LEGISLATIVE COUNCIL

Tuesday, 14 November 2023

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

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

Bills

STATUTES AMENDMENT (OMBUDSMAN AND AUDITOR-GENERAL) BILL

Assent

His Excellency the Governor's Deputy assented to the bill.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the President—

Report of the Auditor-General—Report 10 of 2023:
State finances and related matters

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

Reports, 2022-23—
Coast Protection Board
Defence SA
Department for Environment and Water
Department for Industry, Innovation and Science
Environment Protection Authority
Green Industries SA
National Agreement on Closing the Gap
Native Vegetation Council
StudyAdelaide
Regulations under Acts—
Environment Protection Act 1993—General
Native Vegetation Act 1991—Yoorndoo Ilga Solar Project
Southern State Superannuation Act 2009—Miscellaneous
Super SA Triple S Insurance Review as at 30 June 2022

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

Reports, 2022-23—
Electoral Commission of South Australia
Surveillance Devices Act 2016—Revised
Training Centre Review Board
Dangerous Area Declarations Return under the Summary Offences Act 1953 for the period
1 July 2023 to 30 September 2023
Road Blocks Return under the Summary Offences Act 1953 for the period
1 July 2023 to 30 September 2023

By the Minister for Industrial Relations and Public Sector (Hon. K.J. Maher)—

Office of the Commissioner for Public Sector Employment—Report, 2022-23

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

Reports 2022-23—
Adelaide Venue Management Corporation
Cross-border Commissioner
Grain Producers South Australia
South Australian Multicultural Commission
South Australian Tourism Commission
The Department of Primary Industries and Regions
By-laws under Acts—
City of Playford—No. 9—(Miscellaneous) Amendment
Regulations under Acts—
Heavy Vehicle National Law (South Australia) Act 2013—Vehicle Standards
Petroleum and Geothermal Energy Act 2000 compliance report dated 2022

Parliamentary Committees

STATUTORY OFFICERS COMMITTEE

The Hon. I.K. HUNTER (14:22): I bring up the report of the committee on the appointment of the Ombudsman pursuant to section 151 of the Parliamentary Committees Act 1991.

Report received and ordered to be published.

Motions

OMBUDSMAN

The Hon. I.K. HUNTER (14:22): I seek leave to move a motion without notice in respect of the recommendation contained in the report of the Statutory Officers Committee.

Leave granted.

The Hon. I.K. HUNTER: I move:

That a recommendation be made to Her Excellency the Governor to appoint Ms Emily Strickland to the Office of the Ombudsman and that a message be sent to the House of Assembly transmitting this resolution and requesting its concurrence thereto.

On 20 July this year, Mr Wayne Lines informed Her Excellency the Governor that he would be resigning from the position of Ombudsman, with the resignation to take effect from 31 December. In August this year, the Statutory Officers Committee accepted an offer from the Attorney-General's Department to assist in undertaking a recruitment process to advertise, shortlist and interview candidates for the position. The selection panel was convened and the position was advertised in mid-September.

In late October, the selection panel provided the committee with a shortlist of three applicants, all of whom held the required knowledge, skills and expertise to perform the role. The committee met to interview the shortlisted applicants and has resolved to recommend unanimously the appointment of Ms Emily Strickland to the position of Ombudsman.

Ms Strickland has extensive experience in public law in South Australia, New South Wales and the UK, in areas such as planning, native title, treasury and the Office of the Ombudsman in South Australia, including seven years as Deputy Ombudsman. I commend the motion to the council.

Motion carried.

Question Time

AMBULANCE RAMPING

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:28): I seek leave to make a brief explanation before asking a question of the Leader of the Government in this place regarding the safety and wellbeing of South Australians.

Leave granted.

The Hon. N.J. CENTOFANTI: In February 2022, the leader's government campaigned heavily—

Members interjecting:

The PRESIDENT: The Hon. Mr Wortley, this is about your 17th strike—19th strike.

The Hon. N.J. CENTOFANTI: In February 2022, the leader's government campaigned heavily with a slogan to South Australians to vote for Labor like their life depends on it and a promise that the government would 'fix ramping'. Ambulance ramping for the month of February 2022 totalled 1,522 hours. Now, 18 months later, ramping has more than doubled with record ramping at 3,322 hours for the month of October.

On Friday 10 November, *The Advertiser* reported on the sad story of an elderly grandmother who was forced to wait for two hours on the floor of an Adelaide CBD gaming room after injuring herself. The operator allegedly asked the caller to not get upset after he made repeated calls to 000. The operator allegedly said, and I quote: 'You don't know what the pressures are on the system.' Clearly, the government engaged in empty rhetoric in February 2022 in a shallow attempt to win votes and have not been able to fulfil an election promise. My questions to the leader are:

1. Will the government acknowledge that the ramping problem has worsened since the 2022 state election?

2. Will the government agree that their failure in this area represents a broken election promise and apologise to South Australians forthwith?

3. How many lives have been lost as a result of the government's failure?

4. Will the government apologise in particular to families and friends of lost loved ones?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:30): I thank the member for her question. Notwithstanding the probably out-of-order opinion that was right throughout the question, I will be happy to pass that on to the minister in another place and bring back a reply, but saying I just don't agree—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: I don't accept much of what—

Members interjecting:

The PRESIDENT: Order!

COMMERCIAL FISHERIES REVIEW

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:31): I seek leave to provide a brief explanation before asking a question of the Minister for Primary Industries concerning the government's independent review into cost recovery of the seafood and aquaculture industries.

Leave granted.

The Hon. N.J. CENTOFANTI: On the PIRSA website it states, and I quote:

> The Minister believes that this review is highly important and has the potential to reshape the funding model used within South Australian fisheries and aquaculture.

It has been at least four months since the finalisation of the report and the minister is still refusing to release the report, despite demands made by both the opposition and industry stakeholders. Just today, I received a refusal from her department, PIRSA, to release a copy of the report under the Freedom of Information Act. My questions to the minister are:

1. If the minister thinks that this review is so highly important and has such great potential then why has she not released the independent report to industry stakeholders?

2. What is in the report that the minister does not want to disclose to industry or the opposition?

3. Does the minister agree that by withholding the report she is acting unconscionably?

4. Will the minister admit that she and her government do not care about the fishing industry, have lost the confidence of that industry and are failing at their jobs?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:32): I thank the honourable member for her question. The Independent Cost Recovery Review Panel submitted its final report to PIRSA in mid-October. I have had an initial brief from the department and have, of course, read both reports and am currently considering their recommendations. I have asked my department for a full briefing that includes the implications of each of the recommendations, and that is now underway, according to my advice. Once that has been received, I will be able to discuss the next steps and I, of course, would expect that discussions with industry would form a significant part of that.

COMMERCIAL FISHERIES REVIEW

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33): Supplementary: will the report that has been given to the minister be made publicly available or, at the very least, available to industry stakeholders?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:33): That will form part of my considerations.

REGIONAL HOUSING

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33): I seek leave to provide a brief explanation before asking a question of the Minister for Regional Development on the topic of housing in the regions.

Leave granted.

The Hon. N.J. CENTOFANTI: On Wednesday 1 November, in response to one of the numerous, some may say excessive, questions in the chamber about country cabinet, the minister in this place said in relation to the government's Bordertown housing project that she was glad to be, and I quote, 'able to participate in the announcement of a huge housing boost in the local area'. The minister also said:

> …to construct five key worker homes and contribute to civil works which will play a significant role in developing up to 60 new homes on the 5.8-hectare site, and hopefully will play some role in addressing the regional housing crisis in Bordertown.

The minister also said, and I quote:

> …Bordertown has a near zero rental vacancy which, if not addressed, will hurt the region's economic growth and its ability to attract and retain the workforce required for essential services in the region.

Meanwhile, in the other place, the Minister for Environment and Water was asked the same question and responded as follows:

> SA Water has put into the RD24—

which is short for regulatory determination 2024-2028—

> the regulatory proposal for the next regulatory period, a serious groundwater monitoring process which is going to be built into planning what the trajectory of that water supply is, and therefore what options are required. Several options have been canvassed: a desalination plant so that the brackish water can be used is one; an additional pipeline is also possible from the Murray; and there is also an alternative treatment for the water that has been proposed. All of that will be considered alongside this additional groundwater monitoring. During that regulatory period, we will be in a much better position to determine the future. We have conveyed that to Bordertown. They remain, obviously, concerned about wanting to be able to grow, and I believe this will be an ongoing discussion.

In essence, the minister in the other place was saying that there were no definitive and definite plans relating to the provision of extra water in Bordertown prior to 2028. So my questions to the minister are:

1. In line with the comments made by the Minister for Environment and Water in the other place, can the minister confirm that indeed no extra water will be available to Bordertown prior to 2028?

2. How can the Malinauskas government make a promise to build an extra 60 houses in Bordertown before 2028 given that it has no substantive plans to provide the necessary infrastructure?

3. Is this another one of the government's empty promises?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:36): I thank the honourable member for her question. First of all, I would certainly want to be checking the accuracy of what the Leader of the Opposition is alleging. As we know, they are often quite happy to take things out of context or to misrepresent information, so I would be happy to check the information that is provided as the premise of the question. However, what I can say is that some of what she is representing there simply shows that planning and discussions are underway, as they should be.

REGIONAL HOUSING

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:37): Supplementary question: once the minister has checked the accuracy of those comments, will she bring back a reply to the chamber?

The PRESIDENT: You did focus on the accuracy, minister.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:37): Happy to do so as appropriate.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Wortley, with your phone on silent, we would love to hear from you.

SOUTH AUSTRALIAN AGRICULTURAL TOWN OF THE YEAR AWARD

The Hon. R.P. WORTLEY (14:37): My question is to the Minister for Primary Industries and Regional Development. Can the minister inform the chamber about the recent regional showcase awards—

Members interjecting:

The Hon. R.P. WORTLEY: Mr President, can you please protect me from this outrageous outburst.

The PRESIDENT: The Hon. Mr Wortley, you don't look like you are scarred at all. Play on.

The Hon. R.P. WORTLEY: Okay. My question is to the Minister for Primary Industries and Regional Development. Can the minister inform the chamber about the recent Regional Showcase awards celebration event, which included the announcement of the AgTown of the Year winner for 2023?

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. It was a real privilege and pleasure to attend the Regional Showcase awards celebration last Thursday evening at the picturesque Vale Brewing, Restaurant and Bar in McLaren Flat.

Members interjecting:

The Hon. C.M. SCRIVEN: I am sorry to hear that those opposite are not interested in this important regional event, and therefore they are jumping in with various interjections. I think it is a real shame that those opposite are again showing their disregard for the regions.

The event is delivered by Solstice Media, publishers of InDaily, and is supported by the Department of Primary Industries and Regions (PIRSA) as its major sponsor. Now in its 24th year,

the Regional Showcase awards aim to shine a spotlight on regional South Australia by uncovering and showcasing stories of success that demonstrate the richness and strength of our regions.

Several awards are announced on the night, and of course the most prominent of those, in my view at least, is the title of AgTown of the Year. This competition is now in its fifth year, and the award highlights the vital role that agriculture plays in the regional landscape, recognising towns that are supporting advanced agricultural practices, thriving primary industries and regional development. By promoting the strengths and successes of regional industries and communities, the award aims to play a role in attracting and retaining people to regional locations.

I think I have previously informed the chamber about how tightly fought this year's contest has been, with the independent judging panel convening for an extra day to select the three finalist towns. I have also been informed that splitting the finalists to actually announce and choose a winner was not any easier. The judging panel travelled to each town and met with prominent locals to discuss how each town supports primary industries, invests in leadership development activities, demonstrates resilience and attracts people to move in and call these townships home.

The judges emphasised how compelling each case was, and this was reflected in the high-quality video content that was showcased at the awards ceremony. Ultimately, however, there can be only one winner and the 2023 AgTown of the Year was announced as Wudinna. Wudinna is a town of just 548 people, with agriculture at the heart of its history and at the heart of its future.

The huge 70-tonne sculpture at the entrance to the town, the Australian Farmer Statue, captures the contribution that farming has made to the township and also to the broader region. Carved out of the rich granite deposits that surround the town, its design is embellished with grain crops and sheep, symbolising the lifeblood of the region—dryland farming. Agriculture employs 43.8 per cent of the town's workforce and makes up 73.5 per cent of the town's exports, so clearly a very significant industry.

Wudinna is a hub for Eyre Peninsula's grain, cattle and sheep industries. Major agribusinesses, farming machinery and earthmoving suppliers are based in the town, which is also home to a leading low-rainfall research body, the farmer-owned AIR EP, as well as the Eyre Peninsula Cooperative Bulk Handling, which supports grain storage, handling and supply chain logistics.

Looking to the future, the judging panel was particularly impressed by how agriculture has been incorporated into the local area school's curriculum, with each year level from reception to year 12 delving into aspects of plant and animal production. The judging panel also highlighted how the community is demonstrating resilience by using the good times to prepare for the bad, by putting together an adverse event plan as well as other strategic plans. Wudinna will now receive town signage noting its achievement, a community celebration event and promotion through *SALIFE* magazine and InDaily. Once again, I would like to thank all the 49 regional towns nominated for the award.

To finish off, also awarded on the night was the PIRSA-sponsored Regional Resilience Award, won by Riverland Wine, and photographer Matt Wilson, for their photo exhibition at the National Wine Centre. This exhibition paid tribute to the resilience and successes of local Riverland wine families, industry innovators and wine personalities, particularly in the face of our Chinese tariffs, rising transport costs and lower tourism numbers as a result of the River Murray flood. Other awards announced on the night included:

- the Business Innovation Award, won by Farmer to Fridge for its platform connecting consumers directly with local farmers;
- the Community Empowerment Award, won by MAX Services for its recruitment and training programs;
- the Lifelong Learning Award, won by Leigh Creek Area School and the University of Adelaide's Mobile Language Team for the installation of bilingual signage along the Akurra Trail;

- the Meaningful Connections Award, won by the Victor Harbor Library Playgroup for its intergenerational program; and
- the People's Choice Award, won by Kangaroo Island's Feral Cat Eradication Project.

I congratulate all the winners, especially Wudinna on being the AgTown of the Year.

PORT LINCOLN RSL

The Hon. S.L. GAME (14:43): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries regarding the Port Lincoln RSL.

Leave granted.

The Hon. S.L. GAME: InDaily recently reported that the Port Lincoln RSL is asking for public support after federal government funding that assists volunteers to maintain their local cemetery for veterans was withdrawn in June this year. The Garden of Remembrance is owned by the Port Lincoln RSL and is the final resting place of more than 550 veterans and their spouses. It has traditionally been maintained with the support of an annual federal government grant of $25,000 and donations from the community.

The Garden of Remembrance is one of only four cemeteries in Australia entirely owned and maintained by the local RSL. A GoFundMe campaign has been initiated by the Port Lincoln RSL, and it is investigating other government grants and avenues for funding the maintenance of the cemetery. My questions to the minister are:

1. Is the government aware the Port Lincoln RSL has had its funding cut, making it difficult to fulfil its commitment to maintaining the graves of our veterans, and has the government approached the federal Minister for Veterans' Affairs to have this funding reinstated?

2. In the absence of federal funding assistance, will the Malinauskas government financially assist the Port Lincoln RSL?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:45): I thank the honourable member for her question. I will refer it to the Minister for Veterans Affairs in the other place and bring back a response.

ADELAIDE PARKLANDS

The Hon. J.S. LEE (Deputy Leader of the Opposition) (14:45): I seek leave to make an explanation before directing a question to the Minister for Aboriginal Affairs on the topic of Adelaide Parklands dry area regulation.

Leave granted.

The Hon. J.S. LEE: On 9 November, it was reported by InDaily that Adelaide City Council has resolved to ask the state government for an extension of the Adelaide Parklands dry area regulation for a further two years, until June 2025. However, council administration conceded that there are inadequacies in how the dry zones are being monitored and were concerned about the lack of data on the effectiveness of alcohol bans.

Adelaide City Council central ward councillor David Elliott has also stated, and I quote, 'this hasn't been a data informed policy from the start'. He goes on to state that there is 'a really deep sense from almost all the members of the Reconciliation Committee that this is a very targeted and a very race-based policy that has unequal outcomes and unhelpful outcomes for Aboriginal people'. My questions to the Minister for Aboriginal Affairs are:

1. Does the minister agree with the Reconciliation Committee's assessment that the implementation of the dry zones in the Adelaide Parklands is a targeted, race-based policy that has unequal and unhelpful outcomes for Aboriginal people?

2. Can the minister inform the chamber if the government is intending to extend the Adelaide Parklands dry area regulation?

3. Will the minister and the government commit to a monitoring and evaluation process of the dry zones to ensure that the program is actually effective at curbing alcohol-related problems

in public areas and is not incurring a disproportionately negative impact on Aboriginal and Torres Strait Islander people?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:47): I thank the honourable member for her question. Policy responses such as dry zones apply equally to all people in a particular area. I know that for many years there have been dry zones right throughout metropolitan and indeed in some country areas, particularly foreshore areas, in regional South Australia.

