

LEGISLATIVE COUNCIL

Tuesday, 28 November 2023

The PRESIDENT (Hon. T.J. Stephens) took the chair at 11:00 and read prayers.

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

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (11:01): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers and questions without notice to be taken into consideration at 2.15pm.

Motion carried.

The PRESIDENT: I note the absolute majority.

Bills

PUBLIC HOLIDAYS BILL

Second Reading

Adjourned debate on second reading.

(Continued from 16 November 2023.)

The Hon. H.M. GIROLAMO (11:02): As a former small business owner myself, I rise to again defend small businesses in the state. Another day and another attack from Labor on the small business community in this state by continuing to bow down to the unions, planting the burden of yet another public holiday onto small business in South Australia.

This state is built on small and medium-sized businesses and on this side we stand for them and with them. In pushing through this bill, the government has turned what could have been good, genuine consultation with the business community regarding Labor's election commitment and has done what many in the business community feared: gung-ho policy with no consultation on the substance of the changes in the bill.

We have heard from a number of industry groups that the first time they heard of this impost of a new public holiday was in the days before this legislation was introduced 12 days ago. A big lump of coal for the small business community on the doorstep of the busiest period for some of them, including Christmas and the summer holidays.

It is true that having Saturday of Christmas—when it lands on that day—was an election commitment by this government but nowhere was the impost of a new public holiday in the Labor mandate when it pitched itself as so-called business friendly. If that term was not already in shreds, they cannot claim it anymore, no-one would believe them.

This is a government that is led by a former union boss who imposed an additional two half-day public holidays on the hospitality sector on probably their busiest days of the year: Christmas Eve and New Year's Eve. That decision still rankles many in the industry, and the attack by this government on small businesses goes on. The consultation by YourSAy is problematic at best, disingenuous at worst. On the YourSAy consultation it mentioned Christmas, the same survey that the Attorney claims has the backing of 95 per cent of respondents.

It casts serious doubt over the Attorney using YourSAy when the question they ask and the feedback they receive is based on disingenuous engagement by this government. This was shameful

faux consultation from the Malinauskas government, who wrongly portrayed themselves as pro business before the election, yet they continue to attack South Australian businesses with yet another cost burden during such uncertain economic times.

In this term of government they want to provide a new public holiday with little or no consultation and this is shameful. What is next? Can we expect more and more days becoming public holidays in the future? With the history of this government, under the leadership of Premier Malinauskas, there are no guarantees that this trend will not continue, impacting on the hospitality industry, tourism industry and, importantly, the aged-care and NDIS industry, industries which do not have levers to pull to avoid work on public holidays.

Most contractual arrangements for aged care and the NDIS factor in 10 public holidays per year. South Australia currently has 12 public holidays, including two half days, and will increase to an extraordinary 13 if this passes, with Easter Sunday being included, putting us on par with Victoria, hardly a business-friendly state. This means that many aged-care and NDIS organisations will be required to absorb the costs of these additional public holidays, the very organisations that are looking after our family and friends during Easter and Christmas.

The vibe of this legislation is to create consistency, and to provide a history lesson for those opposite: over the last 50 years or so Christmas has landed on a Saturday six times under the Labor government. In 1976 under Labor, in 1982 under Labor, in 1993 under Labor, in 2004 under Labor and in 2010 under Labor, which then leads us to the fact that on the last five occasions they failed to address the factor of Christmas landing and left it to when they were in opposition to push this case—again, impacting on the business community.

To right this wrong of the additional public holiday, I refer to my amendment that we will be putting forward. This amendment seeks to move to swap the existing public holiday on Easter Saturday in place of Easter Sunday. Easter Saturday, the day that does not have as much significance from a cultural and religious perspective, should not be a public holiday and should be replaced with Easter Sunday.

The sensible change proposed by the opposition is also backed by a number of industry groups representing some of our state's largest employers and for some of those companies when they cannot avoid the impost of another public holiday. The Australian Hotels Association, Business South Australia, Motor Trade Association South Australia and the state's Australian Industry Group are all in support. These groups represent a spectrum of employers from hospitality to those working in hospitals, caring for NDIS patients and ensuring petrol gets into their car during their cherished holidays.

I would also like to talk about the significance of the names of the days of public holidays in this legislation. In the Attorney's second reading he mentioned Christmas seven times—I have counted—but what he failed to tell the parliament is that this bill seeks to remove any mention of the words 'Christmas Day' from the legislation going forward. Adding to the mix, they seek to continue their opposition to one of the most cherished and celebrated religious celebrations, with no mention of Christmas Day in the statutes.

This seems to be the thin edge for this government, which speaks about consistency and aligning with other states and territories but has gone alone without any reference to Christmas in their legislation. In the Attorney-General's second reading explanation he speaks about removing outdated and archaic terminology. Christmas is neither outdated nor archaic, but it is another stepping stone by this government to attack Christmas and other religious celebrations. The amendments that I have already drafted, and I hope that we have the support—

Members interjecting:

The Hon. H.M. GIROLAMO: The Attorney clearly wants to cancel Christmas.

Members interjecting:

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

The Hon. H.M. GIROLAMO: These are good amendments, thank you, Attorney. We on this side will not support removing Christmas Day from the statutes. I am moving amendments to return

Christmas Day to the legislation—also New Year's Day; Australia Day; Adelaide Cup Day; and, importantly, the sovereign's birthday; ANZAC Day; and Labour Day. All of these should be referred to within the terminology, along with Proclamation Day on 26 December. This will provide the consistency that this bill lacks and reaffirm what we as South Australians name and know these holidays as.

In my third block of amendments I seek to ensure that Australia Day remains on 26 January. As has been the case for the current mechanism in the legislation, there is the ability of the government of the day to move a holiday from one date to another, which is a mechanism that was used in 2006 for moving Adelaide Cup Day from May to March.

This amendment would remove that mechanism and ensure that Australia Day remains on 26 January, where the majority of South Australians want it to remain. I ask the government and the crossbench to support this amendment to provide clarity to the people of South Australia that it is not your objective to move, cancel or abandon Australia Day on 26 January.

We need to ensure that businesses are protected. We need to ensure that Christmas Day, Australia Day and other key celebrations within our calendar are protected. I ask the crossbench and the government to support these amendments, as we need to ensure that we protect all businesses in South Australia.

The Hon. C. BONAROS (11:11): I rise to speak in support of the Public Holidays Bill 2023. I am not really sure where to start after that, but I would love to know if the Hon. Heidi Girolamo consulted with Rob Lucas prior to some of the statements she made today about the significance—

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Bonaros, you can refer to the Hon. Rob Lucas as the Hon. Rob Lucas.

The Hon. C. BONAROS: The honourable—

The PRESIDENT: Thank you.

The Hon. C. BONAROS: —and he is very honourable to me, sir, so there you go. The former member of this place, the Hon. Rob Lucas.

The PRESIDENT: Thank you.

The Hon. C. BONAROS: Yes, and I apologise for that omission. But I would love to know whether the opposition did consult with the former member of this place and Treasurer, the Hon. Rob Lucas, when she—

Members interjecting:

The Hon. C. BONAROS: And on the issue of business, I would also love to know if the opposition consulted with those same industry groups that she has stood up, on behalf of the opposition, and spoken so passionately about today in relation to some of the key changes in this provision regarding Sundays—public holidays being declared for every Sunday historically in this piece of legislation and the significance that has for those very same industry groups that the member has referred to, those same industry groups who for years now, as I understand it, have been lobbying for this change because of the legal uncertainty that has existed in our laws since we joined the commonwealth fair work scheme.

They are extraordinarily important changes in this bill. In a moment we will get to Sunday and Christmas and the importance of mourning on Easter Saturday for those people who are of religious backgrounds and beliefs, but the suggestion of those groups the honourable member has referred to as not being supportive of this bill are frankly laughable. What we do know is that for some time now, and certainly in discussions I know I have had with this government since they came in and that I am sure my friends on the crossbench have also had with the government since they came into government—what we do know that this bill addresses is a very huge legal uncertainty that has provided lots of risk to those same industry groups for years.

Of course, we know that in the public holidays act now every Sunday—every Sunday—is declared a public holiday, and we have banked on the fact that that has never been challenged in our courts industrially. We have banked on the fact—and we have hoped and prayed, for those of us who have some religious beliefs—that the industrial agreements and awards we have signed up to under that commonwealth scheme have been enough to ensure that there is never a legal challenge in this state as to whether employees should be paid their penalty rates on Sundays, which, right now, stand as declared public holidays under the public holidays act.

The Attorney is fixing that problem today. He has given his word to industry groups—to the same industry groups the Hon. Ms Girolamo refers to, to the same union groups she has referred to, to all the groups we have all consulted with for some time. I approached the Attorney about this issue and indicated that I had moved something about a year ago, and I took them on their good word at the time that this would be fixed once we fixed the public holidays act.

The reality is that pre-2010 we were not so concerned about this. Since then, we have become extremely concerned because, if there is ever a legal challenge in terms of the declared public holidays on Sundays in the existing legislation, imagine what that will mean to those same industry groups and to every single employer in this state.

Just imagine the outcome if a court decides that actually, yes, notwithstanding the industrial awards and the agreements that we have signed up to under the commonwealth scheme, notwithstanding the fact that we fall under the commonwealth scheme, every employee in this state was and is entitled to penalty rates. That is when I would love to hear from those same industry groups and see whether this bill is worthy of support in terms of the outcomes it will have for them, because the reality is that each and every one of them has sat by quietly hoping that we will never get to the day when those laws are challenged in the courts.

Thankfully, after this week, we do know that as a result of these changes that legal uncertainty and that risk of legal challenge falls away for every employer in the state. So thank you to the Attorney-General and the Labor government for providing that certainty and stability that those industry groups have been seeking on behalf of their members going forward.

In terms of the bill more generally, I think the honourable member, on behalf of the opposition, said that Easter Saturday is not as a significant day culturally or religiously for people of faith. I am pretty sure that Easter Saturday, from where I stand, is an extraordinarily significant day—I am only speaking of people of faith now—for people of faith. It is a day of mourning, as is Easter Friday. The celebration is Easter Sunday, but to suggest that Easter Saturday is not religiously significant is very far from the truth.

Notwithstanding that, if you are going to work on an Easter Saturday, if you are going to have to work on any one of these days, it is not just businesses that we are protecting and ensuring have some certainty going forward, it is the people who have to leave their families behind as well, it is the workers who have no choice about attending work on those days.

If that is the position they are in, then the argument that they should not be entitled to fair and reasonable compensation for attending a day's work, when everyone else gets to stay home and be with their family and loved ones or do whatever it is they choose to do, is blatantly unfair. It is unfair to expect someone to go to work on any of those days and not be fairly compensated, given the significance of those days in our public holidays act.

We are not doing anything extraordinary in this act in terms of increasing public holidays; let us be clear about that. The legislation brings us into line with every other mainland state by making Easter Sunday a declared public holiday. Most states are currently not permitted to open on Easter Sunday even though it is not a public holiday. The legislation will modernise and simplify those laws going forward and it will bring us into line with other states and jurisdictions in terms of improving consistency and reducing confusion for businesses and employees alike.

Overall, the proposed changes we see are a full-day public holiday in SA increasing from 11 to 12—that is what we are seeing: from 11 to 12. That is in line with other jurisdictions and, indeed, it is less than declared public holidays in other jurisdictions. Yes, of course I appreciate the concern around Easter Saturday, and we have had consultation with the same groups that the opposition has

pointed to. The AHA has raised concerns about the impact that this will have on their sector. The Ai Group has also indicated the concerns that they have around this.

