

## LEGISLATIVE COUNCIL

Thursday, 19 October 2023

**The PRESIDENT (Hon. T.J. Stephens)** took the chair at 14:17 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.

*Parliamentary Procedure*

### PAPERS

The following papers were laid on the table:

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

Reports, 2022-23—

Ceduna District Health Services Health Advisory Council Inc.  
Central Adelaide Local Health Network  
Controlled Substances Advisory Council  
Department for Health and Wellbeing  
Eastern Eyre Health Advisory Council Inc.  
Far North Health Advisory Council  
Health Performance Council  
Lower Eyre Health Advisory Council Inc.  
Mannum District Hospital Health Advisory Council Inc.  
Murray Bridge Soldiers Memorial Health Advisory Council Inc.  
Renmark Paringa District Health Advisory Council Inc.  
SA MET Health Advisory Council  
Veterans' Health Advisory Council  
Women's and Children's Health Network  
Yorke Peninsula Health Advisory Council Inc.

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

Phylloxera and Grape Industry Board of South Australia (trading as Vinehealth Australia)—  
Report, 2022-23

*Question Time*

### SHEEP AND GOAT ELECTRONIC IDENTIFICATION

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:24):** I seek leave to make a brief explanation prior to addressing a question to the Minister for Primary Industries and Regional Development regarding sheep and goat electronic identification.

*Members interjecting:*

**The Hon. N.J. CENTOFANTI:** Well, I wouldn't have to if she would do her job.

**The PRESIDENT:** Order!

*Members interjecting:*

**The PRESIDENT:** Order! The government benches, contain your excitement.

Leave granted.

**The Hon. N.J. CENTOFANTI:** In early June, the minister revealed a funding package for the government's mandatory rollout of electronic identification, which included the promise of

electronic identification tags for producers at less than a dollar. Several questions had been previously asked in this chamber by honourable members as to why details hadn't been released. Finally, two weeks ago, the minister released guidelines about how these producers who tagged their 2023 drop lambs with tags costing approximately \$1.90 per tag could claim a 50 per cent rebate on approved NLIS EID devices. My questions to the minister are:

1. Why did it take four months for the minister to release simple guidelines for a rebate scheme?
2. Why hasn't the minister released further details and guidelines about the 2024-25 EID device discounts and essential infrastructure assistance?
3. When is the minister going to release further details and guidelines about the 2024-25 EID device discounts and essential infrastructure assistance?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:26):** I thank the honourable member for her question. The answer to the first question is in regard to: this is not simply guidelines, this is also about how the producers can actually claim the rebate, and so those processes needed to be in place prior to making that announcement. The answer to the second question in regard to further details: that's being worked through by both the department and the industry advisory committee and those details will be released as soon as they are available.

#### SHEEP AND GOAT ELECTRONIC IDENTIFICATION

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:27):** Supplementary: does the minister believe it's acceptable to take four months to provide any details to farmers on the rebate scheme? These people have businesses, Clare.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:27):** On announcing the support package from government, we were able to advise what the amounts would be. The fact that there would be a rebate and that that was able to be backdated to 1 January this year, for those that were purchased from that date—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —and, secondly, that as soon as that rebate was able to be put in place, information was provided.

#### SHEEP AND GOAT ELECTRONIC IDENTIFICATION

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:27):** I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development on the topic of sheep and goat electronic identification.

Leave granted.

**The Hon. N.J. CENTOFANTI:** Livestock South Australia president, Joe Keynes—

*Members interjecting:*

**The PRESIDENT:** Just hang on. Government benches, silence! Leader of the Opposition, the question, please.

**The Hon. N.J. CENTOFANTI:** I didn't realise it excited them so much, Mr President.

**The Hon. J.E. Hanson:** It's all these farm animals.

**The PRESIDENT:** Order, the Hon. Mr Hanson!

**The Hon. N.J. CENTOFANTI:** Livestock SA president, Joe Keynes—

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Hood!

**The Hon. N.J. CENTOFANTI:** —in a recent article in the *Stock Journal* said, and I quote:

If it has taken four months to get the rebate side for producers sorted, it will take a lot longer for the saleyards and processors to come to an agreement with the government on the infrastructure and then the work needs to be done so meeting the 1st January 2025 looks like it will be a real struggle.

My questions to the minister are:

1. What does the minister say in response to comments made by Livestock SA president, Joe Keynes?
2. Is the minister still standing by the January 2025 date for the full rollout of the scheme?
3. Given the sharp drop in sheep prices in saleyards across the state and the nation, has the minister engaged with local producers about their ability to absorb the extra cost to their business at a time when farmers are struggling with some of the toughest conditions in decades?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:29):** I thank the honourable member for her questions. We are keen to continue to work closely with industry. We have been doing that since day one, and we continue to do that both directly through my meeting with various representative organisations and also, of course, through my department. The dates that we have announced—which, indeed, those opposite called for in terms of certainty. They said how important certainty was for the producers, and therefore it was important to get those dates out and made public. I think it is quite fascinating that they are now wanting to change—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —those dates and introduce more uncertainty for those producers. I am very keen at the moment to continue to work through—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —including the implementation committee and taking their advice, because that is important to make sure that we have the whole supply chain on the journey, are able to provide input to what they would like to see in terms of the implementation of this very important change. I think it is also worth noting that there is not one single view, one sole view and unanimous view, from producers, either. For example, I have a quote here from a producer in Western Australia. The reason that is relevant is that Western Australia has recently announced some changes to their time line. He says:

Change is a hard thing and no one likes change but if you can see benefits in not only biosecurity but productivity, market access and traceability, it's definitely a plus for us in livestock to be able to conduct business and operate under that system.

He goes on to then say:

...we need to implement this system sooner rather than later.

It is important to recall what the reasons for this change are. It is about biosecurity. It is about traceability. It is about ensuring that we have the best response in the event of an incursion of disease and that we can both deal with that as quickly as possible and, just as importantly, in the event of such an outbreak, then regain market access as soon as possible. Some producers I have spoken with have certainly indicated that, while they are clearly experiencing the drop in prices for a lot of livestock, they also see how devastating it would be if there were an outbreak of disease such as foot-and-mouth disease and that having appropriate traceability processes in place would be even more important in that scenario.

#### **SHEEP AND GOAT ELECTRONIC IDENTIFICATION**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:32):** Supplementary: who is on the implementation committee?

*Members interjecting:*

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:32):** Names, date of birth, social security number, tax file number.

**The PRESIDENT:** The Hon. Mr Simms, you promised me you were going to be on your best behaviour today.

**The Hon. C.M. SCRIVEN:** On the advisory committee, from PIRSA are Peter Appleford and Laura Bruce; from Livestock SA, the sheep sector, are Allan Piggott and Janelle Hocking-Edwards; from Livestock SA, the goat sector, is John Falkenhagen; from Livestock SA, the wool sector, are Michelle Cousins and Joe Keynes; from the Australian Livestock and Property Agents Association are Liz Summerville and Chris Manser; from the Australian Livestock Markets Association is Peter Mitchell; from the Australian Meat Industry Council are Mark Inglis and Claire House; from Integrity Systems Company is Elizabeth Bradley; from the Naracoorte Regional Livestock Exchange is Lyndon Harper; and from the Mount Gambier and District Saleyards is David Wallis.

#### SHEEP AND GOAT ELECTRONIC IDENTIFICATION

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33):** Supplementary: is the minister indicating that the advisory committee is now the implementation committee?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:33):** I thought the question related to the PIRSA-led industry advisory committee, and that was the membership that I just outlined.

#### REGIONAL DEVELOPMENT

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33):** I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development on the topic of regional development.

Leave granted.

**The Hon. N.J. CENTOFANTI:** Nippy's is a third-generation family business with three manufacturing sites across South Australia, supplying juice and milk to Australians. On their previous three-year electricity plan, the business paid \$916,000 a year. The business's new electricity quote hit the business with a \$1.7 million per year electricity contract, which is an increase of 95 per cent. Joint Managing Director at Nippy's, Ben Knispel, has said that the electricity bill 'was a complete shock and was scary and comes as a raft of costs continue rising.'

He also said that on top of the electricity increases, other costs are also going up, including milk coming from the farms which had jumped by 25 per cent, and that the business had no choice but to pass on the cost to the consumer. My question to the minister is: as Minister for Regional Development, what is she doing to keep the cost of business down for primary producers and, ultimately, the cost of living down for South Australian households?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:35):** I thank the honourable member for her question. I think the electricity market faces some very challenging conditions because of the combination of bad decisions from the former Marshall Liberal government, a lost decade of national policy vacuum under the former Liberal national Coalition as well as, of course—

*Members interjecting:*

**The PRESIDENT:** Order! I can't hear the minister.

**The Hon. C.M. SCRIVEN:** —global disruption following the illegal invasion of Ukraine by Russia. These are incredibly challenging conditions which have pushed energy prices higher, and of course we saw nothing under the former government to address the basic issues.

Fortunately, the Malinauskas Labor government is working hard to counter some of those things. We often hear about the impacts not only on primary producers but also on residential customers and of course the consequence of the privatisation of the electricity market by the then

Liberal government is still being felt by South Australians. It is incredibly difficult for them to deal with the long-term impacts of that decision backed by the former Liberal government.

Our government has been doing a number of things, including making sure that we don't need to rely on outdated modes of electricity production. We have a strong record in renewables, a strong record in terms of developing the hydrogen opportunity, and one of the key outcomes of the hydrogen opportunity once fully realised will be a positive impact for industry.

#### REGIONAL DEVELOPMENT

**The Hon. F. PANGALLO (14:36):** Supplementary: does the minister now concede that state Labor promises and federal Labor promises to significantly lower power bills cannot be achieved?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:37):** The state Labor government continues to work hard to improve the situation for all electricity customers, both residential and business.

*Members interjecting:*

**The PRESIDENT:** Order! If you want to swap jobs—no, I couldn't.

#### REGIONAL DEVELOPMENT

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:37):** Supplementary: is the minister aware that the Premier has confessed that the hydrogen power plant will not deliver cheaper electricity bills for South Australian households?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:37):** I don't accept the basis of the question, of what the member is alleging the Premier has said.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Ms Girolamo!

#### BEST OF WINE TOURISM AWARDS

**The Hon. R.P. WORTLEY (14:38):** My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the recent Great Wine Capitals 2024 Best of Wine Tourism Awards at the National Wine Centre?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:38):** I thank the honourable member for his question, and I know that many people in this place are very interested in the topic of wine. Recently, I had the pleasure to celebrate and announce the Great Wine Capitals 2024 Best of Wine Tourism Award winners.

Wine tourism continues to play an incredibly important role in driving visitors to our regions and therefore it is vital to recognise the industry leaders in this field. One of the ways we can do that is through the Great Wine Capitals Best of Wine Tourism Awards. This is the eighth consecutive year that these awards have been presented in South Australia. Each of the winners announced recently will go on to have their entry judged by an international jury, with the global awards presented later this month in Lausanne, Switzerland.

Previous international winners include Seppeltsfield, d'Arenberg, Grapes for Good/Zoos SA and Wirra Wirra, as well as Penfolds Magill Estate and Gemtree Wines. The awards celebrate innovation, excellence and sustainability in wine tourism and, for the South Australian contingent, the winners across the seven categories are as follows:

- Alkina Wine Estate from the Barossa, in the Accommodation category. They were recognised for creating extraordinary accommodation that feels like home and treads lightly on the landscape.
- Yangarra Estate Vineyard, McLaren Vale, in the Architecture and Landscape category. Their cellar door's architectural design features a striking, sweeping roof, a visual treat for visitors, with an interior that reflects the region's soil and environment.

- Grapes of Mirth is a multiregional winner in the Art and Culture category. They have been involved in comedy events, including DJs and dance parties, podcasts, wine masterclasses, and cooking demonstrations. These activities can bring a new demographic to wineries and their respective regions.
- Sidewood Estate, Adelaide Hills, in the Innovative Wine Tourism Experiences category. On the outskirts of Hahndorf, they provide a unique offering from no and low-alcohol wines to a spread of leisure activities and educational experiences, such as introduction to wine tasting that helps people interpret wine terminology to enhance their overall experience;
- Mt Lofty Ranges Vineyard in the Adelaide Hills, in the Wine Tourism Restaurant category, with menus carefully curated each month in an outstanding second-to-none setting that connects to the landscape and surrounding vineyards.
- Pindarie Wines of the Barossa Valley won in the Wine Tourism Services category. They have stables dating back to the 1850s and a grain store built in the 1890s. The cellar door and restaurant provide the complete wine, food and tourism experience in the Barossa Valley.
- Finally, Gemtree Wines from McLaren Vale, in the Sustainable Wine Tourism Practices category. Organic and biodynamic certified, and the benchmark in South Australia for sustainable wine practices. Sustainability best practice is fundamental to Gemtree's overall story and purpose.

South Australia's wine industry has long been a key driver of our economy, especially in our regions. In 2021-22, the state's wine industry generated \$2.4 billion in revenue, a significant portion of the \$17.3 billion in total revenue that is generated by our primary industries and agribusinesses. But the wine industry's true value extends well beyond any dollar figure, and I think we would all agree that wine is central to South Australia's story. It is part of our culture, it is a source of immense local pride, and a story that we are delighted to share with the world at every opportunity.

That is why South Australia's membership of the Great Wine Capitals Global Network, an exclusive group of 12 internationally renowned wine regions, which include Bordeaux and Napa Valley, is so important. It is great to see also that Hawke's Bay in New Zealand was recently added to the network earlier this year.

My congratulations once again go to the award winners across the seven categories. I wish them all the very best as they compete for a Global Best of Wine Tourism Award, which will be presented at the end of this month at the Great Wine Global Network annual meeting and conference in Switzerland.

#### **ESTABLISHMENT OF ADELAIDE UNIVERSITY**

**The Hon. F. PANGALLO (14:42):** I seek leave to make a brief explanation before asking the Attorney-General and the Premier in the other place a question about the merger of universities.

Leave granted.

**The Hon. F. PANGALLO:** As I have outlined in the motion introduced today, transparency of process is integral. On Tuesday morning on ABC Radio 891 breakfast, the education minister, the Hon. Blair Boyer, Greens MLC the Hon. Robert Simms and the opposition shadow education minister, John Gardner, were asked about their views on the university merger. The report by the joint parliamentary committee into the merger and its findings and recommendations had not yet been tabled in both houses of parliament. Allow me to quote Minister Boyer:

I know the committee itself I think found—

and that's my emphasis—

that it would be a real plus and lots of upside in terms of the economy. I am not the minister responsible but as education minister we have a lot to do with the unis as well and I've had the opportunity to speak not just to Vice-Chancellors but to other university staff and I think there is a level of kind of excitement out there about what South Australia could achieve if we do get this merger through. So fingers crossed.

Fingers crossed that the minister isn't found to be in breach of the Parliamentary Committees Act in pre-empting the findings and recommendations by a cavalier slip of the tongue.

The other two MPs who are on that committee made it clear in the interview that they would not break the parliamentary embargo and committee protocols. Then, voila! With the ink barely dried on the report and the merger legislation still to see the light of day, the Premier yesterday morning had two of the committee members, vocal South Australian Voice opponent, the Hon. Sarah Game, and the Hon. Connie Bonaros, by his side announcing a deal had been stitched up. My question to the Attorney-General and the Premier:

1. Will they now disclose to this chamber the names and dates of meetings, phone records and email exchanges the Premier, the Deputy Premier and the education minister have had with individuals and organisations, including members of parliament and external persons seeking to influence government policy or decisions, about the merger between 24 March 2022 and 19 October 2023?

2. Can the Minister for Education explain how and why he came to the belief that the committee was going to support the merger and whether he had discussions about the merger report with Labor members on the committee, the Premier, the Deputy Premier, other committee members and the Presiding Member before the report was tabled?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:46):** I thank the honourable member for his question. On his questions in relation to what I am responsible to the chamber for, I can't recall having had extensive consultation with my colleagues within the parliament about the issue of university mergers. Certainly, it's been raised with me by community members in passing, but I don't remember having a distinct meeting on the topic.

In relation to what the Premier or the Minister for Education have discussed with various people, I am sure that they, in doing their jobs properly, have a wide range of discussions with a whole range of people about issues that affect South Australia. I am happy to see if they want to add anything further to what they do, but I am sure that they have a whole range of discussions with a whole range of people.

In relation to the question about the Minister for Education's comments, there was plenty of public information that the universities had put forward about the benefit that this had to the state.

#### ESTABLISHMENT OF ADELAIDE UNIVERSITY

**The Hon. F. PANGALLO (14:47):** Supplementary in relation to the answer: can the Attorney-General answer the first part of my question, which was will they now disclose the information that I requested?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:47):** As I said, I have outlined what I am responsible to this chamber for. I am happy to bring it to the attention of other members the honourable member has referred to and see if they wish to add anything further to it.

#### CLOSING THE GAP ANNUAL REPORT

**The Hon. J.M.A. LENSINK (14:47):** I seek leave to make a brief explanation before directing a question to the Minister for Aboriginal Affairs about the annual Closing the Gap report.

Leave granted.

**The Hon. J.M.A. LENSINK:** Data released from the most recent Closing the Gap annual report period indicated a worsening trend in the over-representation of Aboriginal and Torres Strait Islander children in out-of-home care, despite the goal of a 45 per cent reduction by 2031. Is the minister able to advise what measures will be taken in this specific task?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:48):** I thank the honourable member for her question. I know the honourable member would be reasonably familiar with the new Closing the Gap, the refresh that occurred in about 2019. I think the honourable member, as a minister in the former

government, attended Closing the Gap joint councils on behalf of the South Australian government, so I appreciate she is quite familiar with what the Closing the Gap targets are.

The honourable member asked about outcome area 12, the rate of children aged 0 to 17 in out-of-home care. I know there are now regular releases of information in relation to the Closing the Gap targets. As has been outlined a number of times, there are many areas that we look at in Closing the Gap where we are just not making improvements as quickly as ought to be happening, and there are some areas where in fact it's getting worse.

In relation to the rate of children aged 0 to 17 years in out-of-home care, which is outcome area 12, that is something that we take very seriously as a government. I have meetings with a number of my colleagues, as Minister for Aboriginal Affairs, who have responsibility in various Closing the Gap areas. I think I have one coming up, in the not-too-distant future, with the Minister for Child Protection, where we will discuss the range of strategies that are being implemented.

I know the Minister for Child Protection is looking at issues to do with making sure that Aboriginal children have the best possible chance of staying with their family and, if not, how there can be culturally appropriate placement of children. I know that Commissioner April Lawrie has recently released a report that the government certainly will be looking seriously at, and that will provide some guidance in looking at this issue.

### SAFE WORK MONTH

**The Hon. J.E. HANSON (14:50):** My question is to the Minister for Industrial Relations and Public Sector. Will the minister inform the council about Safe Work Month?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:51):** I thank the honourable member for his question in relation to safety at work. I know he has a very strong interest in this, having been, before entering this chamber, a protector of workers' safety as a union official.

October is a very exciting month; it is Safe Work Month. It marks an opportunity for work health and safety regulators and those involved in protecting the safety of workers from across Australia to raise awareness about health and safety issues and improve education in businesses to improve safety in their workplaces. The overarching theme of Safe Work Month 2023 is 'For everyone's safety, work safely'. Activities are taking place throughout this month in South Australia, organised by SafeWork, with each week of Safe Work Month in October having a different theme.

The first week of October is dedicated to 'Working together to manage risks at work'. Businesses are particularly encouraged to register for Wellbeing SA's challenges to increase physical activity—for example, to record their walking steps—and to increase wellbeing at work. SafeWork is running interactive presentations to simulate critical safety incidents, such as where a vehicle has lost a trailer. The incidents are used to explore how the incident unfolded, how it was managed and the investigation process used by SafeWork to identify where things have gone wrong.

The second week of October is entitled 'Working together to protect workers' mental health'. SafeWork have used that in various media, including a media report on the rise in retail staff still facing violence in the workplace and the need for additional training safeguards, particularly as they pertain to the mental health of workers.

Week three of Safe Work Month looks at 'Working together to support all workers'. SafeWork is running in-person workshops, in conjunction with the Civil Contractors Federation of South Australia, on health, safety and wellbeing. This is following SafeWork's previous workshops simulating critical incidents and running through a mock court process to demonstrate the legal processes for a work health and safety offence. The SafeWork team is also providing a webinar explaining new regulations dealing with psychosocial risks.

The final week of October is entitled 'Working together to ensure safe and healthy workplaces'. ReturnToWorkSA and SafeWork SA are running a workshop for employers, work health and safety managers and Return to Work coordinators who want to learn more about addressing, particularly, psychosocial hazards at work. SafeWork SA will also be running webinars on recently introduced regulations in relation to the uncontrolled dry cutting of engineered tabletop stone.



The breadth of activities being undertaken by SafeWork during Safe Work Month demonstrates the need to be vigilant about health and safety risks across a range of areas and a range of industries and environments affecting both physical and psychological health.

Throughout Safe Work Month, SafeWork will also be running the 'Organise your own workplace activity', a competition to promote and highlight the importance of work health and safety in the workplace. This particular competition encourages businesses to organise activities to raise awareness about the need to have a workplace free from both physical and psychological harms and includes a range of different activities, including morning teas, health checks and educational seminars.

Workplaces can register with SafeWork to go into the running for awards, and I would encourage all businesses to avail themselves of the activities that SafeWork runs during Safe Work Month.

### ESTABLISHMENT OF ADELAIDE UNIVERSITY

**The Hon. R.A. SIMMS (14:54):** I seek leave to make a brief explanation before addressing a question without notice to the Minister for Regional Development on the topic of tertiary education.

Leave granted.

**The Hon. R.A. SIMMS:** Last week, the Australia Institute released a report that looked at the lack of transparency in decision-making around the proposed merger of the University of South Australia and the University of Adelaide. The Australia Institute has commissioned a poll that found that 88 per cent of South Australians in regional areas believe that the full business case for the merger should be made public.

The report also showed a high level of support for releasing the business case across the voters of all major political parties, with more than 84 per cent of Labor voters agreeing that the business case should be made public. My question to the minister therefore is: does the minister share the concern of people living in the regions that she represents that the community has a right to see this business case?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:56):** I think this issue has been ventilated well and truly. The position of the government is on the record.

### ESTABLISHMENT OF ADELAIDE UNIVERSITY

**The Hon. R.A. SIMMS (14:56):** Supplementary?

**The PRESIDENT:** If you can get a supplementary question out of that, the Hon. Mr Simms, you are a genius.

**The Hon. R.A. SIMMS:** Has the minister seen the business case? The people of the regions certainly haven't.

**The PRESIDENT:** No, sorry, you can't get one out of there.

### REGIONAL ROADS

**The Hon. B.R. HOOD (14:56):** I seek leave to make a brief explanation before addressing a question to the Minister for Regional Development on regional road safety.

Leave granted.

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Hanson, the Hon. Ms Girolamo, the Hon. Dr Centofanti, order!

*Members interjecting:*

**The PRESIDENT:** Order, the honourable Leader of the Opposition!

*Members interjecting:*

**The PRESIDENT:** You are not helping either, the honourable Leader of the Government. The Hon. Ben Hood, please ask your question.