Generally, dry zones are in the purview of the liquor licensing regime, and that comes under my colleague Minister Michaels, but I will be happy to talk to the minister in relation to where any specific application, as the honourable member has referred to, is at. In relation to specific dry zones such as those that apply around the Adelaide CBD, I have talked in this place a number of times about some of the complementary services that governments in the past—the previous Liberal government and this government—have run, particularly for Aboriginal people.

COMMUNITY JUSTICE SERVICES

The Hon. R.B. MARTIN (14:48): My question is to the Attorney-General. Will the minister please inform the council about his recent meeting with legal practitioners in the South-East and the new community legal centre office in Mount Gambier?

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 his question. I have spoken a number of times in this place over the last almost two years about community legal centres, particularly Community Justice Services SA.

CJS is a community legal centre currently with services in southern metropolitan Adelaide and the South-East region of South Australia. CJS have outgrown their existing premises in Mount Gambier on Commercial Street, and this month are in the process of moving to a larger premises across the road on Commercial Street, where they will be co-located with Centacare. Their new space will include a boardroom to host meetings and community legal education sessions and a full kitchen and lunch area for staff, which they sadly lack in their current space.

Much larger than the previous premises, the new space will allow CJS to co-locate with other legal service providers, including Women's Legal Service SA, which provides a face-to-face service in the region for women experiencing or at risk of family and domestic violence. The larger space will also allow for visiting practitioners to have appropriate workspaces when in the region servicing local people, particularly at the Mount Gambier Magistrates Court. I certainly wish CJS all the best in their move to their new office and am excited for their expansion and the expansion of other community services that I have spoken about in this place before.

Whilst it was recently a pleasure to meet with representatives from the Limestone Coast Community Justice Centre, Katherine and Jess from the Mount Gambier office, as well as Cathy McMorrine, the CEO of Community Justice Services SA, I was also fortunate recently to hold meetings with other members of the legal fraternity in the South-East to discuss their work as regional lawyers.

In addition to the Community Justice Centre's legal practitioners, I had an opportunity to meet with a number of local private practitioners, so in addition to hearing about the Community Justice Services' imminent move into new premises, I was fortunate to hear from all attendees about the work they do in the regions, which often involves practising across many different areas and jurisdictions.

Of particular interest to local practitioners was the passage through this parliament recently of the Succession Bill, which has been a decade in the making. It will hold particular interest for estate planning, which of course is of critical interest to many regional practitioners. It was very important to hear about the local work that lawyers in the South-East are doing serving their community.

SHARK MANAGEMENT

The Hon. C. BONAROS (14:51): I seek leave to make a brief explanation before asking the Minister for Primary Industries and Regional Development a question about white shark management.

Leave granted.

The Hon. C. BONAROS: White sharks are a protected species—a threatened species—in South Australia's waters under section 71 of the Fisheries Management Act and also the EPBC Act. According to the CSIRO, over 100 white sharks measuring between three and over five metres in length have been fitted with tracking devices in waters around the Neptune Islands. They are known to be elusive, meaning we rely on anecdotal numbers more than anything.

Anecdotally, marine users have cited significant increasing numbers of white sharks in marine waters since they were listed as a threatened species some 20 years ago and this morning we heard a minister from the Labor government on radio saying that the aerial patrol of white sharks was going to be brought forward as a result of concerns being raised. We know there have been in the last six months two individuals, sadly, killed and another two injured in the last month.

My question to the minister is: aside from a monitoring program, what other plans does the government have, or indeed what other measures does the government have, in place to deal with the management of white sharks?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:53): I thank the honourable member for her question, which of course is particularly topical at the moment and I'm sure that I would be joined by all in extending our condolences to the family and friends of those who have lost their lives recently and also our thoughts and best wishes to those who have sustained injuries in recent times.

First of all, in terms of aerial patrols, the honourable member is right in that aerial shark patrols on South Australia's highest risk beaches will commence two weeks ahead of schedule. A full complement of shark surveillance aircraft will start from this Saturday 18 November to monitor beaches from North Haven to Rapid Bay and between Victor Harbor and the Murray Mouth. These are fixed-wing aircraft, which will fly daily until Easter over metropolitan areas, with flights to be extended to the south coast on weekends, school holidays and public holidays, and provide multiple flights over our highest populated and aquatic activity beaches.

Historically, it's been the first week in December that has aligned with increased beach activity, with warmer weather arriving and school holidays commencing, but following last week's shark attack and the early onset of hot weather, the shark patrol will commence two weeks early. The Malinauskas government has provided more than $460,000 each summer for the shark patrol program. The early commencement is very much about reducing the anxiety that some South Australians may be feeling as a result of recent tragic attacks.

Of course, where other efforts may be required to protect South Australians, the government will consider those in a collaborative approach across agencies and stakeholders. I am and will continue to be in further discussions with my colleagues, in particular the Minister for Environment and Water, particularly in regard to the efficacy and practicality of deploying various options, some of which have been publicly suggested in recent days, and looking at those options across our vast range of beaches across South Australia.

For members' information, it is section 71 of the Fisheries Management Act where great white sharks are protected and it is an offence to take, injure or interfere with a great white shark. The maximum penalty is $20,000 for an individual and $100,000 for a company. I note that there have been anecdotal reports of increased numbers of great white sharks. I am not aware at this stage of confirmed scientific data on that. South Australia has a shark response plan that sets out agency responsibilities in the event of a shark attack. Primarily, if a shark attack occurs, SAPOL is the lead agency and PIRSA provides assistance.

In terms of shark deterrence and mitigation measures that the honourable member asked about, the advice that I have is that due to the highly migratory behaviour and transient nature of

sharks, the likelihood, first of all, of being able to identify an individual shark that might be responsible for attack is very low. As a result, it's not government policy to attempt to seek out individual sharks responsible for attacks. However, where sharks of any species pose an imminent threat to human life and it's in the public interest in South Australia, police and fisheries officers are empowered to take immediate action to ensure the safety of people in the water.

In South Australia, a number of non-lethal measures are adopted to mitigate the risk of shark interactions with beach users. Both fixed-wing and helicopter patrols of beaches are conducted to locate sharks. PIRSA also maintains a shark sighting log, which reports sightings from these patrols, as well as sightings by the public and SAPOL. South Australian surf lifesaving clubs were provided with drones to enhance the monitoring of sharks across beaches of South Australia to increase the aerial patrol capability.

There are a number of other mitigation measures that have been adopted or trialled in other states. I might just outline a couple of those and some of the discussions around them. Baited drum lines are heavy fishing gear designed to catch large sharks, which are attached to large floats. These lines also capture non-target sharks and other animals, including rays. They require ongoing monitoring and maintenance and, obviously, the capture of those other marine life is not ideal.

Smart drum lines are designed similar to those baited drum lines, but they use circle hooks that are designed to allow for the release of the captured shark. An alert is sent to a monitoring station when an animal takes a bait on the set line and a responder then tags and relocates the shark offshore. It is a non-lethal method for sharks, which obviously is positive; however, it is very labour intensive and therefore its applicability is somewhat limited.

There is shark acoustic and satellite tagging, which can provide real-time monitoring of the locations of tagged sharks; however, that has limited efficiency as untagged sharks can't be monitored. That is one of those limitations. Shark nets have also been raised as a suggestion here in South Australia. Shark nets, of course, are set outside beaches and they are not complete barriers because sharks can swim over, under and around them. Also, nets can capture a range of non-target shark species and other bycatch, including rays, turtles and marine mammals. I am advised that nets can also be fitted with acoustic and magnetic devices to deter non-target animals, including marine mammals, but the efficacy of those devices has not been definitively shown.

Shark enclosures at beaches include eco nets, and they can provide full exclusion of sharks from an area. They are non-lethal to sharks and other large animals, while allowing the passage of small marine animals, so therefore have some advantages over some of the other methods; however, the nets are obviously limited to the area that can be covered. I am advised that a trial of eco nets in New South Wales was aborted prior to being finalised due to the failure of the infrastructure in heavy weather conditions.

Shark detection devices located outside beaches send an alert when a shark is detected. The effectiveness of those devices is limited as they are only able to detect sharks over short distances, according to my advice. Personal shark deterrents, including shark shields, provide individual protection, including in remote areas; however, the effectiveness of those devices is not guaranteed. Education programs provide information to beach users on safe practices to reduce the risk of shark attacks on individuals. Obviously, education is an important aspect but, of course, that cannot entirely prevent shark attacks.

We continue to look at the various options available and analyse the results that have come from trials interstate or elsewhere, and we will continue to work on what will be most appropriate for South Australia.

SHARK MANAGEMENT

The Hon. C. BONAROS (15:00): Supplementary: given what the minister has just outlined, has consideration actually been given to a review or consideration of the implementation of a management plan, including exclusion zones, to ensure the safe coexistence of marine users and marine species in South Australia?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:01): I thank the member for her supplementary question. I think

it's fair to say that there is ongoing review of the approaches. Any shark attack is obviously particularly concerning and where that results in a fatality it is obviously tragic. Fortunately, in South Australia, fatal shark attacks are reasonably rare but, of course, we would prefer that none occur whatsoever. In terms of that ongoing review, I will certainly get an update from my department to see if there is anything that I haven't as yet covered in my answer today.

SHARK MANAGEMENT

The Hon. C. BONAROS (15:02): Further supplementary: does the minister accept, based on what she said at the outset, that the increased numbers of white sharks are resulting in them creeping forwards into our shores and therefore posing a risk to individuals using our waters for recreational purposes?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:02): I thank the honourable member for her additional supplementary question. I think what I said at the beginning of the answer was that I am not aware of any scientific data to indicate a significant increase in the numbers. I think that was the basis of her supplementary question.

SHARK MANAGEMENT

The Hon. C. BONAROS (15:02): Last supplementary: does the minister accept the anecdotal evidence provided by marine users who are reporting that they are having more and more sightings of white sharks, and that they are creeping closer to our shores where swimmers are at risk of attack?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:03): I thank the honourable member for her additional supplementary question. I have heard the member in public forums, on radio, alluding to this. I haven't had any briefings to indicate that we have had that feedback directly to PIRSA. However, we do have various feedback lines, as I mentioned, and I will get an update from my department on that.

DRIVING OFFENCES

The Hon. H.M. GIROLAMO (15:03): I seek leave to make a brief explanation before asking a question of the Attorney-General regarding licensing laws.

Leave granted.

The Hon. H.M. GIROLAMO: On Monday, Mr Christopher Bennett was charged with aggravated driving without due care, and driving disqualified, due to an accident that killed Mr Brad Thompson, a husband and father of two, who passed away in front of family members at the scene of the crash last Sunday.

Mr Bennett, who has since been bailed under supervision, had previously had his licence disqualified at least 11 times prior to this incident, despite being only 29 years old. It is understood Mr Bennett had been disqualified from driving just eight days before this fatal accident occurred. My question to the Attorney-General is: will the Attorney-General review South Australia's current legislation to ensure drivers with a history of repeatedly losing their licence are not permitted on our roads prematurely or without due prudence to the safety of our community?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:04): I thank the honourable member for her question. I think we all see reports like this and are quite frankly dismayed and horrified at what we see and the stupidity of some people. I have asked for advice in relation to this particular case. As the honourable member said, media reports indicate that the person had been disqualified 11 times previously and was, as I understand it and as the member has outlined, currently under a disqualification.

This person is therefore not allowed to be driving on our roads but chose to break the law and to do that. I absolutely will be looking at whether there is anything further that can or should be done. As I said, I have asked for a report and some advice on this matter. I am advised, though, that

the Supreme Court has provided guidance in Police v Cadd that imprisonment should be imposed as the ordinary case for wilfully disobedient driving while disqualified even by a first-time offender, but the circumstances of the offending or the offender or both may dictate some less severe form of punishment.

This is something that we as a parliament have decided is a very serious offence. It is something that the Supreme Court in their guidance have said is a very serious offence, but I will be getting some more advice about this particular matter.

DRIVING OFFENCES

The Hon. F. PANGALLO (15:06): Supplementary: will you now seek an appeal via the South Australian police to the bail decision for Mr Bennett to be remanded in custody until his next court appearance, in light of what you just said?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:06): I thank the honourable member for his question. I should have mentioned that here before. I often talk about that when I answer questions about decisions that courts have taken. It is, of course, open to, I assume it is the police prosecution in the Magistrates Court, appeal. It is open to appeal if the decision doesn't fit what the authorities have laid down.

We do very, very regularly see appeals launched, either by the DPP for major indictable offences or for matters in the Magistrates Court by the police, in relation to these matters. I am absolutely confident that the authorities, which I am assuming for this case in the Magistrates Court will be the police, will be considering just that.

DRIVING OFFENCES

The Hon. F. PANGALLO (15:07): Further supplementary: given the figures that were supplied to me by the Department for Infrastructure and Transport that only one in nine repeat disqualified drivers are jailed—

The PRESIDENT: The Hon. Mr Pangallo, you have to ask a question. You just have to ask a question. Don't give background. Just ask the question.

The Hon. F. PANGALLO: Given that only one in nine disqualified drivers are ever jailed, will he now look at increasing the penalties, as well as being able to deny bail to compulsive repeat offenders?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:08): I thank the honourable member for his question. As I said to the Hon. Ms Girolamo, I have asked for advice on this matter, so I will be asking those sorts of questions.

NO-ALCOHOL AND LOW-ALCOHOL WINE RESEARCH FACILITY

The Hon. J.E. HANSON (15:08): My question is to the Minister for Primary Industries and Regional Development. Can the minister inform the chamber about the progress of the trial-scale research facility that supports the development of the no and low-alcohol wine sector in South Australia?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:08): I thank the honourable member for his question and his ongoing interest in this developing market. Excitingly for the wine sector, the first batch of South Australian wineries have accessed the low and no-alcohol trial-scale production facility for new product development, with some promising results. Members may recall that back in April this facility was officially opened at the University of Adelaide Waite campus through an investment of $1.98 million from the state government.

The trial-scale production facility enables South Australian wine businesses to access both the equipment and, importantly, also the expertise to develop new, high-quality, no or low-alcohol wine products. I am advised that there has been strong industry engagement with the facility and

that bookings by industry to undertake new product development are in place through to the end of the year and beyond.

I am also advised that we are close to seeing the first products developed at the facility to be launched commercially into the marketplace. The Australian Wine Research Institute, along with the University of Adelaide and PIRSA, will be hosting a webinar on Monday 27 November to share some of the early learnings and outcomes from the facility.

I commend the work of the University of Adelaide and the Australian Wine Research Institute in supporting industry to diversify their product ranges and meet the increasing trends of consumers who are looking for lower and no-alcohol wines. Indeed, no and low-alcohol wine represents a strong new product growth opportunity for the South Australian wine industry, as businesses seek to diversify product offering to meet the demands of the modern consumer and gain market share.

In an exciting development for the NoLo project, a consortium of businesses, led by Australian Vintage Limited who are leaders in no and low-alcohol wine production, were awarded a Cooperative Research Centres project grant of $3 million by the commonwealth government. This grant, which leverages the original South Australian investment in the facility, will ensure researchers are equipped with the resources they need to unlock solutions to the sensory challenges created by removing alcohol from wine. I commend all of those involved and look forward to seeing further outcomes from this exciting project.

LGBTIQA+ COMMUNITY

The Hon. R.A. SIMMS (15:10): I seek leave to make a brief explanation before asking a question of the Minister for Regional Development on the topic of LGBTIQ equality in the regions.

Leave granted.

The Hon. R.A. SIMMS: In 2016 and 2017, the government of Victoria began a roadshow in rural and regional areas in their state as part of their LGBTIQ Equality Rural and Regional Program. The program is focused on, and I quote from the government of Victoria website:

> …improving mental health outcomes, boosting population retention and economic inclusion, building capacity for communities to empower themselves, developing lasting networks between LGBTI communities, services providers and government agencies and improving broader community support for inclusion and identity.

The government of Victoria advises that the:

> …roadshow visited more than 29 towns…engaging with local LGBTIQ+ communities, allies, business leaders, representatives of local service providers and local government.

An evaluation of the program found it had a positive impact on LGBTI people in regional Victoria with, and I quote from the website, 'LGBTI people reporting greater acceptance and displays of support in their communities.'

The government of Victoria is now developing a Rainbow Ready road map to respond to the needs of LGBTI people in the regions who were identified during the roadshow. My question to the minister therefore is: does she have plans to hold a similar roadshow to engage with LGBTI people in regional South Australia and, if not why not?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:12): I thank the honourable member for his question. I am not aware of any government proposals to have such a roadshow. Certainly, as a government we have done a wide range of measures in terms of increasing the opportunities for communication and collaboration with various groups within the community. I am happy to check with the Minister for Human Services in the other place to see if there are any such plans.

LGBTIQA+ COMMUNITY

The Hon. R.A. SIMMS (15:12): Supplementary: will the minister consider the idea of a roadshow herself and, in particular, will she consider developing an LGBTIQ equality rural and regional program like her Victorian counterparts?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:13): Such a roadshow or policy or strategy would fall within the remit of the Minister for Human Services in the other place. She has certainly been very open to giving particular consideration to the needs of the community who are located in regional areas, for which I commend her. I will ask whether she has considered such a proposal to which the honourable member refers.