The MBA and, indeed, the SDA have also spoken quite differently, I must say, about their support for this in terms of ensuring that all workers who have to work on those days are receiving fair and reasonable compensation. I am not going to dwell on or buy into some of the criticisms around this issue, but I will say this: unless you have been living under a rock and you did not know that some of these changes were coming, how you have been caught completely unaware is surprising to me.

The removal of Easter Saturday, as the opposition has proposed, is something that some of the groups at least that I have referred to have spoken in favour of. I understand that from their perspective, but I also understand it from the perspective of the nurse and the aged-care worker and the retail and hospitality worker, the mechanic who is rostered on to work on Easter Saturday.

I understand it from the perspective of the worker who has to attend work because of their contractual obligations, regardless of whether it is a public holiday or not. I also understand the sacrifices that everybody makes in terms of spending valuable time with their family, loved ones and friends. We will be celebrating a public holiday on that day but someone who works in another area does not get that same luxury or benefit.

I will say this: we know times are tough for businesses—absolutely we do—and to suggest that none of us who support these changes care about the impact this has on business (on small businesses or large businesses) in this state is quite offensive. We know that they are doing it tough, and I think everyone in this chamber is doing their level best to make changes that actually support those same groups, but by the same token workers are doing it tough, workers are facing a cost-of-living crisis as well, workers are struggling to pay their bills and their mortgage and put food on the table as well.

So it is not just one group over the other. You do not get to choose businesses over workers in some situations, you reach a compromise, and sometimes you have to appreciate that there may be outcomes that the groups probably, I would say, have known are coming and that they are going to have to live with. But it is not just their members who we make decisions on behalf of here; we make decisions on behalf of everybody. I do not think it is fair that a worker should have to turn up to a shift on a day that is a declared public holiday and not be appropriately compensated for that.

I also do not think it is fair in that argument to completely dismiss the fact that it is not just businesses which struggle, it is not just the businesses that are represented by industry groups that struggle, it is individuals and their families who are struggling too. It is workers who provide essential services to each and every one of us, each and every day, who are struggling too. They are the ones who are at the front end of the cost-of-living crisis that we are in at the moment. They are the ones who are giving up their Easter Saturdays to go to work. They are the ones who I think also ought to be appropriately compensated for their day's work on those days that are declared.

I will have some questions on the amendments themselves as we get to them, but overall I am not sure if I disagree or if I understand why it is that we want to go down this path of naming all these dates in the act. I think there would be many of us here who would question how some of those days even compare to each other in terms of their significance.

We also know that there are discussions happening at a national level about some of the dates that are declared in our public holidays act. Not everybody agrees, frankly, that the sovereign's birthday is as important as Australia Day, or that Australia Day is less important or more important than Adelaide Cup Day. Adelaide Cup Day gets a guernsey—you know, horses racing!

This bill provides a level of consistency, streamlining, and eliminates huge uncertainty going forward. I am not going to buy into whether we should have declared days or whether we should have those days; I am going to focus my attention on the key parts of that legislation that are going to make a huge difference, not only to employees but also to industry groups. I know that from where I sit, from the conversations I have had, I am comfortable with that decision.

I am comfortable with that decision on the basis that those same industry groups are relieved that a huge legal uncertainty—I am not sure if it is a glaring omission on the part of the opposition,

but a huge legal uncertainty that has been hanging over their heads for years is now being rectified in this bill. It is something we have raised time and time again. It is something we have gone about quietly for good reason, and it is now being addressed. It is on that basis that I am supporting this bill in terms of striking the right balance between employees and industry groups going forward.

The Hon. T.A. FRANKS (11:27): I rise on behalf of the Greens in support of this bill. As you may recall, in December 2021 I introduced a bill to this place to amend the Holidays Act to make Christmas Day, no matter what day it fell on, a public holiday, and indeed there was support not from the government of the day but there was support from the crossbench and the then Labor opposition. During this time, of course, the then Labor opposition, the crossbench and the Greens rallied together and that bill, in fact, passed the upper house of that former Marshall government parliament.

Since then, our position has not changed. When I did my research on that 2021 bill, I noted that the leader of the Greens in the federal parliament, Adam Bandt, first championed and identified this issue in the federal parliament not long after the 2010 changes. So for those who fear that the Greens do not defend Christmas, I point to our record on defending the Christmas Day public holiday. Arguably, at this point, we have only become more passionate on this issue.

The Hon. B.R. Hood interjecting:

The Hon. T.A. FRANKS: Sorry, the Hon. Ben Hood?

Members interjecting:

The PRESIDENT: Order!

The Hon. T.A. FRANKS: I thought we were here on a Tuesday in November to debate making Christmas Day and Easter Sunday public holidays. I did not get the memo the Liberals clearly got that it was April Fool's Day in November this year, listening to the contribution of the Liberal opposition.

Our position is that Christmas Day is a special day that is shared with family and loved ones regardless of your faith or belief. For some, Christmas Day is the day they are required to work, so they miss out on this special time and that sacrifice should attract due compensation. Every other state and territory in this nation recognises that 25 December is a public holiday, yet in South Australia our legislation lags behind.

According to the Adelaidenow poll from 2021, over 99 per cent of South Australians support this change. If we fail to protect these workers through adequate allowances, including our emergency service workers, police, paramedics, healthcare workers, transport workers and NDIS carers, we risk leaving those essential services vulnerable to those workers calling in sick or purposely missing their shifts due to the lack of appropriate compensation for their time. They sacrifice that time with their loved ones—precious time—time that I know some of us in this place seem to take for granted.

No matter how you celebrate 25 December, all workers deserve the right to penalty rates for the time missed with their family and loved ones and we deserve as a society to have certain days in the calendar that families and loved ones can have that time together. This bill will take one step further and bring South Australia in line with every other mainland state and make Easter Sunday a declared public holiday. I note that is also a change the Greens support, noting that these same workers are the most likely to be positively impacted and paid their dues.

I do note that the Hon. Heidi Girolamo on behalf of the Liberal opposition bemoaned the fact that we would have 13 public holidays as a result of this bill. I point out three things: one, 13 is a very special day for Swifties and I am a declared Swiftie, so I will absolutely defend that. Two, more seriously, this bill, as the Hon. Connie Bonaros has pointed out, provides clarity because currently under our laws every single Sunday is a public holiday in South Australia and it would be a very interesting proposition should this be tested by the courts, one that I do not think the Liberal opposition would be very pleased about. Finally, South Australia will still not have the most public holidays of any jurisdiction in this country. In fact, we will still be in the middle when it comes to the number of public holidays that we have with this very minute increase.

This is a change that the Greens support. We have suffered long under the current system, and it would be nice for workers to not just be paid their dues and paid for their work, something that I note some Liberals seem to have a problem with, but have a little extra to pay those Christmas bills, particularly in this cost-of-living crisis. They will also potentially get some holiday time if it is not viable to employ them for those days.

With those few words, I do look forward to the debate. I look forward more keenly to the passage of this bill. I do question, as the Hon. Connie Bonaros did, why the Liberals seek to enshrine such things as the Adelaide Cup public holiday in the legislation, when in fact that date has moved around. In fact, the Adelaide Cup horse race is hardly the reason that most South Australians enjoy that long weekend in March and indeed it has been far outstripped by many other events of greater significance in that particular month. The sovereign's birthday being enshrined in words—in law—makes me question why we are not celebrating the sovereign people of this nation in any of our public holidays, but the Greens will save that debate for another day. I look forward to the passage of this bill.

The Hon. F. PANGALLO (11:33): I rise to say that I will be supporting this bill because I stand by our retail workers and their rights, just as we did in this place in 2021, thanks to the Hon. Tammy Franks when she raised it. Having Christmas Day declared as a public holiday, along with the entitlements that go with it, is the right thing to do, even though retailers may well see it as another cost for them to bear.

It brings our state in line with other states. Workers should be and deserve to be rewarded for making sacrifices, particularly at that time of the year when they are denied an opportunity to celebrate, like the rest of the community, with their families. Declaring Easter Sunday a public holiday should be a given anyway. It actually is the most significant day of this period and also for Christians. Stores remain closed regardless.

I also note there is a change to the Adelaide Cup holiday. Quite frankly, I do not understand why this event requires a public holiday. It was something that was moved many moons ago to try to get some prestige for this event and bring it in line with something like the Melbourne Cup in Victoria. They tried to raise the stature of the Adelaide Cup event by declaring it a public holiday. Quite frankly, while it is an important group race, unfortunately it just does not have the gravitas of a major event such as the Melbourne Cup, the Everest and other races in the Eastern States.

I do not think many South Australians even care that the Adelaide Cup is run on that day. They are more interested in having a holiday. Again, that holiday is just a cost to employers. As the Hon. Tammy Franks has pointed out, there are probably other more significant events that we could declare as a public holiday than a horse race that no-one in the state really gives a toss about unless they have a runner in it or are involved in the industry.

Members interjecting:

The Hon. F. PANGALLO: I do not want to be disparaging of the racing industry, because I am actually a supporter of the racing industry.

The Hon. J.E. Hanson: They are going to love that Christmas card, aren't they?

The Hon. F. PANGALLO: Well, you have to say it as it is. I just do not think the designated holiday should be there and I have said that for some time.

Members interjecting:

The PRESIDENT: Order! Interjections are out of order.

The Hon. F. PANGALLO: Regarding changes to the declaration of Sunday as a public holiday, this is a relic of the past when it was considered an obligation for the majority of people to be able to attend church, so this actually makes sense. I think, as has been pointed out already by members in this place, it removes the potential for further wages claims.

I note that the opposition has a number of amendments, including deleting Easter Saturday as a public holiday, with a holiday being the Sunday. This has been supported by the Motor Trade Association, the Hotels Association, the Ai Group and Business SA. I indicate that I will be supporting

all of the opposition's amendments, including the designation of a holiday on 26 January as Australia Day.

There is no reason why, if we are going to celebrate the day as 26 January, you only have the date in there and not say why it is there. It is a day we need to and do celebrate, as all Australians would like to do, so there is no reason why it should not be designated as Australia Day. I do not want to see 26 January removed from being Australia Day either. The same applies for 25 April being designated as ANZAC Day and 26 December as Proclamation Day. It is an interesting thing because when I was a youngster growing up and going to school—

Members interjecting:

The Hon. F. PANGALLO: —sorry, the 28th—Proclamation Day was often recognised through the school system, the education system. I should not have forgotten that date because it is actually my wedding anniversary. I got that wrong.

Members interjecting:

The PRESIDENT: Order!

The Hon. F. PANGALLO: We seem to have lost sight of this holiday. I think most people now just seem to think of it as Boxing Day if it falls on that day, but also it may be the day when the Bay Sheffield is run. Proclamation Day is an important day for the history of this state and we seem to have lost sight of it.

In closing, I would like to commend the SDA on its advocacy, not just on this legislation but others that are in train around the country that will benefit workers in the retail industry, like wage theft, regulating the gig economy, the definition of casual work and, of course, the same job same pay. With that, I say that I will be supporting it.

The Hon. S.L. GAME (11:40): I rise briefly to express that I will be supporting all of the Liberal amendments. I support their concerns and already expressed views, and I have been approached similarly by the same industry groups.