**The Hon. B.R. HOOD:** Thank you, Mr President. As the minister would know, South Australia continues to, tragically, see more lives lost on our roads, with many of the 93 people killed in this state having lost their lives on regional roads. My questions to the Minister for Primary Industries and Regional Development, with the death toll now sitting at 93 for the year, are:

1. What assurances can the minister give to regional road users for their safety ahead of Labor's country cabinet, given the dire state of regional roads throughout our state?
2. As regional development minister, does she believe that there is adequate funding in the regional road safety infrastructure in her government's latest budget?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:58):** I am sure we are all deeply saddened by the road toll that is so far in excess of where it was I think for the whole year last year. Certainly, my colleagues in the other place have commented on this both in terms of the tragedy that it is for the families of those who have lost their lives but also the communities that surround them, both in terms of the communities of those where the people who have died are actually local residents but also communities that are affected when the people are from outside of their area as well, of course, because emergency services workers, including many volunteers, are often the first responders to these tragedies.

The government has continued to give great attention to the issue of road safety. In terms of regional roads, of course, we have the specific minister in the other place, the Independent member for Stuart, such is the importance of this particular issue.

#### **CROP TRUST BOLD ALFALFA PROJECT**

**The Hon. T.T. NGO (14:59):** My question is also to the Minister for Primary Industries and Regional Development. Can the minister tell the chamber about recent developments with SARDI's involvement in the Crop Trust BOLD project?

**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. Led by SARDI's pastures project leader Dr Alan Humphries, the Crop Trust BOLD alfalfa project is a 10-year project to strengthen food and nutrition security worldwide by supporting conservation and use of crop diversity.

For those who are looking confused about the BOLD acronym, it stands for Biodiversity for Opportunities, Livelihoods and Development. It brings together a number of partner countries to strengthen the conservation and use of wild relatives of commonly grown crop species to help farmers in developing nations adapt to climate change. SARDI's role in the project is to lead the only forage—pasture—program, working initially in Kazakhstan and Kyrgyzstan but potentially expanding to sub-Saharan African countries within the next few years.

Dr Humphries and his team are working to help transition agriculture in these regions from irrigated to rain-fed, drawing on his experience in working on alfalfa crops—known as lucerne locally—in Australia, where over 80 per cent is grown without irrigation. This, combined with the fact that most lucerne in Australia is directly grazed by livestock, makes Australia globally unique and provides us with the skills and opportunities to work with countries that now face a future with less water.

Given lucerne's adaptability and diversity of habitat, it can be of benefit to small-holder farmers in developing nations because of its drought tolerance and also flexibility, with multiple harvest windows throughout a season. Lucerne has multiple end uses for many livestock classes and animals—cows, sheep, goats, chickens, horses, pigs and rabbits—and can be used to produce income from meat, milk, fibre, hay and seed.

In August, Dr Humphries led a group of scientists who visited the facilities of the Kazakhstan Research Institute of Agriculture and Plant Growing and travelled to nearby field evaluation trials of the Crop Trust BOLD lucerne project.

Following a symposium, where lucerne specialists from Chile, Australia, Germany, Kazakhstan and Kyrgyzstan shared the latest research, the group travelled through south-east Kazakhstan and northern Kyrgyzstan, talking to farmers along the way who shared their concerns about the decrease in glacial ice melt that has resulted in not enough irrigation water to support their farming systems.

The work of Dr Humphries and his team is not only important to the future of farming in the countries I have mentioned but also has direct benefits to farming in South Australia. The hybrids between lucerne and the shrub medic being developed as part of the project have a higher winter production, forage yield and greater drought tolerance than existing commercial varieties and are now being used to develop a future variety for South Australia.

It also brings international recognition of the Australian Pastures Genebank (APG), located at SARDI, which is being used to supply germ plasm for the Crop Trust BOLD alfalfa project. The APG has the world's largest collection of *Medicago*, the lucerne genus. Opportunities exist to work in other Crop Trust programs supporting gene banks worldwide.

I thank Dr Humphries and his team for their incredible work that is benefiting farmers all over the world in some of the harshest conditions and that will have positive impacts in our own state and country. Once again, it shows SARDI expertise is held in high regard not only by South Australians but by countries around the world.

#### **SOUTH AUSTRALIAN RESEARCH AND DEVELOPMENT INSTITUTE**

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:03):** Supplementary: will the minister commit to the chamber that the government's next budget will not see a reduction in funding or resources for SARDI?

**The PRESIDENT:** It is loose. You mentioned SARDI. You can answer it how you feel.

#### **VALO ADELAIDE 500**

**The Hon. T.A. FRANKS (15:03):** I seek leave to make a brief explanation before addressing a question to the Leader of the Government, the Attorney-General, for the Premier on the topic of the operation of the Motorsport Board.

Leave granted.

**The Hon. T.A. FRANKS:** We became aware in South Australia last week of a proposal by the Motorsport Board with regard to the Adelaide 500 to establish a camp site in the Adelaide Parklands of some 150 motorhomes. I note the response of the Lord Mayor of Adelaide that it was quite a surprise. She was quoted as stating:

This is a completely inappropriate use of this space and sets a dangerous precedent that undermines the integrity of our natural park lands.

Additionally, the Premier has indicated on radio that he was not aware of the proposal prior to the media exposure. My questions to the Premier, therefore, are:

1. What conversations has the Premier had with the Motorsport Board with regard to a camp site being set up around the Adelaide 500 car race of motorhomes?
2. What will be any consultation process that the Motorsport Board will be required to undertake?
3. Was this what was envisaged when the Motorsport Board under the Motor Sport Act was given the power to bypass the Adelaide City Council?
4. Will consideration be given to amendments to that act?

**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 her question. I will most happily pass them on to the Premier in the other place and bring back a reply.

**FIRST NATIONS VOICE TO PARLIAMENT**

**The Hon. L.A. HENDERSON (15:05):** I seek leave to make a brief explanation before asking a question of the Minister for Aboriginal Affairs about Aboriginal affairs.

Leave granted.

**The Hon. L.A. HENDERSON:** On Tuesday, during question time, the minister said the referendum and the State Voice are two very separate issues and that the referendum at the weekend was about constitutional change. The question put at the referendum was, and I quote:

A Proposed Law: to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice.

As you noted on Tuesday, the state First Nations Voice Act amended our state constitution to include the First Nations Voice.

**The Hon. T.A. FRANKS:** Point of order, Mr President: I don't believe 'you' noted anything on Tuesday.

**The PRESIDENT:** Questions are referred through me, but obviously the question is to the Attorney-General. Continue, please.

**The Hon. L.A. HENDERSON:** As the minister noted on Tuesday, the state First Nations Voice Act amended our state constitution to include the First Nations Voice. Minister, how is the emphatic 64.8 per cent no vote in a direct question referendum not a clear indication that South Australians do not support a Voice to Parliament?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:06):** I am happy to repeat what I said earlier this week. The question that was before the Australian people at the referendum, I am disappointed didn't succeed, but that was a question about changing the Australian constitution. The point has been made, and I certainly had people at a polling booth, both pre-poll and on the day, say to me that they supported both the idea of recognition of the oldest living culture on the planet in our constitution and also the idea of establishing a Voice but they didn't want to change our constitution.

That is a very different proposal and, as people have said to me, the only way we could change it again is through another vote of the people. As disappointed as I am, I recognise that that was the will of the Australian people. As I have said, we have a very different proposition in South Australia. We have created something by legislation. Of course, everything that we have done in South Australia could be changed by legislation again.

I might just also make a little bit of commentary, seeing as the honourable member referred to questions that were asked on Tuesday. I would suggest the honourable member, and some other members of the opposition, might reflect on how they conducted themselves in this chamber on Tuesday. We had dozens of senior elders from right around South Australia, Aboriginal elders who have committed their lives to improving their Aboriginal communities, here in the chamber—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.J. MAHER:** —on Tuesday. I have had a lot of feedback from a lot of those elders wondering about the way those on the other side conducted themselves. I completely accept the rough-and-tumble of what we do here leads to interjections, but I think the unedifying way that members of the opposition in particular conducted themselves on Tuesday did them no favours.

I think with so many important people in the chamber, who have made past commentary on the behaviour that happened, I would hope that members opposite might reflect a little on that. It is not every day that we have such esteemed people in the chamber and to treat their feelings with such contempt has been commented upon quite a number of times. It hasn't always been the case that we have seen this sort of contempt for issues in Aboriginal affairs and for Aboriginal leadership. For many years, improving the disadvantage that Aboriginal people face had been a bipartisan endeavour in this state.

I think back to my time involved in politics, to people such as Dean Brown, who was Minister for Aboriginal Affairs in the government prior to the Mike Rann government. I think of people who have held portfolio areas in Aboriginal affairs from the Liberal Party, people like Dr Duncan McFetridge. You yourself, sir, had responsibility for some time for Aboriginal affairs. Ministers in the previous government, such as the Hon. Michelle Lensink and our former colleague the Hon. Stephen Wade, who conducted themselves in such a manner that gave them a great deal of credibility and respect in much of the Aboriginal community. I think it's a pity what was descended to on Tuesday, and I certainly hope that members might reflect on how they conducted themselves.

#### FIRST NATIONS VOICE TO PARLIAMENT

**The Hon. R.A. SIMMS (15:09):** Supplementary: is the minister aware of the comments of Senator Liddle, the SA Liberal senator, with respect to the distinction between the South Australian Voice and the referendum? In particular, I draw the minister's attention to the comments she made to the *Adelaide Advertiser* where she said

The difference between the proposed, now-defeated Voice proposition and the SA Voice is that the SA Voice is legislated, not enshrined within the constitution.

Is the minister aware of those remarks?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:10):** I thank the honourable member for his question. I am aware of the remarks. I don't have them in front of me, but, from memory, Senator Liddle also agreed with our Premier, the Hon. Peter Malinauskas, on the distinction between the State and the Federal Voice.

#### FIRST NATIONS VOICE TO PARLIAMENT

**The Hon. L.A. HENDERSON (15:11):** Minister, can you please advise if you believe the behaviour of those in the gallery on Tuesday was appropriate in the showing of text on hands and commentary and clapping throughout and, I understand, turning backs on members of parliament as well?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:11):** In my experience, sometimes it's better to stay silent than prove the point that's being made.

#### FIRST NATIONS VOICE TO PARLIAMENT

**The Hon. T.A. FRANKS (15:11):** Supplementary: is the minister aware that Adelaide, Badcoe, Heysen, Unley, Dunstan, Bragg and West Torrens all voted yes in the referendum on Saturday?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:11):** I thank the member for her question. I did listen with interest to the honourable member's contribution during private members' business yesterday. I haven't had a good look. I will at some stage have a look at the breakdown of votes. The one that has been brought to my attention is the mobile booths in the APY lands where I think 76 or 77 per cent voted in favour. There will be time for analysis. I will leave it at that. I am sure I will contribute more on this topic in the future.

#### THE PLACE OF COURAGE

**The Hon. R.B. MARTIN (15:12):** My question is to the Attorney-General. Will the minister inform the council about the recent *The Place of Courage* project event that he attended?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:12):** I thank the honourable member for his question. I would be most pleased to inform the chamber about the recent *The Place of Courage* project that I note quite a number of members from the crossbench, from the opposition and from the government in this chamber and the other chamber attended recently. I, too, had the great honour of attending the recent event in support of the nation's first *The Place of Courage*, a contemporary art installation located in Adelaide's Bonython Park honouring victims and survivors of domestic and family violence.

The event was held at the Adelaide Town Hall with a packed house full of advocates, various ministers and, as I said, members of parliament from all sides, and other community leaders. It was facilitated by the Lord Mayor of Adelaide, Dr Jane Lomax-Smith, with Councillor Mary Couros as the MC.

Speakers on the afternoon included my very passionate friend and colleague in another place the Hon. Katrine Hildyard, as the Minister for Women and Minister for the Prevention of Domestic and Family Violence, Natasha Stott Despoja AO, victim survivors and advocates, and also Rebecca Morse.

Domestic and family violence has been, until not all that long ago, a largely unspoken form of suffering and abuse. For many in our community, it sadly still is. *The Place of Courage* seeks to change that sense of isolation by establishing a permanent and visible tribute to the survivors and victims of domestic and family violence, showing that the community publicly acknowledges and supports people experiencing such forms of abuse.

I would like to thank everyone from *The Place of Courage* organisation, the Spirit of Woman, and the City of Adelaide, who have joined together with the South Australian government to firstly initiate and then to give this project wings. It was an incredibly moving experience to hear how important the erection of this art piece is, particularly for victim survivors of domestic and family violence and their loved ones. Not only is it a symbolic gesture of recognition and support but it is also a place of peace and tranquillity for people to visit.

The modern art installation, *The Place of Courage*, was crafted by Adelaide central artist Clancy Warner and their team and encapsulates the vision of the piece to provide a place for people to grieve, to find solace, heal, connect and educate. The art project was born from the inspiration of the Spirit of Woman founder, Helen Oxenham OAM, who established one of South Australia's first women's shelters many years ago at Christies Beach. Helen's motivation for pushing the project was that, while there are over 1,400 monuments to various wars, there were previously no monuments dedicated to the victims of domestic abuse. This project will be the first public tribute of its kind in our capital city.

*The Place of Courage* is also linked to smaller public art projects named ripples, which have been established in the City of Onkaparinga and the City of Charles Sturt, with one very soon to be launched in Murray Bridge. Spirit of Woman's desire is for each council to partner with an organisation, establishing their own ripple in their council area. I look forward to the new art piece being visited by many in the future, sparking conversations and greater awareness, and look forward to establishing further ripple projects right throughout South Australia.

### **ELECTRONIC PATIENT RECORD SYSTEM**

**The Hon. S.L. GAME (15:16):** I seek leave to make a brief explanation before directing a question to the Attorney-General, representing the Minister for Health, regarding SA Health's statewide electronic patient record system.

Leave granted.

**The Hon. S.L. GAME:** Last Tuesday, *The Advertiser* reported that internal emergencies were declared in South Australian hospitals due to the failure of SA Health's statewide electronic patient record system. It is yet again another example of the flawed system crashing. Hospitals were placed on Code Yellow, triggering internal emergency procedures as technicians worked to resolve the problem with the record system known as Sunrise. Clinicians were unable to quickly check vital details as patients arrived, including allergies to past medications, while the electronic patient record system was down. My questions to the Attorney-General are:

1. Is the Sunrise system fit for purpose?
2. Were the lives of patients placed at risk during last Tuesday's system crash?
3. What has been the cost of the ongoing resolution of faults with the Sunrise system since it effectively replaced the EPAS electronic patient record system?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:17):** I thank the honourable member for her questions, and I will forward those to the minister responsible in another place and bring back a reply for the honourable member.

#### **ALLEGED SEX OFFENDERS, BAIL**

**The Hon. D.G.E. HOOD (15:17):** I seek leave to make a brief explanation before asking questions of the Attorney-General regarding bail for alleged sex offenders.

Leave granted.

**The Hon. D.G.E. HOOD:** It was recently reported that a 28-year-old man who allegedly offered to pay a teenage girl for sex and proceeded to sexually assault her three to four times in as many days has been granted home detention bail at a residence where two other children live. The magistrate apparently granted the request of the man's counsel for his client to be bailed on home detention at this particular address as the children at home were 'significantly younger' than the alleged victim.

I note one of the conditions of the suspect's bail is that he is not to be left alone at the address without another parent present, indicating there is at least some doubt as to whether the children would be safe if he had access to them unsupervised. My questions to the Attorney-General are:

1. Is it appropriate in his view to release child sex offenders on bail to live with other children?
2. Is he concerned these children are being placed at least at some risk by having to live with this alleged child sex offender?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:18):** I thank the honourable member for his question and his unwavering desire to keep South Australians safe. I think I have read media reports on this issue, if I am remembering correctly, but I am happy to go and revisit those.

As I have answered the honourable member a number of times, when it comes to decisions that magistrates or judges make, certainly as Attorney-General it is not something I am going to offer a running commentary on. As I have said before, we as the parliament set the parameters of what we expect, representing community standards in terms of decisions that are made in relation to bail but also in relation to sentences. I am happy to forward the honourable member's question on to either the police or the DPP, depending on who prosecuted, to bring this issue to their attention.

#### **MARINE BIOTECHNOLOGY**

**The Hon. R.P. WORTLEY (15:19):** My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the important marine biotechnology conferences held in Adelaide earlier this month?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:19):** I thank the honourable member for his question. It was an honour to open the 13<sup>th</sup> Asia Pacific Marine Biotechnology Conference (APMBC) and the fifth Australia New Zealand Marine Biotechnology Society Conference in Adelaide earlier this month, as well as representing the Premier and Deputy Premier in speaking at the conference dinner.

It was the first time that the APMBC has been held in the Australia-New Zealand region, whose marine territories combined are the second largest in the world and the largest in the Asia-Pacific region. In hosting the event in Adelaide, it marked a real coup for South Australia and an acknowledgement of the incredible work that is happening in marine biotechnology in our state. The conference welcomed representatives from universities, institutions and industries right across the world, with delegates from China, Japan, New Zealand, South Korea, Taiwan, Malaysia and Sri Lanka, as well as further afield including the United States and Switzerland.

Importantly, the APMBC being held in Adelaide provided a fantastic opportunity for PIRSA and SARDI to network and engage with existing and new industry research partners, to develop projects that will produce novel marine bioproducts through the Marine Bioproducts Cooperative

Research Centre (CRC), which of course we are very proud to have based here in South Australia, with the state government investing \$2.6 million over 10 years.

The economic assessment of the Australian marine bioproducts industry projects a gross value product of at least \$2 billion by 2035, delivering opportunities to tap into global markets, develop advanced manufacturing and play a key role in sustainable priorities and emerging industries. A great example of the kind of developing sectors in this space is the seaweed industry. South Australia is positioning itself as a national leader with its natural abundance and ideal climate for growing various seaweed species and which through its anticipated growth is likely to contribute significantly to economic and social benefits in regional communities where, of course, much of the sector is based.

From all reports, the combined APMBC and Australia New Zealand Marine Biotechnology Society conferences were very successful and shone an important light on our state across the Asia-Pacific and further afield. We look forward to hopefully hosting the event again in the future and I would like to thank all of those behind the scenes, particularly at SARDI, who worked hard to make the event such a success.

### ENERGY AND WATER BILLING COMPLAINTS

**The Hon. S.L. GAME (15:22):** I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries and Regional Development, representing the Minister for Energy, regarding energy and water billing complaints.

Leave granted.

**The Hon. S.L. GAME:** InDaily recently reported that complaints to South Australia's independent Ombudsman regarding energy and water bills increased 26 per cent in the last financial year. This has been largely due to rising electricity prices and cost-of-living pressures. The South Australian Energy and Water Ombudsman received 3,939 complaints about electricity, gas and water billing in the 2022-23 financial year, according to the recently published Ombudsman's annual report.

My question to the minister is: when can South Australians expect the Malinauskas government to act and address its failed energy policy, and how many businesses and households have had their supply disconnected during the term of this government?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:24):** I thank the honourable member for her question. I might just reflect that it does have some similarities and therefore my answer will have some similarities to a question that was asked earlier during this period of question time. Of course, we are still suffering the consequences of a previous Labor—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. C.M. SCRIVEN:** —Liberal government when they privatised ETSA well back in the 1990s. What we know is that those opposite continue to have no idea when it comes to dealing with electricity prices. We know that those opposite had some absolute dearth of appropriate policies when they were most recently in government over the previous four years and, of course, the federal Coalition government over the previous years also were pretty much a policy-free zone. We know those opposite don't support renewables. We know that they don't see a future in renewables and that they continue to deny the realities that we are facing in this state.

### LEGISLATIVE REVIEW COMMITTEE

**The PRESIDENT (15:25):** Time having expired for asking questions without notice. On 13 September, the Hon. Ms Bonaros directed a series of questions to me during question time concerning resourcing of the Legislative Review Committee, which I took on notice. I now provide a reply.

The member asked about my awareness of continued requests for appropriate funding for suitably qualified staff by successive members. I am aware that some members of the committee, and the committee itself in a report, have raised concerns over its workload and the resources available to undertake its work.



The Clerk has discussed with me the concerns surrounding the resourcing of the committee, and indeed other committees administered by the council. I understand the Clerk has met with the committee to discuss its workload and the resourcing of the committee, and he has worked with the committee secretariat and the Clerk Assistant Committees to provide additional resources to the Legislative Review Committee.

The committee is currently served by its substantive secretariat of the secretary and the research officer, both of whom are legally qualified. Since late 2021, additional administrative support has been provided to the committee through the allocation of a council messenger, with time dedicated to providing administrative assistance to the committee secretariat.

Further, the Clerk has now made available the services of the Clerk Assistant Committees and an additional research officer to assist the secretariat in providing assessment scrutiny of the legislative instruments that are referred to it. Both of these officers are also legally qualified.

Therefore, at present, the Legislative Review Committee is being serviced by four legally qualified officers assisting its scrutiny functions, as well as a dedicated part-time administrative support to complement the standard resources of a parliamentary committee secretariat. The Legislative Review Committee is therefore served by easily the greatest level of staffing of any committee in the parliament.

The Hon. Ms Bonaros asked whether I was aware of a decision to cease providing members with advice other than administrative matters. I am advised that no such decision has been made. Consideration is continuing to be given to the resources required by this committee within the constraints of the exiting council budget and broader resources and requirements of all committee administered by the council.

Having been a former Presiding Member of the Legislative Review Committee, I am aware of the importance of the committee's role and function and am confident that the measures I have identified will go some way to assisting it with carrying out its functions.

#### *Bills*

### **ADELAIDE UNIVERSITY BILL**

#### *Introduction and First Reading*

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:28):** Obtained leave and introduced a bill for an act to establish Adelaide University as a new university that has global standing by combining the University of Adelaide and the University of South Australia, to repeal the University of Adelaide Act 1971 and the University of South Australia Act 1990, to make related amendments to other acts, and for other purposes. Read a first time.

#### *Second Reading*

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:29):** I move:

That this bill be now read a second time.

Today, I rise to introduce the Adelaide University Bill 2023. Universities play an extremely important role in our community. They educate, research, bring diversity to the state and help meet the state's skills and workforce needs. It is incumbent on all of us to ensure we have a robust higher education system in our state that will meet our economic, social and workforce needs well into the future.

There has been a lot of debate in recent months about the best way to ensure the relevance, longevity and social impact of higher education in South Australia and the shape the sector should take going forward. This debate is not new. In fact, the debate about the number and composition of the universities in this state has been going on for decades. There have been many discussions about how, why, when and who. Indeed, in 2018 the state edged closer to sector reform, with the universities of Adelaide and South Australia very seriously considering merging their two institutions.

However, there was a key piece missing in 2018, and that was the interest and investment from the government of the day. This government has taken a different approach. We believe that in

order to secure a stronger future for our state, we need at least one institution of a large scale—a large, research-intensive university that is committed to both excellence and equity, an institution that on day one will be the biggest educator of domestic students of any university in Australia.

That is why we have chosen to be active rather than passive in these conversations. We have worked with the universities of South Australia and Adelaide to imagine what a new university in this state might achieve. We have been willing to provide the appropriate resourcing to ensure we are best placed to achieve the vision of the new Adelaide University to deliver nation-leading curriculum and student experience, greater access to education and world-class research excellence.

After months of planning and consultation and careful consideration, I am pleased to be able to be introducing the Adelaide University Bill to parliament today. Now is the right time for a new university in our state that is committed not just to excellence in teaching, research and innovation but to extending access to all South Australians, particularly those who have been under-represented in education. It is the right time for a new university that is committed to serving the public interest by contributing to the state's economic priorities, championing free inquiry and translating its research to the benefit of all of us. It is the right time for a new university that is committed to the best outcomes for its students and that will create a distinctive, contemporary, industry-informed curriculum.

During a period of major national sectoral reform through the Australian Universities Accord, it is the right time for a new university whose vision wholly aligns with the objectives of that reform to improve the quality, accessibility and sustainability of the higher education sector in this nation. And so it is that today I commend the Adelaide University Bill to the chamber.