KALANGADOO POLICE STATION

The Hon. B.R. HOOD (15:13): I seek leave to provide a brief explanation before asking a question of the Minister for Primary Industries and Regional Development on the Kalangadoo Police Station.

Leave granted.

The Hon. B.R. HOOD: On 3 April 2019, the now minister spoke to her own motion expressing, and I quote, 'how important it is for the town of Kalangadoo that their police station stays open'. Given the recent reports that the Minister for Police has now closed the Kalangadoo Police Station, my question to the minister is: what does the minister say now to the Kalangadoo community, now that her government has backflipped on its position now that she is in government?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:14): I thank the honourable member for his question. I think he needs to perhaps go back a little bit and consider the four years of the former Liberal government. During that time, they were constantly asked—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —they were constantly asked whether they would reinstate the police station at Kalangadoo and they constantly failed to give a decision. There was no decision from the former Liberal government, and that was the kind of feedback that I was having from those in the local community. One of them was that at least they wanted certainty.

The policing review has, as I understand it, resolved in the station remaining closed. I think the honourable member's characterisation of it as somehow being recently closed is certainly a misrepresentation, given that it has been closed now for quite a number of years. However, in positive news, I was very pleased to be part of the advocacy for the attached house to become available for rental by non-police officers.

That was a related matter, the fact that there was a house that was erected not that many years earlier. It was in very good condition and, of course, was sitting empty because there was no police presence resident in Kalangadoo. I was pleased to write to the Minister for Transport and Infrastructure in the other place as well as liaising with the Minister for Emergency Services, also in the other place, and as a result of that advocacy—as well I might acknowledge from the Hon. Nick McBride, the member for MacKillop—

Members interjecting:

The Hon. C.M. SCRIVEN: He is certainly honourable. It's a shame that those opposite are indicating that the member for MacKillop isn't honourable.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: I think he has stood by his credentials, stood by his integrity in terms of his beliefs.

The PRESIDENT: Minister, I'm not sure it's up to you to confer the title 'honourable', but anyhow.

The Hon. C.M. SCRIVEN: Unfortunately, because of that, he didn't feel that he could retain his integrity and remain a member of the Liberal Party, it would appear. However, be that as it may,

I was very pleased with the outcome of those representations and that that home has now been available to others, who are other public sector employees who may need accommodation. That, of course, then relieves the private rental market, which frees up potentially another home for the private rental market.

So I am pleased that that has been an outcome, the decision has been made and the local community at least finally has an answer after four years of refusing to be able to get an answer from the former Liberal government.

WORKING WOMEN'S CENTRE

The Hon. M. EL DANNAWI (15:17): My question is to the Attorney-General. Will the minister inform the council about this year's annual general meeting of the Working Women's Centre South Australia?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:17): I certainly will, and I thank the honourable member for her question—

An honourable member: First question.

The Hon. K.J. MAHER: —very first question in the chamber, and it's a very appropriate question for someone who has spent a lot of her life protecting and looking after the interests of working women in South Australia. It was a great pleasure to join this year's annual general meeting of the Working Women's Centre in South Australia to recap on some of its successes but some of the difficulties this year at the centre.

I was pleased to see quite a number of my colleagues from this parliament in attendance, like the Hon. Tammy Franks, the Hon. Nat Cook and Sarah Andrews MP (member for Gibson), amongst others, at the AGM. There were many representatives of the trade union movement; volunteers, past and present, from the centre; members of the centre's management committee; and many others who dedicate much time to support the centre's invaluable work in advocacy.

While the centre's annual report and AGM were full of highlights and remarkable achievements of the centre furthering the rights of working women, reflections on the year had a sombre tone as the centre lost long-term fierce advocate and friend, Michelle Hogan, who members in this chamber have talked about during the course of this year.

There were powerful reflections during the AGM on Michelle's work, dedicating some 25 years of her life to the centre, working tirelessly and fearlessly to ensure the centre expanded in a sustainable and purposeful manner. Michelle made countless phone calls, sent many emails and letters, drew on her extensive feminist networks and devised campaign strategies that ultimately increased the Working Women's Centre funding by more than 150 per cent by the end of 2023.

Staff at the centre who spoke at the AGM praised Michelle's steady and brilliant leadership, steering the centre over the last five years as board chair at such a critical time of change, growth and development. As many noted there, and as others have joined earlier this year, my condolences to Michelle's friends and her family. She was a very passionate colleague, supportive friend and a comrade to many.

Despite the immense loss and sadness felt across the entire centre and the broader community, much good work has been achieved in the past year with the Working Women's Centre. The centre's director, Abbey Kendall, reflected on how the past 12 months have seen the centre embark upon a journey marked by extraordinary growth, extensive travel and acting on innovative ideas, including the Working Women's Centre having achieved accreditation as a community legal centre.

The centre also made a point to acknowledge and thank the government for the funding that the centre has recently been provided—over $2.6 million—to provide frontline support to address workplace sexual harassment and discrimination. It was an opportunity to hear about how successful those newly implemented supports have been and the plans for continued future services.

Prior to her passing, Michelle led the board and centre in discussions and collaborations with the Northern Territory and Queensland working women's centres, advocating strongly for the adoption of a model of advocacy, legal service and education, a model which has been crucial to the success of the South Australian Working Women's Centre over a number of years. This advocacy ultimately ensured that the advocacy, legal service and education model was adopted by the commonwealth government, which is responsible for funding the Respect at Work recommendations.

A further highlight of the last year of the centre's operations was that the SA Working Women's Centre's board, chairs and director, together with the Queensland and Northern Territory centres, have all succeeded in ensuring that a direct tender will occur in relation to commonwealth funding for the Respect at Work recommendations across Australia. I commend everyone's advocacy in these endeavours.

With an ever-growing and strong vision to strengthen the rights and voices of working women, the board held a planning day earlier this year as an opportunity to review the strategy and operations of the centre. The board reaffirmed the need to consolidate their current and future directions, including sexual violence at work and the intersection of precarious employment; to continue to explore the benefits of focusing on small businesses; maintaining a focus on unrepresented workers, including Aboriginal and migrant women; and ensuring this work will be active in all these areas, including the legal advocacy and education teams and, crucially, working in partnerships with other like-minded organisations and groups.

It was pleasing to hear the centre had recently committed to their first reconciliation action plan. The Working Women's Centre has engaged Nik&Co. Consultancy, an Aboriginal consultancy organisation, to develop their RAP. I commend the centre for their work in this area. After a year of many ups and downs for the centre, I would like to acknowledge Abbey Kendall, the centre's director, Nikki Candy, deputy director, board chair Ann-Marie Hayes, and all the other members of the Working Women's Centre community who supported one another during the course of this year, and I am sure will do over years to come.

WHITFORD, MR G.

The Hon. F. PANGALLO (15:23): I seek leave to make a brief explanation before asking a question of the Attorney-General about a cold case involving the death of a police officer.

Leave granted.

The Hon. F. PANGALLO: In September last year, I raised a matter in this place about a national television program, which looked into the death of Inspector Geoffrey Whitford at Myponga in the 1980s and linked it to possible police corruption. The family of Mr Whitford have for decades been searching for answers about his mysterious death, which at the time was declared a suicide. Following the program, a barrister acting for the Whitford family filed a 363-page submission on 28 September 2022 to the office of the Coroner, seeking a thorough investigation into his death.

To date, I have not had a formal reply from the Attorney-General to my question, while the family has not heard from the Coroner or been privy to any completed investigation that was commenced by South Australia Police. My question to the Attorney-General is: what is happening with this matter, and will he contact the Coroner and SAPOL to see whether a report has been provided to the Coroner, and an inquest, as requested by the family, will be conducted?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:24): I thank the honourable member for his question and certainly I will do that and bring back an answer for him. I have found, when the honourable member has had questions in the past that have related to the Coroner's office or when members of the public have sought advice or guidance from my office, that the Coroner's office has been very helpful in providing responses.

It doesn't mean that the response necessarily is the response hoped for by family members or that there is an answer immediately, but certainly I will inquire from the Coroner's office about the state of that particular request for an inquest and where it is up to and bring back a reply for the honourable member.

CORONER'S OFFICE

The Hon. F. PANGALLO (15:25): Supplementary: has the Attorney-General been briefed or has he spoken to the Coroner about the long delays in conducting inquests and requests that have been made for additional staffing to try to alleviate the enormous backlog of inquests?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:25): I thank the honourable member for his question. I have had a number of meetings, regular meetings, with heads of all the jurisdictions, including the head of the Coroner's Court. Certainly, there have been discussions, and it is not just something peculiar to South Australia in terms of the demands upon the Coroner's Court, it is something that jurisdictions right across Australia are facing

Reforms passed through this parliament in the last couple of years under the former government were aimed at looking at ways of making the operations and things heard in the Coroner's Court more efficient. I certainly have had discussions with the current Coroner, and I know that consideration is being given—and it's not just that staffing levels will fix all concerns—to how the system works and how it works in other states to see whether there are any reforms that we can introduce in South Australia.

CORONER'S OFFICE

The Hon. F. PANGALLO (15:26): Final supplementary: does the Attorney-General have concerns that delays in reports that have been filed with the Coroner are also having an impact on families who are trying to finalise deceased estates?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:26): I thank the honourable member for his question. It is a question that is raised from time to time with my office, and I certainly have personally spoken to a number of family members of deceased people. There is a provision—I can't remember what it's called at the moment—effectively to issue an interim death certificate to allow exactly that to occur, so that when there are very complicated potential coronial inquests that will take some time to allow as far as possible things like the finalisation of estates.

It is also the case as well that—I know from talking to family members who have loved ones the subject of coronial inquests—not just the finalisation of estates but wanting to know what happened to their loved one causes distress and concern. I have spoken to the Coroner about ways we could look at making things more effective and efficient in South Australia, because, as the honourable member indicated, it is the finalisation of estates but also wanting to know exactly what has happened.

DISTRICT COURT

The Hon. L.A. HENDERSON (15:28): My question is to the Attorney-General regarding our courts. Can the minister advise what is the average backlog in the District Court, with particular reference to criminal matters?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:28): I thank the honourable member for her question. There are a number of metrics used in reports, particularly the RoGS (Report on Government Services) that comes out each year. I will go back and check, but I think the latest ones were discussed pretty thoroughly during the estimates committee process. There are a number of metrics in terms of different sorts of cases, both civil and criminal, and different types of cases of backlogs and finalisation, but I will go back and have a look as I suspect they are in the answers to the estimates questions.

Auditor-General's Report

AUDITOR-GENERAL'S REPORT

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

That standing orders be so far suspended as to enable the Report of the Auditor-General 2022-23 to be referred to a Committee of the Whole and for ministers to be examined on matters contained in the report for a period of one hour's duration.

Motion carried.

In committee.

The CHAIR: I note the absolute majority.

The Hon. L.A. HENDERSON: In the Auditor-General's Report for the year ended 30 June 2023, on page 20 of Part C under Income, it indicates that victims of crime levies increased by $3 million, from $37 million in 2022 to $40 million in 2023, whilst on page 21 under Expenses it indicates that victims of crime payments increased by $33 million, from $17 million in 2022 to $50 million in 2023. Can the minister please advise why there was an increase of $33 million in victims of crime payments?

The Hon. K.J. MAHER: I am advised that the major reason for the very significant increase in expenses in relation to victims of crime payments was in relation to the National Redress Scheme. The sum of $146 million was originally set aside from the Victims of Crime Fund in 2017-18 to meet the anticipated costs of participating in the scheme for South Australia. This money is held by the South Australian Government Financing Authority (SAFA). On top of that, a further $25 million was provided to SAFA in 2022-23, the year in question, to support SA's participation in the scheme, following recent actuarial advice. The $25 million accounts for the very large portion of that increase in that particular year.

The Hon. L.A. HENDERSON: Given the payments were $10 million more than the levies in 2023, does the minister expect this increase to continue?

The Hon. K.J. MAHER: I am advised we are seeing some increase in general payments out of the Victims of Crime Fund, but that increase of $25 million from that year to SAFA for the National Redress Scheme, based on actuarial advice about the claims that are coming in, was a one-off for that year. Of course, if there is further actuarial advice, it will be looked at, but that was advice for what is needed for the scheme. I think it is about 2026 or 2027 that the National Redress Scheme applications go to. If there is further advice that more is needed, that will of course be taken into account. The life of the scheme ends in June 2028.

How actuaries plug the numbers in and get estimates out is something that has always fascinated me, but this is obviously what is estimated the scheme needs up until the end of its life in June 2028, so that is a one-off this year of $25 million. As I said, I understand it is the first additional amount provided since the $146 million for the National Redress Scheme came from the Victims of Crime Fund in 2017-18.

The Hon. L.A. HENDERSON: Does the minister think that in years to come their victims of crime payments will need to be increased?

The Hon. K.J. MAHER: I might just get the member to clarify: is the member asking if we think that the amount of payments in total from the Victims of Crime Fund will increase or that the levies that are applied will need to increase to cover it?

The Hon. L.A. HENDERSON: The levies.

The Hon. K.J. MAHER: I thank the honourable member for her question. My advice is that, like an increase in fees and charges generally, regularly the Victims of Crime levies do go up in accordance with general government fees and charges. I am not in receipt of any advice that suggests it would need to go up in the near future more than that, given that the $25 million, which is half of the money expended that year, is a one-off for the National Redress Scheme.

The Hon. L.A. HENDERSON: In the Auditor-General's Report for the year ended 30 June 2023, under the heading AGD on page 24 of Part C, it states that the Attorney-General has discretion to make an ex gratia payment to a claimant when an offence has not been established. Can the minister advise whether there have been any ex gratia payments made between 2022 and 2023?

The Hon. K.J. MAHER: I thank the honourable member for her question. Yes, ex gratia payments from the Victims of Crime Fund have been made. I would need to double-check, but I am guessing that every year attorneys-general have made discretionary payments from the Victims of Crime Fund. I am guessing it would be two or three times a month that a discretionary payment is made. These are often in circumstances where, beyond a victim's control, a prosecution has not occurred. An offender might have died, moved away or, for some other reason, a conviction was not secured.

In my experience, they are often instances of childhood sexual abuse where the discretionary payment is made to the victim. When there has not been a successful prosecution, where, as I have said, the offender cannot be located or has passed away so there is no conviction recorded against the offender, applications are made and a discretionary amount is paid out of the fund. In my experience, it is typically in line with what would have been the payment had a conviction been able to be secured.

The Hon. L.A. HENDERSON: Could the minister advise how many ex gratia payments have been made between 2022 and 2023 and what was the value of these payments?

The Hon. K.J. MAHER: I do not have the exact details here. I am happy to take that on notice and bring back a reply for the honourable member.

The Hon. L.A. HENDERSON: Could the minister please also take on notice—and I appreciate that discretion may need to be taken here in whether it is appropriate or not—who has received the ex gratia payments, where appropriate to disclose, and also what percentage of these matters were for unknown offenders and also where no-one was charged and what the nature of the offences committed were?

The Hon. K.J. MAHER: I am happy to take that on notice. Certainly, the names of the victims who are applying for and granted ex gratia payments, given, as I have said, in my experience a great deal of these people are victims of childhood sexual abuse, it certainly would not be appropriate to disclose, but I will have a look to see. I am just not sure how much in terms of that sort of record keeping is kept, but to the extent that we are able to extract something reasonably easily I am happy to see if we can.

The Hon. L.A. HENDERSON: Could the minister advise how many ex gratia payment applications were received between 2022 and 2023?

The Hon. K.J. MAHER: If it is possible to extract, I am happy to see if we can do that.

The Hon. L.A. HENDERSON: Could the minister please take on notice as well how many of those applications were successful?

The Hon. K.J. MAHER: If it is possible and appropriate to do so, I am happy to do that.

The Hon. L.A. HENDERSON: In the Auditor-General's Report for the year ended 30 June 2023, Part C, under the heading AGD, page 24, under 'Recoveries from offenders', it highlights that:

> The VOC Act empowers the Attorney-General to recover the cost of compensation payments from offenders who were convicted of the related offence. Recovery is difficult, as most compensation claims are for unknown offenders.

It indicates that outstanding amounts subject to a judgement that are actively managed increased by $2.4 million to $13.5 million. Could the minister advise what steps he has taken to recover this outstanding debt?

The Hon. K.J. MAHER: My advice is that the increase of $2.4 million in the 2022-23 year can be attributed to new debt referrals but also to the migration of old, previously unreported debts subject to historical governance into the Fines Enforcement and Recovery Unit's debt management system. The steps that are taken are the Fines Enforcement and Recovery Unit's handling these debts, as they do for a lot of different areas of government.

The Hon. L.A. HENDERSON: What advice has the department given to you as minister to recover this debt?

