating themselves or investigating themselves. That could potentially cause reputational risk to the profession, because it is far from the situation. My advice also is that usually the matters that would come before SACAT are more around conduct rather than matters that might require the technical expertise being referred to.

Finally, there is the matter of practicality. We are advised that currently, where there is one veterinarian sought to be on such panels, that is often quite difficult to access. There is a shortage of vets already, and I am advised that finding vets who are willing and available to be involved is often quite problematic. Finding two may well increase delays in hearings and the proceedings of the tribunal, and that is not beneficial either. I think one of the challenges has been around matters potentially proceeding for a long time, and that is not in the interests of the vet who is the subject of such proceedings.

The constitution of the tribunal specified in the bill aligns with the composition of a tribunal that is typically formed for hearing disciplinary matters, I am advised. In most instances these tribunals include a member offering the perspective of the profession and a member offering the perspective of someone outside the profession, usually a consumer. I understand that the participation of assessors in disciplinary proceedings under the Architectural Practice Act 2009, which has been raised as an example in this place, does not provide the best equivalent—I imagine because when we talk about vets we are talking about the health and welfare, and potentially the lives, of animals.

The Health Practitioner Regulation National Law (South Australia) Act 2010 is offered as the best comparison and mirrors the provisions in the current act and the bill. If the amendment were supported it risks the loss of consumer perspective in the tribunal, which may in turn lead to a loss of consumer confidence in the complaints process. It risks a perception of bias towards veterinarians and it risks an increase in the demand for veterinarian assessors, as I mentioned, where there are already practical challenges to their involvement.

Given the significant risks associated, particularly the loss of the consumer perspective on the tribunal, the government opposes this amendment. I think it is also worth noting that not only is it opposed by the Veterinary Surgeons Board of South Australia—because they consider it may result in delays to hearings being held—it is also not supported by the Australian Veterinary Association, and I think it is important to take into account their views.

**The Hon. F. PANGALLO:** I rise to say that we will be supporting the amendment of the Hon. Nicola Centofanti. I note that the minister made a comment earlier in relation to the matters that are heard in relation to conduct. Perhaps having an additional experienced veterinarian on this panel would lend that knowledge in being able to come to fair and reasonable outcomes. We will be supporting the amendment.

**The Hon. T.A. FRANKS:** The Greens will be supporting the amendment.

The committee divided on the amendment:

Ayes .....12  
 Noes .....9  
 Majority .....3

AYES

Bonaros, C.	Centofanti, N.J. (teller)	Franks, T.A.
Game, S.L.	Girolamo, H.M.	Henderson, L.A.
Hood, B.R.	Hood, D.G.E.	Lee, J.S.
Lensink, J.M.A.	Pangallo, F.	Simms, R.A.

NOES

Bourke, E.S.	Hanson, J.E.	Hunter, I.K.
Maher, K.J.	Martin, R.B.	Ngo, T.T.
Pnevmatikos, I.	Scriven, C.M. (teller)	Wortley, R.P.

Amendment thus carried; clause as amended passed.

Remaining clauses (80 to 99), schedule and title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (17:36):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**ENVIRONMENT PROTECTION (OBJECTS OF ACT AND BOARD ATTRIBUTES) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 15 June 2023.)

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (17:37):** I rise as lead speaker for the opposition on this bill in this chamber. Fundamentally, this bill seeks to make discrete amendments to the Environment Protection Act 1993—and by 'discrete' I mean very discrete—by expanding the objects and principles of the act at section 10 to include a requirement to have regard to climate change adaptation and climate change mitigation.

It also requires persons engaged in polluting activities to ensure their facilities and premises are designed or progressively improved so as to limit the risk of environmental harm from those activities and in relation to the impacts of a changing climate. It includes a member on the board of the Environment Protection Authority with practical knowledge of and experience in climate change adaptation and climate change mitigation.

Most of this bill we believe is virtue signalling with next to no action, which is what the Minister for Climate, Environment and Water in the other place seems to do best. The minister, during her second reading explanation, implied that this bill was a demonstration of the government's commitment to taking real action on climate change and made further reference to the government's adaptation to a changing climate, referencing their progress towards an urban greening strategy and ways to improve the planning system to ensure they are building resilient communities.