While it is with much excitement that I look to the future and anticipate the great potential of this new university, it would be remiss of me not to take this opportunity to recognise the rich history and sizeable contribution of the two institutions that will be coming together to create the new. Let me start with the oldest of the two, the University of Adelaide, which next year will be celebrating its 150<sup>th</sup> anniversary. The University of Adelaide was founded in 1874 as the state's first public university, following the £20,000 donation by grazier and copper miner Walter Watson Hughes, along with support and donations from Thomas Elder.

As we well know, it takes time to establish a new institution, so it was not until 1876 that teaching commenced, with the first offering a Bachelor of Arts degree. The South Australian parliament granted five acres of land to the University of Adelaide, and in 1879 the foundation stone for the first university building on North Terrace campus was laid.

The University of Adelaide is the third oldest university in Australia and one of only four that started before Federation. It was founded with two contemporary goals: to prepare new generations of leaders who were distinguished and shaped by education, not birth or wealth; and to challenge societal norms that hindered progress or reinforced inequality. These noble aims stated 150 years ago could well have been articulated today, given their alignment with the vision for the new university.

Throughout its almost 150 years of existence, the University of Adelaide has celebrated many achievements—too many to list here—but I will focus on a few highlights. Soon after opening, it was the first Australian university to offer science degrees. Continuing with the firsts, it was also the first Australian university to admit women to all degree courses on an equal basis to men, with Edith Dornwell the first woman to graduate in 1885.

The Waite Agricultural Research Institute was established in 1924 and is home to one of the largest concentrations of agriculture, wine research and teaching expertise in the Southern Hemisphere. The year 1991 saw the establishment of Roseworthy Campus through a merger between the university and Roseworthy Agricultural College.

The University of Adelaide counts five Nobel laureates amongst its alumni, accounting for almost one-third of Australia's 16 total recipients. This includes Howard Florey, who developed penicillin; and the Bragg father-and-son team, whose research underpins much of the modern pharmaceutical industry. Other notable alumni include such familiar names in South Australia as Dame Roma Mitchell AC, DBE, CVO, QC, who became Australia's first female Queen's Counsel,

Supreme Court judge, university chancellor and state Governor; the first female Prime Minister in Australia, Julia Gillard AC; and astronaut Andy Thomas AO, the first Australian to walk in space.

I move now to the University of South Australia, which celebrated its 30<sup>th</sup> anniversary in 2021. Although UniSA, as it is commonly known, is a much younger institution, its foundations date back to the latter half of the 19<sup>th</sup> century. The forerunners of today's institution were the South Australian School of Art, which was founded in 1856; the first of several teacher training colleges formed in 1876; and the School of Mines and Industries, which was established in 1889. Over time, these foundational institutions evolved into the South Australian Institute of Technology (SAIT) and the South Australian College of Advanced Education, the two of which came together in 1991 to create the University of South Australia.

The key values of these two founding institutions were pivotal in shaping UniSA, with SAIT's strong commitment to industry engagement and the College of Advanced Education's unwavering dedication to equity and inclusion featuring prominently in the aims of the new university upon establishment, and continuing to be priorities today.

Indeed, when the University of South Australia Act was introduced into parliament in 1990, the Hon. Mike Rann stated that the university would lay the base for a standard of excellence and accessibility to that excellence. He went on to say that sustained economic success and social development depends upon the continuing education of our people and the trained abilities of our workforce—once again, sentiments that are echoed today in the vision for Adelaide University.

UniSA has stayed true to its values and has celebrated a number of significant achievements. For example, in 1997 it was the first Australian university to develop a statement of commitment to Australian reconciliation. It provides improved access to tertiary education through the Distance Education Centre, launched in 1993. The opening of UniSA College in 2010 provided alternative pathways to university, and the launching of UniSA Online in 2017 offered 100 per cent online degrees.

The university was named Employer of Choice for Women in 2003 and has earned the citation every year since. It extended its regional geographic footprint beyond Whyalla by opening the Mount Gambier campus in 2005 as part of its regional engagement strategy. Further, UniSA established the Centre for Cancer Biology in 2013 through an alliance with SA Pathology, boasting the largest concentration of cancer research in South Australia.

The university has maintained a strong commitment to the community through the opening of public-facing facilities, including the MOD, which is Australia's leading future-focused museum, as well as the Samstag Museum of Art, one of Australia's foremost university art museums. The coming together of two institutions with such strong foundations provides a once-in-a-generation opportunity to create a new university for the future that will have the scale and resources to sustainably be one of Australia's best and top-ranked universities.

As many would be aware, the state and federal governments signed a statement of cooperation with the University of Adelaide and the University of South Australia in December last year to explore the feasibility of creating a new university for our state. This resulted in the two universities undertaking a substantial amount of work over a six-month period, including a formal engagement process and the development of a feasibility assessment, business case and financial plan.

In late June, this significant body of work was presented to the councils of both universities, who were satisfied that the creation of a new university, supported by state government investment, was in the best interests of their university and indeed that of the state. In making this decision, the councils were fully aware that it is ultimately up to the Parliament of South Australia to decide whether it will approve the creation of a new public university in South Australia through the passing of this legislation. Accordingly, the Adelaide University Bill 2023 presented to the council today establishes a new comprehensive public university in South Australia.

As agreed in the statement of cooperation, this bill is largely modelled on the University of South Australia Act 1990 as the more contemporary of the two university acts. However, the Adelaide University Bill contains important updates, particularly to the functions of the new university to reflect

a greater focus on the contribution and service to regional, state, national and international communities, including supporting and contributing to the realisation of South Australia's economic development priorities.

There is also recognition that the university, in the performance of its functions, will have a focus on the success of its students, staff and alumni, address the skills and needs of the modern workforce, conduct outstanding research of scale and focus, and engage with the communities it serves. It will focus on excellence, equitable opportunity and innovation in university education, and be informed by the highest standing in teaching and research and the needs of its students.

Importantly, Adelaide University will also engage Aboriginal and Torres Strait Islander peoples in its teaching, research and advancement of knowledge activities so as to contribute to recognising and valuing the ancient and rich cultural heritage and knowledge systems of Aboriginal and Torres Strait Islander peoples.

The bill also includes the establishment of two funds totalling \$320 million to be maintained in perpetuity and invested with the Superannuation Funds Management Corporation of South Australia in accordance with the fund guidelines. The first of these two funds, the Adelaide University Research Fund, will support research that aligns with Adelaide University's objectives and strategic plans and the state's research and economic development priorities. The second fund, the Adelaide University Student Support Fund, will facilitate access to the university and address equity considerations for the people within the community who have experienced disadvantages in education, or in access to education, or who are under-represented in education.

Transitional provisions are included in the bill, including the establishment of a transitional council which has a clear remit to engage with staff and students of both existing universities in exercising its responsibilities and functions. These responsibilities include overseeing the transition of tertiary education and research currently being provided and conducted by the existing universities to Adelaide University and preparing Adelaide University so it can commence providing courses and other tertiary education programs.

The state government, through the Department for Industry, Innovation and Science, undertook extensive consultation on the draft bill with universities, key stakeholders and the public. The consolidated feedback, along with the recommendations from the report of this parliament's Joint Committee on the Establishment of Adelaide University, tabled in this place on 17 October, have been considered by the government and inform the bill being introduced today.

This bill combines all of the strengths of the University of South Australia and the University of Adelaide to reflect a contemporary, future-focused institution. The new Adelaide University will be dedicated to addressing educational inequality. It will conduct future-making research of scale and focus, and it will partner with communities and industry to become a globally recognised powerhouse for innovation and economic development.

It has taken a lot of dedicated work to get to this point, but the work to establish and create Adelaide University lies before us. There is some urgency around this to ensure certainty for staff, current and future students, and to enable the new university to commence progress to obtain the necessary accreditation and regulatory approvals to welcome the first cohort of students in 2026.

The idea to establish a new university has been talked about for many years. The time for talk is over. This is a once-in-a-generation opportunity for our state and now is the right time for us to seize this opportunity and create a new university in the state. I commend this bill to members and seek to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

#### Explanation of Clauses

##### Part 1—Preliminary

##### 1—Short title

##### 2—Commencement

These clauses are formal.

### 3—Object

This clause sets out the objects of the Act.

### 4—Interpretation

This clause defines terms to be used in the measure.

## Part 2—The University

### Division 1—Establishment, functions and powers

#### 5—Establishment

This clause establishes the Adelaide University.

#### 6—Body corporate features

This clause sets out the corporate features of the University.

#### 7—Functions

This clause sets out the functions of the University.

#### 8—General powers

This clause sets out the general powers of the University, such as the power to enter into contracts and agreements.

#### 9—Awards

This clause provides power for the University to confer awards on persons.

#### 10—Internal organisation of University

This clause provides that the University will establish a structure for its different areas of learning, research and support operations (which may be varied from time to time by the University).

#### 11—Student associations

This clause provides for the formation of a student association.

### Division 2—Official titles and proprietary interests

#### 12—Declaration of logo and official titles

This clause provides for the declaration, by notice in the Gazette of a logo or official title of the University.

#### 13—Protection of proprietary interests

This clause sets out the proprietary rights of the University in respect of its official logos and insignia, including:

- an offence with a maximum penalty of \$50,000 applying for using an official logo or insignia of the University without the University's consent;
- the manner in which consent to use official logo or insignia of the University may be sought and granted;
- a power for the Supreme Court, on the application of the University, to grant an injunction to restrain a person from using official insignia in contravention of this provision.

## Part 3—Administration of University

### Division 1—The Council

#### 14—Establishment and responsibilities

This clause establishes the Council of the University and sets out the Council's primary responsibilities.

#### 15—Powers

This clause sets out the powers of the Council.

#### 16—Constitution of Council

This clause provides for the membership of the Council.

#### 17—Term of office

This clause sets out the terms of office for various members of the Council.

#### 18—Casual vacancies

This clause provides for the circumstances in which the Council may remove an appointed member and the circumstances in which a position on Council becomes vacant. The clause further sets out the process by which a casual vacancy caused by such a removal or vacancy is to be dealt with.

#### 19—Chancellor, Deputy Chancellor and Pro-Chancellors

This clause provides for the offices of Chancellor, Deputy Chancellor and Pro-Chancellor.

#### 20—Validity of acts and decisions of Council

This clause provides that an act or decision of the Council is not invalid by reason only of a vacancy in its membership or on the ground of a defect in the appointment or election of a member.

#### 21—Remuneration

This clause provides that the Council may determine remuneration for members of the Council.

#### Division 2—Duties of Council members

##### 22—Duty to exercise care and diligence etc

This clause provides that Council members must at all times, in the performance of the member's functions:

- exercise a reasonable degree of care and diligence; and
- act in a way that the member thinks will best promote the interests of the University.

##### 23—Duty to act in good faith etc

This clause sets out Council member's duties in respect of acting in good faith and not improperly using their position as Council members.

##### 24—Conflict of interest policy

This clause provides that the Council must have a conflict of interest policy.

##### 25—Removal of Council member

This clause provides that non compliance with a clause in the proposed Division will be taken to be serious misconduct and grounds for removal of a member from office.

##### 26—Civil liability for contravention

This clause allows for the University to recover from a person who profits from misconduct or a conflict of interest under the proposed Division—

- if the person or any other person made a profit as a result of the breach—an amount equal to the profit; and
- if the University suffered loss or damage as a result of the breach—compensation for the loss or damage.

#### Division 3—Procedures

##### 27—Proceedings at meetings

This clause sets out the manner in which proceedings at Council meetings are to be conducted.

#### Division 4—Vice Chancellor

##### 28—Vice Chancellor

This clause provides for the office of Vice Chancellor of the University.

#### Division 5—Academic Board

##### 29—Academic Board

This clause establishes the Academic Board of the University and provides for the appointment of its members.

#### Division 6—Related matters

##### 30—Terms of reference

This clause provides for the matters that may comprise the terms of reference for a committee or other body established by the Council, and that the terms of reference may be varied, revoked or substituted by the Council from time to time.

##### 31—Delegation

This clause provides for the manner in which the Council may delegate its functions and powers.

#### 32—Common seal

This clause provides for the application of the common seal of the University.

#### Part 4—Statutes and by-laws

##### Division 1—Statutes

#### 33—Statutes

This clause provides for the manner in which the University may make statutes in connection with the governance, operation or administration of the University.

##### Division 2—By-laws

#### 34—Interpretation

This clause defines terms used in the proposed Division.

#### 35—By-laws

This clause provides for the matters in relation to which the University may make by-laws.

#### 36—Making of by-laws

This clause sets out the manner in which by-laws may be made.

#### 37—Offences

This clause sets out the process by which offences against by-laws may be dealt with.

#### Part 5—Funds

##### 38—Interpretation

This clause defines terms to be used in the proposed Part.

##### 39—Fund guidelines

This clause requires the Treasurer to approve guidelines for the purposes of the Funds to be established under the proposed Part and sets out the requirements for the making and content of the guidelines.

##### 40—Adelaide University Research Fund

This clause establishes the Adelaide University Research Fund, and sets out the manner in which the Fund is to be applied and managed.

##### 41—Adelaide University Student Support Fund

This clause establishes the Adelaide University Student Support Fund, and sets out the manner in which the Fund is to be applied and managed.

##### 42—Funds Advisory Committee

This clause establishes the Funds Advisory Committee for the purposes of approving the purposes to which a Fund may be applied.

##### 43—Annual report

This clause provides for the Treasurer to provide an annual report on the performance of the Funds to be established under the proposed Part and for that report to be tabled in both Houses of Parliament.

#### Part 6—Trusts and other funds

##### 44—Creation and administration of trust funds and other funds

This clause allows for the University to create and administer trust and other funds.

##### 45—Establishment of common funds

This clause provides for the manner in which the University may establish investment common funds for the collective investment of any trust funds and other funds held by, or in the custody of, the University.

##### 46—Distribution of income of common funds

This clause sets out the manner in which the University must distribute income from an investment common fund.

##### 47—Commissions

This clause sets out the provisions in relation to the payment of commission for the administration of a common fund.

Part 7—Miscellaneous

48—Annual report

This clause provides for the Council to provide an annual report to the Minister on the operation of the University.

49—Audit

This clause mandates the annual auditing of the accounts and financial statements of the University by an auditor appointed by the Council.

50—Indemnities

This clause mandates the indemnification of members of the Council and any member of a board or committee constituted or appointed by the Council against actions or omissions done in good faith in the exercise of its powers under the proposed measure.

51—Exemption from land tax

This clause exempts the University from liability to pay land tax.

52—Recovery of monetary penalties

This clause allows the University to recover a monetary penalty imposed under the measure.

53—Regulations

This clause provides power for the Governor to make regulations in respect of the measure.

54—Review of Act

This clause provides for a review of the operation of the Act to be undertaken within 12 months of the commencement of the clause.

Schedule 1—Repeals, amendments, transitional and other provisions

Part 1—Repeal of Acts

1—Repeal of Acts

This clause provides for the repeal of the *University of Adelaide Act 1971* and the *University of South Australia Act 1990*.

Part 2—Amendment of *Legal Practitioners Act 1981*

2—Amendment of section 14B—Establishment of LPEAC

This clause makes several amendments to update references to Adelaide University.

Part 3—Amendment of *National Wine Centre (Restructuring and Leasing Arrangements) Act 2002*

3—Amendment of dedication of Centre land

This amendment updates a reference to Adelaide University.

Part 4—Amendment of *Payroll Tax Act 2009*

4—Amendment of Schedule 2

This amendment updates a reference to Adelaide University.

Part 5—Amendment of *Road Traffic Act 1961*

5—Amendment of section 175—Evidence

This amendment updates a reference to Adelaide University.

Part 6—Amendment of *SACE Board of South Australia Act 1983*

6—Amendment of Schedule 1

This amendment updates references to Adelaide University.

Part 7—Transitional and other provisions

Division 1—Preliminary

7—Interpretation



This clause defines terms to be used in this Part.

#### Division 2—Transition Council

##### 8—Establishment, responsibilities and powers

This clause provides for the establishment, responsibilities and powers of the Transition Council.

##### 9—Constitution of Transition Council

This clause provides for the membership of the Transition Council.

##### 10—Proceedings at meetings

This clause sets out the procedures for proceedings at a meeting of the Transition Council.

##### 11—Validity of acts and decisions of Transition Council

This clause provides for the validity of certain acts or decisions of the Transition Council.

#### Division 3—Chancellor and Deputy Chancellors

##### 12—Chancellor and Deputy Chancellors

This clause provides for the appointment of the Chancellor and Deputy Chancellors of the Transition Council.

#### Division 4—Vice Chancellor

##### 13—Vice Chancellor

This clause provides for the appointment of the first Vice Chancellors of the University.

#### Division 5—Transitional Academic Board

##### 14—Transitional Academic Board

This clause provides for the appointment of the first Academic Board of the University.

#### Division 6—Staff

##### 15—Transfer by proclamation

This clause provides for the manner in which the Governor may, by proclamation transfer the employment of employees of The University of Adelaide or the University of South Australia to Adelaide University.

##### 16—Transfer on repeal of Act

This clause effects the transfer of the employment of an employee of The University of Adelaide or the University of South Australia to Adelaide University on a prescribed day.

##### 17—Effect of provisions

This clause is technical.

##### 18—Preservation of rights and continuity of employment

The proposed clause makes provision for the preservation of existing contracts of employment, remuneration or other conditions of employment that may apply to in relation to a transfer of employment effected under the proposed Division.

##### 19—Superannuation

This clause makes provision for the transfer and entering into arrangements by Adelaide University in relation to the superannuation of persons who have had their employment transferred under the proposed Division.

#### Division 7—Assets, contracts and liabilities

##### 20—Transfer by proclamation

This clause provides for the manner in which the Governor may, by proclamation, transfer any assets, contracts or liabilities of The University of Adelaide or the University of South Australia to Adelaide University.

##### 21—Transfer on repeal of Act

This clause effects the transfer of assets, contracts or liabilities of The University of Adelaide or the University of South Australia to Adelaide University on a prescribed day.

##### 22—Effect of provisions

This provision is technical.

##### 23—Saving provision

This clause provides a saving provision in relation to a transfer effected under the proposed Division.

#### Division 8—Students

##### 24—Transfer by proclamation

This clause provides for the manner in which the Governor may, by proclamation, transfer the enrolment of persons as students of The University of Adelaide or students of the University of South Australia to be students of Adelaide University.

##### 25—Transfer on repeal of Act

This clause effects the transfer of students of The University of Adelaide or the University of South Australia to be students of Adelaide University on a prescribed day.

##### 26—Effect of provisions

This provision is technical.

##### 27—Related provision

Subclause (1) deals with the credit for prior learning and qualification for awards of students transferred under the proposed Division. Subclause (2) provides that the universities must establish a binding scheme relating to the transfer of students under the proposed Division.

#### Division 9—Official insignia

##### 28—Official insignia

This clause provides for the continuation of the official insignia of The University of Adelaide and the University of South Australia as official insignia of Adelaide University.

#### Division 10—Trusts and other instruments

##### 29—Testamentary trusts, gifts or deeds

This clause sets out the manner in which a testamentary disposition, gift or trust that refers to The University of Adelaide or the University of South Australia may be applied in relation to Adelaide University.

##### 30—Other instruments

This clause provides that a reference to The University of Adelaide or the University of South Australia in contracts or instruments will be taken to be a reference to Adelaide University.

#### Division 11—The Adelaide University Union

##### 31—The Adelaide University Union

This clause provides for the transfer, by proclamation made at the request of The Adelaide University Union, of the assets, contracts or liabilities of the Union to another body.

#### Division 12—Other provisions

##### 32—Graduates and award holders

This clause allows for a person who has been awarded a degree, diploma, certificate or other award in the name of The University of Adelaide or the University of South Australia to be taken to be a graduate of Adelaide University.

##### 33—Legal proceedings

This clause allows for legal proceedings against The University of Adelaide or the University of South Australia to be continued against Adelaide University.

##### 34—Successor in law

This clause provides that Adelaide University becomes the successor in law of The University of Adelaide and the University of South Australia.

##### 35—Accounting and reporting requirements

This clause provides for the continuing obligation of Adelaide University to cause financial statements to be audited and provide reports or other information.

##### 36—Registration authorities

This clause sets out the manner in which the Registrar-General may register or record a transfer or vesting as a result of a provision of the proposed Part.

##### 37—Exemption from stamp duty

This clause exempts the transfer or vesting of property under the proposed Part from the liability to pay stamp duty.

#### 38—Delegation

This clause allows the power of delegation of the Council in this measure to be exercised by the Transition Council.

#### 39—Regulations

This clause provides power for regulations of a saving or transitional nature to be made for the purpose of the measure.

#### Part 8—Support to establish Adelaide University

#### 40—Support to establish Adelaide University

This clause provides for the manner in which the University of Adelaide and the University of South Australia may provide resources to facilitate the establishment of Adelaide University.

Debate adjourned on motion of Hon. H.M. Girolamo.

### *Motions*

### **ISRAEL**

Adjourned debate on motion of Hon. C.M. Scriven:

That this council—

1. Unequivocally condemns the attacks on Israel by Hamas, which are the heinous acts of terrorists, and have encompassed the targeting and murder of civilians, including women and children, the taking of hostages and indiscriminate rocket fire;
2. Stands with Israel and recognises its inherent right to defend itself;
3. Condemns antisemitism and recognises that generations of Jewish people have been subjected to this hateful prejudice;
4. Calls for the immediate and unconditional release of all hostages;
5. Recognises that Hamas does not represent the Palestinian people, nor their legitimate needs and aspirations;
6. Acknowledges the devastating loss of Israeli and Palestinian life and that innocent civilians on all sides are suffering as a result of the attacks by Hamas and the subsequent conflict;
7. Supports justice and freedom for Israelis and Palestinians alike;
8. Supports international efforts to establish and maintain humanitarian access into Gaza, including safe passage for civilians;
9. Reiterates Australia's consistent position in all contexts is to call for the protection of civilian lives and the observance of international law;
10. Acknowledges what has unfolded is deeply distressing for many in the South Australian community, close to the heart of many, and it is important that we maintain respect for each other here at home as people express their views;
11. Condemns all forms of hate speech and violent extremist activity, including antisemitism and Islamophobia;
12. Recognises an attack on any religion is an attack on all religions and that we all share a responsibility to unite, condemn and defeat such an attack on our common values and way of life; and
13. Affirms in the strongest possible terms that hateful prejudice has no place in South Australia.

(Continued from 17 October 2023.)

**The Hon. H.M. GIROLAMO (15:43):** It is with great sadness and sombreness that I rise to speak on this motion today. October 7, 2023, just over a week ago, will live on as a nightmare for generations of people around the world. October 7, 2023, now stands in a group of terrible days alongside September 11, 2001, in New York; October 12, 2002, in Bali; and July 7, 2005, in London.

Israel is a proud liberal democracy and has the right to exist in peace. It also has the right to defend itself to bring back that peace when attacked by a terrorist organisation. Israel's place in this area is not without threat and has not been without war. They have fought before and they are still trying to stand strong.

The tragic events were brought on by Hamas, the Palestinian terrorist organisation. This organisation has been listed as a terrorist organisation in Australia since March last year. Hamas has wreaked havoc and terror across the land that they invaded on this fateful day. There can be no mitigation or concessions for their actions. Let me be clear: Hamas were barbaric and hideous, and we stand with Israel in the resolve to ensure that peace is returned.