The Hon. E.S. BOURKE (11:40): Easter is a widely cherished time of the year for many. The Easter long weekend gives us an opportunity to slow down, spend time with loved ones and make memories for our kids, unless you do not want to celebrate Easter Saturday. Christmas Day is, of course, also a special day and the highlight of the summer holidays for many of us. Christmas Day is about togetherness, coming together and taking time to appreciate our family and friends.

But not everyone in our community gets to enjoy these special times equally, because Easter Sunday is not a public holiday and neither is Christmas when it falls on a Saturday. It is actually hard to believe and something that many people who work nine to five Monday to Friday would probably not even realise, but it is something that those who work in hospitality, emergency services, transport, hospitals, aged care—like my sister—and in retail are all too well aware of.

These South Australians do not have the chance to enjoy Easter Sunday on the same terms as others. They have missed out on the enjoyment of a major holiday and they have not had the benefit of an appropriate compensation for the lost opportunity. The Malinauskas Labor government is fixing this minor, but practically very meaningful, legislative matter by amending the public holidays act to finally recognise the workers who have worked for too long and have been missing out.

Imagine being rostered to work Christmas Day, missing out on time with your family and not even getting the penalty rates that would at least go some way to making a little bit of difference to this sacrifice. If you are rostered to work away from your friends and family on Easter Sunday, you deserve at least to be compensated with the penalty rates that send you this important message: your time matters. The opportunities that you miss out on, we recognise. The sacrifices that you make to ensure that your workplace is up and running matter.

To our emergency services employees: when you give your time to protect the community so others can enjoy their Christmas and Easter, we acknowledge and we respect you. This bill delivers on Labor's election commitment to ensure Christmas Day is treated as a public holiday

regardless of which day of the week it falls on, and this bill declares Easter Sunday to be a public holiday.

I want to pay particular tribute to the work of the mighty SDA union in getting us to this moment. Over 10 years ago, the then secretary of the SDA in South Australia—now Premier Peter Malinauskas—declared that Easter Sunday should be a public holiday. In 2019, the SDA launched its campaign because they recognised the unfair fact that our state's outdated public holiday laws were leaving South Australian workers behind at Easter.

In 2021, Christmas Day was not a public holiday because it fell on a Saturday. In 2022, New Year's Day was not a public holiday because it fell on a Saturday. In South Australia, these workers made that sacrifice for less pay than interstate workers. In fact, on Easter Sunday South Australians were the lowest paid workers on mainland Australia, because our state is the only remaining state on mainland Australia not to recognise Easter Sunday as a public holiday.

The now secretary of the SDA, Josh Peak, and many in this chamber quite rightly argue that Easter and Christmas are special occasions that should be enjoyed by everyone, and that those who do work deserve fair compensation for their sacrifice of this precious time. The passage of this legislation will be the SDA's membership win and, even more importantly, a win for all South Australian workers.

Many SDA members are people who do not have the privilege of working a Monday to Friday nine to five job. They work Saturdays and Sundays, evenings and early mornings, and they work on public holidays. They work while many others are accustomed to having the opportunity to relax and spend time with family and friends. They rocked up to work during the COVID crisis and experienced abuse from customers and the fear of the unknown dangers of working during a COVID lockdown, while others worked from home. Working in fast food and retail has become increasingly difficult. With increased customer aggression, these workers face greater challenges than I did when I was working in fast food some many years ago.

The proposed changes will ensure that most public holidays in South Australia and the Eastern States fall on the same day, which means less disruption to business and more tourism opportunities, particularly in our regions. The bill proposes to increase the number of full-day public holidays each year from 11 to 12. This will bring us in line with Queensland and will still mean that we are sitting at one day fewer than other states, including Victoria, the ACT and the Northern Territory, which have 13.

This campaign by the SDA is just one of the many challenges the union is taking on to ensure that South Australians are paid fairly, are respected and are safe at work, from fighting for tougher protections on the shop floor to fighting for change to ban child sex offenders from working in places where children work. Retail and hospitality are usually the first workplaces for our kids, but up until now there has been nothing to stop sex offenders from working in those workplaces—that is simply beyond belief.

In 2021, the SDA raised this issue with the former Liberal government, but they did nothing, just as they did nothing to make it an offence to spit on a young retail worker during the middle of a pandemic. It takes a Labor government to take decisive action to protect our most vulnerable workers and to ensure that they are paid appropriately for working on special days. I am proud to be part of a government that is bringing about these important changes, and I thank Josh Peak and the new assistant secretary, Jordan Mumford, and all SDA members who have dedicated many years to ensure that this happens, and also to the Hon. Tammy Franks for bringing this up in past years.

The Hon. J.E. HANSON (11:46): It will not shock anyone here but I am going to get up and speak in favour of the changes to the public holidays. I know it is going to shock my friends on the opposition benches but I am going to give them a little lesson about why they are over there and we are over here.

Imagine being the type of government that can stand against logic, common sense and workers all at the same time. Imagine being the type of government that can do that. Thankfully, this government is not one of those governments. The Malinauskas government is going to fix a loophole

that offends all three of those things: it offends logic, it offends common sense and it offends workers' time.

The laws currently allow for a public holiday to be celebrated two days after the event on which it could fall. How stupid is that? Who would want that to be in place? The laws currently allow for a day to be celebrated as a public holiday in every other mainland state except South Australia. Imagine being the type of government that would continue to support that. It just does not stand up to logic and common sense. This change brings us in line with every other jurisdiction. The sky—as opposed to what the Liberal Party have put here today—will not fall in. The net change to public holidays is pretty bloody modest.

Most businesses do not trade on Easter Sunday as it stands now, despite it not yet actually being a public holiday. Christmas only falls on a Saturday every so often. These changes are pretty modest. The sky will not fall in, unlike what the chicken littles in the Liberal Party seem to be thinking. The bill puts our state in line with the Eastern States. The fact is that, at the end of the day, that will actually reduce more disruption in business and allow better tourism across the mainland.

It is common sense, it is logic and, again, the last thing—workers' time. At the end of the day, workers' time should have an equal value no matter if you are the president of a company who is going to have Christmas with his or her family, or if you are a worker for that company and you want to have Christmas with your family. It really should not matter based on where you sit in line in a company whether or not your time is valued in the same way.

This government, the Malinauskas government, sees it that way. We think that your time should be valued as a worker, full stop: not as a worker as a CEO, not as a worker who might work in a different industry. No, your time should just be valued for who you are. It is as simple as that. People who miss out on treasured holiday time with their families should be compensated adequately. It is really as simple as that. It is workers' time; it should be respected. If you work on a public holiday, this government has a track record of saying, 'Thanks, you deserve your penalty rates.' This bill underlines it. I am proud to support it and it is about time.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (11:50): I will save substantive debate about clauses and amendments for the committee stage, but I thank honourable members for their contribution. I particularly thank honourable members for their contributions of support for what is really an unremarkable but very sensible change for South Australians.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 and 2 passed.

Clause 3.

The CHAIR: At clause 3 there are amendments in the name of the Hon. Ms Girolamo.

The Hon. H.M. GIROLAMO: Can I ask questions first and then go into my amendments?

The CHAIR: Sure.

The Hon. H.M. GIROLAMO: If that is alright, I will then move the amendments in my name. Just in regard to Easter Saturday, Sunday, Good Friday and Easter Monday proposed to all be public holidays, will that mean that supermarkets will not be open for four days during that time?

The Hon. K.J. MAHER: I thank the honourable member for her question. The shop trading legislation defines those. This will make no changes to what the hours of operation of shops are on any of those four days.

The Hon. H.M. GIROLAMO: What consultation was done with restaurants and catering, aged-care associations and NDIS organisations?

The Hon. K.J. MAHER: I do not have a list of the full number. There were many hundreds of people who put their views forward.

The Hon. H.M. GIROLAMO: Was specific consultation made with peak industry groups impacted by these changes?

The Hon. K.J. MAHER: As I said previously, hundreds and hundreds of people contributed to the consultation. Everyone was able to do so.

The Hon. H.M. GIROLAMO: Before the bill was presented, what engagement did you have with peak industry groups, if any?

The Hon. K.J. MAHER: The bill was presented to this parliament. Hundreds of individuals, hundreds of organisations, hundreds of companies provided their feedback and their views on public holidays.

The Hon. H.M. GIROLAMO: During that consultation, when was it determined that Christmas Day would be removed as a reference in the bill?

The Hon. K.J. MAHER: I thank the honourable member for her question. I am advised that was during the drafting of the bill. That was a stylistic drafting choice, I am advised, to keep things as clean as possible so that those days that had an actual date of the year that the day fell upon were referenced by the date and those that had variable dates, such as when Easter falls, were referenced by what they are called, because the dates change from year to year.

It was, I am advised, a bit of a hotchpotch in how it was previously described. It was a drafting decision to make it clear that those days that fell on a certain date in the year had that actual date whereas those where the date varied from year to year, like Easter, were referred to by those names. You cannot say it is a certain date in April or March because, of course, Easter changes dramatically, sometimes, from year to year.

The Hon. H.M. GIROLAMO: Can you confirm that 25 April, being ANZAC Day, is a nationally gazetted holiday?

The Hon. K.J. MAHER: My advice is that there is not such a thing as a declared nationally gazetted holiday and that all public holidays are declared by states.

The Hon. H.M. GIROLAMO: Are you able to confirm that, because it is my understanding that it is a national holiday, and I am just questioning why—

The Hon. K.J. MAHER: If the honourable member can refer us to where this gazettal occurs, we are happy to look at it.

The Hon. H.M. GIROLAMO: I will make sure that that comes through. We can have a look at that further between the houses. What consultation occurred in regard to other businesses as well, and what length of time was allowed to enable that consultation to occur?

The Hon. K.J. MAHER: I thank the honourable member for her question. The consultation, as I said, had hundreds of individuals, companies and associations contribute to it over many weeks. I cannot remember the exact time frame the consultation opened and closed, but it was certainly many weeks. It was about this time last year I think it opened and it closed in the New Year.

The Hon. H.M. GIROLAMO: Where did the recommendation for Easter Sunday becoming a public holiday come from originally?

The Hon. K.J. MAHER: I am advised that there were over 100 respondents that requested Easter Sunday be a public holiday, and I have to say if you open up consultation on legislation and you have over 100 respondents on any question, it is a pretty significant response.

The Hon. H.M. GIROLAMO: Were there any peak groups that recommended Easter Sunday be a public holiday?

The Hon. K.J. MAHER: I do not have before me exactly what different groups, what different individuals responded on the various views on public holidays, but I am advised that more than 100 respondents suggested Easter Sunday should be a public holiday.

The Hon. T.A. FRANKS: Did anyone recommend that Easter Sunday not be a public holiday?

The Hon. K.J. MAHER: I thank the honourable member for her question. We are not aware of that, but we are happy to double-check to see on all the responses that were given.

The Hon. H.M. GIROLAMO: Did you specifically go to the peak groups indicating that this would in fact be an extra public holiday?

The Hon. K.J. MAHER: I am happy to repeat again: hundreds and hundreds of people responded to this, and they were able to put all of their views forward—every single thing they wished for or they did not wish for—as part of this consultation.

The Hon. T.A. FRANKS: Can the minister clarify that currently under the act all Sundays are public holidays and so by creating Easter Sunday as a public holiday are we, indeed, creating an extra public holiday or, in fact, providing certainty around Sundays no longer all being public holidays going forward?