The Hon. K.J. MAHER: As I indicated, many different areas of government use the specialist services of the Fines Enforcement and Recovery Unit, which sits within the Department of Treasury and Finance. Rather than myself as Attorney-General or other ministers who are responsible for agencies all recreating debt recovery processes, what is sensibly done is it is referred to the government central recovery unit, the Fines Enforcement and Recovery Unit, so that individual ministers do not need to consider how you manage those recovery processes, because there is that one specialist service within government that does that.

The Hon. L.A. HENDERSON: What percentage of the outstanding compensation payments from offenders are to individuals known to the department and what percentage of instances where the offender is unknown?

The Hon. K.J. MAHER: Again, I am happy to take that on notice. I am not certain that we will have the breakdown, but I can certainly see if we do, and if we are able to extract that I am happy to provide that to the honourable member.

The Hon. L.A. HENDERSON: Can the minister advise whether the victims of crime levy would need to be increased due to the increase in outstanding amounts from offenders?

The Hon. K.J. MAHER: My advice is that there is not consideration being given to increasing the victims of crime levy because of unrecovered amounts from offenders.

The Hon. L.A. HENDERSON: In the Auditor-General's Report for the year ended 30 June 2023, under the heading AGD on page 24 of Part C, under 'Recoveries from offenders', it states that 'amounts recovered directly from offenders during the year totalled $1.2 million'—a little bit more. I note that this is around $1.2 million less than the increase of the outstanding amounts that are subject to a judgement that are actively being managed. Could the minister please advise what 'actively managed' means?

The Hon. K.J. MAHER: My advice is that we understand that 'actively managed' means that they have been referred to the Fines Enforcement and Recovery Unit for action.

The Hon. L.A. HENDERSON: Could the minister advise the average length of time that matters have been actively managed?

The Hon. K.J. MAHER: Again, I am happy to take that on notice. That is one from my very initial advice. I am less certain than others that we will be easily able to find an answer, but I am happy to take it on notice to see if we can.

The Hon. L.A. HENDERSON: I would hope that the government would have good records about how long they have been chasing debt. In the Auditor-General's Report for the year ended 30 June 2023, under the heading AGD on page 22, Expenses, it states that the grants and subsidies payments were down by $35 million mainly due to a reduction of $44.7 million in grants and subsidies paid to the Legal Services Commission compared with the previous year. Could the minister advise why the $44.7 million in grants and subsidies was cut from the Legal Services Commission?

The Hon. K.J. MAHER: My advice is that the main reason for the variation in grants and subsidies between 2021-22 and 2022-23 in relation to payments to the Legal Services Commission is due to the timing of when grants payments are made to the Legal Services Commission. I am advised that the Attorney-General's Department paid the majority of the straight grant—that is, $24 million—to the Legal Services Commission in 2021-22, rather than 2022-23, which accounts for the main difference in those figures. There will be, I am guessing, a corresponding difference in the next year because of the timing of when the grants are paid.

The Hon. L.A. HENDERSON: Could the minister please provide a breakdown of the $44.7 million in grants?

The Hon. K.J. MAHER: I thank the honourable member for her question. I am assuming the question is effectively a breakdown of the line items that we provide in a grant to the Legal Services Commission. We do not have that with us, but I am happy to provide it for the honourable member.

The Hon. L.A. HENDERSON: Does the Legal Services Commission have certainty in funding, given these cuts?

The Hon. K.J. MAHER: I will just reiterate for the honourable member's benefit that they are not cuts. It is the timing of when the grants were paid in different financial years; it is not a cut.

The Hon. L.A. HENDERSON: Did the decrease in grants and subsidies force the Legal Services Commission to reduce any services they provide?

The Hon. K.J. MAHER: As I said, I am happy to repeat what I have just said. The characterisation of it being a cut because of the timing of when a grant is paid has not meant that because of that there has been a cut to services. Certainly, I am not aware of a decrease in service for the Legal Services Commission that has been brought about by the timing of when the grant was paid.

I am guessing, but I am happy to check if I am wrong, that it would probably be the other way around, that the earlier payment allows more investment opportunities and returns for the Legal Services Commission. So because of the timing of when a grant has been made, my guess is that—but if I am wrong I will check and bring back a reply—it has actually enabled the Legal Services Commission to do more than if it was paid at a later date.

The Hon. L.A. HENDERSON: In the Auditor-General's Report for the year ended 30 June 2023, under the heading AGD on page 20 of Part C, under 'Highlights of the financial statements—administered items', 'Recoveries and other income', it went from $56 million in 2022 to $21 million in 2023. Could the minister explain why it has more than halved?

The Hon. K.J. MAHER: I thank the honourable member for her question. I am advised that this is mainly due to income associated with machinery of government transfers of the Office of the Registrar-General to the Department for Trade and Investment from where it sat within the Attorney-General's previously.

The Hon. L.A. HENDERSON: In the Auditor-General's Report for the year ended 30 June 2023, under the heading AGD on page 17, Part C under Income, the appropriation in 2022 was $179 million compared with $117 million in 2023, which equals a reduction of around $62 million. Does the government have a reason as to why there was a change in funding?

The Hon. K.J. MAHER: I thank the honourable member for her question. As is often the case in these financial reports, much is to do with the machinery of government and where things have sat previously and where they sit now within government. I am advised this variance is mainly due to the impact of machinery of government changes. Around $48 million was included in 2022 for the planning portfolio—I apologise, the variance is mainly due to the net change in appropriation in 2023 associated in totality with machinery of government changes, which I have already talked about in the honourable member's last question.

The Hon. L.A. HENDERSON: In the Auditor-General's Report for the year ended 30 June 2023, under the heading AGD on page 17 of Part C, under Expenses it indicates that funding for supplies and services decreased from $169 million in 2022 to $67 million in 2023. Can the minister advise if there are any services that were either cut or reduced as a result of this decrease?

The Hon. K.J. MAHER: I thank the honourable member for her question. Once again, this variance is mainly due to the impact of machinery of government changes. I am advised that the 2022 amount included $97 million in lands titles office fee payments by the Office of the Registrar-General, which is not included in 2023.

The Hon. L.A. HENDERSON: In the Auditor-General's Report for the year ended 30 June 2023, under the heading Attorney-General's Department on page 14 of Part C, under 'Significant events and transactions' it indicates that the Aboriginal Affairs and Reconciliation division transferred from the Department of the Premier and Cabinet to the AGD. It also indicates that the South Australian Employment Tribunal and SafeWork SA transferred from the Department of Treasury and Finance to the AGD. Due to these transfers, page 17 indicates that net liabilities of $2 million were incurred due to the transfer of employee benefit liabilities. Can the minister advise the reasoning for the transfer?

The Hon. K.J. MAHER: I thank the honourable member for her question. This one is quite simple and I do not need advice on it. It is that those areas of government come under my responsibility as the Minister for Aboriginal Affairs, the Attorney-General and also the Minister for Industrial Relations and Public Sector. Of the two areas of government that the honourable member mentioned, the Aboriginal Affairs and Reconciliation division used to sit in the Department of the Premier and Cabinet.

When the former Premier, although he was not the Minister for Aboriginal Affairs, had responsibility for Aboriginal Affairs within government, it sat in the Department of the Premier and Cabinet. It now sits in the Attorney-General's Department, which is my main department. Similarly, industrial relations, the South Australian Employment Tribunal and SafeWork SA sat within the portfolio of the Department of Treasury and Finance when the former Treasurer, the Hon. Rob Lucas, had responsibility for those areas under industrial relations, just as now, as the Minister for Industrial Relations, those have moved to the Attorney-General's Department, my main department.

The Hon. L.A. HENDERSON: In the Auditor-General's Report for the year ended 30 June 2023, under the heading AGD on page 15 of Part C, under 'Other audit findings' it indicates that outstanding unclaimed residential tenancy bonds continue to rise. Could the minister advise how much the amount outstanding unclaimed for residential tenancy bonds is and what the minister is doing to address this issue?

The Hon. K.J. MAHER: I thank the honourable member for her question. Unfortunately, I do not have any information in relation to that. Although that is part of the Attorney-General's Department that is for Minister Andrea Michaels, whose area of responsibility that is for. I do not have any information at all on that.

The Hon. N.J. CENTOFANTI: Regarding Agency Audit Reports, page 328 and again on page 330, is the minister able to outline the reduction in the appropriation of $37 million from the 2021-22 financial year to the 2022-23 financial year?

The Hon. C.M. SCRIVEN: In 2022-23, total appropriations received from the SA government by PIRSA controlled was $119.8 million. Of the total appropriations received, $104 million was received from the consolidated account pursuant to the Appropriation Act 2022 and $15.8 million was received from the Governor's appropriation fund.

Total appropriations received in 2022-23 decreased by $37.2 million in 2022-23 compared with 2021-22. This is mainly due to additional funding received in 2021-22 for once-off or time-limited programs, including fruit fly eradication, with a number of outbreaks in Adelaide during 2021-22; the Local Economic Recovery Program; the statewide storm support upgrade of the South Australian Aquatic Sciences Centre; and bushfire recovery measures. The decrease is partly offset by funding received in 2022-23 for the River Murray Flood package.

The Hon. N.J. CENTOFANTI: Given that I think at last check we had 46 outbreaks of fruit fly in the Riverland, can the minister inform the chamber whether there was funding received for fruit fly via appropriations during the financial year of 2022-23?

The Hon. C.M. SCRIVEN: Yes, additional appropriation was received for that purpose.

The Hon. N.J. CENTOFANTI: Can the minister inform the chamber what the additional appropriations that were received during the financial year for fruit fly were?

The Hon. C.M. SCRIVEN: I am advised that we do not have that information to hand at present.

The Hon. N.J. CENTOFANTI: Can the minister please take that information on notice?

The Hon. C.M. SCRIVEN: Yes, certainly.

The Hon. N.J. CENTOFANTI: Agency Audit Reports, continuing on page 328: can the minister please inform the chamber what makes up Other in that income bracket and why that has reduced from $66 million in 2021-22 to $48 million in the 2022-23 financial year?

The Hon. C.M. SCRIVEN: I think perhaps the honourable member either misunderstood or misspoke. My advice is that the amount increased from 2022-2023 from $21 million to $27 million.

The Hon. N.J. CENTOFANTI: From 2021-22—

The Hon. C.M. SCRIVEN: The honourable member is seeking clarification. Yes, that increase was from the 2021-22 financial year to the 2022-23 financial year.

The Hon. N.J. CENTOFANTI: Agency Audit Reports, page 331: in regard to the commonwealth grant programs whose funding have ended during the financial year, can the minister inform the chamber what program equivalent replaces the Regional Recovery Partnership program?

The Hon. C.M. SCRIVEN: My advice is there was not a commonwealth program to replace it as such.

The Hon. N.J. CENTOFANTI: Agency Audit Reports, page 331: can the minister inform what program equivalent replaces the On-farm Emergency Water Infrastructure Rebate Scheme?

The Hon. C.M. SCRIVEN: New funding was announced of $4.185 million as part of the 2023-24 state budget for the On-farm Emergency Water Infrastructure Rebate Scheme.

The Hon. N.J. CENTOFANTI: Agency Audit Reports, page 331: can the minister inform the chamber what program equivalent replaces the Future Drought Fund?

The Hon. C.M. SCRIVEN: I am advised that certain aspects of the Future Drought Fund are still continuing, with some plans extended to be delivered in 2023-24.

The Hon. N.J. CENTOFANTI: Is the minister able to take on notice what aspects of the Future Drought Fund are continuing?

The Hon. C.M. SCRIVEN: Yes.

The Hon. N.J. CENTOFANTI: Agency Audit Reports, page 332: can the minister inform the chamber why the funding for the National Water Grid Fund program decreased from $4.4 million to $3 million in the financial year 2022-23?

The Hon. C.M. SCRIVEN: My advice is that a number of infrastructure projects experienced delays in 2022-23, and milestones were subsequently pushed out into 2023-24. Three Connections pathway projects did not proceed. A number of Connections pathway projects experienced delays due to River Murray flooding, which subsequently pushed out some project milestone dates and completion dates into 2023-24. Three science projects experienced project delays resulting in project milestone dates being pushed out beyond 2022-23. The Federation Funding Agreement has recently been updated to reflect these changes.

The Hon. N.J. CENTOFANTI: Can the minister please outline what specific Connections pathway programs did not proceed?

The Hon. C.M. SCRIVEN: I can take that on notice and, if appropriate, bring back an answer.

The Hon. N.J. CENTOFANTI: Agency Audit Reports, page 328: can the minister please inform the chamber how many grants or subsidies, and for what amounts, were paid out of the Thriving Regions Fund for the financial year 2022-23?

The Hon. C.M. SCRIVEN: Can I just clarify the question? Was the question about how much had been paid out?

The Hon. N.J. CENTOFANTI: How many, and for what amounts.

The Hon. C.M. SCRIVEN: I am happy to take that on notice and bring back a response.

The Hon. N.J. CENTOFANTI: Can the minister also outline how many adverse event grants were paid out, and for what amounts, during the same financial year of 2022-23?

The Hon. C.M. SCRIVEN: What page number?

The Hon. N.J. CENTOFANTI: Sorry, the same, page 328.

The Hon. C.M. SCRIVEN: I am advised that level of detail is not provided. We can take it on notice and provide an appropriate response.

The Hon. N.J. CENTOFANTI: Agency Audit Reports, page 328, under significant events and transactions: can the minister outline to the chamber why there was such a large increase in land and building re-evaluations, and also is it standard practice to perform re-evaluations every five years? According to the audit, the value increased by $55.7 million to $144.4 million.

The Hon. C.M. SCRIVEN: I am advised that the re-evaluation of land and buildings is undertaken on a five-year cycle. On this occasion it was performed by Liquid Pacific as at 31 June 2023, and the re-evaluation was carried out to fair value in accordance with AASB 116, property plant and equipment. The valuer arrived at fair value based on recent market transactions for similar land and buildings in the area, taking into account zoning and restricted use and after allowing for accumulated depreciation.

For the member's reference, in the case of specialised buildings, for which there is no market evidence, the valuer adopted a depreciated replacement cost, which takes account of the need for the provision of ongoing government services and the specialised nature and restricted use of the building. In accordance with Treasurer's Instructions (accounting policy statements), a valuation appraisal from a qualified valuer is required at least every six years for assets subject to re-evaluation.

PIRSA has appointed a qualified valuer for 2022-23 for the land and building asset valuation following a formal procurement process. The valuer physically inspected land and building assets in various locations across PIRSA sites during 2022-23. The valuation outcome is a total increase, as the honourable member mentioned, and is in the papers of $55.7 million in asset value. The land has increased by $39.3 million and the building's value has increased by $16.4 million. The valuation increase reflects recent years' rapid growth in the property market and increased costs in building materials and labour.

The Hon. N.J. CENTOFANTI: Agency Audit Reports, page 331: under grant subsidies and transfers it refers to PIRSA delivering projects in compliance, research and fishing industry development. Can the minister inform the chamber as to whether there is any independent scrutiny of PIRSA's underlying compliance costs?

The Hon. C.M. SCRIVEN: I can take that question on notice and bring back a response.

The Hon. N.J. CENTOFANTI: On that, noting that there is a cost-recovery review relevant to these costs currently underway, can the minister also advise the chamber whether that review considered whether the underlying costs were prudent and efficient, or did it only look at the allocation of those costs? When will that report be made public?

The Hon. C.M. SCRIVEN: I have answered questions in relation to that in the chamber during question time.

The Hon. N.J. CENTOFANTI: I think we will have to agree to disagree on that statement. Agency Audit Reports, page 332: grants and subsidy expenses have extended to storm recovery, including hail, drought recovery and flood recovery. Can the minister inform the chamber whether extreme frost, and therefore frost recovery, is included within the scope of any grant projects offered by PIRSA and, if not, is there any reason why they should not be?

The CHAIR: What were you referring to, the honourable Leader of the Opposition? Was there a page line number?

The Hon. N.J. CENTOFANTI: The second to last paragraph on page 332, the statewide storm recovery program.

The Hon. C.M. SCRIVEN: Could the member point out where it refers to frost on that page?

The Hon. N.J. CENTOFANTI: Sorry, Mr Chair, my question to the minister refers to the grant expenses that have extended to storm recovery, which is evident in that second to last paragraph, which were down $7.3 million to $361,000. This program was established in response to hail but has also been used in the past for drought and flood recovery. I am asking the minister: is extreme frost, and therefore frost recovery, included within the scope of this grant program offered by PIRSA and, if not, is there any reason why it should not be?

The Hon. C.M. SCRIVEN: My advice, as stated in the report, is that the program was established in response to the hailstorm events in October 2021, with applications closing in March 2022. I think additional questions might be appropriate for a different forum.

The Hon. N.J. CENTOFANTI: Page 332 of the Agency Audit Reports states that the Thriving Regions Fund grant expenses were down $17.3 million to $11.9 million, and the grant funding was paid in arrears as milestones were met. The payments in 2022-23 apparently reflect grants entered into in previous funding rounds. Can the minister provide the opening and closing dates for those previous funding rounds?

The Hon. C.M. SCRIVEN: Could the honourable member specify which round she is referring to?