The tragic events in Israel on that fateful day have reverberated here in Australia and now, sadly, in Adelaide too. In Adelaide, our great multicultural city, no-one should ever be made to feel unsafe. Local Rabbi Yossi Engel is concerned that Jews would be targeted, and they have employed extra security at their community centres to maintain their safety. His fears are not unfounded. It was frightening when, in Woodville Park, a resident erected a sign on their front lawn calling for death to Israel and its allies.

Jewish history and the foundation of Israel is tragic and was borne out of the atrocities of World War II. The deliberate extermination of more than six million Jewish people should not be forgotten. This more recent violence is yet another chapter. Unprovoked, deliberate attacking of civilians, families, women, old people and children is distressing and catastrophic. It has rightly sent shockwaves around the world.

We as a peace-loving country should seek to sow peace and safety from terrorism everywhere. As the Hon. Nicola Centofanti, the Leader of the Opposition in this place, and the Hon. David Speirs, the Leader of the Opposition in the other place, have reiterated in the days since, we stand with Israel. We offer our heartfelt sympathy and support.

The trauma and scars left by the Holocaust are permanent, and witnessing innocent civilians in Israel facing the ongoing prospect of rocket attacks, machine-gun fire and kidnapping is a stark reminder of the resilience and strength the Jewish people have demonstrated throughout history. In closing, I, too, pray for peace in Israel and the end to Hamas's terror. I support this motion.

**The Hon. T.A. FRANKS (15:46):** I rise to speak on this motion, and at the start I will move the amendment that has been circulated in my name:

Paragraph 2:

After 'itself' insert 'in accordance with international law'

The Greens wholeheartedly condemn the war crimes of Hamas. We grieve with Israelis and Palestinians alike, who have lost loved ones and experienced immeasurable hurt. We acknowledge that the grief of these communities grows daily due to the actions of Hamas and the Israeli state against each other's civilian communities.

The Greens reject and condemn all forms of violence, especially that against civilians. We call for an immediate ceasefire between all parties engaged in this conflict, an immediate halt to the forced removal and transfer of Palestinians in Gaza and an immediate end to the military siege.

We have an obligation to stop further bloodshed, and we must never forget that our goal must always be a just and lasting peace for both Israelis and Palestinians alike. I am proud that, last year, this council recognised the state of Palestine and called upon the Australian government to acknowledge Palestinians' right to statehood. There is no peace without justice, and there is no two-state solution without the recognition of those two states. Australia must not remain silent and be complicit in this invasion. There is no place here for antisemitism or Islamophobia.

The events of last week have rightfully moved many in the Australian community to voice their compassion and solidarity with all Israelis impacted by the 7 October attack and to offer help amid immense tragedy and trauma. The compassion and commitment to peace and justice demanded of all of us in moments such as these call on us to reject these acts of terrorism and blatant war crimes.

That same commitment to compassion, to honesty and to justice also requires us to recognise the war crimes committed by the state of Israel against the civilians of Gaza. In the wake of the 7 October attack, the state of Israel, rather than seek to respond with targeted operations designed to bring individual perpetrators to justice, in line with international law, has engaged in a ruthless campaign of collective punishment against the Palestinian civilians of Gaza.

The Israeli military has indiscriminately bombed civilians in their homes as they seek shelter, as they try to flee. There is no excuse, there is no justification, there can be no solidarity with such actions. That is not self-defence; that is a war crime. The Palestinians of Gaza live in the world's largest open-air prison. They live in an apartheid state. In the words of the United Nations Refugee Agency:

There is not one drop of water, not one grain of wheat, not a litre of fuel that has been allowed into the Gaza Strip for the last eight days.

The UN has declared the directions given by the Israeli military for evacuation orders in hospitals in northern Gaza a 'death sentence'. The Israeli state is deliberately shelling health facilities. They are targeting a population that is 40 per cent children. The Greens condemn the state of Israel's actions and agree with Labor minister the Hon. Ed Husic's assertion in recent hours that the Palestinians are being collectively punished for Hamas's barbarism, something they are not responsible for.

Australia must be part of an international push for peace and de-escalation. We must push for an immediate ceasefire, an end to the invasion of Gaza, and the holding to account of those who have committed war crimes. I indicate to the council, as I noted and moved at the start of this, that the Greens have moved an amendment to point 2, to specify that a right to defend one's country cannot be used to justify violence which holds innocent civilians captive in a war zone. Israel's right to defend itself cannot be taken as a blank cheque to carry out a massacre of the Palestinian people. The proposed amendment cites that this council stands with Israel's right to self-defence in accordance with international law.

We must work together to end the occupation of Palestinian territories to ensure the unconditional release of all hostages taken on the 7 October attack, and to ensure that all perpetrators of the attack are brought to justice in accordance with international law. There must be a removal of Israeli settlers and security forces from all Palestinian territories occupied since 1967, including the land and sea blockade of Gaza.

We must work to ensure the equitable allocation of national resources, including water, and an end to the siege that now denies Palestinians access to even water, medicine or food as it is stockpiled at the borders, including in Egypt. We must work collectively to ensure full equality before the law for every person. We must respond to these horrors with compassion and courage to speak the truth. We must respond with honesty and an unflinching commitment to justice.

The imminent invasion of Gaza threatens to turn a humanitarian disaster into a humanitarian catastrophe, but a lasting peace between Israelis and Palestinians must always be our goal. We must be honest about the history that preceded what we are witnessing now. Failing to recognise this will only reinforce a cycle of violence in which civilians will always pay the highest price.

**The Hon. S.L. GAME (15:53):** At the heart of this matter, whether you identify as Israeli, Palestinian, Arab or otherwise, peace and security is our fundamental goal. I am realistic about what can be achieved in this chamber in relation to the ongoing conflict and will contain my remarks as much as possible to the impacts on the relevant communities in South Australia.

I condemn the actions of militant group Hamas on 7 October, having inflicted the worst massacre of Jewish people since the Nazi Holocaust, but I also wish to express support to members of the South Australian Palestinian community who have been a part of our rich cultural and religious tapestry for at least 70 years and acknowledge the pain and grief of all South Australian Palestinians arising from conflict, recognising that this grief affects Palestinians of all faiths and those not religious.

One Nation does not discriminate based on race or ethnic background, nor faith or lack of. We welcome those who come to call Australia home and seek to contribute positively to our society. The migration of Palestinians to our shores is not only because of conflicts abroad, as Palestinian migrants have a long history in South Australia. Contemporary Palestinian immigrants come here for

education and career opportunities and our democratic and peaceful way of life. They are members of our Muslim constituency and have established a strong community, settling throughout metropolitan Adelaide and contributing positively to our state.

Israel is not a perfect democracy; it is, however, one that is vibrant, innovative, prosperous and operates under the rule of law. I echo the beliefs of Senator McLachlan when he said in this place:

For Israel to have security, it needs a viable Palestinian state—a Palestinian state that also recognises Israel and rejects violence against the Jewish people, where trust exists between the two peoples.

I share his vision of seeing a Palestinian state that is cooperative and collaborative with its neighbour Israel, a state that has democratically elected leaders, respects the rule of law, rejects terrorism and promotes religious tolerance. It is for the federal government to dictate foreign policy and there has been a longstanding agreement both within and outside of Australia that the two-state solution ought to be pursued.

My wish, as it is for all members here, is for the peaceful coexistence of Israel and Palestine in the Middle East. I support the imperative to remove the daily toll of grief and despair arising from this conflict. As a community, we must do everything in our power to create the conditions for a just resolution and ultimately replace that suffering with hope. We must ensure all cultures that make up the rich multicultural fabric of Australian society continue to coexist in peace and harmony, promoting tolerance and continuing to work together.

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:55):** It is with deep sorrow that I rise to speak about this motion, which has bipartisan support in the Parliament of South Australia. I want to start by expressing my deepest condolences and sympathy to every human being, young and old, who has been impacted.

It would be an understatement to say that we have all been profoundly shocked and sickened by the scale of the attacks on Israel by Hamas on 7 October 2023. The attacks are the hideous acts of terrorists and have encompassed the targeting and murdering of civilians, including women and children, the taking of hostages and indiscriminate rocket fire.

Reports from the United Nations and various sources stated that the death toll has risen to more than a staggering 4,500 people, and more than one million people have been displaced in Israel and the Gaza Strip in recent days. The area is under siege, affecting water supply, food, medicine and other basic needs of the people. The Israeli military says more than 1,400 people were killed and 3,621 have been injured.

The Gaza health ministry reported that 3,478 Palestinians were killed, including 750 children, and 12,500 have been injured. What happened on 7 October affects both Israelis and Palestinians in the region, as well as communities around the world. The devastating loss of Israeli and Palestinian lives is confronting and our hearts go out to innocent civilians on all sides who are suffering as a result of the attacks by Hamas and the subsequent conflicts.

It was a horrifying act of terror by a rain of rockets with sheer barbaric brutality and with no consideration for human lives. Those weapons were designed to kill and to terrify without discrimination. We must all stand up to support justice and freedom for Israelis and Palestinians alike. The sickening assault was not just an attack on Israel or the Jewish people, it was an attack on humanity and all peace-loving Palestinian people.

As this parliament condemns the acts of evil perpetrated by a hateful terrorist organisation based on the eradication of Jews, Israel has the right to defend itself against the attacks. Hamas's actions are so confronting for Jewish people, Holocaust survivors and their families. We just cannot imagine how traumatised they are right now as the situation brings back those dark memories of atrocities perpetrated against the Jewish people as they remember the six million European Jews killed in the Holocaust.

The Palestinian people are also suffering greatly and this suffering has impacted on generations of Palestinians. The humanitarian situation in the Gaza Strip, which is home to two million people, is deteriorating rapidly. Hamas does not stand for the Palestinian people's right to dignity and self-determination.

Invasion built on the blood of innocent children and people should be absolutely condemned. The international community is monitoring the situation closely, and preserving innocent civilian populations is the duty of democracies. The situation on the ground is challenging and rapidly deteriorating, and Australia is standing firm to support international efforts to establish and maintain humanitarian access into Gaza, including safe passage for civilians.

This motion reiterates Australia's consistent position in all contexts to call for the protection of civilian lives and observance of international law because it is our fundamental belief that all people have the right to live in peace with secure borders. The people of Israel have that right. The people of Palestine have that right, too. The best path to that reality is a negotiated two-state solution within internationally recognised borders.

What has unfolded in the region is deeply distressing for many in Australia and our South Australian community. It is particularly heartbreaking for Australians who have family and friends in the region. They are worrying about the safety and wellbeing of their loved ones. In this time of despair, we ask our community to maintain respect for each other here at home as people express their deep sorrow, their emotions and their views. As this parliament and the Australian federal parliament stand united to condemn the attacks on humanity and to condemn Hamas, we remind each other and remind all Australians to block the temptations to join these evil forces of division.

We as a community should totally condemn anyone seeking to exploit people's pain and suffering for cynical and political purposes. We should condemn all forms of hate speech and violent extremist activities, including antisemitism and Islamophobia. We have no room for antisemitism in Australia, and we have no room for Islamophobia. There is absolutely no room for hatred—not against Jews, not against Muslims. We cannot afford the risk of damaging the harmonious coexistence of our multicultural community. Today, I would also like to quote some advice consistently given by Mr Mike Burgess, the Director-General of ASIO:

...it is important that all parties consider the implications for social cohesion when making public statements. As I have said previously, words matter. ASIO has seen direct connections between inflamed language and inflamed community tensions.

He goes on:

As always, ASIO is not interested in those who are engaged in lawful protest, but rather the small subset of protesters who may wish to escalate protest to violence. This includes religiously motivated and ideologically motivated extremists, or anyone who believes that violence is a means to further their own interests.

We recognise that an attack on any religion is an attack on all religions and that we all share a responsibility to unite, condemn and defeat such an attack on our common values and way of life. I join other members here in parliament to affirm in the strongest possible terms that hateful prejudice has no place in South Australia. This is a time for compassion and a time for humanity. This is a time for us to send our thoughts and prayers and a message of sympathy, solidarity and support to our Jewish community and Palestinian community.

**The Hon. R.A. SIMMS (16:03):** I rise to speak on this motion, and in so doing I draw on one of the four pillars of my party, the Greens, that is, peace and nonviolence. I echo the comments made by my colleague the Hon. Tammy Franks. Like so many Australians, I was horrified to see the attack that was perpetrated on the people of Israel by Hamas a few weeks ago, and I condemn this unequivocally. There can be no justification for the murder of innocent people.

I was also deeply distressed to hear reports of antisemitism and Islamophobia in some parts of our country following this attack. Antisemitism and Islamophobia should not be tolerated and must be condemned in the strongest possible terms. Australia is a multicultural country and all members of our community have a right to feel safe and free from vilification or persecution. The Greens stand against all forms of hate speech and racism.

I have also been horrified to see the bombing of Palestinian civilians by the state of Israel, and I condemn this action. The decision of the government of Israel to bombard the Gaza Strip is in defiance of international law. As a result, the United Nations Office for the Coordination of Humanitarian Affairs has reported that nearly a million people have been displaced. People are also being denied access to clean drinking water, electricity and basic sanitation services. Innocent people are losing their lives.

The collective punishment of the people of Palestine—innocent civilians—is immoral. Hamas is a terrorist organisation. It does not represent the people of Palestine. The Greens are calling for an immediate ceasefire between the state of Israel and Hamas and a redoubling of international efforts to end the occupation and to establish a just and lasting peace. More war and bloodshed is not the answer. We know that war only results in more lives lost, more grief and more misery for those who are left behind.

I know that many South Australians will be deeply distressed by the events that are unfolding overseas. Whatever their politics, their religion or their background, I urge all members of our community to reflect on our common humanity and the intrinsic value of each and every human being. Let us treat each other with empathy and compassion during this time. As the late, great Martin Luther King once said:

Darkness cannot drive out darkness, only light can do that. Hate cannot drive out hate, only love can do that.

**The Hon. D.G.E. HOOD (16:06):** I rise to unreservedly support this motion, to unequivocally condemn in the strongest possible terms the unprovoked, ruthless and barbaric attacks on Israel by the extremist fundamentalist Islamic terror group, Hamas.

As we are all aware, on Saturday 7 October this year, Hamas undertook an unprecedented, brutal and carefully orchestrated surprise attack on Israel by air, land and sea. Thousands of rockets were fired indiscriminately towards Israeli towns, before Hamas terrorists broke through the border fences of Israel where they proceeded to murder more than 1,400 Israelis, including civilians and soldiers and taking an estimated further 199 Israelis hostage.

Shockingly, among those who were brutally executed and taken captive were the most vulnerable within their community: the elderly, women and children and even babies. First responders to the massacre described the depravity of what Hamas undertook as 'haunting'. Young people were descended upon at a music festival and many gunned down or captured. Women were raped and dragged around in the streets naked. Entire families were slaughtered in their homes, with mothers and fathers riddled with bullets while trying to protect their own children. Bodies were mutilated and paraded around on the back of utilities and people were burnt alive. There were reports of innocent children being beheaded and even infants in a nursery decapitated in front of their parents before they, too, were killed for trying to protect their own children. It really is beyond belief.

As accounts of the extreme terror of what the Israelis suffered at the hands of Hamas continue to emerge, the cruelty is just incomprehensible. What has transpired against the Israelis has aptly been referenced as the worst Jewish massacre since World War II and the Holocaust. It is simply evil. Israel has an absolute right to defend itself against these depraved terrorists. The Hamas covenant comprises a comprehensive manifesto promoting its fundamental aim of destroying the state of Israel through jihad.

For those who are reading this or those who are unfamiliar with the Hamas covenant, I implore them to read it. According to an analysis of the Hamas charter by the Intelligence and Terrorism Information Center, it manifests an extreme worldview which is as anti-Western as other terrorist organisations we are familiar with, leading to a refusal to recognise Israel's right to even exist as an independent, sovereign nation and the waging of a ceaseless Islamic holy war against it.

At the beginning of the charter it states, and I quote: 'Israel will arise and continue to exist until Islam wipes it out.' Hamas's objective is abundantly clear, and Israel must certainly deter future existential threats to its existence, including all acts of aggression, coercion and interference from this callous entity.

Of course, as the Israeli government retaliates and defends its people, all due care must be taken to prevent the loss of civilian life and casualties in Gaza. There are innocent Israelis and Palestinians who have been killed or devastated by these terrifying developments, and it is understood that Israel is taking all possible precautions to minimise further harm to civilians accordingly, as they should.

I also acknowledge there are many in South Australia who are deeply affected and distressed by these tragic events. Whilst we are privileged to be part of a nation that espouses free speech and the right to protest, antisemitism and violent extremist activity must be condemned on all fronts. I was



appalled to witness the repugnant antisemitic chants that were made in Sydney at an anti-Israel rally last week, while an Israeli flag was being burned. Such behaviour is abhorrent and should never be tolerated.

Australia's Jewish community was robbed of the opportunity to gather together and mourn the loss of their loved ones at the Sydney Opera House that same evening, which was illuminated in blue and white as a show of support for Israel by the New South Wales government. It was instead hijacked by those who consider the deaths and terrorisation of Israelis as something to be somehow celebrated. It was an absolute disgrace.

The history of the Jewish people may have been marred by adversity, tribulation and persecution to a degree that no other ethnicity has ever had to endure, yet it has also been overwhelmingly marked by resilience, perseverance and triumph against the odds. I join with other members in wholeheartedly standing with Israel in solidarity as they again fight for survival. I commend the motion to the council.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (16:11):** I would like to thank all of the members who have made contributions on this very important motion. I reiterate the sadness that we are feeling for all of those impacted by this tragedy and we restate, again, the needs that are outlined in this motion.

I note that there was an amendment moved. I will just make a brief statement to that now. The amendment adds some words into paragraph 2 of this motion in regard to international law. The observance of international law is already mentioned in paragraph 9 of the original motion. Whilst it is somewhat repetitive to also have it in paragraph 2, the amendment does not change the meaning of the motion in any way, so I do commend the motion to the chamber. I thank all of those who will support the motion in support of peace in the Middle East.

Amendment carried; motion as amended carried.

#### *Bills*

### **APPROPRIATION BILL 2023**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 17 October 2023.)

**The Hon. T.T. NGO (16:13):** I rise to speak in support of the 2023-24 Appropriation Bill. This bill is a testament to Labor's commitment to address the present needs of South Australians while preparing our state's economy for the challenges and opportunities that lie ahead. With thoughtful allocations and a long-term focus on sustainable growth, Labor acknowledges that there are many people who are doing it really tough as they try to absorb rising interest rates and the increased cost of rent, food and utilities.

Labor's \$471.3 million in cost-of-living relief will provide a range of support to these individuals and families, including a \$254.4 million energy bill relief rebate. The rebate is jointly funded by state and commonwealth governments over two years and will provide up to \$500 for households on income support and \$650 for small businesses.

We are also providing an additional \$44 million over five years to index existing concessions. These, along with the energy bill rebates, will provide up to an additional \$580 for eligible pensioners in the next financial year. The Cost of Living Concession, the energy concession, the Medical Heating and Cooling Concession and the water and sewerage concessions will all be indexed by 8.64 per cent in 2023-24.

Through the budget, we have invested an additional \$35.7 million for intensive family services and \$13.4 million to expand family group conferencing, particularly for Aboriginal families. There will be \$5 million over five years for a Financial Wellbeing Program to assist our financially vulnerable South Australians. This funding will provide help with establishing a manageable budget, negotiating debts and accessing emergency financial assistance for immediate pressures such as bills and food.

The sum of \$12 million will go to continuing the \$100 annual subsidy to help parents with the costs of school materials and school services for the 2024 school year; \$6.5 million to expand the school breakfast program in our government schools so that more than one million additional breakfasts can be provided; and \$57.2 million over four years to support higher wages and inflation costs so our non-government organisations can maintain social and community care, home care, child protection, and homelessness and disability services for vulnerable South Australians.

Our community centres play an important role in helping to improve the quality of life for individuals and families, and this is precisely why the Hon. Nat Cook MP, Minister for Human Services, and her department will contribute an additional \$2.4 million to the Community and Neighbourhood Development Program.

This additional funding will increase the average funding per centre by more than 40 per cent and expand the number of community centres being funded in South Australia. Labor knows that it is wise to invest in social support programs and address issues like poverty and limited access to education. This form of strategic investment early on will have long-term economic benefits for the future prosperity of South Australia as a whole.

An important mantra of this Labor government is that everyone deserves a roof over their head and a place they can call home. However, having a place to call home is not a reality for many South Australians. Our state parliament is already leading the way when it comes to ensuring fairer processes are put in place for renters. Recent changes to the legislation in this space have created a better balance of power between renters and landlords. More will be done to improve in this sector.

With a diminishing supply of vacant rental properties, consecutive interest rate hikes and a crippling shortage of affordable housing, it is a difficult time for every Australian, especially for those in regional areas of our state, where vacancy rates are at a low and rent prices have surged.

The 2023-24 state budget includes a \$474.7 million housing package to help increase our housing supply. Included in this comprehensive funding for housing is the single largest land release in our state's history. The Malinauskas Labor government is meeting the urgent need for more social housing with this first substantial increase to public housing in a long time.

The Labor government is opening up 16.6 hectares of land to deliver a much-needed mix of affordable homes for purchase and for rent, which will be part of the Playford Alive master-planned community. It will include 249 new homes to be built along the recently extended Newton Boulevard at Munno Para, and 65 per cent of these will be listed as affordable, totalling 161 new affordable homes. Renewal SA, the government agency that owns the land, will also develop 25 houses as affordable rental homes. These will be released to tenants at less than 75 per cent of the market rent and will be managed by a community housing provider to further ease pressure on supply.

Just to clarify, affordable rentals are assessed according to income, with the rent being capped at less than 75 per cent of market rent for a property. For eligible buyers, affordable homes are available to couples or families earning less than \$130,000 per year, or \$100,000 a year for a single person.

On Tuesday 12 September, this Labor government announced a deal to secure the passage through the federal parliament of the \$10 billion Housing Australia Future Fund (HAFF), now set to be fast-tracked, enabling us to deliver our key projects as quickly as possible. Our prompt work on SA's housing projects has placed us in a good position for new investment, as the commonwealth seeks to build 30,000 new affordable social homes across Australia in the first five years of the HAFF project.

Labor also wants to help more people move into home ownership. A new 2 per cent deposit home loan will be available from 1 July 2024 for eligible first-home buyers who purchase or build a new property financed through HomeStart. This will not have the added cost of stamp duty because the Malinauskas government is abolishing stamp duty for first-home buyers on new homes valued up to \$650,000, or for the purchase of vacant land up to \$400,000 to build a new home. This means eligible first-home buyers can now receive up to \$30,000 in stamp duty relief, as well as a First Home Owner Grant payment of \$15,000, bringing relief of up to almost \$45,000.

Supporting home ownership in this way, as well as plans to increase the number of social housing and affordable homes for purchase and rental, demonstrates that Labor wants to respond to the challenge of our housing crisis with prompt and practical action. Labor governments not only look after workers but also small business owners: \$6.5 million over four years is allocated to help our small business owners increase their skills, capacity and capability, supporting them to create jobs and contribute to the economy.

This government wants to allow for a greater number of our small businesses to tender for and participate in public projects. Projects that come in at a cost above \$500 million will be broken into smaller stages or smaller components, unless the nature of the plan makes this unworkable. This will give small businesses more opportunity to benefit from South Australian projects.

We will ensure our construction industry remains buoyant. In addition to increasing the number of houses to be constructed, this budget provides for government schools and preschools to have building upgrades, maintenance work and asset replacements. There has been \$100.2 million set aside for upgrades from the \$155.6 million allocated to education initiatives. These upgrades will ensure SA's preschoolers and school students have access to well-maintained and inspiring learning environments.