Yet, at almost the same time as she was delivering these statements, she and her government, in the 2022-2023 state budget, axed almost \$70 million of practical environmental projects that would have helped South Australia respond to the changing climate. This included slashing the Greener Neighbourhoods program—\$4.5 million worth—which would have seen up to

10,000 trees being planted across suburban schools, and also cutting the Greening Adelaide's Heart program, worth \$10 million, which would have seen a range of practical greening and cooling projects for the CBD to respond to an increase in temperature and create more wetlands and plantings along the River Torrens.

These actions show the absolute hypocrisy of this Labor government on this topic and indeed on other topics. In fact, every few weeks, I remind the Leader of the Government in this place about his government's failed election promise around fixing ramping by asking him specifically about the ever-worsening ramping statistics that are going on in our state and how his government are going to act on their promise and—surprise, surprise—he cannot answer because they are failing at doing what they said they were going to do before the election and that is fix ramping.

But that is what they do best: talk about it, promise it, but when it comes down to it, do not deliver. That is what we are seeing in this bill: on the one hand, shouting from the rafters about stronger action on climate change adaptation and mitigation, and then on the other hand slashing the environment budget and cutting projects that deliver practical environmental outcomes. Shame on them—all talk, no action, or as we like to say in my country: all hat and no cattle.

Regardless of the passage of this bill, the EPA will shortly commence developing a climate change environment protection policy, formed with the assistance of an industry reference group which will require further investigation and consultation with key stakeholders and other government entities pursuant to part 5 of the Environment Protection Act 1993.

In closing, I simply note as lead speaker on this bill that we on this side have some serious reservations as to the value of this bill, but given the somewhat thin legislative agenda this government has so far, I am not surprised that this is being put forward, I suspect in an effort to fill the *Notice Paper*.

**The Hon. T.A. FRANKS (17:42):** I rise on behalf of the Greens to speak in support of this bill. Australia is blessed with unique and precious species, ecosystems and natural resources, and is home to 20 World Heritage sites, over 600,000 native species and two out of the 36 areas identified as biodiversity hotspots by the Critical Ecosystem Partnership Fund. However, over the last two centuries, Australia has suffered the largest recorded degeneration in biodiversity across the globe and continues to be threatened by the impacts of climate change.

There is an increasing pressure on the biodiversity, ecosystem services, clean air, clean water and natural resources upon which all Australians depend. The impacts of climate change are already being seen in drastic reality, through multiple bleaching events in the Great Barrier Reef, the death of wetland areas caused by reduced rainfall, and the increasing occurrence of extreme weather events. You simply have to look at the newspaper or listen to the radio. Day after day, week after week, we are seeing this unfold right before our own eyes.

The Intergovernmental Panel on Climate Change's Synthesis Report, published on 20 March 2023, highlighted the urgent need for stronger environmental governance to ward against the increasing risk of climate change. That IPCC report unequivocally states that unless there are immediate, rapid and large-scale reductions in greenhouse gas emissions, it will be nearly impossible to limit global warming to close to 1.5° Celsius or even 2° Celsius.

Climate change poses the greatest existential threat to the world's collective environment and health. While the main focus of the Environment Protection Authority is generally on regulating pollution, environmental destruction and waste, these issues are inseparable from climate change, which is a phenomenon caused by a diverse range of environmentally harmful activities.

The EPA should therefore have a duty to take action to reduce the risks of climate change. As a result of this interrelation between pollution, environmental destruction, waste, and climate change, reducing the risks of climate change through mitigation and adaptation is a natural part of the regulations under the EPA and so we welcome this bill today.

We must pursue emissions reductions efforts to ensure that we are taking responsibility for the emissions from products that we are profiting from and exploiting, and to ensure that we are not promoting their continued use. This is particularly important, given the EPAs are responsible for

development approvals and licences in several jurisdictions which typically have the most responsibility for emissions.