The Hon. K.J. MAHER: I thank the honourable member for her question. Technically, under our 1910 act, all Sundays are declared a public holiday. Often this is overridden by industrial instruments. However, a number of members have made contributions about what may or may not be the case if this was tested in the courts. Technically, with all Sundays being a public holiday, you could reasonably argue this is a reduction of 51 public holidays each year.

The Hon. C. BONAROS: Can the Attorney just clarify for the record that that has been the subject of discussion for some time with industry groups that have concerns about the legal uncertainty that continues to present?

The Hon. K.J. MAHER: I thank the honourable member for her question. Certainly, that has been an issue that industry groups have discussed, and that is one element of this legislation that, particularly after it was introduced, a number of industry groups talk to me about, expressing gratitude that we are removing any potential uncertainty.

The Hon. N.J. CENTOFANTI: Is the Attorney aware that, for religious purposes, Easter Sunday, when applied correctly, refers to the Saturday six days after the Christian Festival of Easter, and that the Saturday within the Easter long weekend technically is called Holy Saturday?

The Hon. K.J. MAHER: I thank the honourable member for her question. She is quite right: the day that many people know as Easter Saturday is Holy Saturday. It is also the case that not everyone in the Christian tradition has Easter at the same time: Orthodox Christians typically celebrate all these dates later in the calendar, but for drafting purposes other jurisdictions refer to the day that falls after Good Friday or before Easter Sunday, such as in New South Wales, as Easter Saturday. I am advised that is a drafting choice about how to describe it.

In New South Wales, that day after Good Friday or, as the honourable member points out, the day historically known as Holy Saturday, falls as Easter Saturday and has not been a problem, as it is not here. It has been described here for ease of how people generally understand it to be. I accept the honourable member's point, but it is a drafting choice for ease of understanding. We use the term 'Good Friday', even though not all Christians celebrate it on the day it is commonly understood to be.

The Hon. C. BONAROS: Can the Attorney remind us, for those who cannot recall 100 per cent correctly the events of 2021, that when Christmas falls on a Saturday—I am confusing my Sundays and Saturdays today because I do not know whether I am talking about Easter or Christmas—what was the situation under I believe the previous government when Christmas fell on a Saturday? What was the outcome for workers and how does that change under this, to be 100 per cent clear?

The Hon. K.J. MAHER: I thank the honourable member for her question. I suspect I will have a bit more to say about this when we get to a couple of amendments further on. In 2021, Christmas Day fell on a Saturday. I think the Hon. Tammy Franks of the Greens party had a private member's bill to rectify that situation. In years gone by on those occasions when it fell on a Saturday former Labor governments had paid public holiday rates to public sector workers.

In 2021, that is not something the Marshall-Lucas Liberal government decided to do, and we overwhelmingly supported in this chamber a private member's bill to rectify that anomaly and to bring us into line with the rest of Australia, so that when Christmas Day fell on a Saturday those people who needed to work—disability and care support workers and those on the frontline in our hospitals, those who served the rest of us on that day in the retail and hospitality sectors—got penalty rates, but that was not successful.

The member for Black, David Spiers, and his government took a very definite policy position, which I think was mean and nasty, to oppose people getting public holiday rates on Saturday 25 December in 2021.

The Hon. C. BONAROS: I thank the Attorney for that clarity. To be clear, that situation that arose in 2021, where all those workers the Attorney referred to did not receive their public holiday entitlement rates because there was no declared public holiday on that date as a result of the opposition's decision at the time while they were in government, will never occur again going forward under the changes in this bill?

The Hon. K.J. MAHER: I thank the honourable member for her question. That is one of the major elements of this bill. As I said, we supported in both chambers the private member's bill to declare Christmas Day as a public holiday when it fell on a Saturday. That was a commitment we made during the election campaign and that is one of the major areas we are aiming to rectify with the legislation to fall into line with every single other state and territory in this country. It is an anomaly, a blind ideological pursuit of the former Liberal government to not allow this sensible reform and we are very proud and pleased to be fixing it with this legislation.

The Hon. H.M. GIROLAMO: I move:

Amendment No 1 [Girolamo-1]—

Page 4, line 5 [clause 3(1)(a)]—After '1 January' insert:

(New Year's Day)

The amendments that I have relating to clause 3 relate to inserting names relating to New Year's Day, Australia Day, Adelaide Cup, ANZAC Day and, very importantly, the sovereign's birthday, and keeping that consistency, making sure we have that wording in there and making sure that those public holidays are protected. We believe that this is a good option to make sure that there is that consistency of terminology and making sure that Christmas, Easter, the King's Birthday and Australia Day are all acknowledged.

The committee divided on the amendment:

Ayes8
 Noes.....11
 Majority3

AYES

Centofanti, N.J.	Game, S.L.	Girolamo, H.M. (teller)
Henderson, L.A.	Hood, B.R.	Lee, J.S.
Lensink, J.M.A.	Pangallo, F.	

NOES

Bonaros, C.	Bourke, E.S.	El Dannawi, M.
Franks, T.A.	Hanson, J.E.	Hunter, I.K.
Maher, K.J. (teller)	Martin, R.B.	Ngo, T.T.
Simms, R.A.	Wortley, R.P.	

PAIRS

Hood, D.G.E.	Scriven, C.M.
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Amendment thus negatived.

The Hon. H.M. GIROLAMO: I move:

Amendment No 2 [Girolamo-1]—

Page 4, line 6 [clause 3(1)(b)]—After '26 January' insert:

(Australia Day)

In regard to this one, it is inserting Australia Day, a very important day. We believe the vast majority of South Australians in particular would be supportive of having this named, and making sure that there is consistency along with the other public holidays, making sure that the clear name is included in the bill.

The Hon. T.A. FRANKS: I have some questions of the mover. My first question is: how long has South Australia celebrated Australia Day on 26 January?

The Hon. H.M. GIROLAMO: I thank the member for her question. In regard to that, it is important to note that Australians, I guess in my living history, will always support Australia Day and continue to support Australia Day on 26 January. In regard to that, I think it is important that it continues to be included in the bill.

The Hon. T.A. FRANKS: Since the mover of the motion does not know when South Australia first celebrated Australia Day, I do find this an interesting contention. Is the member not concerned that 26 January in fact has a history of being known as Foundation Day or Landing Day?

The Hon. H.M. GIROLAMO: I certainly do. I think in regard to that, it is important to recognise our link to the United Kingdom and settlement. I think all Australians celebrate Australia Day in different ways and that is why I think it should be acknowledged.

The Hon. T.A. FRANKS: Is the member aware that 26 July used to be Australia Day?

The Hon. H.M. GIROLAMO: Thank you, but I think many of us are aware that 26 January is the important day now and I am very much in support of that continuing.

The Hon. T.A. FRANKS: Can the member please outline what happened on 26 January, including the year in which the flag was raised?

The Hon. H.M. GIROLAMO: Yes, I am more than happy to take that on notice and continue to have a history lesson from—

Members interjecting:

The Hon. H.M. GIROLAMO: In regard to that, I think the point of this amendment is that in my living history—and maybe this is a fact that we need to have more education on these areas—

Members interjecting:

The CHAIR: Order!

The Hon. H.M. GIROLAMO: —but when it comes down to it, Australia Day is the day that many South Australians, the majority, would like to continue to support and that is why I have put this amendment forward. Support it or not.

The Hon. C. BONAROS: Can the honourable member clarify when she says that all Australians celebrate on—

The Hon. H.M. GIROLAMO: No, I said the majority.

The Hon. C. BONAROS: No, prior to that you said that all Australians celebrate on Australia Day. Does she acknowledge that that is not a day of celebration for many Australians and that not everybody shares the view that she has articulated in this place today?

The Hon. H.M. GIROLAMO: I think the fact is that Australia Day is on 26 January and I, along with my colleagues, believe that it should remain on that day. I do appreciate that it is celebrated or acknowledged in different ways and that there are definitely some areas where we

have our history that we do acknowledge, but I do not think that should take away from South Australians having the opportunity to celebrate what a magnificent country we live in and to ensure that Australia Day remains on 26 January.

The Hon. C. BONAROS: That was not my question to the honourable member. My question to the member was: can she perhaps rephrase and acknowledge that that is not a day of celebration for all Australians?

The Hon. H.M. GIROLAMO: I did say that in my thoughts it is the majority who would support it. I do acknowledge that there are some who would not support it, but it is our thought that we need to continue to support and celebrate our great country, our multicultural country, and all different backgrounds.

The Hon. T.A. FRANKS: Can the mover explain why she did not also seek to celebrate Federation Day?

The Hon. H.M. GIROLAMO: It is not a public holiday, and we are talking about the Public Holidays Bill, so in regard to Australia Day I am putting that forward.

The Hon. T.A. FRANKS: Is the mover aware that 1 January is Federation Day and in her previous amendment she sought to call it New Year's Day and did not once mention that it was Federation Day for the founding of our federation?

The Hon. H.M. GIROLAMO: I would argue that the vast majority of South Australians would refer to it as New Year's Day, hence the name.

The Hon. T.A. FRANKS: Given the member was unable to tell me what happened on 26 January and in which year but referred to 'her lifetime', is she aware that Australia Day was not celebrated as a united day on 26 January until the 1990s? When was she born, because I imagine it was before the 1990s?

The committee divided on the amendment:

Ayes8
Noes11
Majority3

AYES

Centofanti, N.J.
Henderson, L.A.
Lensink, J.M.A.

Game, S.L.
Hood, B.R.
Pangallo, F.

Girolamo, H.M. (teller)
Lee, J.S.

NOES

Bonaros, C.
Franks, T.A.
Maher, K.J. (teller)
Simms, R.A.

Bourke, E.S.
Hanson, J.E.
Martin, R.B.
Wortley, R.P.

El Dannawi, M.
Hunter, I.K.
Ngo, T.T.

PAIRS

Hood, D.G.E.

Scriven, C.M.

Amendment thus negatived.

The Hon. H.M. GIROLAMO: I move:

Amendment No 3 [Girolamo-1]—

Page 4, line 7 [clause 3(1)(c)]—After 'March' insert:

(Adelaide Cup Day)

Basically, this is in line with the other amendments to ensure that all public holidays are consistent. We want to make sure that the wording is consistent with how people know these public holidays and that there is clarity and consistency.

The Hon. T.A. FRANKS: In my time in parliament, this holiday has also been known as Volunteers Day. Why has the member chosen not to recognise volunteers?

The Hon. H.M. GIROLAMO: Because it is known as Adelaide Cup Day. When it comes down to it, that is what it is referred to publicly and on state websites.

The Hon. T.A. FRANKS: I will point out to the member that during the Rann era of government this was also declared as Volunteers Day, when the racing fraternity sought to change it to a date in March from the previous Adelaide Cup Day, so I ask the member again: why has she chosen to ignore volunteers' role on this special day, when there is commemoration for volunteers on this date in March?

The Hon. H.M. GIROLAMO: My understanding is that Volunteers Day is in June. The June long weekend is referred to. I strongly believe that this should remain as the Adelaide Cup, and when I do that amendment that is aligned with that, not the public holiday that is in March.

The committee divided on the amendment:

Ayes8
Noes.....11
Majority3

AYES

Centofanti, N.J.
Henderson, L.A.
Lensink, J.M.A.

Game, S.L.
Hood, B.R.
Pangallo, F.