There is a huge body of evidence-based research confirming the impact that preschool education has on a child's ability to reach their full potential. South Australian families will now be able to access high-quality educational programs for their preschooler at a time that is more appropriate to their age and stage of development. Thanks to this government's commitment to bringing back a midyear preschool intake, this is a significant component of our \$72.4 million education plan. Developmentally appropriate education is essential within our early childhood settings; however, it is also fundamental to providing the best learning environment for all children and students.

The sum of \$4 million has been created and invested in the nation's first Office for Autism, and 427 schools now have an autism inclusion teacher. Our Assistant Minister for Autism, the Hon. Emily Bourke MLC, has worked tirelessly to promote a network of autism expertise in South Australia's primary schools so that school staff gain the skills and knowledge needed to work with our neurodiverse children and students. In time, we will show the nation as well as the world how this dedicated role in our South Australian parliament has improved educational and employment opportunities for our autistic community.

In recent times, South Australia's employers have been experiencing difficulties in finding workers to fill vacancies. This government wants to ensure the continual growth of our workers with the skills needed in sectors of high demand. Establishing five brand new technical colleges for years 10 to 12 students to move straight from school into jobs and become builders, electricians, mechanics and early childhood educators will help us achieve this.

This Labor government's investment of \$63.8 million for current and future skill shortages will address these issues in the here and now while setting in place the path of study and training our future workforce will need. It is pleasing to know that \$10.2 million of this has been allocated to support TAFE SA offering more courses in the rural and regional areas of our state.

In regard to supporting skills and training places, our government announced this week that an agreement with the commonwealth will mean the Labor Malinauskas government will invest more than \$1.4 billion in skills and training in addition to receiving \$850 million in commonwealth funding. This is the largest investment in our state's history and was secured under a landmark national skills agreement ratified by national cabinet on Monday 17 October 2023.

This comes on top of the additional 15,000 fee-free TAFE places for 2024 to 2026 recently announced with the commonwealth for the in-demand skill sectors, which include building and construction, health and community services, electrotechnology, early education, tourism and hospitality, and mining and engineering.

The Malinauskas Labor government has ambitious and progressive programs such as AUKUS and a hydrogen plant, and this funding will help to ensure we have the highly qualified workers we need. By investing in these critical sectors—and I have only touched on some of these

today—we can create opportunities to maintain a resilient economy. I am proud to be part of a government that has focus on what really matters to South Australians right now without losing sight of a long-term vision that will make SA a truly great state. With that, I commend this 2023-24 Appropriation Bill to the house.

**The Hon. J.E. HANSON (16:30):** Appropriation bills are always fun, are they not? Appropriation bills actually are fun, because appropriation bills work a little bit like your favourite blockbuster film. There have to be heroes, there have to be villains, and then we are all building up to this third act where they clash and someone has got to be a winner. And, frankly, it is always the heroes in a Marvel superhero battle.

Unfortunately, we then come back to real life, do we not? The villains in real life are often a lot more substantive, they are a lot harder, they are a lot more resilient and they are a lot more existential, in a way, too, to use a big word.

What are they at the moment? Well, they are pretty obvious, are they not? We all know what the problems facing us are. We know they are the cost of living, they are housing and they are health. We know who the heroes were when they first stepped up in the first act of the film to say they were going to do something about them. That was the Labor Party—I remember that—at the last election. We stood up and we said, 'Look, we're going to do something about the issues of housing, of health and of cost of living.'

That is why I love an opportunity like right now to talk about exactly what is happening in this fascinating film that is slowly unrolling. Certainly in the last couple of weeks—if you like, the last few acts of the film—it has got a little bit hectic, has it not? We have all been a little distracted from exactly what we are doing about some of these magnificent initiatives, which the heroes—sorry, the Labor government—are taking to the villains in this otherwise all too real blockbuster that we are in.

In a very broad sense, I am proud to be part of the heroes in this one. I am proud to be part of the government, because we are delivering on those promises that we made back at the election, back in the first act. We are getting on with the job. We are delivering results for the South Australian community, and we are delivering on good, responsive, responsible and conscientious government. We have some investments that support policy initiatives and achievements that I am proud of and that I think we all should be as South Australians. We should be proud to see the heroes starting to line up with the various special powers they always have in any good film.

The centrepieces of our government's spending, the hero's spending in this year's government, support the initiatives that will deliver tangible and much-needed outcomes for the South Australian community in that valuable third act, where we take on the villains. It is going to include investments in the three critical policy areas, like I said, of health, of housing and of cost of living. These are the areas which any person who gave Labor their vote quite rightly would expect us to focus on. They would expect us to focus our efforts, our special powers, and the Malinauskas Labor government's values are true to the movement and the cause in this respect.

I will deal with them to some extent predictably but somewhat sequentially. If we start to think about some of their superpowers our heroes are going to have, health is number one, is it not? Nothing is more important than health, I would say, certainly to the South Australian people and certainly to this government.

**The Hon. R.A. Simms:** And housing. Health and housing.

**The Hon. J.E. HANSON:** Mr Simms wants to jump to the second hero's powers in housing. I want to get there too—I do—but I am going to deal with health first, Hon. Mr Simms. Nothing is more important to our community than health and quite rightly so.

We have taken quite a deal of detail to addressing health and the prize that health delivers in terms of outcomes for South Australians needing health care and those needing emergency medical care, and we are seeing some encouraging signs arising from this government's pretty dedicated efforts to build up our special powers in this regard. I pay real tribute to those who are working hard on this, certainly Minister Picton in our government and, indeed, those in the Public Service and across the health system, including collaboration with our other superheroes in our future film in the federal arena.

The addition of \$1.3 billion over five years to address the challenges and the pressures on hospitals—a pretty big investment, the kind of thing we promised back at the election—as well as to ensure that our health system is appropriately resourced to deliver quality and pretty timely—especially given ambulance attendance times—services to South Australians both now and in the future is a reflection, I think, of the Malinauskas government's understanding that we were elected with a strong mandate to get health done. Whatever it takes to get it done and, indeed, get it done right is what our community deserves and what we are working very hard to deliver.

In our first year of government, we recruited an extra 550 clinical staff, and you can start to see those special powers of your superheroes starting to build up here. This is how it is going to work. Health is going to be addressed by this critical need for strength and resilience, the Hulk, if you like, of the superhero world. We recruited an extra 550 clinical staff to deliver better health care and improve ambulance response times. Broken down, if you like, that was 278 extra nurses, 89 extra doctors, 141 extra ambos and 42 extra allied health workers. It almost takes your breath away literally in the time that it takes you to say it.

This means 550 extra clinical staff above attrition to support our commitment to open hundreds of sorely needed new hospital beds across our health system. We see \$27.6 million over four years dedicated to increase medical staffing in our major metropolitan hospitals just on the weekends—that is just on the weekends—to enable an increase in the weekend discharge of patients who are ready to leave hospital, freeing up beds for new intake. As I said, this hero, the Hulk if you like, does not rest. It is 24/7 all the time for our hero taking on the villain of health.

Discharge of long stay patients will be further supported with \$17.6 million over five years for individual patient in-home support such as short-term services, equipment hire and minor home modifications in order to facilitate the discharge of long stay patients from our hospitals. We see \$2.1 million in 2023-24—time is moving, is it not, Mr President—to fit out new emergency department avoidance hubs for the northern suburbs and the western suburbs. I think that is a pretty important step in giving our community, if you like, the option of accessing urgent medical care locally without the need necessarily to present at a hospital, certainly something that a lot of community members have started to raise with me as I get out and about and talk to them about these fantastic health initiatives.

Those endeavours will, of course, be even further supported by the five bulk-billed urgent care centres that the federal government has announced for South Australia. That is five bulk-billed urgent care centres. This will include four in the metropolitan area and one in Mount Gambier, but I digress slightly from the scope of the debate because obviously, as I said, the federal arena is a future film. That is yet to come. We are going to see that come. The superheroes in that are so much bigger.

**The Hon. R.A. Simms:** There are more superheroes here, Justin.

**The Hon. J.E. HANSON:** There are more superheroes here.

**The Hon. R.A. Simms:** They are much better here.

**The Hon. J.E. HANSON:** The Hon. Mr Simms thinks there are a lot of superheroes in here, and I like that. We see \$67.8 million over five years to expand virtual care services—wouldn't that be a special power?—for adults across South Australia and \$30.8 million over four years to permanently extend virtual urgent care services for children aged between six months and 18 years.

In this regard, I think it is pretty important to say that virtual care offers a great deal of potential to help South Australians access care where it is appropriate and where it is feasible that might otherwise require them to present at a clinical location. I think this is a great mechanism to address congestion. Particularly for people living regionally, virtual care offers potential as a useful and beneficial service, as a more frequent and readily available alternative to having to travel sometimes quite a considerable distance to access the healthcare services they need. It certainly goes against some of the comments we have heard in this place about the Labor Party's commitments to regional health.

Very importantly, we are working to deliver on ambulance availability and response times. I welcome the \$20 million we are going to see over three years in additional funding, bringing the total

project funding for ambulance stations to \$70 million. I have gone out and viewed some of these ambulance stations, which we are starting to kick off and get going so that this hulk, if you like, can build even more power in regard to how he is going to take on the villains.

I think it is really great to see not only the stations being constructed but also people, particularly in regional areas, starting to see them coming into effect, starting to see their local services being improved. Where this money is being spent will support the delivery of five brand new ambulance stations for Adelaide, Norwood, Woodville, Golden Grove and Edwardstown, to completely rebuild four stations for Campbelltown, Mount Barker, Gawler and Victor Harbor and to upgrade a further 10 stations for Marion, Elizabeth, Whyalla, Mount Gambier, Keith, Peterborough, Mallala, Goolwa—I always love saying that—Walleroo and, indeed, Aldinga. For Hansard, I will make sure I provide that all to you in writing later on because sometimes my accent butchers it.

We are also delivering a brand new ambulance headquarters, Mr President; did you know that? We are going to house an emergency operations centre and a state health control centre on the purchase of 36 brand new ambulances. This is pretty crucial stuff so that this superhero has all of this strength. It will substantially assist in getting ambulances to South Australians who need them in a more rapid and more reliable time frame so that the issue—the villain, if you like—of poor response times and hospital beds can be addressed. That is really going to deliver that climactic outcome at the next election. It is going to make sure that if that is delivered on, the South Australian people will feel that that promise has come to fruition.

That is the kind of government that you want to be part of, one that is attempting to address the solution through proper investment and big investment in the right areas, where South Australians said they wanted that put. It was certainly something that we saw lacking in the last Liberal government.

Now we come to housing. The Hon. Mr Simms asked me about housing. I know he is over there champing at the bit to hear all about it, so let's talk about our next hero in our three-act structure of introduction. In the absolutely crucial policy area of housing, the Malinauskas Labor government, I am sure you will be very happy to hear, is taking I think pretty purposeful action for our community, with \$474.7 million in a housing package. What will that do? That is a very good question. This investment will help deliver 564 new-build public homes—new-build public homes: over 500 of them, closer to 600—and to halt the sale of a further 580 public housing properties that were going to be sold by the previous Liberal government.

These initiatives will bring about the first real, significant increase in public housing in a generation. I think it is a pretty lamentable fact that over the past 30 years only during a single year has the overall South Australian public housing stock increased. It was in 2014-15 when the overall number of public homes increased by six. We have put an end to that. I do not think it can be sugar-coated, though, that this happened on the watch of both Labor and Liberal administrations. We are determined to change that.

We are determined to be a Labor government that better recognises and better respects the crucial role that public housing plays in supporting our community and in supporting, I think it is pretty safe to say, better outcomes across so many areas of social life for South Australians, especially amid the current conditions in the housing market. We recognise how important it is to deliver more public housing properties for both the metropolitan area and the regions, and we are getting on with doing just that.

The great Australian dream of home ownership has been stretched further and further out of the reach of young people, and this is why the biggest announcement in the Malinauskas government's recent budget was the abolishment of stamp duty for eligible first-home buyers on eligible properties. We also maintained the First Home Owner Grant and have opened mechanisms for first-home buyers to build a home with as little as a 2 per cent deposit.

Having said all that, like I said, it is a pretty big issue facing South Australians in the area of housing. It is a pretty big villain that is out there. As I said, I am prepared to admit that it is a villain that has been built over quite some years, under both Liberal and Labor governments. It is great that not only is the Malinauskas Labor government focused on this but, just as an aside, it is good to see that the member for Sturt, Mr Stevens, has also put his hat in the ring and said that he can see that

it is a problem, too. I note an article from earlier this year where Mr Stevens is spearheading the new metropolitan grouping with Menzies MP Keith Wolahan, and he said that the Liberal Party:

...needed to pursue 'aggressive' changes to boost housing stock and consider handing Commonwealth funds to state governments in return for dumping taxes such as stamp duty....The conversations have been informal and policy proposals, which are not necessarily supported by each of the group's members, have not been approved by shadow cabinet.

Nonetheless, Mr Stevens has said:

Supporting or not supporting government policies is far less important than having our own suite of ideas that make people say, you know what, I want the Liberals, that is going to make me feel better about my economic security.

It is interesting Mr Stevens would say that because we have not seen those kinds of initiatives come from his state heroes in our current act here, but given time, maybe we might see that. Certainly, the Malinauskas heroes have leapt ahead of them. They are already in the field. They are already saying, 'We can see what the South Australian people, including Mr Stevens, are saying, and we are starting to address that now. We are already out in front of it.' Mr Stevens maybe should be looking for other people to collaborate with in regard to the kinds of initiatives that he wants to see, certainly given the size of his margin out in Sturt.

After years of advocating for the abolishment or reduction of taxes by the Liberal Party, it has been the Labor Party that has leapt in and done so. With federal metropolitan Liberal MPs agreeing on the need to pursue, like I said, 'aggressive' changes to boost housing stock, it has been the Labor Party that has done that—how galling. After long claiming to be the party for the regions, it has been the Labor Party that has had to go out and advocate for workers in key industries such as health care and education to have access to housing in areas like the Copper Coast, the Riverland, Mount Gambier, Port Augusta and Ceduna. We, of course, have the key workers' scheme.

It is the Labor Party that has gone out and got on with the job of providing South Australia's housing needs for regional South Australians. Really, I think that is something that we cannot overstate. It is certainly a factor of much hyperbole in here. We hear often from the other side how much they care about regions, how much they are in touch with the community. Well, it seems like they are out of touch on this one. Maybe they will find their groove with time.

The cost of living is your third villain. This one is huge. To the extent that the Malinauskas government can step in as the hero in cost of living, because we know just how huge that is in regard to what the Australian people and indeed the South Australian people look to, the cost of living is something that we are looking at, with the biggest cost-of-living relief package in our state's history. To the extent that the Malinauskas heroes can do so, we are.

We are providing rebates of up to \$500 on electricity bills for eligible households or up to \$650 for eligible small businesses. We have \$100 off the materials and services charge for public schools. For those who do not have kids in a public school, it is basically the fee that we pay as parents at the start of the year for things like books or stationary items: pens, pencils, and things like that. As a father of two, my son goes to a public primary school and I know how this is such a real help for so many families in my local community.

We are also increasing the investment in concessions by \$44 million to help the most vulnerable in our community. We are extending the School Breakfast Program to put an extra one million breakfasts—a pretty fundamental thing. When you think about it, if a little kid comes to school or misses, as my son might put it, the most important meal of the day, and it is certainly not the only one he enjoys, it is really that much more difficult to concentrate throughout the day. They need fuel to learn and that is what is so important about the School Breakfast Program. It is an investment that I am very proud that our government has prioritised to deliver on so early in our term in government.

There are your villains and there are your heroes, so where is the action? Normally, you have to wait right up until the end of the film to see the action. Luckily, in this very exciting Malinauskas government film that we are seeing here, the action has already started. I just want to take a brief sideline to say that it started in the area of tourism. One area where it is clear the government is increasingly getting it started is in tourism.

It is an area of policy and of action that enjoys, I think, cross-partisan recognition in terms of how important it is but, of course, substantial differences of opinions can arise in relation to how you can best pursue strong tourism returns. I think it would be subtle to say that we have taken a pretty active approach and the claim could be made and could quite reasonably be substantiated that the Malinauskas Labor government are kind of smashing it.

To look at the numbers, for instance, we see \$45 million allocated to market South Australia to people interstate and overseas, which represents a pretty significant increase in our election commitment. The spend was front-ended with \$15 million this financial year to provide additional support to tourism businesses and an additional \$10 million per year across the forward estimates, so it is not a flash-in-the-pan kind of action thing. This is ongoing, and is it not going well?

At points over the past year, the state has come alive like I have not really seen it before. Total visitor expenditure in South Australia in the 12 months to June 2023 hit \$9.9 billion, just short of \$10 billion, a new all-time high for the state—an all-time high. We are marking records month on month for tourism. July saw the 12<sup>th</sup> consecutive month, that is a full year of record high visitor expenditure in South Australia. Record highs, it does not get much more action than that. Fortunately, South Australia is doing a little better than me.

How good have the major events been? Which one was your favourite, Mr President? Admit it, it was the Gather Round, was it not? It was the Gather Round. It was so good. It really was. It was magic. People came in droves and they loved it. I bet the Gather Round will be even better next year or maybe the year after that or the year after that. I genuinely and emphatically congratulate the Premier, Mr Malinauskas, on securing that event for South Australia for the coming years. It is a massive coup. As I and I think many South Australians are, we should all be really excited about that.

Maybe, Mr President, your favourite was not the Gather Round, maybe it was Illuminate Adelaide. I know how much you get into those kind of esoteric events. You will be happy to know that you were not the only one. Illuminate Adelaide drove a record-breaking July tourism spend. Perhaps your favourite was the 2023 record-breaking WOMADelaide, I am not sure, or the 2023 record-breaking Fringe.

I think you might be seeing the theme here—record-breaking, and didn't South Australia break so many records in tourism? You can see why the action was so compelling for so many people, and they kept watching the film; they could not look away. Do you know what, Mr President, I know what it was: it was the triumphant return of the 2022 VALO Adelaide 500, that is what it was. You would not be alone there, Mr President. It generated a record \$51.85 million benefit to the South Australian economy. Can you believe that someone wanted to get rid of that?

Was it LIV Golf? Maybe it was the Santos Tour Down Under. It may have been the Sounds by the River festival or the Harvest Rock Festival. Or was it the FIFA Women's World Cup? Maybe it was that. It could have been the State of Origin, maybe the Adelaide Equestrian Festival, maybe the T20 World Cup, the 36ers versus the two NBA teams, backed by our relaunched Brand SA.

There are so many things, it could have been any of them. It might have actually been one of the events that I have not mentioned. Do you know what, you do not need to tell me now, you can think about it and tell me tonight, Mr President, but I know how disappointing this is for a very small amount of South Australia, and that is those members opposite.

It is not just the city that is benefiting from our government's efforts. Eight of the state's 11 tourism regions have reached an all-time high, and 10 regions have surpassed their 2025 tourism budgets already—the 2025 tourism budgets. The latest available data from Tourism Research Australia shows that regional visitor expenditure hit a record \$4.7 billion in the 12 months to June 2023, surpassing the target set for 2025 of \$4 billion—surpassing that target already.

It has not been limited to one part of the year. They have been outperforming expectations all year round. This is great stuff, and our amazing regions so greatly deserve it. It is so much better than sheep and goats. We can feel genuinely proud of our government's investment in South Australian tourism, and the results of those investments are clear. They are being achieved. The records we are making and breaking are truly worth celebrating, much beyond the metaphor of my



hero and villain story. We are always so pleased to support the hardworking operators across our tourism sector, and indeed right across our state. We truly are the place to be.

A really important thing about these strong tourism results is that they do not just bring life to our state. They mean that our hotels are full of people, that our restaurants and bars are full of people, and that is supporting hospitality jobs. We are proud that the economic benefits of record tourism are being spread across businesses and our regions and making South Australia an even better place for us all to call home and an even better place than any movie you would want to sit down and watch on TV, because why would you do that in South Australia? Get out, be part of it, and watch the film unfolding on the streets.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:57):** I thank honourable members for their contributions and look forward to the committee stage of the bill.

Bill read a second time.

*Committee Stage*

Bill taken through committee without amendment.

*Third Reading*

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (16:59):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

*Motions*

**NATIONAL POLICE REMEMBRANCE DAY**

Adjourned debate on motion of Hon. R.B. Martin:

That this council—

1. Recognises that 29 September 2023 is National Police Remembrance Day.
2. Acknowledges that the purpose of National Police Remembrance Day is to:
  - (a) honour and remember all police officers who have been killed on duty or because of their duties; and
  - (b) provide an opportunity to commemorate officers whose death did not occur as a consequence of their duty.
3. Reflects on the brave sacrifices made by those police officers memorialised and provides its condolences to the family members, friends and colleagues of all those police officers who have passed.

(Continued from 28 September 2023.)

**The Hon. N.J. CENTOFANTI (Leader of the Opposition) (17:00):** I rise to add my reflections for National Police Remembrance Day. This day of utmost significance receives less attention than it deserves. There are over 5,000 police and support staff working across South Australia. They are sited across 28 metropolitan and 110 regional police stations, as well as administrative and operational centres. Each one of these people, wherever they are, deserve to get home safely from work at the end of each day.

National Police Remembrance Day is an occasion to remind us of the sacrifices and unwavering commitment of our police officers, to remember those who did not make it home safely. I offer my respects to the brave men and women who dedicate their lives to ensuring our safety and our security.

National Police Remembrance Day falls on 29 September each year. It was established to honour and remember the police officers who have lost their lives in the line of duty. On this day, we

reflect on courage and valour. We remember their dedication, their service and the sacrifices they made to uphold the values of justice, integrity, and safety within our communities.

In Australia, police officers are faced with a multitude of challenges every day. Their work helps to ensure our streets and neighbourhoods are safe, often dealing with dangerous situations and confronting the worst elements of society. They are among our first responders during times of crisis and are sworn to protect us from harm.

When an officer leaves their home each day, they do not know what challenges they may face, yet they do so with a sense of duty and commitment to protect their local community. Their sacrifices extend not only to the fallen but also to their families, families who wait for their loved one to return home safely and those who live with the uncertainty of their loved one's safety each day.

It is important to remember that the sacrifices made by our police officers do not end with their lives. The physical and emotional toll that their service can take is immense. We must provide support and care for officers who continue to serve and protect us. We must ensure they have the resources and assistance they need to deal with the experiences they may face in the line of duty.

National Police Remembrance Day is an opportunity each year for all of us to express our gratitude to those who have served and to those who continue to serve. It is a day to let them know that we appreciate their dedication, their resilience and their selflessness. We can show our support through simple acts of kindness, through acknowledging their service and through contributing to initiatives that help the families of fallen officers.

In conclusion, National Police Remembrance Day is a day to honour those gone, support the serving members and reflect on the vital role police officers play in our society. It is a day to recognise that they are not just officers in uniforms but individuals who put the safety and security of our community above all else. Their sacrifices should never be forgotten, and their service should be celebrated and respected. Thank you, and let us agree as a chamber that National Police Remembrance Day should be afforded this attention every single year.

**The Hon. L.A. HENDERSON (17:03):** I rise today in support of the motion and to recognise that 29 September 2023 was National Police Remembrance Day. I thank the honourable member for bringing this important motion to the chamber. I would like to start by acknowledging and giving honour to the 61 SAPOL members and their counterparts from other Australasian police jurisdictions who lost their lives in the past year while serving their communities. I would like to commemorate officers whose death did not occur as a consequence of their duties and recognise their service of protecting and keeping our communities safe. To all family members, friends and colleagues of these officers who have passed, I give my condolences.