Addressing climate change is also a necessary step to ensure that environmental justice is achieved, as climate change disproportionately impacts those most vulnerable to environmental harm, both here in Australia and, of course, across the globe. For example, in Australia, Torres Strait Islanders have been experiencing the impacts of sea level rise from climate change for decades, yet they are one of the smallest contributors globally to the cause of that climate change.

The inclusion of climate change in the EPA Board objectives is also essential to achieve intergenerational equity, given the worst impacts of climate change will be felt not by us but by future generations who have not contributed to global emissions and pollution. The development of environmental protection policy with a focus on climate change will provide a clearer pathway to meet our commitment under the Paris Agreement to pursue efforts to limit temperatures across our globe to 1.5° Celsius above pre-industrial levels.

This is a simple bill but it is a profound bill. I note the earlier contribution from the Liberal opposition that this was somehow virtue signalling. I am going to point out that virtue signalling is about telling people that you are doing good. This bill does good. It has virtue. It has validity in itself. It may be a small step, but it is an essential one. The Greens welcome this bill and look forward to its speedy passage.

**The Hon. S.L. GAME (17:46):** I rise to speak to this bill to comment on the government's expensive and unreliable climate emergency crusade, as it continues to commit the people of South Australia to an energy policy that an increasing number of households and local businesses can no longer afford. Placing further pressure on cost of living, the government is committed to the risky and expensive pursuit of net zero emissions by 2050.

The Environment Protection Authority, as the state's principal environment regulator, regulates industrial pollution, placing limits on industry that are protective of human health and the environment. This bill seeks to align the EPA with the government's failing environmental policies.

These amendments will add to existing regulation, and therefore restriction, on local businesses already struggling under the weight of a spluttering economy and high energy prices. The EPA must have regard to the objects of the act, and seek to further them when considering applications for environmental authorisations under the act, and also when considering development applications that are referred to it under the Planning, Development and Infrastructure Act 2016.

The proposed amendments include future development of an environment protection policy under the act that will provide more detailed climate change policy. This policy specifically sets out matters that are to be taken into account by the EPA in relation to environmental authorisation applications or development application assessments.

The development of a climate change-focused environment protection policy will further control the regulatory approach for licensees and development proponents, providing a pathway to increasing restrictions on business and ensuring higher costs as the government pushes towards its climate change targets.

Our industries and households are being forced to rely on inconsistent power sources. This uncertainty is a huge drawback of green renewable technologies. The cost of renewables is effectively unaffordable to Australian households. The industry is totally reliant on government subsidies and, perhaps unsurprisingly, we are experiencing the highest energy prices in our history.

We need real solutions. Our businesses need reliable power and our households need cheaper power. Green renewables are not the solution we have been promised. Let's dispense with the idea that our poorest residents should be slugged with disproportionately high energy costs just so our political elites can bask in their moral superiority.

**The Hon. T.T. NGO (17:48):** I rise to speak in support of the Environment Protection (Objects of Act and Board Attributes) Amendment Bill 2023. These amendments will strengthen the existing powers of South Australia's Environment Protection Authority (EPA), enabling it to further consider climate change issues when administering the Environment Protection Act. We all know

that addressing climate change is a long-term undertaking and every action, no matter how small, contributes to the collective efforts to combat this massive global issue.

The amendments provide for the addition of climate change knowledge and expertise on the membership of the EPA Board, which will facilitate expertise and guidance on the EPA's regulation of climate change related matters. Specific climate change adaptation and mitigation definitions are also included in the amendments so that the EPA's role and responsibility is clearly communicated. The definitions will give administration and courts dealing in climate change action clear information about the EPA's function.

In recent times, there have been several court actions and legal challenges against Australian governments for inadequate policies on climate change and greenhouse gas mitigation. In 2020, a group of activists initiated legal action against the New South Wales government, arguing that the government had a duty to protect young people from the harmful impacts of climate change, and claimed the government's approval of a coalmine expansion would contribute to greenhouse gas emissions. Although this case was dismissed, this and other similar cases have created increased attention to the legal debate around government responsibilities.