Girolamo, H.M. (teller)
Lee, J.S.

NOES

Bonaros, C.
Franks, T.A.
Maher, K.J. (teller)
Simms, R.A.

Bourke, E.S.
Hanson, J.E.
Martin, R.B.
Wortley, R.P.

El Dannawi, M.
Hunter, I.K.
Ngo, T.T.

PAIRS

Hood, D.G.E.

Scriven, C.M.

Amendment thus negated.

The Hon. H.M. GIROLAMO: I move:

Amendment No 4 [Girolamo-1]—

Page 4, line 9 [clause 3(1)(e)]—Delete paragraph (e)

This amendment deletes Easter Saturday as a public holiday. It is our view that it is excessive for businesses to have that many public holidays in a row. Based on our consultation, we have huge support from industry groups to ensure that Easter Sunday is a public holiday but not to add more burden and more challenges onto businesses during this time.

I question how having four public holidays in a row will actually work, logistically. Many businesses will not open during this time. This is why I am putting this amendment forward, to ensure that there is some sort of sense and stability for businesses, that they are not further challenged by more and more public holidays coming through.

The Hon. K.J. MAHER: We will be opposing this. I have to say that this is one of the most remarkable amendments I have seen in my time—a bit over a decade—in this parliament. What this does is strike out Easter Saturday as a public holiday. Not content with not wanting people to celebrate Christmas Day as a public holiday when it falls on a Saturday, now we are proposing to get rid of Easter Saturday as a public holiday in its entirety. What we know as Easter Saturday has been a public holiday in this state for 113 years.

Members interjecting:

The CHAIR: Order!

The Hon. K.J. MAHER: For 113 years this has been a public holiday, since the public holidays act came into force in 1910. Since 1910, this has been a public holiday. What we commonly refer to as Easter Saturday—

Members interjecting:

The CHAIR: Order!

The Hon. K.J. MAHER: —or, as the Leader of the Opposition points out, known as Holy Saturday, commemorates in the Christian tradition the day that Jesus lay in the tomb—

Members interjecting:

The CHAIR: Order!

The Hon. K.J. MAHER: —after his death on a cross. In the Christian tradition, Roman soldiers watched during the day on the Saturday, the Sabbath. It is, in the Christian tradition, the traditional Easter vigil, which runs between sunset on the Saturday and sunrise on the Sunday. The fact that the member for Black, David Speirs, and his counterparts in this place are seeking to remove this Saturday as a public holiday is truly remarkable. Is nothing sacred to this opposition? I am not a person of faith—

Members interjecting:

The CHAIR: Order!

The Hon. K.J. MAHER: —but I can understand why a number of people that I know, who are people of faith, have spoken to me and see the removal of Easter Saturday as an egregious and outrageous attack on them and their faith. This is just remarkable!

Members interjecting:

The CHAIR: Order!

The Hon. K.J. MAHER: I thought I had seen it all. I thought I had seen it all when the Hon. Rob Lucas—

Members interjecting:

The CHAIR: Order! The Hon. Mr Wortley, put a sock in it!

The Hon. K.J. MAHER: —and the member for Black, David Speirs, only two years ago, as the Hon. Connie Bonaros pointed out earlier, had a policy, a very firm policy, not to allow a public holiday on Christmas Day, Saturday 25 December 2021. I thought back then, a mere two years ago, that it was just about the height of tone deaf political stupidity. But I was wrong—I was wrong.

Members interjecting:

The CHAIR: Order!

The Hon. K.J. MAHER: This unparalleled anti-worker, anti-community, anti-family ideological attack—

Members interjecting:

The CHAIR: Order!

The Hon. K.J. MAHER: —by the former IR minister, the Hon. Rob Lucas, was not the height of political stupidity—we have seen it today.

Members interjecting:

The CHAIR: Order!

The Hon. K.J. MAHER: We have seen it today. It has been topped by this one little amendment deleting paragraph (e) Easter Saturday. We will certainly be telling the public. We will be telling members of the faith communities that this Liberal opposition has gone further than any other before them—any other before them.

Members interjecting:

The CHAIR: Order! The Hon. Ms Girolamo!

The Hon. K.J. MAHER: It is the most ideologically bound opposition since 1910, when this became a public holiday.

Members interjecting:

The CHAIR: Order! The Hon. Mr Wortley! The Hon. Ms Girolamo!

The Hon. T.A. FRANKS: Can the mover please outline which groups support the removal of Easter Saturday as a public holiday?

The Hon. H.M. GIROLAMO: During our consultation, which was a lot more extensive than I can say for the Attorney-General, we have consulted with Ai Group, we have consulted with the MTA, we have consulted with the AHA, and we have ensured that we are speaking on behalf of businesses that will be severely impacted by this. Yet another public holiday: where will it end? You will continue to add public holidays, which means that businesses either do not open and employees go without income, or they go broke. This is absolutely ridiculous, and we have done significant consultation on it.

The CHAIR: The Hon. Ms Franks is on her feet with a follow-up.

The Hon. T.A. FRANKS: Yes, actually it is a repetition of the question because the member told me who she consulted with, but she did not tell me who supported the removal of Easter Saturday as a public holiday.

The Hon. H.M. GIROLAMO: To clarify, they are supportive of that change because it means that it is not an additional public holiday. It means those industry groups can go back to their members—they are supportive of this amendment because it means that instead of there being a public holiday on Easter Saturday, it is moved to Easter Sunday, therefore not increasing to 13 public holidays. If this goes through, we are leading the nation with the highest number of public holidays in line with the NT and the ACT.

Members interjecting:

The CHAIR: Order!

The Hon. H.M. GIROLAMO: New South Wales only has 11 public holidays, Tasmania only has 10. We will have 13.

Members interjecting:

The CHAIR: Order! Are you telling the Hon. Ms Franks to sit down and apologise?

An honourable member: No.

The CHAIR: Interjections are out of order.

An honourable member interjecting:

The CHAIR: Order!

The Hon. T.A. FRANKS: Could the member who is moving this amendment please clarify what was the position of Restaurant Associates?

The Hon. H.M. GIROLAMO: Sorry, the position that I mentioned before was in regard to the AHA. We have not specifically spoken to restaurants, but we have engaged with a lot of different groups, and a lot of the overlap there of membership base go into that organisation as well.

The Hon. T.A. FRANKS: Can the member clarify then? I wrote down, as she said it, that the AHA, the Ai Group and the Motor Trade Association supported the removal of Easter Saturday as a public holiday. She did not consult with Restaurant Associates is what I have just heard her say.

Members interjecting:

The CHAIR: Order! The Hon. Ms Franks is on her feet.

The Hon. T.A. FRANKS: From my reading of this, she has just said that Restaurant Associates were not consulted. What was the position of all of those groups on Easter Monday as a public holiday, or did she not ask them about that?

The Hon. H.M. GIROLAMO: All of the industry groups have raised concerns about more and more public holidays being added. Our amendment simply swaps one day to the other rather than adding an extra public holiday. In regard to that, we did not go specifically into all other public holidays, but in regard to Saturday and Sunday of Easter they were very supportive of this change because it means that their members are not paying for yet another public holiday.

The Hon. T.A. FRANKS: To paraphrase from the member's contribution in the second reading, it was the vibe of the thing. You cannot specify exactly which industry groups hold which position and what their positions specifically were.

An honourable member interjecting:

The Hon. T.A. FRANKS: You did not talk to Restaurant Associates, even though you talked to the other three—maybe they are not getting a Christmas card this year, who knows? The Greens will be opposing this ludicrous amendment.

Members interjecting:

The CHAIR: Order!

The Hon. T.A. FRANKS: We certainly note the words of the government. This is an extraordinary assault. The idea of four days' public holiday to be enjoyed by South Australians over the Easter long weekend is a long-held tradition regardless of people's faith or belief. The fact that the Liberals wish to take out the Saturday, in the middle of that, I think would come as a great shock to many Liberal voters—that an attack on their family and leisure life was underway in this parliament.

The Hon. C. BONAROS: I am just curious. The mover said that we have more public holidays than any other jurisdiction. Can she just outline how it is that she came to that conclusion? She also referred to the fact that we have 13 public holidays. Can she give us a comparison of South Australia compared with every other jurisdiction and how she came to the conclusion that we have the most?

The Hon. H.M. GIROLAMO: This is based on the government's own table. I am happy to read this out: 13 public holidays for South Australia, 13 for Victoria, 11 for New South Wales, Queensland has 12, WA has 11, Tasmania has 10, the ACT has 13, and the NT has 13, but keep in mind that we also have the two half-days as well.

The Hon. C. BONAROS: I am glad you added that little part at the end, mover, because is it not the case that we have two part public holidays so, in fact, we have 12 public holidays and we are not the highest in the nation in terms of our public holidays? Can we please clarify that to be the case?

The Hon. R.P. Wortley: Misleading parliament.

The CHAIR: The Hon. Mr Wortley, please!

The Hon. H.M. GIROLAMO: I am happy to—

Members interjecting:

The CHAIR: Order!

The Hon. H.M. GIROLAMO: I have the table in front of me that says 12. It does not include Christmas Eve and New Year's Eve, which are part holidays, so I would argue that it is 13.

The Hon. K.J. MAHER: Can the honourable member outline how long on both Christmas Eve and New Year's Eve—how many hours each day they are public holidays? Because the honourable member obviously knows or she is deliberately misleading this chamber.

Members interjecting:

The CHAIR: Order!

The Hon. H.M. GIROLAMO: I am more than happy to answer that. You have two half holidays on the busiest day.

The Hon. K.J. MAHER: So they are 12 hours?

The Hon. H.M. GIROLAMO: So they are six hours.

The Hon. K.J. MAHER: Are they?

The Hon. H.M. GIROLAMO: That is my understanding.

The Hon. K.J. MAHER: You have no clue.

The Hon. H.M. GIROLAMO: You have done no consultation.

The CHAIR: Order!

The Hon. C. BONAROS: Just moving on from that clarification that we have 12 public holidays in the state and not the highest in the nation, I am curious—

The Hon. H.M. Girolamo: No, we have 13.

The Hon. C. BONAROS: I have the table here. I see 12 and I can count hours and I am pretty sure it equates to 12, but I will allow the mover to think whatever she wants.

The Hon. H.M. Girolamo interjecting:

The CHAIR: Order! Is there a question?

The Hon. C. BONAROS: I would like to ask a question of the mover.

The Hon. H.M. Girolamo interjecting:

The CHAIR: Order!

The Hon. C. BONAROS: If she stops interjecting, perhaps we could ask her a question.

The CHAIR: Perhaps you could get on with asking the question.

The Hon. C. BONAROS: Does the mover of this amendment consider the Adelaide Cup Day public holiday more important than Easter Saturday?

The Hon. H.M. GIROLAMO: I am happy for the record to note 12 public holidays is current, including the proposed Easter Sunday and Easter Saturday. When you add the two half days together we get to 13—just to clarify.

Members interjecting:

The CHAIR: Order!

The Hon. K.J. MAHER: I presume the table the honourable member is referring to counts full-day public holidays. Can the honourable member outline which other jurisdictions have part-day public holidays in addition to that?

The Hon. H.M. GIROLAMO: Queensland and the Northern Territory both have half days as well.

The Hon. K.J. MAHER: So according to the member's reckoning, if the honourable member counts a part-day public holiday—

The Hon. H.M. Girolamo interjecting:

The CHAIR: Order!