National Police Remembrance Day was first held in 1989 as a result of a joint decision at the 1988 Australasia and South West Pacific Region Commissioners Conference. The day of observance is that of the feast day for St Michael the Archangel, the patron saint of police, who is recognised as an archangel by the Christian, Jewish and Islamic faiths. It is a day to allow an opportunity for us to commemorate police officers throughout the region who were killed on duty or died while serving.

Members of our police force continue to protect our community, despite the danger that comes with the nature of the work of policing. We often read in the newspaper, or might see on the news, police officers responding to situations where their lives may be put at risk. It sees them daily facing uncertainties and the risk of getting in harm's way. When they leave home, they never know what the day ahead of them has in store.

I am committed to championing those who serve our community, often to the detriment of their own safety, so they can protect our community. Today, in this chamber, we acknowledge and honour all police officers who have been killed on duty or because of their duties. These men and women paid the ultimate price in exchange for the continuous safekeeping of our communities. It is only right that we honour them and their service and sacrifice, and also that of their families in their loss. Once again, I support and commend the mover of this motion.

**The Hon. R.B. MARTIN (17:05):** I would like to start by thanking the other speakers for their contributions. I think the Hon. Nicola Centofanti said it well when she said that this is a day that does

not get due acknowledgement and recognition—and it is good that this parliament is likely to support that. I also appreciate the speech by the Hon. Laura Henderson. This is an issue and an area that I know she is particularly passionate about. She is a powerful advocate in this area. I thank both speakers for their contribution, and I look forward to the support of the house for this motion.

Motion carried.

*Parliamentary Committees*

**ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE: INQUIRY INTO  
ABORIGINAL GOVERNANCE**

Adjourned debate on motion of Hon. T.T. Ngo:

That the final report of the committee's inquiry into Aboriginal governance be noted.

(Continued from 30 November 2022.)

**The Hon. T.A. FRANKS (17:06):** As noted by the Hon. Tung Ngo, the inquiry into Aboriginal governance was referred to the Aboriginal Lands Parliamentary Standing Committee by the then Premier in February 2021. Over its course, the committee received 48 written submissions and heard oral evidence from 27 witnesses. An overarching theme, emerging from both written and oral evidence, was the challenges faced by native title bodies in their right to recognition and respect for self-determination.

Research has consistently shown that skills-based appointments on governing bodies improve outcomes for all corporations. However, there are limited opportunities for native title body board members to participate in skills and governance training. For example, South Australian Native Title Services submitted that:

The proper training and development is essential because you can't be directors on a board and not have the skills to manage your native title rights and interests, and the funds and everything else that comes along with that.

In this way, dedicated governance training for native title bodies will ensure that all board members, no matter their experience and background, will be able to make informed decisions. Historically, all governance training is provided by ORIC (Office of the Registrar of Indigenous Corporations), which offers a two to three-day basic governance course for directors. However, the committee heard evidence that this training is more focused on accountant-style business training and not focused on decision-making practices that are needed from native title board members. Also, the training is only offered once to those who have been newly elected or as a refresher for those who undertook similar training in the past. There is no ongoing or regular governance training offered by ORIC.

Mr Howard Coote, Indigenous Economic Development Manager with Regional Development Australia, told the committee that, when delivering simplified and direct board training to Aboriginal associations and corporations, by explaining the role of board members, including the chairperson's role, everybody gains a greater understanding of their obligations and responsibilities as a board member.

Self-determination is the ability to have power and control over your own affairs and your own life. For First Nations people this means being able to make decisions that affect community and being able to practise culture. Self-determination is about being empowered and having freedom and dignity. It also involves recognising and respecting First Nations' own decision-making and knowledge systems.

To create better opportunities for native title bodies to reach full self-determination, the committee has recommended that the Commissioner for Corporate Affairs, through the Office of Consumer and Business Services, be resourced to provide regular governance training and education to native title bodies around their obligations under the Associations Incorporation Act 1985—that is the state act.

This would include training provided on any new amendments arising from proposed reforms, on good governance practices and on communication. Instead of micromanaging native title bodies, let us instead give them the right tools and supports so that they are empowered to seek better outcomes for their communities, their country and their people.

On 24 August 2021, the government introduced the Associations Incorporation (Miscellaneous) Amendment Bill to the House of Assembly. That bill sought to renew, revitalise and modernise the not-for-profit sector in South Australia and so better educate and inform members of associations of their rights, responsibilities and liabilities. Unfortunately, this bill failed to pass prior to the 2022 election.

It was made very clear to the committee that self-determination can be maintained by native title bodies with improved governance practices and greater transparency. Those amendments are crucial, and I call on the Attorney-General to now reintroduce that bill that was introduced back in 2021 as soon as practicable.

I am sincerely grateful for what I have learned through this inquiry and to all those who made submissions and presented to us. Knowledge is powerful and informed processes lead to better outcomes for all. With that, I commend the report.

Motion carried.

### *Parliamentary Procedure*

#### **VISITORS**

**The PRESIDENT:** I would like to acknowledge in the gallery the Secretary to the Speaker of the Nepalese parliament, Mr Budhi Khanal, and leaders of the Nepalese community. Welcome.

### *Motions*

#### **TURKIYE-SYRIA EARTHQUAKE**

Adjourned debate on motion of Hon. T.T. Ngo:

That this council—

1. Notes with concern the severe earthquake that has occurred in Turkiye and Syria, and the huge loss of life and injury suffered by people living in affected regions;
2. Notes with concern the high level of destruction that these earthquakes will have caused to people's homes and livelihoods;
3. Recognises the enormous emotional toll that will be felt by South Australians who originate from Turkiye and Syria, especially those who have relatives and friends living in affected regions;
4. Stands with our Turkish, Syrian, Kurdish, and other communities in South Australia with ties to affected regions; and
5. Calls on the federal government to provide urgent humanitarian relief through DFAT and relevant aid organisations as soon as possible.

(Continued from 9 March 2023.)

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (17:11):** I rise today to support the motion moved by the Hon. Tung Ngo regarding the devastating earthquakes that hit Turkiye and Syria earlier this year, and to express on behalf of the Liberal Party and my family our deepest condolences to the people of Turkiye and Syria impacted by this disaster.

As honourable members may recall, in the early morning of 6 February 2023 a massive 7.8 magnitude earthquake struck southern Turkiye and northern Syria. It was quickly followed by a 7.7 magnitude earthquake with an epicentre just 95 kilometres from the first. Over the course of the following three months, there would be a further 30,000 aftershocks recorded. To put this into perspective, it was the largest earthquake in Turkiye since 1939, which was also a 7.8 magnitude earthquake, and it was the jointly second largest earthquake after the 1668 Anatolia earthquake.

At least 15.73 million people in Turkiye and Syria have been impacted by the disaster. The combined death toll stands at more than 58,000 people, including 50,000 deaths in Turkiye and over 8,000 in Syria, and nearly 130,000 people injured. Thousands of children lost their parents. Millions have been displaced from their homes. This makes it the deadliest earthquake in Turkiye since the year 526, more than 1,400 years ago, and the deadliest in Syria since 1822. It has been recorded as the deadliest earthquake worldwide since the 2010 Haiti earthquake.

The impacts on people's livelihoods and damage to vital infrastructure will cause ongoing hardship, with an estimated 1.5 million people being left homeless according to the United Nations. The overall area of the damage was spread across about 350,000 square kilometres. That is equivalent to the size of Germany.

The impact of these earthquakes, though, reached beyond the borders of Turkiye and Syria, as families and communities from around the world have also felt the devastation, including members of the Turkish, Syrian, Kurdish and other multicultural communities in South Australia. It is heartening to see the quick response that came from the international community, including Australia, in sending rescue and aid workers to assist in the emergency disaster response, but more assistance will be required to help those communities in need.

I would like to take this opportunity to highlight local fundraising efforts which have already been established by South Australian community organisations. I want to acknowledge the compassionate work by Human Appeal Australia, which has been running an urgent campaign to provide relief on the ground in both Syria and Turkiye. In South Australia, Human Appeal Australia worked together in solidarity with the Adelaide Sisters Association to create an urgent fundraising dinner. It was a privilege for me to be with our community during this time of despair, and I joined many amazing and generous people to support the important fundraising dinner on Sunday 19 February at the Krystal Function Centre.

With the support of individuals, businesses and community leaders, the fundraiser, hosted by Human Appeal Australia and the Adelaide Sisters Association, raised more than \$240,000 that night. It was a great privilege to play a small part to support the fundraiser. I want to place my deepest appreciation on the record to thank the Human Appeal Australia team and Adelaide Sisters Association team for their unwavering support, kindness and compassion towards everyone affected by the devastating earthquake disaster in Turkiye and Syria. I also want to acknowledge that the Islamic Society of South Australia, the Islamic Information Centre of South Australia and Australians for Syria South Australia all contributed to the fundraiser.

Another significant fundraising event I would like to highlight today is the One Humanity Charity Concert for Turkiye and Syria which took place on 23 September 2023 at Her Majesty's Theatre. The concert was proudly organised by Pinnacle College working together with the Adelaide Festival Centre and the Australian Relief Organisation and was well supported by the Shahin Charity Trust, KGC, the AMRC, the Salam Supermarket and many other sponsors.

The concert featured performances by groups and individuals from various multicultural communities to help raise much-needed funds for the people of Turkiye and Syria. It was a very spectacular concert. It was a great honour to be invited to speak at the concert and give thanks to everyone who had contributed to the grand success of the charity event.

I place on the record my sincere thanks to the hardworking and tenacious Dr Mehmet Aslan, managing director and event host of the One Humanity Charity Concert, supported by Kamber Bagsoken, board members and the entire Pinnacle College team. I also acknowledge the amazing Farhan Shah, Governor's Multicultural Award-winning artist, who did a spectacular job as artistic director for the One Humanity concert. There was fantastic support from Keith Preston as the event and production coordinator. Shanelle Franklin and George Donikian did a marvellous job as presenters and MCs on the night.

Thank you to every single organisation that has organised events and initiatives not only to show the strong resilience of the Turkish and Syrian communities here but also to demonstrate the immense outpouring of love, compassion and support that the communities from all different cultural backgrounds have shown each other when disaster strikes. Thank you to those who have come together to fundraise. Those funds make a big difference to those most affected by the disaster.

We stand together, shoulder to shoulder, with everyone impacted by this devastating natural disaster and convey our heartfelt sympathies, thoughts and prayers to all our friends in our Turkish, Syrian and Kurdish communities and other multicultural communities at this time. We send our sympathies and prayers. I commend the motion.

Motion carried.

**MULTICULTURAL COMMUNITIES COUNCIL OF SOUTH AUSTRALIA**

Adjourned debate on motion of Hon. J.S. Lee:

That this council—

1. Recognises that the Multicultural Communities Council of South Australia (MCCSA) has been supporting migrant communities and people from culturally and linguistically diverse (CALD) backgrounds since it was established in 1995 but that its roots stretch back to the 1970s;
2. Acknowledges that MCCSA now represents 120 multicultural organisations and delivers a wide range of programs to increase the capacity of its member organisations and advocate for the needs and aspirations of CALD organisations, communities, and individuals;
3. Notes that MCCSA is the multicultural coordinating partner for the Department of Human Services Community Connection Program and supports people from new and emerging communities to increase their independence and build stronger social and community connections; and
4. Notes the significant positive impact that MCCSA has made towards building social cohesion and enhancing multiculturalism and interculturalism in South Australia.

(Continued from 4 May 2023.)

**The Hon. F. PANGALLO (17:19):** I will speak briefly on this motion to say that overwhelmingly I endorse the motion that has been brought to the chamber, and I thank the member for the motion and also for her relentless ongoing advocacy for the multicultural community in South Australia. We know that the Multicultural Communities Council has a very long history of doing enormously beneficial work in the community. Even though it goes back to 1995, we know that there was initial work done in the 1970s with a lot of migrant communities.

What is happening in the world today, particularly with the situation in the Ukraine, with the war there, and the fact that Australia has so many of those refugees living here now, just emphasises the need to have organisations such as this available to those people, and that when they need assistance, help, guidance and direction, we actually have a council like this that helps people who may be grappling with the fact that English may not be their second language, or they are not able to communicate effectively and do not know where to go.

The fact that we have an organisation like this, and that it continues to grow and is getting stronger in its advocacy, is a credit to South Australia and the support that it provides. As I said, even though it goes back to the seventies, it was quite clear that after the postwar migration from Europe, particularly from southern European countries—countries like Italy, Greece, Yugoslavia, Malta, all those countries—when those migrants came to Australia, many of them only had a small bag or a suitcase, could barely speak a word of English, had no idea what sort of support or assistance they could get once they got off the ship, or if they were fortunate enough to get off a plane, and then to also be in a position to be able to find accommodation, to find other means of support, and to interact with their communities.

Those migrants of the 1950s and 1960s did not actually have the benefit of having an organisation such as this. I talk from my own personal experience with my parents who came here and also our relatives. There were few areas for them to turn to in order to get some support or guidance and generally it was done collectively. Fortunately, these communities did start to work collectively and form organisations such as this that have assisted many thousands of migrants to this country, migrants who because of that assistance have also helped to make this state and this country stronger and better for it. I commend the motion to the chamber and I thank the member for her advocacy in bringing this forward.

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (17:22):** As the peak body for multicultural communities in South Australia, the Multicultural Communities Council of South Australia has a depth of experience working with diverse multicultural organisations and the sector. On behalf of the government, I want to thank Mrs Miriam Cocking, Dr Ian Harmstorf OAM, Ms Helena Kyriazopoulos OAM, and the council's board, staff and volunteers for their ongoing commitment to empowering our multicultural communities across South Australia.

I commend the time, the energy and the support that they have provided and devoted to the MCCSA and to our multicultural sector more broadly. Through the council's culturally responsive and inclusive programs, community engagement and advocacy, they continue to make a profound contribution and impact across our diverse multicultural community. The Multicultural Communities Council is renowned for its ability to build trusting relationships with our multicultural community and to successfully collaborate with a broad range of stakeholders, both here and across the country to inform their work. The council has contributed to the quality and vibrancy of our proud multicultural state. On behalf of the South Australian government, I acknowledge their efforts with gratitude.

The state government has been pleased to provide funding to the MCCSA over many years to support their operations, programs and dynamic initiatives. I hope that we can all acknowledge that whatever the differences in our cultural backgrounds, our ethnicity or our faith, South Australia's multicultural community has always been one of our biggest assets. That is why our government allocated an additional \$16 million of investment over four years from 2022-23 for grants and other programs that will enrich our multicultural sector, because we know that diversity is something that should be celebrated.

It is organisations such as the MCCSA that allow people to realise their full potential. The state government has recently engaged with them to deliver our community boards and governance program, which will offer multicultural community organisations support and coaching for their governance needs that they identify on their boards within their governance structures and in their procedures and practices.

We are certain that through the council's delivery of this program, our multicultural community organisations will gain the tools they need to forge even stronger networks for stakeholders, including government. I have no doubt that this chamber is incredibly appreciative of the important role of the Multicultural Communities Council of South Australia, its passionate staff and its dedicated volunteers. This fantastic organisation will continue to play a key role in enabling our multicultural communities to play an active role in our society and our economy. I commend the motion to the chamber.

**The Hon. J.S. LEE (Deputy Leader of the Opposition) (17:25):** First of all, I would like to thank the Hon. Frank Pangallo for his personal reflections. I am sure his sincere, moving contributions will also be much appreciated by the Multicultural Communities Council of South Australia. I also want to take this opportunity to thank the minister for her contribution and support for MCCSA. I think that her remarks will also be much appreciated by the organisation. I commend the motion.

Motion carried.

### *Bills*

## **HYDROGEN AND RENEWABLE ENERGY BILL**

### *Introduction and First Reading*

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

### *Second Reading*

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (17:27):** I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation and explanation of clauses inserted in *Hansard* without my reading them.

Leave granted.

South Australia is already a recognised world leader in the global energy transition. The landmark Bill seeks to extend this State's leadership even further by introducing the nation's first legislative framework for the coordinated rollout of a hydrogen industry supported by renewable energy.

Since early in the 21<sup>st</sup> century, South Australia has sought to harness its abundance of coincident solar and wind resources to substantially reduce our dependence on traditional energy generation and increase the prevalence of renewable energy.

By setting out on this mission to radically evolve our energy mix, South Australia generates 70 per cent of its energy from renewable sources, up from 2 per cent at the turn of the century. For South Australia to respond to the climate change emergency declared by this Parliament and achieve net zero carbon emissions by 2050, this State needs a coordinated pathway to unlock its abundant renewable energy resources. To achieve this 2050 goal as a nation, Australia will require investment in 40 times more renewable energy sources than are currently supplied into the National Electricity Market.

With our abundant wind and solar resources, vast tracts of land and waters, and the rapid emergence of hydrogen as a green energy source capable of meeting local and international energy needs, South Australia is in a strong position to become a global leader in clean, green energy and minerals for 21<sup>st</sup> century economies.

The scale of the approaching hydrogen and renewable energy investment and development has required fresh consideration of our frameworks and policies to ensure this transformation is focussed on the delivery of state strategic priorities and is harnessed to deliver shared benefits for all South Australians, the environment, Aboriginal empowerment and greater self-determination.

The reforms represented in this Bill are designed to provide a coordinated, just, and inclusive legislative and regulatory framework to respond to these opportunities and challenges, and place South Australia firmly in the driver's seat as a leading practice jurisdiction for contemporary, socially responsible and sustainable management of energy resources.

The Bill introduces an efficient, flexible, transparent, and consultative licencing and regulatory framework for the entire lifecycle of large-scale renewable energy and hydrogen projects, from feasibility, construction and operation, through to closure, decommissioning and environmental rehabilitation.

The mechanisms adopted mirror the one-window-to-government approach currently used to license and regulate the mineral and energy resources sectors in South Australia—an approach that has been lauded as a model for other jurisdictions.

While relevant requirements under other laws will still need to be complied with, one-window-to-government means that project proponents will have one point of contact to government and, through the process of co-regulation, an expert, dedicated lead agency will be responsible for coordinating approvals from all relevant state safety and environmental regulatory agencies and the respective legislative requirements. This approach provides certainty from project conception to completion, for hydrogen and renewable energy producers, Aboriginal people, landholders and all South Australians alike.

This Bill applies to both freehold land and government owned land and State waters. This means hydrogen and renewable energy activities on all land types will be covered by this proposed legislation.

A state-wide licensing and regulatory framework, no matter the underlying land type, will deliver community and investor certainty and clarity, and consistently reliable performance across social, environmental and safety aspects of the industry. It will ensure the ongoing monitoring and compliance activities, enforcement of terms and conditions, and decommissioning and rehabilitation measures, including a financial assurance mechanism, to protect landowners, the environment, taxpayers, and the government.

It is critical to be very clear, on freehold land, proponents will need to secure access to land through direct agreement with landowners. This preserves current arrangements where freehold landowners are in control of who can enter their land and under what circumstances and conditions.

An innovative, competitive system will be introduced for conferring access and licences for projects on pastoral land and state waters, enabling the government to responsibly assign access to some of the state's most prospective areas for renewable energy development. To do this, the Bill introduces the concept of release areas consisting of designated land (pastoral land, state waters, and prescribed Crown land).

Only after a consultative process involving government agencies, native title holders, other impacted stakeholders and (if applicable) an assessment by the responsible Minister and the Ministers responsible for the *Pastoral Land Management and Conservation Act 1989* and *Harbors and Navigation Act 1993*, will specific designated areas be declared a release area.

A declaration of a release area will enable a competitive tender process for feasibility licences over that land and waters, with applicants to compete based on transparent selection criteria. This provides South Australia with the opportunity to 'raise the bar' and ensure we only host those proponents of a calibre that are willing and able to deliver community and environmental benefits through their projects, in line with leading environment, social and governance outcomes.

Furthermore, for the privilege of being granted access to designated land for the purpose of generating renewable energy this legislation makes provision for the state to charge appropriate rent for the use of such land. This rent will be utilised to deliver economic benefits to the broader community to South Australia.

The scope of regulated activities in the Bill has specifically been designed to enable South Australia to rapidly adapt to the future composition of these emerging industries, by providing flexibility as to what types of associated infrastructure are able to be licensed and regulated under the framework.



Five licence types will be created relating to the key stages of project development for the generation of renewable energy or hydrogen, from the early research and feasibility stage, right through to the construction, operation and closure of facilities. These licences are the Renewable Energy Feasibility Licence, Renewable Energy Infrastructure Licence, Renewable Energy Research Licence, Hydrogen Generation Licence and Associated Infrastructure Licence.

The Associated Infrastructure Licence has been designed to provide flexibility by allowing for the licensing and regulation of additional activities that are associated with hydrogen and renewable energy projects. This could include hydrogen power plants, hydrogen related ports, energy storage, transmission infrastructure, or ancillary facilities like workers accommodation or access roads, among other things. This ensures the Bill can provide the benefits of the one-window-to-government approach for significant multi-faceted projects such as the Hydrogen Jobs Plan and Port Bonython Hydrogen Hub.

A further licence type, a Special Enterprise Licence, has been provided for, to facilitate the establishment, development or expansion of hydrogen and renewable energy enterprises of major significance to the economy of this State. The power to grant a special enterprise licence may be exercised as a last resort to enable appropriate enterprises to proceed where access to the relevant land or waters is not able to be agreed.

A Special Enterprise Licence may be granted in relation to freehold and non-freehold land and state waters. It has been designed so that a special enterprise licence will co-exist with existing rights and interests as far as possible, and that existing rights and interests may continue to be enjoyed wherever that is consistent with the authorised operations carried out pursuant to the licence. This licence will provide a more fit for purpose, constrained option, in addition to non-consensual powers in other Acts. As with other licences under the Bill, a person carrying out activities pursuant to a special enterprise licence will still need to comply with other applicable laws, including the Aboriginal Heritage Act 1988.

Feasibility activities on freehold land will be able to occur under a permitting framework that enables the construction and decommissioning of monitoring infrastructure, such as met masts. All other typical exploration activities on freehold land will be with the consent and approval of landowners, as is currently the case.

The government is committed to the development of a renewable energy and hydrogen sector that is ecologically sustainable. Accordingly, this Bill proposes to regulate and conduct hydrogen and renewable energy development in a responsible manner that aims to minimise its effects on the State's natural resources such as our native vegetation, biodiversity, waters, and our network of parks.

The framework does not alter the existing environmental and natural resources legislation, or the way in which it is administered. Responsible ministers and agencies will continue to exercise the powers as they currently exist.

A robust environmental impact assessment process is incorporated into the licensing process to ensure that regulated activities authorised under this framework are managed so as to minimise environmental impacts and ensure land adversely affected by regulated activities is properly rehabilitated. This includes ensuring Aboriginal heritage is protected in accordance with the *Aboriginal Heritage Act 1988*.

This process will use similar impact assessment benchmarks already adopted in this State that have provided the community with the assurance that projects are evaluated in a robust manner that allows for consultation on the various issues of environmental concern and the balancing of coexistent land uses.

Proponents must properly manage and minimise any activities that have actual or potential adverse environmental impacts and manage and minimise risks of significant long term environmental damage. To demonstrate this requirement, proponents must undertake, consult on, and publish an environmental impact assessment.

Environmental impact assessments include a statement of environmental objectives setting out measurable environmental objectives, which is provided to the Minister for public consultation and approval alongside an environmental impact report.