The Hon. N.J. CENTOFANTI: I guess that is my question to the minister, because, as I quote from 332, 'The payments in 2022-23 reflect grants entered into in previous funding rounds'. I am asking the minister what essentially were those rounds, and when were the opening and closing dates?

The Hon. C.M. SCRIVEN: I think what the honourable member is referring to is that, consistent with the statement with regard to the amounts being recorded as the milestone payments are made, therefore they will refer to a multitude of previous rounds under previous iterations—the Regional Growth Fund and, potentially, although I do not have advice in front of me on this, the Regional Development Fund—if indeed there were any outstanding payments from that period of time. All of the previous rounds of the predecessor funds, in addition to the Thriving Regions Fund, will have grants made. My advice is that they will appear as those milestone payments are made.

The Hon. N.J. CENTOFANTI: I refer to Agency Audit Reports, page 332. The report states that there were five projects totalling $4.8 million initially approved under the Opening our Great Outdoors grants program. Can the minister inform the committee what were these projects and how much grant funding was initially allocated to each of these, and why is the South Australian government revisiting the program?

The Hon. C.M. SCRIVEN: The Opening our Great Outdoors round involved a number of projects that were announced by the former Liberal government but had not proceeded to funding at the time of the election. My understanding is that the background to that is that the now Leader of the Opposition, the then Minister for the Environment, fully expended some of his nature-based tourism funds under his portfolio and therefore decided to use the Regional Growth Fund to fund similar activities.

Upon coming to government, we considered there were a number of priorities for thriving regions that were more appropriate than the tourism program that the former Minister for the Environment had attempted to fund through this particular grant fund.

The Hon. N.J. CENTOFANTI: So is the minister suggesting to the chamber that the Opening our Great Outdoors program is dead?

The Hon. C.M. SCRIVEN: We have not funded any further projects under the Opening our Great Outdoors Fund.

The Hon. N.J. CENTOFANTI: Is the budget still available or has it been moved somewhere else?

The Hon. C.M. SCRIVEN: Remember that Opening our Great Outdoors was coming from what was then known as the Regional Growth Fund, therefore moneys that have not been expended in the Regional Growth Fund have become available for the budget of the Thriving Regions Fund, a fund that this government is keen to use to enable better services in regional communities to look at projects that support infrastructure, both social and potentially physical, and meet the various needs of the regions, rather than utilising that fund to support a program that had funded under the environment the pet projects of the now Leader of the Opposition in another place to be able to use that instead and claim it was the most appropriate use for regional funds.

The Hon. N.J. CENTOFANTI: Referring to Agency Audit Report, page 332: are the insurance proceeds of $5.7 million for Struan House going to be used to re-establish those research facilities?

The Hon. C.M. SCRIVEN: Yes.

The Hon. N.J. CENTOFANTI: Will the government be committing any further funds to the site over and above the insurance proceeds?

The Hon. C.M. Scriven interjecting:

The CHAIR: Do you have another question?

The Hon. N.J. CENTOFANTI: The minister does not want to answer any—

The Hon. C.M. Scriven interjecting:

The CHAIR: Minister, do not interject.

The Hon. N.J. CENTOFANTI: —questions today. It is like question time. I refer to Agency Audit Report, page 333. The second dot point states that the Livestock Underpass Grant Scheme will be open until 30 June 2024 until allocated funding of $1.5 million is exhausted. Given that, as at 30 June 2023, six applications were approved, totalling $572,000 or about a third of the total allocated funding, it would appear that at this trajectory the funding will not be fully exhausted by the closing date. What efforts, if any, are being made to promote this scheme by the minister?

The Hon. C.M. SCRIVEN: I would have to check further details, but my understanding is that the program is advertised on the PIRSA website and that various livestock associations are well aware of it and have been promoting it through their own communications.

The Hon. N.J. CENTOFANTI: What are the plans for any remaining funds that are left on the closure of this scheme?

The Hon. C.M. SCRIVEN: I think that is a question that is speculative in nature. Once we approach and reach the end of the scheme, then we will know whether there are funds unexpended.

The Hon. N.J. CENTOFANTI: I refer you to Agency Audit Reports, page 334, under 'Supplies and services', the second dot point: why was there a 72 per cent increase, which is almost a million dollars ($939,000), in travel costs for the financial year 2022-23, mainly for airfares and accommodation across PIRSA's activity for that financial year?

The Hon. C.M. SCRIVEN: I am advised that there was an increase compared with 2021-22 due to limited travel as a result of COVID-19 limitations during that previous year.

The Hon. N.J. CENTOFANTI: Within the new costs, were any of the flights taken business class?

The Hon. C.M. SCRIVEN: I am advised that all travel would have been taken in accordance with the relevant Treasurer's Instruction or Premier's circular, as applicable.

The Hon. N.J. CENTOFANTI: Is this likely to be the new normal baseline?

The Hon. C.M. SCRIVEN: Travel will be taken only for appropriate needs, whether they are going to be of benefit to the state, so I do not think it necessarily should be interpreted as a baseline or otherwise.

The Hon. N.J. CENTOFANTI: My final question, and I refer you to the Agency Audit Reports, page 328: why has there been a reduction of FTE from 782 in 2021-22 to 751 in 2022-23?

The Hon. C.M. SCRIVEN: I am advised that the decrease in FTE savings in 2022-23 was from previous state budgets achieved through a review and realignment of the department's structure and functions as part of PIRSA's strategic planning process. There was a decrease in FTE in 2022-23 for a number of commonwealth and state-funded programs, with FTEs in the 2021-22 year, including the bushfire recovery activities, local economic recovery and a number of others, including the private native forestry and Indigenous forestry. Further, there was the transfer of the pastoral unit to the Department for Environment and Water.

The CHAIR: I conclude the examination of the Auditor-General's Report.

Bills

HYDROGEN AND RENEWABLE ENERGY BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 November 2023.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (16:30): I rise on behalf of the opposition as the lead speaker on the Hydrogen and Renewable Energy Bill. Before I begin to address the bill properly I would like to take a short moment to express the opposition's concern with the process of this bill, and why we will be supporting the Hon. Robert Simms's contingency motion to refer this bill to a select committee of this chamber.

A bill of this magnitude, in its own right, deserves adequate scrutiny, particularly when the government is spending hundreds of millions of dollars, if not billions, on their hydrogen project. In terms of the opposition, it is an important role of democracy, of course, that the opposition is given a good opportunity to understand bills. Of course, it is an important role of democracy that the crossbench is also given a good opportunity to understand bills, and certainly to consult with stakeholders as well.

This is a technical bill and, again, it is important to be able to scrutinise legislation. It is also an incredibly important piece of legislation, and we need to give stakeholders the opportunity and the ability to raise those issues with the opposition. We, the opposition, have had a number of stakeholders contact us, concerned with various aspects of the bill. Some stakeholders have also been concerned about the forthright nature of this government in its handling of this bill. I note that the opposition has received limited information about the government's consultation process with stakeholders, which is hardly transparent.

I also note that after the committee stage we still have a number of questions that are yet to receive answers. In fact, many would say—certainly on our side—that the committee process has left us with more questions than answers. It has also become apparent that this bill has the potential to affect freehold landholders across the state. However, there has been limited communication, we believe, to the public on this. I will speak to this point a bit later in my second reading speech.

We will be supporting the honourable member's push to have this bill scrutinised by the parliament and, indeed, we hope that the government and the remaining crossbench also support this motion. It is only sensible that the parliament seeks further information by way of stakeholder consultation and that the parliament scrutinises this incredibly important piece of legislation.

The Hydrogen and Renewable Energy Bill will seek to introduce a new system that will allow the state government to declare certain pastoral lands, state waters and prescribed Crown land as a release area, based upon their suitability for the operation of renewable energy infrastructure. These release areas exclude freehold land, the Arkaroola Protection Area, marine sanctuary zones, reserves within national parks, and wilderness protection areas. Once a release area has been declared, a competitive tender process will be organised by the state government for feasibility licences based upon selection criteria.

Five licence types will be created relating to the key stages of renewable energy projects, from the early research and feasibility stage right through to the construction, operation and closure of facilities. These licence types include a renewable energy feasibility licence or permit, which enables exploration for renewable energy, including construction of monitoring equipment. It includes a renewable energy infrastructure licence, which permits construction operation, decommissioning and rehabilitation of renewable energy infrastructure.

It includes a renewable energy research licence, which permits construction, operation, decommissioning and rehabilitation of renewable energy infrastructure for the purpose of researching the capabilities of a technology system or process. It also includes a hydrogen generation licence, which obviously permits construction, operation, decommissioning and rehabilitation of hydrogen

generation facilities. Finally, it includes an associated infrastructure licence, which permits ancillary infrastructure, such as transmission, roads and water treatment; and associated facilities, such as hydrogen power plants, ports for hydrogen product export and desalination for hydrogen production.

A further licence type, called 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 to enable appropriate enterprises to proceed where access to relevant land or waters is not able to be agreed upon. It is important to note that a special enterprise licence may be granted in relation to both freehold and non-freehold land, as well as state waters.

This bill really seeks to drive and enable an efficient and flexible licensing and regulatory framework for hydrogen generation and renewable energy infrastructure in South Australia. However, what it does not do enough of is recognise the long-established rights of landowners and of pastoral lessees. Furthermore, several clauses of this bill, we fear, have the risk of significantly compromising pastoral leaseholder and freehold landowner rights.

The argument must be made as to why renewable energy needs to be tied up in this new bill. We can understand why the government may wish to ensure that there is a path available for hydrogen, given their heavy focus on hydrogen and their hydrogen project into the future. This is obviously despite the fact that they themselves have admitted that their plan will not bring down or reduce electricity prices in South Australian households.

However, what we cannot understand is, given legislative arrangements already exist which provide for landholders and renewable energy companies to directly negotiate and enter into a commercial arrangement for the purposes of a landowner's property, or indeed a leaseholder's land in the case of pastoral leases, for solar farms or wind turbines, why the government is removing the ability for parties to enter this commercial arrangement or usurping this process and instead is providing renewable energy companies with the right to access land, establish solar or wind farms and pay compensation based on losses, being damage to lands and loss of productivity or profits, rather than on a commercial basis leading into the future.

This is akin to what we see in the Mining Act, and it seems that the government is intending to treat wind and solar in the same way that they treat minerals. The flaw in this theory, though, is of course the fact that there is a clear difference between the two. One is owned by the state government by virtue of it being a mineral resource under the ground and the other, based on property rights, is owned by the landholder or lessee.

I feel we do need to enter into a bit of common law at this point, because it is my understanding that your property rights comprise the land surface, all those things growing on or attached to your land, obviously except, as previously mentioned, minerals by the terms of a Crown grant and, importantly, the airspace above. By virtue of this, one would then reasonably expect that that would extend to wind and also solar, that is, the sun.

Therefore, it is absolutely reasonable to conclude that wind and solar farms should be able to continue to be established via a normal commercial contractual arrangement between the proponent and the landowner or leaseholder. Instead, what we see in this bill is the Malinauskas Labor government's very clear and deliberate choice to remove the ability for autonomy, for landowners and leaseholders to have their own contracts and to make their own decisions when it comes to wind and solar on the land.

We in the Liberal Party unashamedly believe in individual freedom and free enterprise and that, wherever possible, government should not compete with an efficient private sector. There are numerous current instances of wind and solar farms operating pursuant to a private agreement between a landowner and an operator. Farmers and pastoralists are educated to make their own business choices on their land and should be able to continue to do so. Unfortunately, this will not be so under this new bill, but this is what we have come to expect under this Labor government: a centralisation approach and the usual banter of, 'Trust us, we are the government and we are here to help.'

Another aspect this bill fails in is that there is no legislative requirement for the government to consult with pastoralists or even the Pastoral Board as part of this process. Section 10 deals with the process by which a minister can declare an area of land as a release area, provided it is designated land. Of great concern are the consultation requirements, or lack thereof, particularly in respect of pastoral land. For pastoral land, the only required consultation is with the minister responsible for the administration of the Pastoral Land Management and Conservation Act 1989.

Under the Pastoral Land Management and Conservation Act 1989, the Pastoral Board has been appointed and is responsible for the administration of the act. Therefore, it absolutely should be incumbent on the minister to consult with and take advice from that Pastoral Board in relation to any release areas. Furthermore, consultation with the pastoral lessee should also be mandatory and should occur because there is a proposed declaration.

To not do so would be to give little to no recognition to property rights and the legal interest in the land. Again, the fact that consultation is required only with the minister responsible for the pastoral land management act is troubling. We know that under the Malinauskas Labor government the Pastoral Board and the management of the act has very deliberately been moved away from the Department of Primary Industries and Regions and into the Department for Environment and Water.

For those of us who live in regional and remote areas, we absolutely understand this is a move to characterise the Labor government's priorities, a shift away from its traditional use of livestock grazing and management towards a 'lock up the gate' approach when it comes to pastoral land use. This move was something the Liberal opposition opposed at the time and still oppose. With that in mind, I, on behalf of the opposition, in recent weeks have filed a set of amendments, one of which is to ensure that the pastoral lessee and the Pastoral Board are consulted before declaring release areas or granting a licence.

I also want to touch on the provisions around rent in this bill. This bill fails to provide an explicit mechanism in which pastoral leaseholders can receive additional remuneration or rent for renewable energy projects going on their lease. Pastoral leaseholders will only be eligible for compensation for any economic loss, hardship or inconvenience suffered during authorised operations under this bill. Those additional payments would assist pastoralists in droughtproofing their operations.

However, once an investor is provided with access to designated land, they will be required to pay rent to the state government for the use of that land. I note that the requirement to pay rent to the state government does not apply to freehold land, nor should it, and that rent paid to the freehold landowner remains via a commercial agreement between the renewable energy proponent and the landowner.

So this rent is only applicable to pastoral land and the provisions replace the existing laws on pastoral land, whereby under the pastoral land management act rent is also required to be paid by renewable energy companies. However, this rent is paid into the Pastoral Land Fund, with 95 per cent of the rent to then be paid to either the pastoral lessee or native title holder, the amounts having been negotiated as per access agreement or ILUA, respectively. I think it is important for us to note that currently there are no commercial wind or solar farms operating on pastoral land and therefore there are no projects operating under this part of the PLM act.

However, there are large concerns among pastoralists that if the rent the government charges to these renewable energy companies is too high it will ultimately impact on the amount of rent, if any, that is paid to the pastoral lessee as negotiated under the access agreement, because at present the legislation only states that rent may be paid into the Pastoral Land Management Fund.

The only payment legislated for the pastoral lessee is by compensation for loss of access to the land the renewable energy project takes up. There is no legislative mechanism for lessees to be paid ongoing remuneration for use of the lease land. There is only a legislative requirement for the government to be paid.

I note that the minister in charge of this bill in the other place made some interesting comments in that chamber, particularly that it was his view that pastoral leaseholders do not deserve a proportion of the rent payable by a renewable energy proponent for a project on pastoral land, just

compensation for loss of productivity. This is despite assurances made by the department in briefings and the Premier's claim that this would droughtproof pastoral leaseholders. Therefore, the opposition will be moving the same amendments that we moved in the other place, which effectively legislate that rent is payable by a lessee for use of the land in a licence area.

Finally, I want to speak about right to enter, access and compensation. The current bill essentially gives a right to enter any pastoral land without notice or the need to consult with a pastoral lessee when a licence is granted. In doing so, it gives no regard to the biosecurity risk that has the potential to present when it comes to access of that land.

Those of us in regional communities understand how critically important it is to keep out endemic pests and diseases, many of which have serious economic implications. There must be a legislative requirement that any proponent is required to comply with all relevant biosecurity requirements, including any reasonable requirements of the landowner and/or pastoral lessee when accessing land, whether notice is given or not.

Consequently, we have drafted and filed another amendment to that effect. I do not think there is any individual who can argue with the importance of ensuring that biosecurity is of the utmost importance. The government certainly should not, given they currently have just finished consulting on a new consolidated biosecurity act.

As mentioned previously, we have an amendment in the chamber to ensure the minister must consult with the pastoral lessee and the board before declaring a release area or licence, but we also need to discuss compensation for pastoralists. Currently, in this bill, no provision is made for the payment of compensation for the time and costs involved on the part of the pastoral lessee in having to negotiate with the licensee. This is important in circumstances where there may often be a significant asymmetry between the resources of the licensee and the pastoral lessee.

As presently drafted, section 79(3) is lacking in terms of an obligation being placed upon a licensee to pay compensation for costs a landowner incurs—that is, it says they may, not that they must. Given this, we the opposition are bringing forward another amendment aimed at bringing the Hydrogen and Renewable Energy Bill in line with the existing Mining Act by providing up to $10,000 compensation for a landowner to cover reasonable costs of obtaining legal assistance.

I will note, however, that there is some commentary on *Hansard* around this amendment in the other place, and I note that the government's preference is not to have a cap on the compensation. I am in favour of this, providing that the compensation for legal assistance is provided in situations where it is required by landholders. Therefore, I will flag now that I will be asking some questions of the minister around the government's clause on compensation and, depending on the minister's answers, may or may not move that amendment at that time.