The Hon. K.J. MAHER: —and I will help her out here, it is five hours not six hours, for the part-day public holidays. The honourable member had, I think, three bites of the cherry to get that one wrong. But if the honourable member counts five hours as a full-day public holiday, then what does the Northern Territory and Queensland have if that is how the honourable member's maths works?

The CHAIR: I am not sure there was a question in there.

The Hon. H.M. GIROLAMO: No, I did not. We are doing basic maths here. If we have 12 public holidays, which is proposed under your bill to include Easter Sunday, we get to 12. If you had two half days—

Members interjecting:

The Hon. H.M. GIROLAMO: Five hours is per day.

Members interjecting:

The CHAIR: Order! We are going around in circles here.

The Hon. H.M. GIROLAMO: If you add half and half, you get an extra public holiday. Therefore, there are 13.

The Hon. I.K. Hunter: It's not half a day.

The CHAIR: Order!

The Hon. H.M. GIROLAMO: It is more than half a day. Five hours of paid work is more than half a day.

The CHAIR: Order! Attorney, I am going to put the amendment after you.

The Hon. K.J. MAHER: According to Liberal maths then, how many public holidays do Queensland and the Northern Territory have?

The Hon. T.A. Franks: It's going to be on TikTok soon.

The CHAIR: Order!

The Hon. H.M. GIROLAMO: I am not even going to answer that because you are the ones who are misleading. I will send it around. It is ridiculous.

The Hon. C. BONAROS: I am on my feet about the amendment, please. I have two questions, one that the mover did not answer, and that was: does she consider Adelaide Cup Day more important than Easter Saturday? Secondly, just out of curiosity, did the mover consult with any church groups before moving this amendment?

The Hon. H.M. GIROLAMO: In regard to Adelaide Cup, no, I do not necessarily think that. I have real concerns about four public holidays in a row, and this is from a business perspective, but also Easter Sunday is an occasion for many families to go to church and celebrate Easter. Our position is that we do not want to see more public holidays. We have definitely made sure that we have engaged with far more people than that of the Attorney-General.

The committee divided on the amendment:

Ayes8
Noes.....11
Majority3

AYES

Centofanti, N.J.
Henderson, L.A.
Lensink, J.M.A.

Game, S.L.
Hood, B.R.
Pangallo, F.

Girolamo, H.M. (teller)
Lee, J.S.

NOES

Bonaros, C.
Franks, T.A.
Maher, K.J. (teller)
Simms, R.A.

Bourke, E.S.
Hanson, J.E.
Martin, R.B.
Wortley, R.P.

El Dannawi, M.
Hunter, I.K.
Ngo, T.T.

PAIRS

Hood, D.G.E.

Scriven, C.M.

Amendment thus negatived.

The Hon. H.M. GIROLAMO: I move:

Amendment No 5 [Girolamo-1]—

Page 4, line 12 [clause 3(1)(h)]—After ‘25 April’ insert:
(ANZAC Day)

Amendment No 6 [Girolamo-1]—

Page 4, line 13 [clause 3(1)(i)]—After ‘June’ insert:
(the Sovereign’s Birthday)

Amendment No 7 [Girolamo-1]—

Page 4, line 14 [clause 3(1)(j)]—After ‘October’ insert:
(Labour Day)

Amendment No 8 [Girolamo-1]—

Page 4, line 15 [clause 3(1)(k)]—After ‘25 December’ insert:
(Christmas Day)

Amendment No 9 [Girolamo-1]—

Page 4, line 16 [clause 3(1)(l)]—After ‘26 December’ insert:
(Proclamation Day)

Amendment No 10 [Girolamo-1]—

Page 4, line 17 [clause 3(2)]—Delete ‘25 December’ and substitute:
Christmas Day

Amendment No 11 [Girolamo-1]—

Page 4, line 17 [clause 3(2)]—Delete ‘1 January’ and substitute:
New Year’s Day

Amendment No 12 [Girolamo-1]—

Page 4, line 19 [clause 3(3)]—Delete ‘26 December’ and substitute:
Proclamation Day

Amendment No 13 [Girolamo-1]—

Page 4, line 24 [clause 3(4)]—Delete ‘26 January’ and substitute:
Australia Day

These remaining amendments ensure consistency and clarity throughout this bill, tidying up the bill for the government to ensure that the wording is consistent. As I have touched on before, we strongly feel that days such as Australia Day and the sovereign's birthday (or birthday of the King or Queen of the day) should be acknowledged. It was our position that we wanted to see consistency within this bill so that every public holiday is referred to by its rightful name.

The Hon. T.A. FRANKS: I have a question for the mover. When she asked in her second reading contribution and at clause 1 whether ANZAC Day was a gazetted national public holiday did she mean in fact a gazetted national event?

The Hon. H.M. GIROLAMO: In regard to that, yes, it is a national event, so thank you for clarifying.

The Hon. T.A. FRANKS: I take it that the minister no longer has to go and look that up. Further, why has the mover chosen 'the Sovereign's birthday' rather than the King's Birthday?

The Hon. H.M. GIROLAMO: Thank you for the question—a very valid one. Because it could be King—at that moment it is the King, previously it has been the Queen. It is so this does not have to change over time.

The Hon. T.A. FRANKS: Did the member take any consideration that the sovereign has a different definition to King or Queen?

The Hon. H.M. GIROLAMO: This is in line with the ACT terminology, so we wanted to keep that consistent.

The Hon. T.A. FRANKS: Can the member please tell me when the actual birthday is of the King?

The Hon. H.M. GIROLAMO: I am happy to take that on notice, and thank you very much for the history lesson today.

The committee divided on the amendments:

Ayes8
Noes11
Majority3

AYES

Centofanti, N.J.	Game, S.L.	Girolamo, H.M. (teller)
Henderson, L.A.	Hood, B.R.	Lee, J.S.
Lensink, J.M.A.	Pangallo, F.	

NOES

Bonaros, C.	Bourke, E.S.	El Dannawi, M.
Franks, T.A.	Hanson, J.E.	Hunter, I.K.
Maher, K.J. (teller)	Martin, R.B.	Ngo, T.T.
Simms, R.A.	Wortley, R.P.	

PAIRS

Hood, D.G.E.	Scriven, C.M.
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Amendments thus negated.

The CHAIR: The Hon. Ms Girolamo, amendment No. 14 appears to be consequential, so you are not going to move that?

The Hon. H.M. GIROLAMO: That is correct. I move:

Amendment No 15 [Girolamo-1]—

Page 4, after line 29—After subclause (5) insert:

- (6) A proclamation cannot be made under subsection (5) to declare some other day to be a public holiday in a year instead of Australia Day except in pursuance of a resolution passed by both Houses of Parliament.
- (7) Notice of a motion for a resolution under subsection (6) must be given at least 14 sitting days before the motion is passed.

I move this amendment to ensure that Australia Day remains on 26 January. We as a party want to see that in place. As I said before, I would argue that the majority of people are supportive. I acknowledge what the Hon. Connie Bonaros said, but at this stage Australia Day is an important day for all Australians. It is not always celebrated, but it is a very important day to ensure that we recognise what a wonderful country we live in.

We have had lots of opportunities to attend events on Australia Day, and I hope they continue. Many new Australians want to become Australian citizens on Australia Day, and I hope that continues. I hope that the Labor Party and the crossbench will consider supporting this so that the uncertainty when it comes to Australia Day is removed.

The Hon. I.K. HUNTER: Point of order: this is a second reading speech. It is not an explanation of your amendment.

The CHAIR: The Hon. Mr Hunter, the member is allowed to move her amendment.

The Hon. H.M. GIROLAMO: I have spoken for one minute.

The CHAIR: Order! The Hon. Ms Girolamo, I rule that there is no point of order. Conclude explaining your amendment. If there are any other contributions, we will take them and then I will put the question.

The Hon. H.M. GIROLAMO: I call on the Labor Party to support this amendment to ensure that Australia Day remains on 26 January.

The Hon. T.A. FRANKS: The Greens will be opposing this amendment but we do ask the member: what happened on 26 January that is commemorated on this day? Has she had time now that she took on notice previously when I asked her—please tell me what happened, in what year, and under what flag?

The Hon. H.M. GIROLAMO: I just cannot be bothered.

Members interjecting:

The CHAIR: Order!

The Hon. H.M. GIROLAMO: Would you like a history lesson?

The Hon. T.A. FRANKS: Yes, a history lesson, Heidi. Tell us more about it.

The CHAIR: Order!

The Hon. C. BONAROS: Some might like a history lesson, but my question is: what is the threat in this bill and what is the need for this amendment? What is the mover concerned is going to happen that has brought about the need for this amendment?

The Hon. H.M. GIROLAMO: In regard to this bill, we feel that this is an opportune time, given the changes that are coming through for the Public Holidays Bill, to ensure that Australia Day remains on 26 January to recognise when Captain Cook first came through—

The Hon. T.A. Franks: Captain Cook!

The Hon. H.M. GIROLAMO: Captain Phillip. In regard to this—

Members interjecting:

The CHAIR: Order!

The Hon. H.M. GIROLAMO: Captain Phillip, Sydney Cove in New South Wales—thank you very much. In regard to this, we need to make sure that we—

Members interjecting:

The CHAIR: Order!

The Hon. H.M. GIROLAMO: Maybe this is an indication that there should be more education on this within South Australian schools.

Members interjecting:

The CHAIR: Order!

The Hon. H.M. GIROLAMO: Instead, this government continues to block a lot of this education, so bring it on.

Members interjecting:

The CHAIR: Order!

The Hon. H.M. GIROLAMO: In regard to Australia Day—

Members interjecting:

The CHAIR: Order!

The Hon. H.M. GIROLAMO: —people support Australia Day for different reasons.

The Hon. T.A. FRANKS: As someone who was born in New South Wales, who was raised, 26 January should actually be recognised as New South Wales day—founding day, landing day. It was not even the first landing and it certainly was not Captain Cook.

The CHAIR: There is no question there.

The Hon. C. BONAROS: I do not need a history lesson, but I just want to know what is the threat that the member is so concerned about that we are trying to overcome? What are we trying to overcome with this amendment? What are you afraid of? Where is the mischief behind the need for this amendment?

The Hon. H.M. GIROLAMO: That we would like to see Australia Day remain on 26 January, like the vast majority of South Australians, and we want to remove that uncertainty.

The Hon. I.K. Hunter: What uncertainty?

The CHAIR: Sit down!

The Hon. H.M. GIROLAMO: The uncertainty that the government will cancel Australia Day.

Members interjecting:

The CHAIR: Order!

The Hon. C. BONAROS: I am wondering which state I am living in. Right now I am wondering which universe I am living in. Has there been a suggestion to the member that the rest of us are unaware of as we are amending legislation? Has there been a suggestion to the member that the rest of us are completely oblivious to that she is trying to address?

The Hon. H.M. GIROLAMO: Thank you for your question. In regard to multiple councils banning Australia Day events, I think this is an opportune time for us to ensure that Australia Day remains on 26 January.

The Hon. T.A. FRANKS: Can the member please tell us on what date citizenship day is celebrated?

An honourable member: What's that got to do with the amendment?

The Hon. H.M. GIROLAMO: It has nothing to do with the amendment.

The committee divided on the amendment:

Ayes8
Noes.....11

Majority3

AYES

Centofanti, N.J.
Henderson, L.A.
Lensink, J.M.A.