These amendments will support the important development of a climate change environment protection policy in the future. Essentially, at this stage, the government is proposing only the amendments to the objects of the Environment Protection Act and attributes of the EPA Board so as to clarify how the EPA can support the government's climate change and emission reduction policies moving forward. The EPA will continue to achieve significant reductions in greenhouse gas emissions through regulating the waste and resource recovery sector. We have already achieved over a 40 per cent reduction in greenhouse gas emissions from 1990 to 2019 levels.

Amendments made to the act will provide a costed plan to net zero. The EPA will work with government and industry to prepare a policy that requires high-risk licensees to develop climate adaptation plans and high emitter licences to develop emission reduction plans to reach net zero by 2050. The proposed changes to section 10 of the Environment Protection Act will specifically include addressing climate change adaptation and mitigation when administering the act.

Amendments to section 14B will require climate change adaptation or climate change mitigation experience to be a required attribute of the membership of the EPA Board. The following definitions will be added to the interpretation of section 3: climate change mitigation, climate change adaptation, and greenhouse gas emissions.

Importantly, this bill and amendments have the support of the majority of stakeholders involved in consultations with the EPA. During these consultations, all of South Australia's largest greenhouse gas emitters were contacted. Key stakeholders were provided with an overview of the proposed amendments to the Environment Protection Act and of the EPA's intention to develop a climate change environment protection policy.

It is pleasing to note that feedback from the discussions with the large emitters on the intent to develop a climate change policy was overwhelmingly positive. Many of these businesses already have plans in place to achieve net zero by 2050, including Adelaide Brighton Cement, BHP and OZ Minerals, and I understand AGL are in the process of doing so too.

Overall, a climate change environment protection policy was seen as being a valuable instrument by some larger emitters. It was seen to set an equal playing field for industry regarding climate change expectations as well as supporting company officers to make a case for decarbonisation to company boards and management. With a combination of individual action, community engagement and policy changes such as these amendments address, South Australia can start making a meaningful impact to address climate change. I commend the bill to the house.

**The Hon. E.S. BOURKE (17:54):** I rise to speak to this bill. While climate change and greenhouse gas emissions were known issues in 1995 when the Environment Protection Authority was established, they were not a conversation starter in the community. In 2007, with the election of Kevin Rudd as Prime Minister, climate change became a real political discussion in Australia, but for many in the community it was hard to understand what climate change meant because it was not a touch-and-feel issue.

Since then, governments have brought the public along by introducing environmental policies that have a direct impact on the public. Policies that promote the installation of things like solar panels and batteries on people's homes have made people think about what they can do to combat climate change. In South Australia, we led the way by banning single-use plastic bags in 2009, and we have now banned single-use plastic bowls and plates, plastic cotton buds and plastic pizza savers.

We are leading the way in renewable energy. Our government, through the South Australian Research and Development Institute, is partnering with industry and research organisations around Australia to undertake work examining how feeding seaweed to livestock could reduce methane emissions. As a government, it is our responsibility to take bold decisions, and we must also have policies that make the issues tangible for the public. When we do that, people are more accountable and more aware of reducing their own impact on the environment.

We are now also seeing more intense weather events, further highlighting the issue of climate change. We have been watching the devastating impacts in the Northern Hemisphere over the last couple of months with extreme heatwaves, wildfires and now floods in Europe and North America. Four thousand people lost their lives in Libya's deadliest flood in over a century. But we need not look to the other side of the world. This past week, there have been bushfires along the east coast of Australia, with near-record September temperatures in Sydney.

In South Australia, Ceduna has already recorded the highest temperature for September, with 39.8° just last Sunday, and our memories of the 2019-20 summer bushfires are still fresh as we head into another dangerous period. The Environment Protection Act is our most important piece of environmental legislation, and climate change is the most important environmental issue in our time. It is therefore appropriate that addressing climate change should be included in the objects of this act.

The Environment Protection Authority, by its powers through the Environment Protection Act, is responsible for monitoring water and air quality, regulating waste management and disposal, dealing with soil contamination and excessive noise, and regulations for the disposal of PFAS waste. There is no specific mention of climate change in the act.