This stage of the process also requires provisions for end of project life, backed by a financial assurance mechanism, meaning that the proponent must ensure effective decommissioning of infrastructure and proper rehabilitation of impacted land or waters.

The preparation of an environmental impact report and the approval of the statement of environmental objectives must occur before a licence grant. This will ensure referrals seeking the expert advice of relevant Ministers and bodies have occurred, and the public have the chance to have their say on a proposal before the Minister makes a decision on the project. The detailed referrals to be developed in the Regulations will closely reflect referral powers and responsibilities under the *Planning, Development and Infrastructure Act 2016*, a system familiar to government, industry, and communities.

The environmental impact assessment process, including an optional early scoping process, seeks to align with the *Environment Protection and Biodiversity Conservation Act 1999*. The Bill delivers transparency and procedural fairness, reduces uncertainty and supports genuine and quality interactions between all affected parties.

Upon approval of the statement of environmental objectives, a final approval will be required to commence activities. This approval requires the licensee to submit an Operational Environmental Management Plan clearly

specifying all operational details demonstrating to the regulator how the relevant approved statement of environmental objectives will be achieved.

Where native title exists in relation to an application for a Renewable Energy Feasibility Licence, Renewable Energy Infrastructure Licence, Renewable Energy Research Licence, Hydrogen Generation Licence, Associated Infrastructure Licence (where the licence confers access to designated land) and a Renewable Energy Feasibility Permit, another important precondition for licence grant has been included.

These licence types will not be able to be granted in relation to land where native title exists or might exist ('native title land') that is the subject of a native title determination, or within a registered native title claim, unless the registered native title holders or claimants have consented to that grant in an indigenous land use agreement (ILUA) under the *Native Title Act 1993 (Cth)*. To provide flexibility for native title groups, provisions enable a less formal type of agreement to be negotiated if valid under the *Native Title Act*, and only at the request of the native title group.

In keeping with the Bill's object to maximise economic opportunities for Aboriginal people, the government will also develop guidelines to support leading practice engagement and negotiations. Additionally, the establishment of a Hydrogen and Renewable Energy Fund comprising money that can be used for purposes related to the objects of the Act, also includes the protection and preservation of native title and Aboriginal heritage in South Australia.

Renewable energy development opportunities are recognised to exist in some of the state's most highly prospective mineral regions, and economically and culturally significant primary industries regions. The Bill maintains the State's commitment to multiple land use, ensuring hydrogen and renewable energy projects can coexist as far as possible with other rights or interests, through access agreements, dispute resolution mechanisms, compensation and notice of entry provisions, as well as consultation at various stages with landowners to ensure impacts are minimised on existing uses.

The Bill recognises the role pastoralists continue to play as stewards of the pastoral estate and seeks to enhance pastoralists rights compared to current rights under the *Pastoral Land Management and Conservation Act 1989*.

This object is achieved by providing improved access agreement conditions and strengthening dispute resolution mechanisms. The Bill establishes the principle that licensees must limit the impacts of the renewable energy project to have least detriment to the interests of the pastoralist and least damage to the land.

Before any activities can begin, licensees will need to enter into an access agreement with affected pastoralists. The access agreement must address access to the licence area and infrastructure in the licence area during the exploration, construction, installation, operation and decommissioning of infrastructure. Access agreements must also address compensation that is payable to the pastoralist resulting from entry to, and use of, their lease.

These access agreements will be critical in ensuring an ongoing and constructive relationship is established between pastoralists and renewable energy developers. While the Bill dictates what access agreements must contain, such as compensation, it does not limit what can be agreed. Pastoralists are free to negotiate with licensees on other matters as they see fit.

To further support pastoralists and other landowners, the government-funded independent Landowner Information Service will be extended to cover renewable energy activities. Extending the scope of the Service will ensure landowners can access trusted support and advice about their rights. The service is designed to provide information to help landowners make informed decisions. It takes often complex technical and legal information and makes it easy to understand for landowners who are new to the process.

To support the coexistence of large-scale renewable energy and mining, two critical sectors underpinning the State's net zero transformation, the Bill introduces a notice of entry mechanism for resource tenements. Resource tenements will have a right to object to entry if a renewable energy project will cause material diminishment of their existing rights. It is expected that licensees and resource tenement holders will engage collaboratively to achieve successful coexistence of authorised activities and operations. The ability to successfully engage is already a requirement of an applicant's operational capability under the *Mining Act 1971* and will similarly be a key indicator of an applicant's capability under this proposed framework.

To achieve an appropriate balance between industries, it is intended that material diminishment will be measured against only advanced activities, such as advanced exploration, existing mining or production leases, and work program commitments. The mere existence of a resource tenement is not enough to amount to material diminishment. Rather, it is expected that licensees and resource tenements agree on the manner to which activities and operations are to be undertaken and this is to be carried out such that there is no material diminishment of those operations.

In keeping with the object of achieving balance between competing land uses, the Bill also includes consequential amendments to the *Mining Act 1971* and *Petroleum and Geothermal Energy Act 2000* that will recognise licence and permit holders under this Bill as owners of land. This will allow existing protections under those legislative frameworks to apply to renewable energy and hydrogen licensees as they do to other land users. Similarly, the Bill makes it clear that other powers exercised by government are not limited by the presence of such a licence, meaning approvals for resources activities can still be granted where a renewable energy or hydrogen licence exists.

Finally, to ensure a fair and efficient transition for renewable energy projects that are currently operating, or are in the process of seeking development approval, and avoid any unnecessary duplication and costs, the Bill includes detailed transitional provisions.

The development of this Bill has been an ongoing conversation between the government and the people of this State, supported by early, genuine consultation processes on both a comprehensive Issues Paper released in late 2022 and a resultant draft Bill released in May 2023.

Our engagement has recognised that informed, early and ongoing participation of Aboriginal people is essential to achieving the development of a globally significant sustainable renewable energy and hydrogen sector in South Australia.

Almost from inception, the advice of our First Nations people was sought on the design of the reforms and their views incorporated into aspects of the regulatory framework that related to their rights and interests.

Two South Australian Aboriginal Renewable Energy Forums have brought together Aboriginal groups to strengthen relationships, understand the issues and challenges impacting on Aboriginal groups and to discuss opportunities for Aboriginal people and government to work together on the development of renewable energy in South Australia.

Similarly, the government recognises that our regional and rural communities will also be significantly affected by these reforms. A dedicated workshop was delivered for the pastoral community to support quality engagement with the government on the draft Bill. Information sessions were conducted across South Australia's regions during each consultation period, in addition to online sessions, webinars and written materials, providing everyone with the greatest opportunity to have their say on this landmark legislation.

Feedback received through the consultation processes has meaningfully shaped the Bill and I thank everyone that has participated to date.

Importantly, this is not the end of the conversation. The government will continue to work with all stakeholders and rights holders to develop the associated Regulations, and to move forward in identifying the first release areas for competitive tender under this framework. This work will continue to be underpinned by principles of transparency, certainty, efficiency and fairness. The Bill also includes review provisions, requiring a review to be initiated five years following the commencement of the Act and every five years thereafter, enabling us to continuously improve and stay at the forefront of this global transition to net zero.

The transformation engendered by these reforms will significantly change land use across South Australia. But this State's continued leadership in developing a fit-for-purpose regulatory framework provides a substantial opportunity for South Australia to attract significant high-quality investment and ensure this State retains its global leadership in the energy transition.

I commend this Bill to Members.

#### Explanation of Clauses

##### Part 1—Preliminary

###### 1—Short title

###### 2—Commencement

These clauses are formal.

###### 3—Objects

This clause sets out the objects of the measure.

###### 4—Interpretation

This clause defines terms to be used in the measure.

###### 5—Application of Act

This clause provides that the proposed measure is intended to have extraterritorial application insofar as the legislative powers of the Parliament permit.

###### 6—Interaction with other Acts

This clause provides that the provisions in the proposed measure are in addition to, and do not limit, the provisions of any other Act. Subclause (2) provides the matters to which the Minister must have regard if taking any action under the proposed measure that is within, or likely to have a direct impact on, the Adelaide Dolphin Sanctuary or a marine park.

##### Part 2—Preliminary investigation of renewable energy resources

###### Division 1—Minister may explore renewable energy resources

#### 7—Minister may explore renewable energy resources

Subclause (1) provides that the Minister, or a person with the written authorisation of the Minister, may undertake the following for the purposes of exploring renewable energy resources:

- enter and remain on land with assistants, vehicles and equipment as may be necessary or expedient for the purposes of the investigation;
- explore and make tests on land;
- construct, install, operate, maintain or decommission infrastructure on land necessary for assessing the feasibility of generating renewable energy from a renewable energy resource;
- take photographs, audio or video recordings of land;
- undertake any other activities of a kind prescribed by the regulations.

Subclause (2) provides for the Minister or authorised person to give notice of an intent to undertake such exploration to any owner of land in a manner outlined in the subclause. Subclauses (3) and (4) contain provisions consequential on the other matters addressed in the clause.

#### Division 2—Renewable energy feasibility permit

##### 8—Renewable energy feasibility permit

This clause allows for the granting of a renewable energy feasibility permit, which, subject to the conditions of the permit, authorises a person to undertake a feasibility activity specified in the permit within the permit area.

A *feasibility activity* is defined as constructing, installing, operating, maintaining or decommissioning infrastructure necessary for assessing the feasibility of generating renewable energy from a renewable energy resource. The clause sets out the application process for a permit and creates offences for permit holders to contravene a condition of a permit, and persons interfering with activities authorised to be undertaken under a permit.

##### 9—Term and renewal of permit

This clause provides for the term of a renewable energy feasibility permit and the preconditions to applying for a renewal of a permit.

#### Part 3—Release area

##### 10—Minister may declare release area

This clause sets out the process whereby the Minister may, by notice in the Gazette, declare an area of land to be a release area suitable for the operation of renewable energy infrastructure.

The clause further provides for preconditions to the declaring of a release area, including seeking the concurrence of relevant Ministers and giving notice and undertaking consultation.

If a declaration of a release area is in force, an application for a renewable energy feasibility licence in respect of land within the declared area must not be made except in response to a call for tenders.

##### 11—Call for tenders for renewable energy feasibility licence

This clause sets out the process by which the Minister may invite applications for renewable energy feasibility licences within a specified release area. A successful applicant has an exclusive right to apply for a renewable energy feasibility licence in the release area.

#### Part 4—Licensing

##### Division 1—Requirement for licence

##### 12—Regulated activities

This clause defines what constitutes a regulated activity, being all operations reasonably necessary for, or incidental to, undertaking the following within the State or coastal waters of the State:

- generating hydrogen for a commercial purpose;
- exploring for a renewable energy resource;
- exploiting a renewable energy resource;
- an infrastructure activity;
- an associated infrastructure activity.

The regulations may provide that an activity may be included or excluded from the ambit of the definition of regulated activities, and that a regulated activity may only be authorised by a specified category of licence.

### 13—Requirement for licence

Subclause (1) makes it an offence, with a maximum penalty of \$250,000 or imprisonment for 2 years, for a person to undertake a regulated activity without an authorisation or exemption from authorisation under the proposed measure.

Subclause (2) provides for an exemption for a person who explores a renewable energy resource on land other than designated land from authorisation under the proposed measure.

### Division 2—Licence categories

#### Subdivision 1—Hydrogen generation licence

##### 14—Hydrogen generation licence

This clause provides for the granting of a hydrogen generation licence, which authorises the licensee—

- to construct, install, operate, maintain and decommission a hydrogen generation facility within the licence area (which must not exceed 5 km<sup>2</sup> in area); and
- to generate hydrogen for a commercial purpose (as defined in clause 4); and
- to undertake other regulated activities within the licence area as specified in the licence.

The clause further sets out specified preconditions of which the Minister must be satisfied before granting the licence.

##### 15—Term and renewal of licence

This clause sets out the term of the hydrogen generation licence and the process for renewing the licence.

##### 16—Minister may grant certain licences under *Petroleum and Geothermal Energy Act 2000*

This clause gives power to the Minister to grant a gas storage licence or a pipeline licence to the holder of, or an applicant for, a hydrogen generation licence in accordance with the relevant provisions of the *Petroleum and Geothermal Energy Act 2000* that allow for the granting of those licences.

#### Subdivision 2—Renewable energy feasibility licence

##### 17—Renewable energy feasibility licence

This clause provides for the granting of a renewable energy feasibility licence, which—

- authorises the licensee to explore a renewable energy resource in the licence area and assess the feasibility of exploiting a renewable energy resource; and
- authorises the licensee to construct, install, operate, maintain and decommission renewable energy infrastructure for the purposes of exploring a renewable energy resource; and
- confers on the licensee an exclusive right to undertake the activities described above; and
- confers on the licensee a right to enter and use land within the licence area for the purposes of authorised operations.

A renewable energy feasibility licence is to be located wholly within a release area and must only comprise land that is designated land. *Designated land* is defined as including pastoral land, Crown land, South Australian waters and excludes the Arkaroola Protection Area and restricted and sanctuary zones within marine parks and wilderness protection areas.

The clause further sets out the matters to which the Minister must have regard before granting a licence, and the permissions required from other Ministers before granting a licence. The prescribed information in relation to the licence must be entered on the hydrogen and renewable energy register.

##### 18—Term and renewal of licence

This clause sets out the term of the licence and the process for renewing a renewable energy feasibility licence.

#### Subdivision 3—Renewable energy infrastructure licence

##### 19—Renewable energy infrastructure licence

A renewable energy infrastructure licence authorises the licensee to—

- generate or obtain energy from a renewable energy resource specified in the licence; and
- construct, install, operate, maintain or decommission renewable energy infrastructure; and
- store, transmit or otherwise convey energy obtained from a renewable energy resource; and

- undertake other regulated activities of a prescribed kind as specified in the licence.

To the extent that the licence area comprises designated land, the licence also confers on the licensee—

- an exclusive right to generate or obtain energy from a renewable energy resource specified in the licence; and
- an exclusive right to construct, install, operate, maintain or decommission renewable energy infrastructure other than renewable energy infrastructure that has the primary purpose of exploiting a renewable energy resource; and
- a right to enter and use designated land for the purposes of authorised operations.

A renewable energy infrastructure licence over designated land must not be granted unless—

- the applicant for the licence holds or has held a renewable energy feasibility licence in respect of that area; and
- the licence area to which the application relates is the whole or part of an area over which the renewable energy feasibility licence is or was held.

The clause further sets out the matters to which the Minister must have regard before granting a licence, and the permissions required from other Ministers before granting a licence. The prescribed information in relation to the licence must be entered on the hydrogen and renewable energy register.

#### 20—Term and renewal of licence

This clause sets out the term of the licence and the process for renewing a renewable energy infrastructure licence.

#### Subdivision 4—Renewable energy research licence

##### 21—Renewable energy research licence

A renewable energy research licence authorises the licensee—

- to explore a renewable energy resource within the licence area and assess the feasibility of exploiting a renewable energy resource; and
- to exploit a renewable energy resource for the purpose of researching the capabilities of a technology, system or process for generating renewable energy; and
- to construct, install, operate, maintain and decommission renewable energy infrastructure for the purposes of undertaking activities of the kind described above.

A licence in respect of designated land also confers a right on the licensee enter and use designated land within the licence area for the purposes of authorised operations.

The clause further sets out the matters to which the Minister must have regard before granting a licence, and the permissions required from other Ministers before granting a licence. The prescribed information in relation to the licence must be entered on the hydrogen and renewable energy register.

#### 22—Term and renewal of licence

This clause sets out the term of the licence and the process for renewing a renewable energy research licence.

#### Subdivision 5—Associated infrastructure licence

##### 23—Associated infrastructure licence

An associated infrastructure licence authorises the licensee—

- to undertake an associated infrastructure activity specified in the licence on land within the licence area; and
- to store, transmit or otherwise convey, within the licence area, energy obtained from a renewable energy resource; and
- to undertake an activity within the licence area that is necessary or incidental to undertaking a regulated activity undertaken under another licence.

The licence may also confer a right to enter and use designated land for the purposes of undertaking authorised operations in respect of land within the licence area (if, for example, a licensee does not have a right or interest in respect of the land).

The clause further sets out the matters to which the Minister must have regard before granting a licence, and the permissions required from other Ministers before granting a licence. The prescribed information in relation to the licence must be entered on the hydrogen and renewable energy register.

#### 24—Term and renewal of licence

This clause sets out the term of the licence and the process for renewing an associated infrastructure licence.

#### Subdivision 6—Special enterprise licence

#### 25—Object

This clause sets out the object of this Subdivision, being to facilitate the establishment, development or expansion of enterprises comprising 1 or more regulated activities that are of major significance to the economy of the State by allowing greater security and flexibility of tenure and access to land.

#### 26—Special enterprise

This clause sets out the process for having an enterprise comprising regulated activities declared a special enterprise for the purposes of the granting of a special enterprise licence. The clause provides for a process by which the Minister and the proponent of the enterprise may enter into an agreement for the grant of the licence and for the Governor to ratify the agreement. The clause provides that the Governor, before ratifying the agreement, must be satisfied, on advice of the Minister, that—

- the establishment, development or expansion of the enterprise comprising regulated activities are of major significance to the economy of the State; and
- it is in the interests of the State to grant a special enterprise licence in respect of the enterprise.

The clause further sets out conditions precedent to the ratifying of the agreement.

#### 27—Concept phase

This clause sets out that the first step for a proponent seeking an agreement for a special enterprise is to consult with the Minister about the proposal by an application to the Minister. The Minister may consult or refuse to consult with the proponent in relation to the application, in the Minister's absolute discretion. The Minister may require the proponent to provide the Minister with further information, to undertake consultation and take any other action specified by the Minister during this phase.

The Minister is required to undertake certain consultation during this concept phase. The Minister may then bring the consultation phase to a close by either advising the proponent that the matter may proceed to an application for a special enterprise licence or that the matter is not, in the opinion of the Minister, suitable for further consideration.

#### 28—Special enterprise licence

A special enterprise licence authorises the licensee to undertake regulated activities of a kind specified in the licence and confers a right to enter and use land in the licence area for the purposes of undertaking authorised operations. The clause provides for further conditions precedent to the grant of the licence, and for the terms and conditions in relation to the licence, once granted.

#### 29—Power to exempt from or modify Act

Subclause (1) provides that the Minister may exempt a special enterprise licence from compliance with a provision in the measure (other than those specified in subclause (2)), or modify the application of such a provision, in relation to the enterprise. This provision is subject to the terms of the ratified agreement and the conditions stipulated in the agreement.

#### 30—Existing licences

This clause provides for the process by which existing licence areas that may be the subject of a special enterprise licence may be subsumed into the special enterprise licence area.

#### Division 3—Common provisions

#### Subdivision 1—Application for licence

#### 31—Application for licence

This clause sets out the requirements of an application for a licence and the manner in which the application is to be made.

#### 32—Notice of certain applications

This clause sets out the requirements for notice to be given of applications for a licence or a renewal of a licence. The Minister is required to give notice to owners of land in respect of land comprised in a proposed licence area and to a council in which a licence area is to be located.

The notice is to be published in such manner as the Minister thinks fit, describing the area to which the application relates and specifying a place where the applications may be inspected. Notice must also be given by the Minister as to whether or not the Minister has granted or refused to grant an application to which this provision applies.

#### 33—Applications relating to native title land

This clause provides that if an application for a licence, or for the renewal of a licence, relates to an area of land comprising native title land, the Minister must, before granting the application, be satisfied that the grant will be valid under the *Native Title Act 1993* of the Commonwealth to the extent that it affects native title.

#### 34—Applications relating to areas within Murray-Darling Basin

This clause provides that the Minister must, in considering an application for a licence, or for the renewal of a licence located within the Murray-Darling Basin, take into account the objects of the *River Murray Act 2003* and the *Objectives for a Healthy River Murray* under that Act.

#### 35—Applications relating to areas within specially protected area

This clause sets out a process for seeking the concurrence of a relevant Minister in relation to an application for a licence, or for the renewal of a licence, in an area within or adjacent to a specially protected area. A specially protected area is defined as the Adelaide Dolphin Sanctuary, a marine park or a River Murray Protection Area.

#### Subdivision 2—Grant of licence

#### 36—Grant or refusal of licence application

Subclause (1) sets out the circumstances in which the Minister may refuse a licence application. Subclause (2) sets out the process by which the Minister must notify an applicant of the grant or refusal to grant a licence. Subclause (3) provides that the Minister must provide reasons for a refusal to grant (either in whole or in part) an application for a licence. Subclause (4) requires prescribed information in relation to the grant of a licence to be entered on the register.

#### Subdivision 3—Compatible licences

#### 37—Compatible licences

This clause sets out a process by which the Minister can determine that renewable energy licences that are overlapping may be granted if the Minister determines that they are compatible. A renewable energy licence (*licence 1*) is defined as overlapping another renewable energy licence (*licence 2*) if—

- licence 1 authorises operations in relation to a renewable energy resource other than that authorised under licence 2; and
- licence 1 authorises operations in relation to a renewable energy resource other than that authorised under licence 2.

#### Subdivision 4—Conditions of licence

#### 38—Conditions of licence

This clause provides for the conditions on which a licence may be granted, and for the imposition, variation or revocation of licence conditions after the grant of a licence.

#### Subdivision 5—Work program

#### 39—Work program

This clause provides for the process by which the Minister must, before granting a licence, approve a work program in respect of proposed authorised operations.

#### Subdivision 6—Access agreement

#### 40—Application of Subdivision

This clause sets out that the licences to which the Subdivision is to apply, namely—

- a renewable energy feasibility licence or a renewable energy infrastructure licence to the extent that the licence area comprises designated land; or
- an associated infrastructure licence that confers a right to enter and use land for the purposes of authorised operations in respect of land within the licence area.

#### 41—Access agreement

This clause provides that it is a condition of a licence to which this Subdivision applies that the licensee must, before undertaking authorised operations, enter into an access agreement with—



- if the licence area comprises pastoral land—the holder of a pastoral lease in respect of the licence area; and
- a prescribed person (if any).

Subclause (2) sets out the matters that must be addressed in the access agreement, being—

- access to the licence area, or infrastructure in or in the vicinity of, the licence area, by the parties to the access agreement during the construction, installation, operation, maintenance or decommissioning of renewable energy infrastructure;
- the manner and form in which notice of commencement of authorised operations will be given by the licensee to the other parties to the access agreement;
- compensation that is or may be payable by a licensee under the measure.

#### 42—Negotiating access agreement

This clause sets out the process by which an access agreement is to be negotiated between parties to the access agreement. The provision contains power for the Minister to mediate between the parties if agreement is not reached within a prescribed period. If the Minister decides against mediating between the parties, or an attempt to mediate is made but agreement is not obtained within a prescribed period, a party to the negotiations may apply to the ERD Court for a determination.

The clause further sets out the matters in relation to which the ERD Court may make a determination and the consequences that follow such a determination for the parties to the agreement.

#### Subdivision 7—Bond and security

##### 43—Bond and security

This clause provides for the manner in which the Minister may require a licensee to enter into a bond (and provide for an amount for security for the bond) to ensure, in the opinion of the Minister, satisfaction of the following matters:

- any civil or statutory liability likely to be incurred by that person in the course of undertaking authorised operations;
- the present and future obligations of that person in relation to the rehabilitation of an area disturbed by undertaking authorised operations.

#### Subdivision 8—Notice of commencement of operations

##### 44—Licensee must give notice of commencement of authorised operations

This clause requires a licensee, in accordance with the requirements of the regulations, to notify the Minister of the commencement or completion of authorised operations within a licence area. An administrative penalty applies to a licensee who fails to comply with this requirement.