Game, S.L.
Hood, B.R.
Pangallo, F.

Girolamo, H.M. (teller)
Lee, J.S.

NOES

Bonaros, C.
Franks, T.A.
Maher, K.J. (teller)
Simms, R.A.

Bourke, E.S.
Hanson, J.E.
Martin, R.B.
Wortley, R.P.

El Dannawi, M.
Hunter, I.K.
Ngo, T.T.

PAIRS

Hood, D.G.E.

Scriven, C.M.

Amendment thus negatived; clause passed.

Remaining clauses (4 to 8), schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (12:57): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Sitting suspended from 12:58 to 14:18.

ADELAIDE UNIVERSITY BILL

Assent

Her Excellency the Governor assented to the bill.

GAS (OTHER GASES) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

PETROLEUM AND GEOTHERMAL ENERGY (ENERGY RESOURCES) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

SOCIAL WORKERS REGISTRATION (COMMENCEMENT) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

STATUTES AMENDMENT (NATIONAL ENERGY LAWS) (OTHER GASES) BILL

Assent

Her Excellency the Governor assented to the bill.

HYDROGEN AND RENEWABLE ENERGY BILL*Assent*

Her Excellency the Governor assented to the bill.

*Parliamentary Procedure***ANSWERS TABLED**

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

PAPERS

The following papers were laid on the table:

By the President—

Administration of the Joint Parliamentary Service—Report, 2022-23
Report of the Independent Commission Against Corruption—Evaluation of grants administration Phase one: Commercial grants [Ordered to be published]

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

Reports, 2022-23—

Animal Welfare Advisory Committee
Australian Children's Education and Care Quality Authority
Barossa and Districts Health Advisory Council Inc
Barossa Hills Fleurieu Local Health Network
Berri Barmera District Health Advisory Council Inc
Board of the Botanic Gardens and State Herbarium
Bordertown and District Health Advisory Council Inc
Commission on Excellence and Innovation in Health
Country Health Gift Fund Health Advisory Council Inc
Eyre and Far North Local Health Network
Flinders and Upper North Local Health Network
Gawler and Districts Health Advisory Council Inc
Hills Area Health Advisory Council Inc
HomeStart Finance
Kangaroo Island Health Advisory Council Inc
Kingston/Robe Health Advisory Council Inc
Limestone Coast Local Health Network 2022-23
Lower North Health Advisory Council Inc
Loxton and Districts Health Advisory Council Inc
Mallee Health Service Health Advisory Council Inc
Premier's Climate Change Council
South Australian Water Corporation
Wellbeing SA

Determination of the Remuneration Tribunal No. 7 of 2023—Accommodation and meal allowances for Ministers of the Crown and the Leader and Deputy
Leader of the Opposition

Report of the Remuneration Tribunal No. 7 of 2023—2023 review of accommodation and meal allowances for Ministers of the Crown and the Leader and Deputy
Leader of the Opposition

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

Reports, 2022-23—

Adelaide Festival Centre Trust
Adelaide Festival Corporation
Adelaide Film Festival

Art Gallery South Australia
 Carrick Hill Trust
 Club One (SA) Ltd
 Country Arts SA
 JamFactory Contemporary Craft and Design Inc
 Libraries Board of South Australia
 Small Business Commissioner SA
 South Australian Film Corporation
 State Opera of South Australia
 State Theatre Company of South Australia
 Tandanya

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

Reports 2022-23—

Behavioural Standards Panel
 Dairy Authority of South Australia
 Department for Correctional Services
 Department for Trade and Investment
 Dog Fence Board
 Guardian for Children and Young People
 Outback Communities Authority
 Parole Board of South Australia
 South Australian Fire and Emergency Services Commission
 Urban Renewal Authority
 Veterans SA

Regulations under Acts—

Motor Vehicles Act 1959—Conditional Registration-Individually Constructed Vehicles
 Motor Vehicles Act 1959—Consular Exemptions
 Planning, Development and Infrastructure Act 2016—General—Ancillary Accommodation and Schedule 6A

By the Minister for Forest Industries (Hon. C.M. Scriven)—

ForestrySA—Report, 2022-23

Parliamentary Committees

CRIME AND PUBLIC INTEGRITY POLICY COMMITTEE

The Hon. J.E. HANSON (14:22): I bring up the report of the committee on its inquiry into the operation of the Police Complaints and Discipline Act 2016.

Report received and ordered to be published.

NATURAL RESOURCES COMMITTEE

The Hon. R.P. WORTLEY (14:22): I bring up the report of the committee on the Innamincka and Moomba fact-finding visit 20-22 September 2023.

Report received.

The Hon. R.P. WORTLEY: I bring up the report of the committee on the inquiry into biochar.

Report received.

Condolence

DOIG, BREVET SERGEANT JASON CHRISTOPHER

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:31): By leave, I move:

That this council—

1. Offer its deepest condolences to the family, friends and colleagues of South Australia Police Brevet Sergeant Jason Doig, killed in the line of duty on 17 November 2023;
2. Acknowledge his bravery and sacrifice and place on record our thanks for his service to the South Australian community;
3. Acknowledge the bravery of Sergeant Michael Hutchinson, wounded during the incident, and Constable Rebekah Cass, who rendered assistance to the injured officers and the suspect; and
4. That the President be requested to convey to the family of Brevet Sergeant Jason Doig the above resolution, together with an expression of the sympathy and sorrow of the members of the Legislative Council, in the loss that they have sustained.

At about 11.20pm on Thursday 16 November, police attended a property on Senior Road near the Victorian border to investigate an earlier incident. Attending police were confronted by an armed suspect and a shooting incident occurred. Brevet Sergeant Jason Doig, the officer-in-charge at Lucindale station, sustained fatal gunshot wounds and, despite the best efforts of his colleagues and paramedics, sadly died at the scene.

Brevet Sergeant Doig was 53 years old. A second police officer, Sergeant Michael Hutchinson from Bordertown, sustained non life-threatening gunshot wounds and was transported to Adelaide for treatment. Constable Rebekah Cass, also from Bordertown, was not physically injured and rendered assistance to both her injured colleagues and to the suspect.

The occupant of the address, a 26-year-old man, was shot by police. He was treated at the scene and flown to Adelaide where he remains under police guard. The man has since been charged with murder and attempted murder.

This is the first death of a South Australian police officer on duty since 2002 and the first death of a police officer by firearm since 1985. On behalf of the government, I wish to offer my sincere condolences to the family, friends and wider SAPOL community following the death of Brevet Sergeant Doig.

Brevet Sergeant Doig, by every single account, was a very well-loved member of the South-East community. Country police have a unique and critical role and are embedded into their local communities. Brevet Sergeant Doig was no different and had lived in the Lucindale community for many years. Brevet Sergeant Doig is loved and remembered by his mother, Faye; his brothers, Greg and Brett; and all who knew him.

On behalf of the government, I also extend my sympathies and best wishes to Sergeant Hutchinson as he recovers from his injuries sustained during the incident and to Constable Cass, who showed phenomenal courage and compassion in rendering life-saving assistance to her colleagues and to the suspect.

Though we all knew it before, I think this incident has brought into sharp focus the risk and sacrifice that police officers make for their community when they go to work every single day. They do this willingly for the greater good of the community, and for that we are immeasurably indebted to them. I again pass on the government's deepest sympathies to the family and friends of Brevet Sergeant Doig. We thank him for his lifetime of service and for the ultimate sacrifice he has paid. May he rest in peace.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:34): I rise on behalf of the opposition to extend my sincere condolences to family, friends and colleagues on the sad passing of Brevet Sergeant Jason Doig. Brevet Sergeant Doig was serving in the line of duty when he was tragically shot and killed at a rural property at Senior in the state's South-East on 17 November 2023. Reports are that he was attending a routine inquiry when it turned suddenly and tragically violent.

Brevet Sergeant Doig is the 62nd police officer killed in the line of duty in South Australia's history. The last one was 21 years ago. Brevet Sergeant Doig died at the young age of 53 after serving for decades in the police force. In the last 12 years, he was the sole officer in charge at the Lucindale Police Station on Musgrave Avenue. That station is a crucial vestibule of leadership and stability, and the tight-knit regional community has been understandably hard hit by Brevet Sergeant

Doig's passing. Naracoorte Lucindale Council Mayor, Patrick Ross, said that Brevet Sergeant Doig was a classic country copper. He said:

He loved it every day of his life, whether he was in uniform or not, he was a policeman.

He would be the first person to put on a uniform and go and help anyone.

He cared for this community...

All Jason ever wanted from his community whilst he was on duty, while he lived and worked in our community, that no-one would die by misadventure, that he could have some control over.

The community clearly reciprocated that love in their outpouring of grief. His close community connections were evident as 500 people gathered for a wreath-laying ceremony outside the Lucindale Police Station, and the assistant commissioner, along with the local area school, expressed their sorrow at his passing. Tributes poured in from police forces, fire services and emergency workers across Australia, and shops on the main street closed out of respect.

I would like to also recognise the other two brave police officers who were at the scene of the incident: Sergeant Michael Hutchinson, who has undergone surgery, and Constable Rebekah Cass, who assisted both Brevet Sergeant Doig and Sergeant Hutchinson. They deserve our thanks for doing everything they could at the scene along with the paramedics. I understand that even the alleged shooter received assistance from police after the incident.

It is, again, a timely reminder of the incredible courage and dedication of our police officers. Their service and sacrifice are invaluable in keeping our communities safe and upholding the values of justice and integrity. Brevet Sergeant Doig paid the ultimate price to keep our community safe, and it is fitting that we honour him in this place. Again, I extend my deepest sympathies and condolences to his family, friends and former colleagues.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:38): I join members of both houses in offering my condolences to the family, friends and colleagues of South Australia Police Brevet Sergeant Jason Doig, who was tragically killed in the line of duty on 17 November 2023. This is a loss felt across the police force, across local communities and across the state.

Brevet Sergeant Doig was the officer-in-charge at Lucindale Police Station, a single-officer station in the South-East. As has been mentioned, he was described by friend and Naracoorte Lucindale Council Mayor, Patrick Ross, as a classic country copper. What that means is that he was approachable, he was available, he was dedicated, he was selfless, as demonstrated by the sacrifice he has made. The love and respect the local community had for Sergeant Doig was evident in the many floral tributes laid at the police station, and many locals shared stories of their grief and the personable approach he took in his role.

Sergeant Doig was honoured across the state by flags flown at half-mast and public buildings lit up in blue. This incident reminds us once again that police officers demonstrate incredible bravery and incredible sacrifice every day, facing dangers every day to protect our communities.

I also want to acknowledge that it would have been incredibly distressing for the first responders who attended the scene, because in small communities we all tend to know each other. The bravery of Sergeant Michael Hutchinson, who was wounded during the incident, and Constable Rebekah Cass, who rendered assistance to the injured officers and the suspect, cannot be overstated. I trust they are being well supported and receiving the help they need to recover from this very traumatic event.

I want to remind members and the public that there are condolence books available, which have been placed at a number of police stations, including Mount Gambier and Bordertown. There is also an online condolence book that has been made available. Members of the community often also want to do something practical, and a contribution to support police officers and their families through South Australia Police Legacy might be one way in which they can do that. Legacy is a charity that supports South Australia Police families by offering financial, emotional and social support to those who are affected by bereavement, such as in this case, or by serious illness.