The Malinauskas Labor government has said that we should not worry about many of the matters I have just discussed. They are asking landowners and landholders to trust that these matters will be addressed in subsequent regulations. Again, 'Trust us,' they say, 'we are here to help.' But given their track record on failing promises—ramping being one that springs to mind—I think it is absolutely critically important that these concerns are explicit in the legislation. Therefore, the opposition will be looking to have these amendments supported in this chamber, and I certainly encourage my colleagues in this place to support our amendments going forward.

Primary industries and agribusiness is a huge economic driver of this state. In 2021-22, its revenue reached $17.3 billion, and those industries supported 71,000 jobs. Therefore, it is absolutely critical that this piece of legislation does not negatively impact our primary industries and the regional communities they support, but rather that it continues to achieve the right balance between the direction of the government of the day with the property rights of landholders and lessees living on the land.

I look forward to voting to send this bill off to a select committee, which will ensure that we, as a parliament, have done our due diligence and have effectively scrutinised this bill, because what is absolutely critical for South Australia is that we do not see the burden of this government's push for energy transition fall on regional communities without receiving their fair share of the benefits. With that, I conclude my remarks on the Hydrogen and Renewable Energy Bill.

The Hon. R.A. SIMMS (16:51): I rise to speak on the Hydrogen and Renewable Energy Bill on behalf of the Greens. I should note that I am the spokesperson for energy for our party, so I will speak about the implications for energy policy and my colleague the Hon. Tammy Franks will address the environmental considerations and the impacts for First Nations communities in her second reading speech.

I also indicate, as was alluded to by the Leader of the Opposition, that contingent on the second reading stage I will move to refer this bill onto a select committee for an inquiry. We believe that is a really important step in ensuring that we have a bill, a reform piece, that actually delivers good environmental outcomes for the people of South Australia.

By way of background, when the Labor Party announced their powering new jobs and industry for the future plan, their green hydrogen plan, in the lead-up to the last election, my response at the time—on behalf of the Greens—was to indicate that we were supportive in principle of the concept. Indeed, that has always been our view, but we wanted to see the detail of the legislation and to understand, to make sure, that the government had the energy mix right.

It was with that intention that I reached out to the government on several occasions to seek to understand what they were proposing, even before legislation was brought to the parliament, so that the Greens could be in a position to work constructively with the Malinauskas government and to get a reform piece through this chamber. It is why on 8 June I reached out to the minister directly and requested a meeting with him to discuss the plan.

My office then reached out again on 14 June via email, again on 7 August, again on 21 August, again on 23 August, and then, when we finally got a briefing with staffers, I reiterated on 20 October that I wanted to meet with the minister to discuss the plan. We finally got an audience with the minister last week and I expressed some of the concerns that the Greens had, and we have never received a response to those concerns.

So it is clear that we are a long way off being able to support this legislation. It does not mean that we are opposed to it, but it does mean that we need to apply some rigour, some scrutiny to the government's proposal to ensure that it does not have adverse consequences for our environment, and to ensure that it actually sets our state on the right path in terms of renewables.

For us, there are some significant concerns that we have with the legislation. I will talk you through those. To begin with, I think it is really important that this chamber understands the distinction between green and blue hydrogen. There is indeed a cross-section of hydrogen colours: pink hydrogen, which comes from nuclear sources, or brown hydrogen, which comes from coal. Green hydrogen—that is the form the Labor Party campaigned on in the lead-up to the last election—is derived from renewable energy sources such as wind and solar power and it is made through a process called electrolysis. It is this that the Labor Party allude to in its election manifesto, where the then Labor leader stated in his foreword:

> A Malinauskas government will build a 250 megawatt of hydrogen electrolysers, one of the world's largest hydrogen electrolyser facilities.

That is a bit of a tongue twister. It continues:

> These electrolysers will create hydrogen from water using green power.

It is this proposition that holds immense promise in the transition away from fossil fuels, particularly in terms of its industrial use, as in the production of green steel in Whyalla. The Greens are attracted to that. I have some knowledge of that issue from when I was involved in a Senate inquiry during my time in federal parliament. I am attracted to that proposition.

Creating a green hydrogen industry in South Australia can accelerate our transition to a sustainable future. The Greens are deeply committed to environmental sustainability and climate action, and we have stated publicly that we are supportive of green hydrogen in terms of reducing our reliance on methane gas in industrial settings. There is the potential for Australia to become a renewable superpower if we focus on green hydrogen and start to build an industry around it.

Certainly, green hydrogen aligns with our goals of reducing greenhouse gas emissions, promoting clean energy and building a greener and healthier future for the community. But there is

an important distinction that needs to be drawn between that and blue hydrogen. Blue hydrogen is the cuckoo in the nest of the Labor Party's proposal because it was not part of what they took to the people of South Australia at the last election, but it is part of the proposal for which they are seeking this parliament's support now.

It is really important that this parliament is cognisant of the risks associated with blue hydrogen. Blue hydrogen is produced from methane gas. It is referred to as natural gas, but we know of course that it is not natural in terms of its impact on the environment. The process reforms methane gas to hydrogen, with the carbon waste product being sequestered into the cavity created from extracting the methane gas.

To be clear, it is gas, it is blue hydrogen made out of fossil fuels. It should hardly be surprising then to anybody that the Greens are concerned about blue hydrogen as it locks us into a future reliance on fossil fuels. Furthermore, carbon capture storage could have detrimental environmental impacts, and that is an area of significant concern for us.

On 12 August 2021, *The Guardian* reported a study, which found that the emissions from producing blue hydrogen are significantly high. Rupert Howarth, a scientist from Cornell University, who authored the paper said:

> It's pretty striking, I was surprised by the results. Blue hydrogen is a nice marketing term that the oil and gas industry is keen to push, but it's far from carbon free. I don't think we should be spending our funds this way on these sorts of false solutions.

The Labor Party talks a lot about this being the next gold rush. We want to make sure they are not going after fool's gold, that they are not going to be spending a huge amount of taxpayer money in propping up the gas industry and in doing something that will not actually deliver demonstrable environmental outcomes.

There is no need for blue hydrogen in our state. We have abundant renewable energy resources. Renewable energy is currently meeting approximately 70 per cent of South Australia's total electricity consumption. Green hydrogen can play a role in stabilising the network and reducing industrial reliance on methane gas. However, we do not need to turn to hydrogen produced from fossil fuels to do that.

Over the last six years, South Australian energy ministers have been talking up hydrogen, and as early as 2017 the Weatherill government was touting hydrogen as a key part of its energy plan, particularly for energy storage. Since then the rhetoric has always been around green hydrogen. The Marshall government described hydrogen development as a greenhouse gas free fuel.

In the 2022 election, the Labor Party's policy document, titled the 'Hydrogen jobs plan', committed to building green hydrogen infrastructure. Nowhere in that document is there any reference to any type of hydrogen other than green hydrogen. It was not until late 2022, when the Malinauskas government first started talking about blue hydrogen in their issues paper, that this appeared. Since then, the government has referred to blue hydrogen in 'South Australia's Green Paper on the energy transition', where it states:

> As we transition to a net-zero emissions future, the oil and gas industry will continue to play a critical role for South Australia—particularly in the short-to-medium term.

There was a map contained in Labor's election policy, and I will seek leave to table that document.

Leave granted.

The Hon. R.A. SIMMS: The map that was in the election policy document shows the potential for green hydrogen was reproduced in the green paper. However, this time the map identified locations for blue hydrogen in Leigh Creek, Cooper Basin and the Greater Adelaide region. I seek leave to table this document, 'South Australia's Green Paper on the energy transition'.

Leave granted.

The Hon. R.A. SIMMS: The federal energy minister, the Hon. Chris Bowen MP, stated his intentions to support green hydrogen. To quote from the minister in federal parliament, he said, 'The

road to green hydrogen does not necessarily go through blue hydrogen.' This is in contrast to the state government's position, where it states:

> Blue hydrogen is a potential route for large scale hydrogen production for domestic use or export that is cost competitive using currently available technologies.

There is a clear discrepancy between the positioning of the federal Labor Party and the positioning of Malinauskas Labor here.

We welcome the regulation of the renewable energy industry in South Australia. However, the Greens do not see blue hydrogen as the way forward for our state. We do have sufficient access to wind and sun in South Australia, and we should limit technology to green hydrogen to ensure that we have a clean energy future. There is no need to legislate to allow for blue hydrogen when we could be global leaders in clean energy. Taking a strong position to exclude blue hydrogen would show a clear commitment to our state addressing climate change.

We have declared a climate emergency. What you do when you declare a climate emergency? You do not continue with business as usual. You do not continue propping up the gas industry. Instead, you take dramatic action. I am concerned that what the government is doing here is engaging in a greenwashing exercise.

I am concerned that what the government is doing here is gaslighting the people of South Australia into thinking that this plan is something that it is not. That is why my colleague and I are committed to referring this bill on to a committee inquiry so that we can go through the bill and consider its implications in more detail. Should we be unsuccessful in that endeavour, we will be moving a series of amendments. I will leave the Hon. Tammy Franks to outline the nature of the amendments that she will move, but I will speak briefly to those that I am going to be initiating.

In addition to amendments to remove blue hydrogen from the bill, we will also move to ensure that gas cannot be used for residential purposes. Members will know I have talked a lot about this over the time that I have been in this parliament. It is concerning to us in the Greens that, in contrast to other states and other jurisdictions, South Australia under this government has no plan to move away from gas. Indeed, this is an issue that I have raised with the government. Whenever the minister cares to pick up the phone and take one of my calls, I would make him aware of that, because we are concerned about the fact that South Australia is at risk of becoming the odd man out when it comes to reliance on gas.

Why is it that Victoria has a plan to move away from gas on residential properties, the ACT has a plan to move away from gas on residential properties, but in South Australia there is no such plan, and that is absent in this bill. There is a risk that this bill commits South Australian households to a reliance on gas in the long term, which is totally the opposite to what the Greens have been seeking to achieve. Indeed, it is diametrically opposed to what I had expected the Labor Party would put forward.

The government has also stated their intention to blend hydrogen with methane gas and pump this into homes. While this has been tried in other countries, South Australia's renewable energy abundance means that we are in a better position to electrify our residential energy needs, rather than maintain a residential gas network into the future.

This discussion around hydrogen blend through gas pipelines really requires further explanation because it is a pipedream. It does not deliver environmental outcomes. Indeed, the best that one can hope for, I am advised, is about a 20 per cent hydrogen blend that has negligible environmental impacts. Why on earth would we be spending huge amounts of taxpayer money to potentially deliver hydrogen blend technology to households when we could be ramping up renewables and we could be spending government money on alternatives to gas?

Another concern we have with the bill as it currently stands is that those who are granted a special enterprise licence can be made exempt from any other part of this act at the discretion of the minister. This is an extraordinary power that the Greens are not comfortable with. The submission dated 23 June 2023 from the Law Society highlights their concerns. I quote from that document:

> Finally, and of most concern, is the Minister's ability in proposed section 23 to exempt a special enterprise licence from compliance with a provision of the proposed Act. The Society opposes this provision which grates uneasily

against the Rule of Law and may give rise to circumstances where a landowner is not given notice and is therefore unable to challenge any decision made.

This is a serious matter that the Law Society have raised, and the Greens share their concern about giving the minister this excessive power.

The final amendment I will move is to ensure that owners of adjoining properties will also need to be notified in accordance with the notice of entry provisions that exist under section 76. The Law Society's submission touches on this point and addresses the rights of adjoining landowners whose neighbouring properties may be impacted by proposed developments. Their submission states:

> As a minimum, provision should be made for those adjoining landowners to be notified and consulted. For example, in respect of a windfarm, it is easy to contemplate a proposal where individual towers are placed on the boundary of land far from the owner's dwelling or habitable areas, but directly adjacent to their neighbour's dwelling or habitable area.

Communities can be divided over issues like this, especially in regional areas. The Greens believe that ensuring neighbours are notified is a simple measure that would open up channels of communication and ensure people in the vicinity of a new hydrogen or renewable energy facility are given this information. We want renewable energy to be viewed positively in the community, and a key way to do that is to build community consensus and ensure that people are kept in the loop about what is happening in their neighbourhood.

To be very clear, the Greens are committed to renewable energy. We are committed to ending the reliance on gas across the country. We are supportive of the role of green hydrogen; however, we are concerned about this bill's capacity to fast-track blue hydrogen production. It is vital for us that the future of our planet is protected and that we do not see more fossil fuel projects.

The Greens have been open-minded on this plan. As I indicated in my opening remarks, we were open-minded when the Labor Party announced it during the election. Indeed, I made it very clear that my party was supportive of this proposal in principle, and it is for that reason that we reached out to the minister responsible on 8 June, 14 June, 7 August, 21 August and 23 August and I indicated that I wanted another meeting on 20 October. We have tried to reach out to the government and to work with them on this.

The reality is that they have not been willing to do so. I do not know why, but we now find ourselves in a position where we are not able to support the bill in its current form and where we will be moving to refer it to an inquiry so all the issues that have been raised with us by stakeholders can be ventilated. I hope the parliament will support this sensible proposal from the Greens.

We cannot allow the Malinauskas government to continue to steamroll this chamber to push ahead with significant reforms like this without appropriate parliamentary scrutiny and we cannot allow them through sleight of hand to potentially gaslight the people of South Australia to embark on what could be a smoke and mirrors campaign for a continuation of the gas industry.

The Hon. T.A. FRANKS (17:09): I rise today to speak on the Hydrogen and Renewable Energy Bill, noting that there is a crossover of portfolios within the Greens between myself and my colleague the Hon. Robert Simms. The Hon. Robert Simms, of course, is the lead on this as he holds the energy portfolio, but I hold the Aboriginal affairs and environment portfolios and so will have not only a contribution to make today but amendments that have already been filed to debate.

The first ever hydrogen test station in Australia opened in December 2018. Evoenergy was opened in Fyshwick in Canberra, under the watch of the Greens' energy minister. I am not surprised to see these technologies, which ought to be based on renewable energy, being developed under a Greens government there in that territory. But the Greens know that hydrogen, of course, does come in many colours, many forms—a rainbow of colours, as the Hon. Robert Simms alluded to—and those colours require different technologies to produce.

We cannot go down the path of using fossil fuels at all in any form in the future. The Greens do not support the use of carbon capturing storage techniques for the creation of hydrogen as a fuel, but we do support and encourage the development of renewable energy hydrogen fuels. It is clear

that a fuel like hydrogen is a beneficial fuel for the future, as long as it is based on renewable energy, as long as it is not based on carbon capture and storage emissions.

The International Renewable Energy Agency (IRENA) produced a report in September 2018 called 'Hydrogen from renewable power: technology outlook for the energy transition'. That report also makes the point that to achieve the targets in the Paris Agreement, the global energy system must undergo a profound transformation from one largely based on fossil fuels to an efficient and renewable low-carbon energy system.

The report says that over 95 per cent of current hydrogen production is fossil fuel based. Only around 4 per cent of global hydrogen supply is produced by electrolysis. We need to change that balance dramatically so that we are no longer reliant on fossil fuel-based hydrogen production, but we look instead to renewable energy as the basis for that production.

It is being sold to us that this legislation is designed to act as a regulatory framework and to streamline the process for companies wanting to invest in such projects in our state of South Australia, creating a single regulatory process for matters such as land access, native title and environmental impacts. That would be a good thing, but the further we delve into this legislation, and the more we talk to those stakeholders who the government say are happy with this legislation, the more we find there are concerns being raised, the more we also see a failure of this bill to truly balance the rights between those of the state, landowners and future proponents, particularly in my portfolio areas of environment and Aboriginal affairs.

The Greens are not satisfied with the current proposed protections in this bill—or really the lack thereof—and a 'Trust us, we are the government; we will put in the regulations'. This is not good enough and that is not good governance. Renewable power is an essential tool to reduce climate change in future years. However, we do know that biodiversity is our most vital natural defence against climate change. The two go hand in hand.

Our Crown lands, particularly our coastal fringes and riparian zones in agricultural regions, contain the majority of remnant vegetation, providing refugia to hundreds of critically endangered species and stabilising our coastline. These provide linkages to allow species to move in response to climate stress, generating new land to buffer our landscape against sea level rise, sequestering vast amounts of organic carbon, fixing nitrogen from the atmosphere, cleaning water inputs into our oceans, preventing algal blooms, reducing the effects of ocean warming, and providing key nursery habitat for the majority of our consumptive fish species. We cannot get this wrong.

Here in South Australia, we are leading the nation in that reform, so we must set the standard as high as possible. As such, I will be moving some amendments today in this debate to help raise that bar. Specifically, the Greens will be moving an amendment to include the environmental impact assessment criteria within the legislation itself—not leaving it to the minister to decide later on via regulations. That would be the trust that we would need to trust the government.

This is built upon the intergovernmental agreement on the environment and will place specific obligations on the department to take into account factors such as biological diversity, best management practices, feedback made directly by landholders, the greater public interest, and any relevant integrated environmental management system or proposed integrated environmental management system. It is something we have signed up to within this nation, so we see no reason why the government would oppose such an agreement that apparently we have already made.