While the current objects of the act are broad enough that climate change and greenhouse gas emissions can be considered in any development applications or environmental authorisations, the amendments introduced by this bill put it beyond doubt that climate change adaptation and mitigation are within the scope of the act and, by extension, the authority's powers.

This will resolve any ambiguity, which is particularly important where there is court action regarding interpretation of the act. Of course, the EPA has already been doing important work in contributing to the government's climate change action plans. In 2022, it published a role statement outlining how it is supporting South Australia's response to climate change. The Malinauskas Labor government is committed to continuing the legacy of what Don Dunstan established in 1972, when he created the first environment department. We have committed to reducing greenhouse gas emissions by more than 50 per cent on 2005 levels by 2030 and reaching net zero emissions by 2050.

Our Hydrogen Jobs Plan will streamline and coordinate development of hydrogen and renewable energy projects, with more than \$20 billion worth of projects in the pipeline. We are transitioning to an efficient, zero-emissions public transport system. I am advised the Gawler train line now runs all electric trains, and hydrogen-fuelled and battery-powered buses are currently being trialled. As governments around Australia and the world wrestle with combatting climate change, ensuring our environmental watchdog has clear objectives and the board has sufficient knowledge about climate change is an obvious reform.

Debate adjourned on motion of Hon. I. Pnevmatikos.

### **APPROPRIATION BILL 2023**

#### *Introduction and First Reading*

Received from the House of Assembly and read a first time.



**STATUTES AMENDMENT (BUDGET MEASURES) BILL**

*Introduction and First Reading*

Received from the House of Assembly and read a first time.

At 18:02 the council adjourned until Wednesday 27 September 2023 at 14:15.

*Answers to Questions***TARRKARRI CENTRE FOR FIRST NATIONS CULTURES**

**295 The Hon. J.M.A. LENSINK** (30 August 2023). What involvement has the Aboriginal Affairs agency and the Minister for Aboriginal Affairs had in decisions regarding the future of Tarrkarri—Centre for First Nations Cultures?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** I have been advised:

No final decision has been made in relation to this project. The panel appointed to review Tarrkarri, constituted by Ken Wyatt AM, Bob Carr and Carolyn Hewson AO, handed down their final report in recent months. The government is closely considering the report and its recommendations. This work is being led by the Department of the Premier and Cabinet, as it was under the former Liberal government.

**DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

**296 The Hon. J.M.A. LENSINK** (30 August 2023). What system enhancements have been required of the Prosecution Management System project, as per footnote (c) of 2023-24 Budget Paper 4, Volume 1, p.17.?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** I have been advised:

In 2022-23, with the advent of the Courts Administration Authority Electronic Courts Management System (ECMS), the ODPP was required to modify the Office of the Director of Public Prosecutions Prosecution Case Management System (PCMS) to facilitate the updated format of the court file number.

These changes were made by the vendor, Resolve Software Group Pty Ltd, in February 2023, at a cost of \$14,451.25 inc. GST.

**DISTRICT COURT**

**297 The Hon. J.M.A. LENSINK** (30 August 2023).

1. What is the progress of the appointment of the extra budgeted associates in the District Court?
2. Will this funding be temporary or permanent?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** I have been advised:

The Courts Administration Authority received additional funding for the three financial years, 2022-23 to 2024-25, for Operation Ironside. The authority has utilised this funding for Sheriff's Officers and District Court associates, appointing four additional associates for this period.

The funding is temporary, commencing 1 July 2022 for three years.

**DIRECTOR OF PUBLIC PROSECUTIONS OFFICE**

In reply to **the Hon. D.G.E. HOOD** (30 August 2023).

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector):** I am advised:

Additional funding was provided to the Office of the Director of Public Prosecutions including, over the forward estimates, for Operation Ironside. This includes \$6 million in the 2022-23 budget with a further \$6.4 million provided in the 2022-23 Mid-Year Budget Review.

In addition to Operation Ironside, a further \$2.2 million was provided in the 2022-23 Mid-Year Budget Review for other complex legal matters.