#### Subdivision 9—Rent

##### 45—Rent

This clause provides for the payment of rent to the Minister in respect of the licence area of a special enterprise licence and a renewable energy licence to the extent that the licence area comprises designated land.

#### Subdivision 10—Reporting requirements

##### 46—Licensee to provide reports, information or material

This clause makes it a condition of a licence that the licensee must provide reports, information or material as set out in the clause to the Minister at prescribed times, or at any other time on the written request of the Minister. The reports, information or material required to be provided must be provided in the manner specified in this provision.

##### 47—Licensee must report certain incidents

This clause requires a licensee to report certain incidents to the Minister in a manner set out in the clause. An administrative penalty is payable by a licensee who fails to report in accordance with the provision.

#### Subdivision 11—Public liability insurance

##### 48—Public liability insurance

This clause provides that a licensee must, before commencing authorised operations and for the duration of the term of the licence, maintain a policy of public liability insurance indemnifying the licensee, in an amount that is reasonable taking into account the kind of licence, the nature and extent of the operations undertaken under the licence, and relevant industry standards, in relation to any action arising out of the operations undertaken under the

licence and complying with the other requirements (if any) determined by the Minister. A maximum penalty of \$20,000 applies for failing to comply with this requirement. The clause further sets out the manner in which the licensee must provide to the Minister a certificate evidencing the insurance.

#### Subdivision 12—Alteration of licence area

##### 49—Alteration of size of licence area

This clause provides for the manner and circumstances in which the Minister may approve an increase or decrease in the size of a licence area.

#### Subdivision 13—Dealing with licence

##### 50—Dealing with licence

Subclause (1) provides that a licence must not be transferred, assigned, held subject to a trust or otherwise dealt with, whether directly or indirectly, without the consent of the Minister. Subclause (2) provides that the Minister must, before consenting to a matter, comply with the requirements (if any) prescribed by the regulations.

Subclause (3) provides that if the licensee transfers or assigns the licence—

- all accrued and accruing liabilities to the Crown pass to the transferee or assignee; and
- any such liabilities that had accrued before the date of the transfer or assignment may be enforced against the transferor or assignor (who will be regarded as jointly and severally liable with the transferee or assignee).

#### Subdivision 14—Change in control

##### 51—Interpretation

Subclause (1) defines key terms for the purposes of the proposed Subdivision, such as what constitutes *control* and a *change in control* of the holder of a licence.

Subclause (2) provides that it is the intention of the Parliament that the proposed Subdivision will apply within the State and outside the State to the full extent of the extraterritorial legislative capacity of the Parliament.

##### 52—Approval of change in control of holder of licence

This clause sets out the process by which a person may apply to the Minister for approval of a change in control of the holder of a licence.

##### 53—Offences

This clause sets out a number of offence provisions that apply to a person who begins or ceases to control the holder of a licence. Maximum penalties of \$250,000 apply in relation to offences set out in the clause.

The clause also allows the Minister to cancel a licence in respect of which a change in control has been effected if an offence is committed by a person other than the licensee.

#### Subdivision 15—Suspension, cancellation and surrender of licence

##### 54—Minister may suspend or cancel licence

This clause sets out the process by which the Minister may suspend or cancel a licence.

##### 55—Surrender of licence

This clause sets out the process by which the holder of a licence may apply to the Minister for approval to surrender their licence or a part of the area of their licence.

#### Subdivision 16—Miscellaneous

##### 56—Licence is not personal property for the purposes of Commonwealth Act

This clause provides that a right, entitlement or authority granted under this measure is not personal property for the purposes of the *Personal Property Securities Act 2009* of the Commonwealth.

##### 57—Exemption from stamp duty

This clause provides that the grant or renewal of a licence is exempt from stamp duty.

#### Division 4—Environmental impact

##### Subdivision 1—Preliminary

##### 58—Objects

This clause sets out the objects of this Division.

## 59—Interpretation

This clause defines terms used in the Division.

## 60—Environmental impact assessment criteria

This clause enables the Minister to determine criteria (the *environmental impact assessment criteria*) against which the environmental impact of regulated activities is to be assessed. The environmental impact assessment criteria, and any variation or revocation of the criteria, are to be notified by the Minister in the Gazette. The environmental impact assessment criteria are to be reviewed in accordance with the requirements of the regulations.

## Subdivision 2—Environmental impact report

## 61—Environmental impact report

Subclause (1) provides that an environmental impact report in respect of proposed operations must be provided for the purposes of the approval of a statement of environmental objectives. The clause further sets out the matters that must be addressed and taken into account when preparing an environmental impact report.

## Subdivision 3—Statement of environmental objectives

## 62—Statement of environmental objectives

Subclause (1) provides that the Minister must not grant a licence unless an approved statement of environmental objectives in respect of proposed authorised operations is in force. The clause further sets out the matters that must be addressed in a statement of environmental objectives.

## 63—Approval of statement of environmental objectives

This clause sets out the manner in which an application for approval of a statement of environmental objectives is to be made to the Minister. On receiving an application for an approval, the Minister may—

- approve the statement without amendment; or
- after consultation with the relevant licensee—require amendments to the proposed statement or the environmental impact report on which the statement is based in order to ensure that it complies with the requirements under the Division and to ensure consistency with the other provisions of the proposed measure; or
- reject the proposed statement on the basis that it does not comply with the requirements of clause 62 or any other relevant provisions of the measure.

## 64—Review of statement of environmental objectives

This clause provides for the circumstances in which a statement of environmental objectives is to be reviewed and the manner in which any changes subsequent to the review are to be approved by the Minister.

## 65—Notice of approval

This clause provides for the manner in which the Minister must give notice of the approval of a statement (or revised statement) of environmental objectives.

## Subdivision 4—Operational management plan

## 66—Operational management plan

Subclause (1) makes it an offence with a maximum penalty of \$250,000 for a licensee to commence authorised operations without a plan that complies with the requirements of the proposed Subdivision and approved by the Minister being in force in relation to the licence. Subclause (2) sets out the matters that must be specified in the operational management plan.

Subclause (3) allows for the regulations to set out or adopt an operational management plan that may apply to a group of licences or operations of a prescribed class. The manner in which compliance with an operational management plan is to be monitored and enforced is to be prescribed by the regulations.

## 67—Approval of operational management plan

This clause sets out the manner in which a licensee may seek approval from the Minister for an operational management plan.

## 68—Review of operational management plan

This clause sets out the manner and circumstances in which an operational management plan is to be reviewed, and any amendments as a result of the review are to be approved as part of the operational management plan.

## Subdivision 5—Scoping report

## 69—Interpretation

This clause defines terms to be used in the Subdivision.

## 70—Object

This clause sets out the object of the Subdivision.

## 71—Scoping report

This clause defines a scoping report to be a means of developing, assessing and providing, to such extent as may be reasonable and relevant, information relating to 1 or more of the following:

- categorising the level of environmental impact of authorised operations to be undertaken under a licence of a kind prescribed by the regulations;
- determining the reasonable and relevant level of detail for information to be provided to the Minister for the purposes of environmental impact assessment as part of the consideration of an application for that prescribed licence;
- identifying and prioritising the issues that are associated with environmental impact assessment as part of the consideration of an application for the prescribed licence;
- determining the extent of work required to be undertaken for the purposes of environmental impact assessment as part of the consideration of an application for a prescribed licence;
- if it is relevant in the circumstances or is reasonable or appropriate to do so—determining the impacts of a prescribed licence on people or communities, including by providing information about the measures that are to be used to manage, limit or remedy those impacts (in the case of negative impacts), or to facilitate or ensure those impacts (in the case of positive impacts).

The clause further sets out who may provide a scoping report, that the Minister may require a scoping report and the manner in which the scoping report is to be provided to the Minister.

## Subdivision 6—Matters to be undertaken by Minister

## 72—Public consultation

This clause sets out the requirements for the manner in which the Minister must undertake public consultation in relation to an environmental impact report, a statement (or revised statement) of environmental objectives and a scoping report.

## 73—Referral of matter to prescribed body

This clause sets out the requirements for the manner in which the Minister must refer an environmental impact report, a statement (or revised statement) of environmental objectives or a scoping report to a prescribed body for its response.

## 74—Minister may determine relevant authorisation

This clause provides that in accordance with the regulations, the Minister may determine that an authorisation under a specified provision of the *Planning, Development and Infrastructure Act 2016* is deemed to be authorised under that Act.

## Part 5—Entry to and use of land

## 75—Right of entry to land

This clause sets out the right of entry to land for each category of licence.

## 76—Notice of entry

This clause sets out the requirements for the holder of certain licences to give a notice of entry to the owner of land within a licence area of the licensee's intention to enter the licence area and, if the licensee proposes to undertake authorised operations, of the nature of operations to be undertaken in the area. An offence with a maximum penalty of \$20 000 applies to the holder of a licence who fails to give a notice of entry in accordance with this provision.

## 77—Notice of commencement of operations to holder of resources tenement

This clause sets out the requirement for the holder of specified permits and licences to give to the holder of a resources tenement over the licence area a notice of commencement of operations in accordance with the requirements set out in this provision. An offence with a maximum penalty of \$20,000 applies to the holder of a licence who fails to give a notice of commencement of operations.

## 78—Objections

This clause sets out the process by which a person who has received a notice of entry or a notice of commencement of operations may object to the entry or commencement of operations. The clause further provides power to the Minister to mediate between parties to a dispute, and for the manner in which a disputed matter may be referred to, and determined by, the ERD Court.

#### 79—Compensation

This clause sets out the circumstances in which an owner of land is entitled to receive compensation from a licensee for any economic loss, hardship or inconvenience suffered by the owner in consequence of authorised operations, and the manner in which such compensation may be assessed and paid.

#### 80—Right to require acquisition of land

This clause provides that if activities undertaken by the holder of a special enterprise licence on land substantially impair an owner of land's use and enjoyment of the land, the owner may apply to the ERD Court for an order—

- transferring the owner's land to the licensee;
- that the licensee pay to the owner, by way of compensation—
- an amount equivalent to the market value of the land; and
- a further amount the court considers just by way of compensation for disturbance.

### Part 6—Hydrogen and Renewable Energy Fund

#### 81—Hydrogen and Renewable Energy Fund

This clause provides that the Minister must establish and maintain a fund to be called the *Hydrogen and Renewable Energy Fund*. The clause further sets out the purposes for which money in the Fund may be applied.

### Part 7—Compliance and enforcement

#### Division 1—Minister may request information

#### 82—Minister may request information

This clause provides power for the Minister to request information or material from a licensee that the Minister requires for the administration or enforcement of the measure, that is related to authorised operations or work undertaken under a licence or information or material of a prescribed kind. An administrative penalty applies in relation to a licensee who fails to comply with this provision.

#### Division 2—Authorised officers

#### 83—Appointment of authorised officers

This clause sets out the manner in which an authorised officer may be appointed.

#### 84—Identity cards

This clause provides for the issuing of identity cards to authorised officers.

#### 85—Authorised investigations

This clause sets out the matters that may be investigated by an authorised officer as being an *authorised investigation*.

#### 86—Powers of entry and inspection for purpose of authorised investigation

This clause provides for the powers that may be exercised by an authorised officer for the purposes of carrying out an authorised investigation, and the manner in which those powers may be exercised.

#### 87—Power to require information

This clause provides for the manner and circumstances in which an authorised officer may require a person who may be in a position to provide information relevant to a matter subject to an authorised investigation to answer questions or provide information. The clause further sets out a number of offence provisions for a person who fails to comply with a request for information under the provision.

#### 88—Production of records

This clause sets out the requirements for an authorised officer in dealing with records relating to authorised operations.

#### Division 3—Compliance and enforcement

#### 89—Compliance directions

This clause sets out the manner and circumstances in which the Minister may issue a direction (a *compliance direction*) for the purpose of—

- securing compliance with a requirement of this measure, a licence (including a condition of a licence) or an authorisation or direction under or in relation to a licence; or
- preventing or bringing to an end specified operations that are contrary to this measure or a licence (including a condition of a licence); or
- requiring the rehabilitation of an area specified in the direction on account of any operations undertaken with or without an authority required by this measure.

An offence with a maximum penalty of \$250,000 applies to a person to whom a compliance direction is issued who fails to comply with the direction within the time allowed in the direction.

#### 90—Emergency directions

This clause provides for the manner and circumstances in which an authorised officer may issue a direction (an *emergency direction*) if, of the opinion that—

- operations under a licence are being undertaken in a way that results in, or that is reasonably likely to result in undue damage to the environment, contravention of an operational management plan or a term or condition of a licence; and
- it is urgently necessary to take action.

An offence with a maximum penalty of \$250,000 applies to a person to whom an emergency direction is issued who fails to comply with the direction within the time allowed in the direction.

#### 91—Review of direction

This clause sets out the manner in which a person required to comply with a compliance direction or an emergency direction may apply to the ERD Court for a review of the direction.

#### 92—Contravention of Act

This clause provides that the Minister or an authorised officer may, if of the opinion that it is reasonably necessary to do so in the circumstances, include in a compliance direction or an emergency direction a requirement for an act that might otherwise constitute a contravention of this measure and, in that event, a person incurs no liability to a penalty under this measure for compliance with the requirement.

#### 93—Action if non-compliance occurs

This clause provides for the manner in which the Minister, if a direction is not complied with, may take the action required under the direction.

#### Division 4—Miscellaneous

#### 94—Enforceable voluntary undertakings

This clause provides for the manner in which a person may give a written undertaking in connection with a matter relating to a contravention or alleged contravention by the person of a provision in the measure. The clause further provides for the Minister to apply to the ERD Court for enforcement of the undertaking if the Minister considers that the person has contravened the undertaking. It is an offence with a maximum penalty of \$50,000 for a person to contravene an undertaking that is in effect.

#### 95—Civil remedies

This clause provides for applications to be made to the ERD Court for civil remedies as set out in the clause.

#### 96—Annual report

This clause requires the Minister to cause an annual report to be published (and made available on the register) in respect of the following in respect of the previous financial year:

- the results of any authorised investigations;
- the number of compliance directions and emergency directions issued.

#### Part 8—Offences and penalties

#### 97—False or misleading statements

This clause makes it an offence with a maximum penalty of \$150,000 for a person, in giving information under the measure, to—

- make a statement knowing it to be false or misleading; or

- omit any matter from a statement knowing that without that matter the statement is false or misleading.

#### 98—Offence relating to licence

This clause sets out the following offences:

- offence with a maximum penalty of \$250,000 for a licensee who contravenes a term or condition of their licence;
- offence with a maximum penalty of \$250,000 for a licensee to undertake authorised operations otherwise than in accordance with the terms and conditions of their licence;
- offence with a maximum penalty of \$150,000 for a person who, without lawful excuse, obstructs or hinders a licensee in the reasonable exercise of rights conferred under the measure.

#### 99—Offences regarding authorised officers

This clause sets out the following offences:

- offence with a maximum penalty of \$15,000 for a person who obstructs, hinders, threatens or attempts to influence an authorised officer in the exercise of a power;
- offence with a maximum penalty of \$15,000 for a person who impersonates an authorised officer.

#### 100—Civil penalties

This clause provides for the manner in which the Minister may, if satisfied that a person has committed an offence by contravening a provision in the measure, as an alternative to criminal proceedings, recover, by negotiation or by application to the ERD Court, an amount as a civil penalty in respect of the contravention.

#### 101—Additional orders on conviction

This clause provides that if a person is convicted of an offence in the measure, the court by which the conviction is recorded may, in addition to any penalty that it may impose, and to any other order that may be made under this measure or any other Act, make 1 or more of the following orders:

- an order requiring the person to take any specified action (including an order to rectify the consequences of any contravention of this measure, or to ensure that a further contravention does not occur);
- an order requiring the person to make good any environmental damage and, if appropriate, to take specified action to prevent or mitigate further harm to the environment;
- an order requiring the person to publicise the contravention of this measure and any environmental or other consequences, and the other orders (if any) made against the person;
- an order requiring the person to pay into the Fund an amount determined by the court to be equal to a fair assessment or estimate of the financial benefit that the person, or a related body corporate, has gained, or can reasonably be expected to gain, as a result of the contravention of this measure;
- an order requiring the person to pay to any person who has suffered loss or damage to property as a result of the acts or omissions constituting the offence, or incurred costs or expenses in taking action to prevent or mitigate such loss or damage, compensation for that loss or damage and reasonable reimbursement for those costs or expenses.

The clause further provides that a court may, in making such an order, fix a period for compliance and impose other requirements the court considers necessary or expedient for the enforcement of the order.

#### 102—Continuing offences

This clause provides for the liability of a person who is convicted of an offence in respect of a continuing act or omission.

#### 103—Offences by bodies corporate

This clause makes additional provisions in relation to a body corporate who may be found guilty of an offence.

#### 104—Time limits

This clause sets out the time requirements for commencement of criminal proceedings for an alleged offence.

#### 105—Evidentiary provisions

This clause sets out a range of provisions relating to the evidentiary value of various statements and documents in the measure.

#### Part 9—Appeals to ERD Court

##### 106—Appeals to ERD Court

This clause sets out the decisions under the measure in relation to which an appeal may be made to the ERD Court, and the manner in which those appeals are to be dealt with by the Court.

#### Part 10—Hydrogen and renewable energy register

##### 107—Hydrogen and renewable energy register

This clause provides that the Minister must establish and maintain a hydrogen and renewable energy register. It further sets out the matters that the register must contain and the manner in which the register is to be maintained and accessed.

#### Part 11—Miscellaneous

##### 108—Delegation

This clause provides a power of delegation for the powers or functions of the Minister.

##### 109—Confidentiality

Subclause (1) creates an offence with a maximum penalty of \$10,000 for a person engaged, or formerly engaged, in the administration of the measure to divulge or communicate information relating to trade processes or financial information obtained in the course of official duties otherwise than in accordance with the matters set out in the provision.

Subclause (2) provides that subclause (1) does not prevent disclosure of statistical or other data that could not reasonably be expected to lead to the identification of any person to whom it relates. Subclause (3) provides that if the Minister publishes information, the Minister may exclude from publication certain confidential matters as set out in the provision.

##### 110—Exemptions

This clause provides for the manner in which the Minister may—

- exempt a licensee from complying with a term or condition of their licence; or
- exempt a person from the operation of this measure or a specified provision of the measure; or
- exempt an activity or a class of activity from requiring authorisation under the measure.

##### 111—Charge on property if debt due to Crown

This clause provides that a charge on property (other than real property) if the owner of the property is liable to pay a debt due to the Crown under the measure.

##### 112—Avoidance of duplication of certain procedures required under Commonwealth law

This clause makes a range of provisions to avoid unnecessary duplication of procedures and compliance requirements under a relevant Act and this measure where an activity requires authorisation under this measure and approval or assessment under a relevant Act. *Relevant Act* is defined as—

- the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth;
- the *Petroleum and Geothermal Energy Act 2000*;
- the *Planning, Development and Infrastructure Act 2016*;
- the *Work Health and Safety Act 2012*;
- any other Act prescribed by the regulations for the purposes of this definition.

##### 113—Administrative penalties

This clause provides for the manner in which the payment of administrative penalties may be made in relation to a person who has alleged to have contravened a provision of the measure after which the words 'Administrative penalty' appear.

##### 114—Regulations and fee notices

This clause provides that the Governor may make regulations for the purposes of the measure. The clause also provides power for the Minister to prescribe fees for the purposes of the measure by fee notice under the *Legislation (Fees) Act 2019*.

##### 115—Review of Act

This clause provides for the Minister to cause a review of the operation of the proposed measure on the 5 year anniversary of its commencement, and every 5 years after that commencement. The Minister must table a report on the review in both Houses of Parliament within 12 sitting days after its completion.



## Schedule 1—Related amendments and transitional provisions

Part 1—Amendment of *Mining Act 1971*

## 1—Amendment of section 6—Interpretation

This clause amends the definition of *owner* of land to include a reference to a person who holds a licence or permit under the *Hydrogen and Renewable Energy Act 2023*.

## 2—Amendment of section 9—Exempt land

This clause inserts a new paragraph that amends the definition of land that is exempt land in subsection (1) to include land that is situated within a distance prescribed by the regulations for the purposes of the proposed inserted paragraph from infrastructure (other than infrastructure of a prescribed kind) that is being constructed, installed, operated, maintained or decommissioned pursuant to the *Hydrogen and Renewable Energy Act 2023*.

## 3—Amendment of section 58A—Notice requirements

This clause recasts subsection (9) so that it extends the existing notice requirements in this subsection to an owner of land held under a hydrogen generation licence, a renewable energy infrastructure licence, an associated infrastructure licence or a special enterprise licence under the *Hydrogen and Renewable Energy Act 2023* in relation to which an approved statement of environmental objectives within the meaning of that Act is in force.

Part 2—Amendment of *Pastoral Land Management and Conservation Act 1989*

## 4—Amendment of section 3—Interpretation

The amendments in this clause are consequential on other amendments in this Part.

## 5—Amendment of section 4—Objects

This amendment is consequential on the deleting of reference to wind farms and the substitution of the terms *renewable energy infrastructure* and *associated infrastructure activity* within the meaning of the *Hydrogen and Renewable Energy Act 2023*.

## 6—Amendment of section 9—Pastoral Land Management Fund

This amendment is consequential.

## 7—Amendment of section 22—Conditions of pastoral leases

These amendments are consequential on the enactment of the *Hydrogen and Renewable Energy Act 2023*.

## 8—Amendment of section 31—Alteration of boundaries

This amendment is consequential on the amendment to section 32.

## 9—Amendment of section 32—Resumption of land

The amendment in this clause will allow for the resumption of land for the purposes of a hydrogen generation facility or an associated infrastructure activity.

## 10—Amendment of section 39—Compensation

This clause inserts a new subsection (3) which provides that if the resumption of pastoral land is for the purposes of a hydrogen generation facility or an associated infrastructure activity, the Minister may recover the amount of the compensation that the Minister is liable to pay under this section from the holder of, or the applicant for, the relevant licence.

## 11—Repeal of Part 6 Division 4

The repeal of this Division is consequential on the proposal in the measure to regulate solar energy facilities and wind farms under the *Hydrogen and Renewable Energy Act 2023*.

Part 3—Amendment of *Petroleum and Geothermal Energy Act 2000*

## 12—Amendment of section 4—Interpretation

This clause amends the definition of *owner* of land to include a reference to a person who holds a licence under the *Hydrogen and Renewable Energy Act 2023*.

Part 4—Amendment of *Planning, Development and Infrastructure Act 2016*

## 13—Amendment of heading to Part 12

This amendment inserts a reference to *renewable energy* into the heading to Part 12.

## 14—Amendment of section 160—Mining tenements to be referred in certain cases to Minister

The amendments in this clause ensure that a renewable energy matter may be referred to the Minister under this Act in the same circumstances and in accordance with the same considerations as apply to the referral of a mining matter under the current provisions of the section. A *renewable energy matter* is defined as an application for a licence under the *Hydrogen and Renewable Energy Act 2023* or a proposed statement of environmental objectives under that Act.

15—Amendment of section 161—Related matters

These amendments are consequential.

Part 5—Transitional provisions

16—Interpretation

This clause defines terms to be used in the Part.

17—Transitional provisions

This Part provides for the manner and circumstances in which persons with development authorisations under the *Planning, Development and Infrastructure Act 2016* relating to the operation of a hydrogen generation facility, renewable energy infrastructure or associated infrastructure may apply for a licence under the proposed measure.

Debate adjourned on motion of Hon D.G.E. Hood.

At 17:28 the council adjourned until Tuesday 31 October 2023 at 14:15.