We believe, in the Greens, that that agreement and those standards should be set in the act, not put in the regulations. There is no reason for these considerations to be left to the power of a minister under those regulations. These will be high-impact projects that have the potential to negatively impact our cherished landscapes, unique wildlife and cultural heritage. It cannot be left to chance as to the attitude of a minister or a government, a future government, on a particular day; it must be set by the parliament. Let us put into law a framework for promoting sustainable development, safeguarding ecosystems for present and, of course, future generations.

Another amendment I will be moving as part of this debate will be to include a general duty of care clause to provide protection against both a risk of harm and future harm, provide additional statutory protections for biodiversity, mitigate the effects of climate change and further protect

environmental harm. Our government's role is to protect the long-term interests of the South Australian population, not just mining companies or entrepreneurial types. This legislation is crucial. It must hit the sweet spot between encouraging investment, alternative power generation and protecting our other natural resources assets, climate change adaption strategies and cultural values.

The Greens firmly believe that this cannot be done without the amendments that we are putting forward. We do thank those stakeholders within the environment movement who have reached out to our offices and provided advice as to where they see the flaws in this legislation. Of course, an inquiry would allow the community more broadly to have a much more thoughtful and transparent conversation about where this legislation has further to go.

I note that in terms of the discussions with First Nations groups there were a number of forums and feedback was taken in those forums. In my briefing on this bill I asked, in terms of the feedback given by First Nations stakeholders, what had been the response from government. I was sent a copy of the feedback from First Nations respondents, which I had already seen on the website, and I would say to the government that consultation is a feedback loop.

It is not just allowing people to say what their problems are, it is also suggesting the solutions as the government sees them and then getting a feedback loop going on whether or not the proponents—in this case the First Nations people—agree with that or disagree with it. It does not mean, as a member of parliament, if there is disagreement with what the government proposes that that will necessarily see the Greens either support or oppose the government, but it does allow a proper feedback loop and the transparency and thoughtfulness that this debate deserves.

What I would say is that all the way through the First Nations feedback, I see that Aboriginal groups need funds, resources and good legal advice for equal participation—I do not see that guaranteed here—and there is a need to reform the Aboriginal Heritage Act 1988 and the recognised Aboriginal representative bodies, which are known as RARBs. Again and again this is raised. It needs to be clear that even the amended Aboriginal Heritage Act (AHA) is inappropriate and that until that is fixed up you cannot unscramble some of the problems that currently exist.

I accept that there are ways forward here that the Department for Energy and Mining is progressing with, but time and time again we have seen Aboriginal groups raise a concern about the Aboriginal Heritage Act and its workings, and we have an inquiry that was undertaken by the Aboriginal Lands Parliamentary Standing Committee into Aboriginal heritage which raised some of those same concerns and which has called for reform. I note that I believe we still have yet to see any further RARBs in the last several years and until we see reform of those processes, and indeed recognition of those RARBs, I do not believe that we are hitting the sweet spot that we need to in terms of First Nations groups.

Certainly, with the environment the feedback that we have had is that this is an opportunity that we have to get right. It is better to take a little bit more time and get it right than be left with the legacy of a rushed piece of legislation that did not really respond to concerns raised and did not really do what we were promised on the box, and that is to deliver green hydrogen projects for this state, not the rainbow of other colours.

The Greens certainly will be fighting for the best legislation that we can possibly see, whether that is through an inquiry or through a series of amendments in the committee stage, or a combination of the two. We do hope to see our state flourish, but we need to ensure these protections. With that, I look forward to hopefully seeing an inquiry set up that can report back to the parliament in the new year. It need not take more than a few months and certainly, given we are having a summer break, there can be hard work done by some committee members on that, including the Hon. Robert Simms, my colleague. With that, I look forward to the progress of this debate today.

The Hon. J.E. HANSON (17:20): Hydrogen: does it do what it says on the box? I think that it does—I think that it does. I think that this government really started long ago, on a long run-up, addressing that question. Not that long ago, this parliament, for instance, acknowledged that there was a climate emergency. Not that long ago, the parliament said, 'Alright, we are going to agree with the net zero target emissions by 2050.'

The fact is, in conjunction with those two things we started structuring and encouraging—I think way back before we had this Labor government—the unlocking of renewables in this state. I think there is a great deal of evidence around that that I really do not need to go to, but to achieve these types of things that we are aiming for here we are now going to have to invest quite heavily. We are going to have to invest in, I think the figure is, somewhere around 40 to 50 times more renewable energy sources than what we currently have. That is 40 or 50 times more than what currently exists in the market.

Why do that? 'Carbon abatement' is going to be tossed around a lot more in the world, so we had better start getting used to that conceptual debate. Carbon abatement is coming for the world. Some nations are not prepared for it at all, but this state is. In fact, sometimes you can pick up a newspaper or an article and you can start reading about South Australia. It does not just have to be a newspaper or an article here in Australia, it can be somewhere else in the world. They are reading about South Australia.

The agreements that other nations are signing will mean that they need to reduce the amount of carbon in their production. That puts us very much ahead of a great deal of the world. We are well placed, and indeed we are seeking to take a first mover advantage here. We are not alone in that. There are other places in the world that are doing the same. Indeed, if I look over to Western Australia I can see them moving as well towards export facilities. But more than this, we are well placed to reindustrialise what we do here already, what we do now.

South Australia has everything that we need to make hydrogen. We have abundant wind and solar all year round. We have vast amounts of land. To a lesser extent, to go to some of the comments made in this debate, we have the waters too, but I think it is fair to look at that in a bit of context too. Unlike some jurisdictions, both here and overseas, we are not locked into having to use them. Ocean-based or offshore energy does not have to be something that we have to look at here. It is nice to have the option, but we do not have to. We have massive amounts of onshore facility here, which are far cheaper and are, frankly, less cumbersome, going to some of the debates we have already had in this chamber about offshore wind farms.

We also have the ability in South Australia to use renewables to make a resource, that being hydrogen of course, while others must use something vastly more expensive. Regardless of how you might feel about nuclear, it has vastly more expensive inputs to create. You cannot beat the wind, you cannot beat the sun; that is just a fact.

This makes us uniquely placed. I really cannot think of another state in another nation that is as well placed as us. I am open to someone trying to think of one, but I cannot. South Australia is very unique in the world. We have already started moving down this pipeline. As I have said, we have invested in solar and wind resources: 70 per cent of power in this state right now is being created with renewables.

To give some context to how good that is, we saw wind and solar producing I think around 2 per cent of our power in the early 2000s. Have we moved? Yes we have. We have been the beneficiary of this power generation already, but now we can put it to substantial further use in storage and production tied up in hydrogen. If we do that—and people toss around all sorts of fancy words around this like renewable energy powerhouse—we are going to be this new thing for the world.

The Hon. R.A. Simms: Goldmine.

The Hon. J.E. HANSON: Some people would say goldmine. I will come back to that because that is interesting. I think it is actually better placed these days maybe to put it as a copper mine, the Hon. Mr Simms, but we will come back to that. Nonetheless, it does put us in that position. Is it not fantastic to actually be talking about South Australia around maybe a goldmine, around having an opportunity to lead the world on something? Regardless of how we may feel about how we are leading it, is it not fantastic to be in that kind of position?

Why would we be a powerhouse? Well, here is an example. For instance, right now, we do not need to do much to create certain things we already have. It is not just wind and solar. We have Whyalla, we have Port Pirie and we have Olympic Dam. All these locations have one thing in common

and that fact is often lost on many of our interstate colleagues, in particular in the east, and that is that these sites are vital to the opportunity that we have in front of us, that hydrogen and indeed renewables have presented us with.

What all those three locations have in common is they all have a smelter at them. Normally, I could imagine the kind of response you get from people around smelters. They are not often regarded as clean devices, but what they are regarded as is they create something. Everybody knows that. In Port Pirie it is a complex smelter. It is a multi-metals facility. To break that down for what ordinary people might look at, it is very hard to obtain those kind of facilities anymore. It is one of the most complex multi-metal facilities anywhere in the world right now and, critically, it can be converted to hydrogen as part of its production. That is pretty critical.

Whyalla has the last structural steel manufacturing facility in the world. It is one of the largest integrated steelworks anywhere in the world, but it is the last structural steel manufacturing facility in the nation. So what can we do? We can make rail lines, we can make structural steel rail lines: the building blocks for any real economy. In fact, I cannot think of any nation in the world that would not see as part of its future having structural steel as a critical production facility going forward. That is important, because if we are going to use structural steel, structural steel is very difficult to abate. It is very difficult to go to the term that I used earlier on: carbon abatement. In fact, steel is incredibly carbon intensive in how we manufacture it now. It makes about 9 to 14 per cent of the world's total emissions in terms of carbon.

The government has already started acting here too. We chose to have the hydrogen electrolyser in Whyalla. That is not just an election commitment, that is something that we have already acted on and we are moving towards and it is pretty easy now to see why that location was chosen. All these facts are critical to what happens next here: the concept of reindustrialising. Traditional steelmaking, traditional building blocks for how nations are going to make things like glass, steel, concrete—that is all going to change.

Whyalla and the steelworks are the home of a pretty critical other resource which is going to be used if you plug hydrogen into green steelmaking, and that is magnetite. It is literally surrounded by magnetite. You do not have to use hematite anymore; you use magnetite as part of that. I will not go into that here because it is not relevant to this bill, but it is a critical fact to include about why Whyalla is so well placed, why we need to be doing these things. We are replacing metallurgical coal. We are replacing hematite. That is not only going to be a massive carbon reduction but it is also going to be a huge saving.

What does all this mean? We can literally be sending a decarbonised product, a value-added product, once it is in production, to other nations if we choose to instead of just sending them hydrogen at comparatively enormous energy cost, because you need to get it down, depending on what you read, to somewhere between minus 248° and minus 253° to create.

The last smelter is Olympic Dam. It produces its own copper. Copper is going to be a critical resource going forward in the world economy as well. In this regard, it is important that we look at what many of our predecessor governments did here. Both the Bannon and the Tonkin governments sat down and said, 'You are going to produce copper onshore. You're going to value-add to it here.'

They sat down with I think it was Western Mining and BHP, definitely, back in the day, and they had indenture agreements where they had to smelt, they had to value-add, they had to add complexity to your copper resource. In doing so, of course, they helped build the economy we have here now and, indeed, added Port Bonython and the export facility there, which can take our hydrogen, if we were to create it now, out to the world.

Why is all that important? It is important to maintain this industry we already have, because that is going to be crucial in providing us with a standard of living going forward as opposed to just the standard of living we have now. These facilities create enormous jobs, enormous amounts of GDP for this state. They have for a long time, and they should, and I hope they will continue to do so, because that is going to be pretty critical in what comes next.

The reindustrialisation process that we are commencing now by plugging hydrogen into these facilities stacks up fantastically well when you line it up against the alternatives. One is nuclear

and a second is standard carbon capture and storage, which other nations—other very high-profile, totally industrialised nations like Japan, Germany, Korea—are doing. It is just not going to place them as well as we are being placed—versus our resources that we have here, like I said; versus the existing infrastructure we have here, like I said; and versus the hydrogen we can create using renewables, all in one place, all in one geographical location, South Australia.

I just do not think there is a chance that you will not see companies of the world looking at the reality of that comparison right now. In turn, it is easy to see how nations will be looking to import what we can make here to continue to do what they do now. They are going to have to reduce their carbon emissions. They are going to need what we can give them, and that creates a transformational opportunity for our state. We could be seeing those companies here, or we could be sending to them what they need to operate overseas, and we can do that all out of humble South Australia.

Is it a goldmine? No, it is a copper mine. It is a smelting mine. It is genius. It is value-adding right here in our state, and we can do it only by doing a few things. One is a legislative framework. We need one that the hydrogen industry has best opportunity to use to roll out to take advantage of the renewables we have in place and to realise the jobs that I have just mentioned that can come with it.

We do this now—we do this for licensing and regulation of the mining and energy resource sectors—but the scale I feel we are approaching with the renewable energies we need to create the amount of hydrogen we want to create, and also to meet those carbon abatement targets, I think makes pretty clear we need some sort of reassessment of our legislative and regulatory framework. It is required.

What we are looking at here is an entire life-cycle approach, if you like, to hydrogen and the energy industry around it, from feasibility to construction, from construction to operation, from operation to eventual shutdown or decommission and, indeed, then the environmental impacts, so the rehabilitation.

I feel like we have been developing the bill that we currently have in front of us in conversation with industry and people since somewhere in the lead-up to the development of, or around the development of, the issues paper which we released in late 2022. That is specific to this bill, but you could have seen this hydrogen aspect coming a long way off. Indeed, as has been referred to by the Hon. Mr Simms, this goes even as far back as Jay Weatherill's commentary around renewable energy. Green hydrogen has long been a goal of what we are aiming for.

In terms of this bill, an issues paper was released in late 2022, and this was particular to specifically addressing our First Nations people as part of that process. The bill was released, and immediately we went out to start to speak with the people and the groups who we were going to have to seek the social licence from, to continue in the creation of the bill.

There is in the structure of the bill an ongoing commitment, so it does not necessarily have to end here with what we are creating. There is an ongoing commitment to review the bill structured into the bill, whenever that commences, so every five years there is going to be a review of what is in it and, indeed, every sequential five years after that, so the consultation if you like does not have to end. We can just keep doing it because we are doing so very much with this bill and it is aiming to be in place and in enactment for so very long.

If we do that effectively, we can see exactly what I think everyone here has already mentioned, and that they want to see, and that is the benefits more equally shared by all South Australians, including those in our regions. They want to see, as the Greens have put, flexible, transparent and consultative licensing and how it is going to be achieved. They want to see the environment be best used and, in turn, gain the best benefit, or for it to be best protected from opportunities which are definitely going to be presented to us as hydrogen continues to become more complex. It is also going to allow, I would hope, for the world's best empowerment and self-determination of our First Nations people.

In this vein, there are no aspects of this bill which remove capacity to minimise the impact of expanding the hydrogen sector and related industry on the environment. The bill does not alter

existing environmental or natural resource legislation complexity. The bill will similarly not change how those matters are administered. In this vein, responsible ministers and agencies will not change with the kind of inputs that they have. The powers of said ministers and agencies will not change.

An environmental impact assessment will be included in the licensing process, as has already been referred to by the Hon. Ms Franks in debate here, and that assessment, while it is being performed, is going to include Aboriginal heritage. Obviously, all that has to occur before a licence is granted, and that is going to happen here: something that allows for the minister or any other related bodies that might want to be consulted, and indeed the public, to have their say as part of that process, and then subsequently any environmental impact assessment will be published. So it is actually quite granular in how it is going to address those issues.

In particular, I want to pause to acknowledge that this bill will apply to both government land and also to private and freehold land, obviously, and in doing so it needs to and does acknowledge that any access to that land must be done through direct agreement with any required landholders. We have seen in other bills around energy just how important that concept is, particularly in this parliament or in the last government, and it is of particular importance when you are talking about multiuse agreements with significant cultural, pastoral, mining and energy sectors all operating in one area.

I mean by this that nothing will change when it comes to multiple land use—we acknowledge that now. Nothing will get worse and nothing will drive it backwards. This should allow hydrogen within that landscape, if you like, to co-exist through the standard mechanisms we usually put in place. We have dispute resolution, for instance, we have compensation, we have notes and entry provisions, we have consultation with landowners and access agreements. However, given that the scope of the increase in access that we are looking at to accommodate the scale of renewables that we are looking at, we also need to be quite innovative, and this bill seeks to head down that path as well.

That is why we are seeking to enhance the pastoralists' rights compared with the Pastoral Land Management and Conservation Act as it currently sits. We have enhanced dispute resolution mechanisms within that, so that any agreement must address all aspects of the life-of-cycle process in terms of access, and established the principle that any person seeking a licence must have the least detriment caused to the interests of the owner of the property, which in this instance would be the pastoralist, and that includes the least damage to the land.

In doing that, in taking that step and taking that innovation and attempting to extend certain rights, nothing limits what a pastoralist can put in an agreement between them and a licensee. So, if they want to further detail certain aspects, they can do that. Innovation is also why you need to look at different ways of achieving licensees, and it has already been mentioned in some debate here that this is why we are also introducing this concept of release areas.

Release areas are something of an innovation in regard to a step we are taking with this bill. These can be negotiated with a process of involving a government agency, native title landholders or other stakeholders if they are impacted. The process can also—does not have to—involve the minister if required for an assessment of the areas involved. Which minister it is, of course, will depend upon the area subject to the release, be it pastoral, environmental or the ocean waters.

The aim of these also is not just to provide a level of engagement or protection but also to be somewhat competitive in nature. In allowing the access, it also allows the state government to charge rent for the use of the land, so the functionality of it is dual function, and that thus ensures that you have a certain level of privilege known to the licensee in regard to what they intend to use the land for, which of course is generating renewable energy.

Nothing sharpens the mind quite like a dollar bill, so that is what it will do. Charging a certain amount of rent to a person who wants to establish renewable energy in a location enables the licensee to properly consider whether what they are doing is actually of benefit. The aim is to allow the government of the day to ensure that we only allow those who want a licence but will also deliver the best community or environmental benefits to obtain a licence or access for certain projects.

Having these steps in place has created something of a different structure, if you like, than business as usual about how we have got to where we are, and there are pushing and pulling reasons for that. At the end, they are both aimed at the same thing, which is recognising that what we are looking at is scope.

Forty to 50 times more renewables than we have now is a significant level of scope. It will require a significant level of obtaining social licence and it will change the face, literally, of how we look at ourselves in this state, and for very good possible benefits, because the nations of the world will be looking to places like South Australia to do exactly that, because they cannot achieve that level of social licence in onshore Germany, onshore Japan or even offshore Korea. They just cannot achieve that. They are not going to be able to do what it is that we have the unique capability to do here in our state.

The licensing arrangements that we are having to plug into the whole set-up are also seeking to be pretty innovative. Hydrogen infrastructure will probably change going forward. It is very likely that it will, as a moderately new technology, certainly in the scope which we are seeking to use it here. Licensing needs to be similarly structured to adapt as changes may occur. They will be in different types, which recognise the various areas which may affect the type of industry being recognised.

In terms of the different types, they are largely self-explanatory based on their names, which are driven, without going into it, by the various stages of the industrial process. However, there are a few issues, particularly given that it forms some level of debate by other members in this place. There are a few aspects of those that I want to highlight here now. While doing the basics like port storage or export infrastructure, the associated infrastructure licences allow for the creativity for new or multifaceted projects which may get a rise out of a new technology like hydrogen. It is not just doing it for what is in front of you; you can also do it for multifaceted issues, where new things may come up as part of that.

Existing resource claimants will have the ability to object, for instance, to the entry of an energy company where it will diminish the existing rights they hold. If you are a large mine which is currently in effect now and an energy company wants to utilise part of that, then you have an ability to object in some capacity.

In that regard, it is intended that the test will be to measure existing rights versus future activities. You cannot just say no for the sake of it. There is an expectation, in weighing up those two rights, that there would be a way forward for both to coexist. That needs to be the working point, the pivot point. That needs to be where you are both working towards that, not just saying, 'No, you can't have access because in some way I believe it will diminish my rights.' That is not the point of it.

Many of the licences will also not be able to be granted where there is a native title determination or within a registered native title claim, unless of course consent has been given as part of a land use agreement under the Native Title Act. That is a pretty powerful tool and I think a pretty necessary one. I think that gives a lot of rigour to the necessity to seek that social licence from our First Australians. They do have an incredible amount of leverage there and an incredible amount of capacity in those negotiations.

Further than this, the government, in setting up this bill, has also said, outside of this, separate to this bill, it will develop guidelines to support leading practice engagement for the purposes of support for our nation's First People. You are also seeing the intent there, if you like. It is not just a matter of what the government is doing in this bill, but in terms of its aims and achievements it is also saying, 'We are going to set guidelines for how those can best be achieved.'

In a similar vein of seeking innovation, where native title groups might seek it, a less formal agreement can be negotiated, if it is valid under the Native Title Act. So it still allows further flexibility and further innovation but only if it is sought by our nation's First People. Outside of all that, a fund will be created to be used in relation to the objects of the act to better protect and preserve native title and heritage of our First Nations people, which as we know can often come into effect when you are talking about issues like mining and energy.

I think it is pretty fair to say that our state sits as the home of some of the most prospective wind and solar resources in the world. I feel like we commenced capitalising on this, as I said back at the start, through decades of previous Labor governments with our wind and solar developments. We continued that as part of the Hydrogen Jobs Plan—a huge investment that was referred to by members here. It is a huge investment in this state for all the reasons I mentioned earlier, and it really is just the start.

In so many other aspects, I think it is very fair to say that our state has led the nation and indeed the world when it comes to energy. We are on the front foot. We are being mentioned by other nations around the world as something to look at and this bill may indeed be another occasion where the world looks to South Australia as the blueprint, and I certainly hope so.

Debate adjourned on motion of Hon. I.K. Hunter.

PETROLEUM AND GEOTHERMAL ENERGY (ENERGY RESOURCES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 November 2023.)

The Hon. H.M. GIROLAMO (17:53): I rise to speak on the Petroleum and Geothermal Energy (Energy Resources) Amendment Bill 2023 and indicate that I am the lead speaker for the opposition on this bill. This bill seeks to expand the remit of the existing Petroleum and Geothermal Energy Act 2000 and expand its scope to not be focused on gas. This bill will expand the scope to include items and technology that possibly were not envisioned when this legislation was first established.

The Petroleum and Geothermal Energy Act 2000 is these days held up as a strong example of best practice for a regulatory framework for industry in Australia and we are here again today to assist and update it to ensure it remains best practice by adding on the work also done in 2018 and 2020. In a way, this bill finishes off the good work that was started by former energy minister Dan van Holst Pellekaan. The smooth sailing of this legislation is most likely down to the extensive consultation and industry support for this legislation.

One of the differences between the legislation proposed by the former Liberal government and this bill before us is the introduction of a rent for carbon capture to store regulated substances. Carbon capture is by no means a mature technology and there is a long runway before the industry is settled. We are told by the government that setting these rules now encourages the industry to invest in these technologies, which require significant capital investment.

Right here in South Australia, we have two of the leading companies in the carbon capture space, being Beach Energy and Santos, world leading in this new technology. They would be comforted that the government listened to their concerns and that there is an exemption that applies to carbon dioxide that is produced or sourced within Australia and not imported; that is, Australian-produced carbon dioxide will not be subject to a rent clause.

By aiding and encouraging the use of carbon capture and storage technology, South Australia assists our gas industry to be first movers, and with that first move comes an advantage, and in South Australia that means a massive competitive advantage, we all hope. This has a greater goal too—helping to decarbonise the world and transition to net zero—but that competitive first-mover advantage adds to the make-up of our state's economy as we navigate the transition to a lower carbon economy.

My colleague in the other place, Stephen Patterson, shadow minister for energy and mining and net zero, spoke about the work that Santos and Beach are doing and investing in at Moomba as a joint venture. They have invested heavily, some $220 million in a joint venture project at Moomba for carbon capture and storage. At the time of the announcement, this project was one of the biggest and lowest costing projects in the world, and would safely and permanently store 1.7 million tonnes of carbon dioxide per year in the same reservoirs that have held oil and gas for tens of millions of years.

This is just one project, a world-leading project which sought to and is driving the state's future to net zero. We know there is a commitment by the gas industry to meet net zero by 2050, and this bill assists and probably hurries that goal by expanding the remit of what is possible in South Australia. With this bill, my hope is that there will be more investments in these projects for our great state, and with appropriate measures a strong world-leading framework where South Australia will have a good, solid pathway towards net zero.

The Hon. J.E. HANSON (17:57): I rise to speak in support of the bill, which proposes to amend the Petroleum and Geothermal Energy Act 2000. This legislation has been and, I feel, continues to be recognised as a really effective best practice framework. It is a situation where South Australia is taking significant steps to be a leader for the nation when it comes to energy. It is certainly something that we have seen in this place in regard to national energy grid production.

As former member of this place the Hon. Irene Pnevmatikos might have said, it is really hard to soar like an eagle when you are surrounded by turkeys. I think that still echoes even here today, even as Ms Pnevmatikos has left the building. As with any regulatory framework, part of maintaining the standards of being the eagle, of being best practice, is to review, and improvement has to be undertaken to regularly ensure that legislation is still appropriate and suitable and, indeed, the best practice for its intended purpose.

In South Australia, we recognise the importance of robust—everyone loves that word—regulatory frameworks in our energy sectors. We also enjoy a pretty strong, I feel, reputation for developing and implementing sound frameworks and maintaining them to those eagle best practice standards.

Other aims of the legislation are relevant in making sure that we effectively regulate how our state's resources are developed. That is pretty crucially important, first, obviously, from an economic standpoint. It does not always have to be about dollars, but in terms of an economic standpoint it is important to ensure that opportunity for industry is best facilitated and that that kind of regulatory clarity really gives operators and potential operators a high level of certainty, and the kind of confidence that I think you need to invest in energy projects across our sector.

It does wonderful things. It is being robust; it is being effective in your regulatory frameworks. Those kinds of frameworks are very important from the crucial perspective of safety. Having strong and appropriate frameworks that regulate a sector, and the type of activities in that sector, are going to play a fundamental role in keeping our enterprises across the energy sector operating safely. They play a large part in preventing pretty significant and horrific incidents from happening, incidents that can occur too frequently when you do not have robust regulations on matters that relate to safety.

We have another 'R' word: things that are less rigorous in regard to safety. Relaxed regulatory standards put our communities at risk, and we certainly want to ensure that safety across energy sector activities is paramount. Other aims of legislation that relate to this important area of South Australian industry include the intention to deliver clarity, certainty, transparency and consistency for operators, producers and prospective participants across our energy production sectors, and to balance multiple considerations that reflect the views, needs and expectations of the industry, of stakeholders and, indeed, of the community.

Keeping our regulatory frameworks contemporary and consistent with best practice is an objective that has been greatly assisted in South Australia by the operation of what was originally known as the oil and gas round table. What a banger of a party that must have been. Now known as the Roundtable for Energy Resources (RER), the round table was pioneered by the late Barry Goldstein and was established in 2010 with an initial focus on the somewhat jauntily named unconventional petroleum sector.

The round table was formed to facilitate communication and strategic cooperation between the government, industry, academia, and a range of stakeholders, and for government to then receive feedback and guidance from them for the advancement of oil and gas projects in South Australia. The round table supported South Australia to become the first state in the nation to launch I think a pretty comprehensive road map for the development of the somewhat jauntily named unconventional gas projects.

The round table now has more than 2,000 representatives from over 1,000 organisations, including industry, government and peak representative bodies for industry, environmental protection and Aboriginal communities. Environmental protection and Aboriginal communities are also people who are included in the round table, along with research institutions and individuals. Membership of the round table is somewhat free and open to all, as long as you bring two people, it seems. If you bring two people with 2,000 representatives of over 1,000 organisations, it is a little bit like the Noah's ark of round tables, really.

The round table meets each year to share and discuss information about contemporary developments in the energy sectors in the context of South Australia's energy transition and agree upon shared priorities which you might have in regard to the action for that. This exercise can, and indeed does, better inform government efforts to sustain energy security and jobs while maintaining sound protections for our natural environment and community. I do not think they mean sound in regard to volume, but nonetheless maybe it does that too. The round table was renamed the Roundtable for Energy Resources in South Australia last year, in October 2022, meaning to reflect a broader focus on decarbonisation, including carbon capture and storage, and increasing prominence—let's hope so—of hydrogen within that landscape.

Energy market challenges in the transition to emissions reduction, increased competitiveness and use of renewables were key themes which were addressed by the round table. I understand that the 2023 round table is to be held pretty soon, and I trust that the members participating will have much to discuss within that, with plenty of recent developments and new prospects on the horizon across the landscape of South Australia's energy sectors.

The bill now before us has come about as a result of the Department for Energy and Mining's most recent review of the Petroleum and Geothermal Energy Act, which was undertaken to identify refinements and improvements that could be made to the act to ensure that it remains fit for purpose and continues to reflect best practice.

I will now outline some of the changes that this bill proposes be made to the Petroleum and Geothermal Energy Act 2000. The act will now be called the Energy Resources Act—someone really used a lot of power to think up that one—to reflect the broader scope of the amended act, which will now cover, in addition to petroleum and geothermal resources, natural hydrogen, underground coal gasification, carbon dioxide and carbon capture and storage. The majority of changes proposed in the bill are administrative in nature. They were subject to public consultation on an issues paper in February 2021, as well as on an earlier draft bill in June 2021 under the previous Liberal government, which was at that time prorogued.

The previous draft amendments have been revised and enhanced, following a further period of public consultation which commenced in November 2022. The main amendments pertain to improvements in efficiency, in clarity and indeed in transparency in relation to the existing regulatory processes and policies. This will ensure that the act maintains its widely recognised status as leading practice, as the eagle, if you like, for its coregulatory approach to licensing and its objective-based approval process or processes.

Under the act, hydrogen will now be a regulated substance. The regulations that this bill will bring in will mean that it will now be extracted and transmitted in pipelines. This is not exclusive to naturally occurring hydrogen; it will include, I would definitely hope, manufactured hydrogen, because we intend to make quite a bit of it. These provisions will allow for new innovations, activities and development in the highly promising hydrogen sector to be accommodated, and hopefully will promote clarity and consistency in the regulation of hydrogen sector activity.

Natural hydrogen is hydrogen that occurs naturally underground. It is amazing, I know. It can be produced in a similar manner to petroleum resources. We recognise that natural hydrogen will have a place in our state's hydrogen industry—it is just as well that is does—which is the reason, of course, that we are continuing to lead the nation in enabling exploration licences for natural hydrogen.

The state's natural hydrogen potential has been presented to local, national and international audiences. South Australia has attracted interest from explorers in this promising sector because it is the only Australian jurisdiction currently with a licensing regime in place and offers favourable geology to do so. Combined with the international attention we have been attracting with the Labor

government's Hydrogen Jobs Plan, South Australia is becoming widely recognised as an emerging jurisdiction of note for the hydrogen sector.

Carbon capture and storage is the process of capturing carbon in natural underground reservoirs to prevent it from being released out into the atmosphere. Analysis by the Intergovernmental Panel on Climate Change and the International Energy Agency has consistently shown that carbon capture and storage (CCS) is a crucial part of the path towards meeting global climate targets.

CCS is a proven technology, with over 30 large-scale commercial CCS projects now in operation globally. This includes the Gorgon project, for instance, in Western Australia. These facilities successfully capture and store more than 40 million tonnes of carbon dioxide annually. Santos and its venture partner Beach Energy are nearing the 60 per cent mark towards completion in the construction of the $220 million Moomba CCS project in north-eastern South Australia, which will be the third largest dedicated CCS project in the world when it becomes operational next year.

From 2024, the Moomba CCS project will permanently store 1.7 million tonnes per year of carbon dioxide in depleted oil and gas fields in the Cooper Basin. This will represent a cut of more than 7 per cent to South Australia's total emissions. Carbon capture storage projects can include direct air carbon capture as in the case of the Moomba's CCS project. This is a technology that allows carbon to be pulled from the atmosphere and then either stored underground or used for other purposes.

The amendments proposed to the Petroleum and Geothermal Energy Act 2000 in the bill before us also introduce a rent for the use of South Australian natural reservoirs to store carbon dioxide. This will only apply where the carbon dioxide has been imported from overseas. This is an important provision for our community, because without it there would be no benefit to the state and its people arising from carbon sequestration activities that are undertaken in our state by energy enterprises on behalf of other jurisdictions. It is important to note that excluding domestic carbon will ensure that these rent provisions do not disincentivise the storage of Australia's direct carbon dioxide emissions.

I will continue by outlining some of the differences between the 2021 bill of the previous Liberal government that was prorogued and the 2023 bill now before the house. There has been a removal of hydrogen generation licence provisions, which have instead been included in the proposed Hydrogen and Renewable Energy Act, another important regulatory framework which our government is of course proud to have put forward.

In relation to clause 13, we see the inclusion of ministerial power to declare the whole of, or an area of, the state as a competitive tender region, thus removing over-the-counter licence applications in these declared regions. As I have outlined in relation to clause 27, we see the inclusion of rent payable for utilising natural reservoirs to store a regulated substance. As I have also mentioned, in order not to disincentivise domestic carbon sequestration, an exemption applies to carbon dioxide produced or sourced within Australia and not imported from overseas.

Furthermore, in relation to clause 42, we see the inclusion of a ministerial approval for change in control of a licence holder. In considering an application for approval, the minister must have regard to the technical and financial resources of a person who proposes to begin control as a holder of a licence.

In relation to schedule 1, somewhat excitingly, we see the inclusion of transitional provisions to allow the minister to authorise the holder of an existing gas storage licence to undertake operations for the withdrawal of a regulated substance from a natural reservoir in which it has been stored. Hence, an existing gas storage licence may authorise both the storage and withdrawal of hydrogen in and from natural reservoirs.

As I enter the final page of this speech, in what can entirely be regarded as hot air, also in relation to schedule 1 we see the inclusion of transitional provisions to allow the minister to issue a regulated substance tenement that corresponds to an existing exploration, retention or production licence. This will provide existing licence holders rights to explore for and produce naturally occurring hydrogen.

We are fortunate that in matters related to the development and implementation of regulatory frameworks for energy sector activity there has been frequent bipartisan and cross-partisan recognition of the importance of getting it right. While points of disagreement have arisen in the past, this area of legislation and matters relating to it have been revisited often in this place and in the other and have enjoyed reasonable debate and relatively comfortable passage through the parliament. The Malinauskas government seeks to work cooperatively with all members to secure passage of this bill that I now commend to this place.

Debate adjourned on motion of Hon. I.K. Hunter.

Resolutions

OMBUDSMAN

The House of Assembly agreed to the Legislative Council's resolution.

At 18:16 the council adjourned until Wednesday 15 November 2023 at 11:00.