Once again, I offer my heartfelt condolences to the family, friends and colleagues of Brevet Sergeant Jason Doig and place on record my sincere thanks for his service to the South Australian community—a sentiment that I know is shared by the government and all those in this chamber.

The Hon. B.R. HOOD (14:41): I rise today to pay my respects to the late South Australia Police Brevet Sergeant Jason Doig, and I echo the sentiments of the honourable leaders in this place and those of the primary industries minister. In speaking with my friends within the Lucindale community who knew Brevet Sergeant Doig, they described him as a quirky guy and as a kind-hearted, generous man whose interests were in doing the right thing and keeping his community safe. He was the embodiment of the best traits of the salt-of-the-earth regional bloke. They said he was a police officer through and through—strict but fair—and that doing his duty was his whole life.

In his early days of policing in Lucindale, he would take busloads of kids down to Robe to enjoy the beach for the day. He would often park his police car outside the school just as the bell rang for home time, so that people observed the speed limits, ensuring that the local kids could walk home safely.

He was a strong swimmer and one of the initial supporters of the new swimming pool project in Lucindale. He sat on the management committee after funding was secured, and when that pool was completed he renewed his lifeguard qualifications and was an active lifeguard at the pool when he could. He was fanatical about his motorcycles, and also about the ones that you have to pedal. He was joined by the Lucindale lycra group as they would ride the Avenue Range loop and stop at the deli afterwards for a coffee and a chat.

He was a huge advocate of the Nuts & Bolts mental health evenings held at the Lucindale Hotel and assisted the committee in organising the Triple J Lucindale One Night Stand event, helping with risk analysis for a small country town that would see a huge influx of people for that fantastic event.

His death has left a shattered community in its wake, who are devastated in their grief. Despite the hole that has been left in Lucindale's tight-knit community, it is the very nature of our regional communities' resilience, kindness and strength that will, in time, bring healing. As has been said so well by many of the Lucindale community, Jason was more than a protector: he was Lucindale family.

I extend my deepest condolences to Brevet Sergeant Doig's family, to his SAPOL colleagues and to his friends throughout the South-East. His bravery, sacrifice and love for his community will be remembered. Our state mourns with you. May he rest in peace.

Motion carried.

Parliamentary Procedure

VISITORS

The PRESIDENT: I acknowledge in the gallery the former President of the Legislative Council, the Hon. John Dawkins.

Question Time

RIVERLAND WINE INDUSTRY BLUEPRINT

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:44): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries on the topic of the Riverland Wine Industry Blueprint and its future.

Leave granted.

The Hon. N.J. CENTOFANTI: On Tuesday last week, Riverland Wine launched its Riverland Wine Industry Blueprint, which has a number of priorities and is a document that is key to the Riverland wine industry's recovery from current challenges. Priority one talks about a rapid transition to more sustainable production and about the importance of maintaining and securing productive land, irrigation assets and irrigation water entitlements in the region, while the sector adjusts to more sustainable levels. My questions to the minister are:

1. How is the Minister for Primary Industries going to ensure that irrigation assets and irrigation water entitlements are maintained and secured in the region, given that her government is pushing for the sale of water entitlements—namely, buybacks—from the Southern Basin?

2. Has the minister or her department done any modelling as to how many horticultural properties and producers will be affected by her government's buyback policy?

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. It certainly was excellent to be able to be in the Riverland last week to be part of the launch of the Riverland Wine Industry Blueprint. We had representatives from industry, government and Riverland grapegrowers and winemakers to launch the blueprint. Riverland Wine, the peak industry association, was representing of course grapegrowers and winemakers. We have worked closely with Riverland Wine—we being the government—to lead this important strategic work.

The Riverland region is one of the most important agricultural regions in Australia, and more than 30 per cent of Australia's wine grapes are grown in the region, which makes it Australia's largest wine production region by tonnage. Of course, the last few years have had many challenges while we continue to fight fruit fly outbreaks in certain districts. The region has also faced challenges from the River Murray flooding event last summer and a significant drop in demand for red wine grapes due to global oversupply and trade tensions.

The state government has been pleased to support the delivery of this blueprint, and it is one of the many initiatives in place to support the wine industry during this challenging time and to ensure that the wine industry remains a strong and vibrant contributor to regional communities. Some of those measures include:

- ramping up resources for rural business support and family and business support mentor programs;
- development of a guide of support services available to growers and wine producers in South Australia, which is available on the PIRSA website;
- extension of the Future Drought Fund farm resilience program to South Australian wine grapegrowers;
- trialling novel methods for resting vines as a measure to manage production, including the application of Ethephon, a plant growth regulator. Growers can apply for a rebate for the cost of Ethephon, which can save them up to \$2,000 per hectare in input, water and management costs in their red wine grape vineyards.

To ensure that the regional wine industry can maintain the momentum of the great work that has already occurred in bringing together this strategic plan, the South Australian government has committed a further \$200,000 over the next two years to support delivery of the blueprint. This funding will ensure that important resources can be dedicated within the region and deliver on the promise of the Riverland Wine Industry Blueprint.

An implementation plan will be developed with key government, industry, business and regional stakeholders to deliver this important work so that the Riverland can continue to produce quality wine grapes, as well as wine and tourism experiences, which are an important feature of the South Australian wine sector.

RIVERLAND WINE INDUSTRY BLUEPRINT

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:48): Supplementary: I appreciate the information the minister has provided, but can she answer my specific question, which was ensuring that irrigation assets and irrigation water entitlements are maintained and secured in the region, which was a priority one, and how can her government ensure that that occurs whilst they are pushing for the sale of water entitlements, namely, buybacks?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:48): I would hope that those opposite and the Leader of the

Opposition in this place would acknowledge that a healthy river is absolutely crucial to all of the horticulture industries.

The Hon. N.J. Centofanti interjecting:

The Hon. C.M. SCRIVEN: Already we have interjections from those opposite—

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: Already we have interjections from those opposite, so perhaps that is implying they don't think a healthy river is an important part of maintaining horticulture and viticulture in the region.

The Hon. N.J. Centofanti interjecting:

The PRESIDENT: Order! The honourable Leader of the Opposition, the minister is attempting to answer the question.

The Hon. N.J. Centofanti: No she's not.

The PRESIDENT: The honourable Leader of the Opposition!

The Hon. C.M. SCRIVEN: I would hope that we could all agree that a healthy river is absolutely a prerequisite to maintaining any of the industries along the river. We have seen, of course, the capitulation of the former state government and the now Leader of the Opposition in the other place—that's how he was described—and we have seen 10 years of absolute abandonment from the former federal Coalition government who, of course, did nothing of substance to ensure that we have a healthy river going forward. To now hear those opposite suddenly say that we need to do something differently, when 10 years of their federal counterparts, not to mention capitulation from their now leader, is absolutely ironic.

RIVERLAND WINE INDUSTRY BLUEPRINT

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:50): Supplementary: does the minister not support water efficiency projects?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:50): I think a question about water efficiency projects is, again, incredibly remarkable and ironic from those opposite. What we wanted over the last 10 years—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —was the former Coalition government to support water efficiency projects upstream, but what we saw from those opposite—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —was constant capitulation, constant kowtowing—

The Hon. N.J. Centofanti interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —to the irrigators upstream in the upstream states, which have left us in the position we are in today. It is their fault and they should certainly take responsibility for it.

Members interjecting:

The PRESIDENT: The Hon. Mr Hunter, we don't need your commentary.

LOWER RIVER MURRAY LEVEES

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:51): My questions are to the Minister for Primary Industries and Regional Development regarding levee management. What is the

minister and her department doing to assist Lower River Murray irrigators with adequate levee management for the full 110-kilometre stretch to provide them with certainty in sowing fodder crops into the future, and what funding is required to improve the levee system in the Lower Murray?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:51): I thank the honourable member for her question. It, of course, refers indirectly to both the major flooding event that happened 10 to 12 months ago, as well as the overtopping event that happened on 7 September. PIRSA is continuing to work closely with the Department for Environment and Water and landholders and contractors to assess and stabilise the levees as soon as possible and maintain or reactivate pumping to minimise the period of additional inundation.

In terms of the project overall for the Lower Murray, there has been a staged program that has been implemented by the Department for Environment and Water to repair levees to allow the dewatering to occur. The stages include immediate stabilisation works to disconnect irrigation areas from the river, followed by intermediate works to reinforce the stabilised areas.

I am advised all levees requiring stabilisation are now complete and the intermediate works are underway. Once the intermediate works are complete and the areas have dried out, a full condition assessment will be undertaken, according to my advice, to determine longer-term requirements.

PIRSA, in partnership with the South Australia Dairyfarmers' Association, is coordinating a program to undertake dewatering of inundated agricultural land in the Lower Murray region to return irrigated areas to production as soon as possible. Members may remember that 20 of the 27 irrigation areas supporting production agriculture had been inundated by the flood and required assistance to dewater and recover. A total area of inundated land was 2,363 hectares and it is estimated that more than 40 gigalitres of water needed to be removed.

The program is covering the cost of levee assessment and stabilisation and pump costs for dewatering and applies equally to government or privately owned levees and all landholders with property in an irrigation area. As at 24 November, which is my most recent advice, 19 areas have completed dewatering, and the final area is scheduled to be completed at the end of November, and that was a result of the overtopping incident that I referred to on 7 September.

The LMRIA recovery subcommittee, convened by PIRSA, was to ensure the flood recovery priorities for primary producers are appropriately represented and has majority community membership. It provides a formal connection to the state recovery arrangements and ensures effective two-way communication between community and government during the delivery of the levee stabilisation and dewatering program and to support the identification of longer-term recovery needs. I am advised that the subcommittee has met six times since its formation in April of this year.

Also, an electronic newsletter to landholders and stakeholders is distributed fortnightly to provide regular updates on levee stabilisation and dewatering activities. That information is also available on the PIRSA website, with additional information on levees available on the DEW website. If I recall correctly, that regular newsletter came about as a result of one of the meetings I had with local community members who said that the information needed to be getting out more broadly, and so that feedback was taken on board and has resulted in that newsletter. That work continues and I am sure we are all keen to see production resumed as soon as possible.

LOWER RIVER MURRAY LEVEES

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:55): Supplementary: will the government commit to funding the 410-kilometre stretch of levee management required?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:55): As has been mentioned before, the levees have various ownerships, some by state government, some by councils, some by private landholders. The work around destabilisation I have already alluded to in my earlier answer.

BLUE SWIMMER CRABS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:55): My question is to the Minister for Primary Industries and Regional Development regarding blue swimmer crab sustainability. Is the minister able to comment on the sustainability of the blue swimmer crab commercial fishery?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:56): I am happy to take the question on notice in terms of detail but, as members would be aware, sustainability is really the overriding principle of this government and, to be fair, I think it was certainly the goal of previous governments of both persuasions as well. In terms of making sure that we have sustainable fisheries going forward, the focus on sustainability has to be paramount. I am happy to provide additional information on notice.

WOMEN LAWYERS ASSOCIATION AWARDS

The Hon. M. EL DANNAWI (14:56): My question is to the Attorney-General. Will the minister inform the council about this year's Women Lawyers Association winner of the Honourable Dr Robyn Layton AO KC Award?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (14:57): I thank the honourable member for her question. It is becoming a yearly tradition that the Women Lawyers Association of South Australia host their annual end of year event at Mrs Q on Gouger Street, and it is the second year that I have been privileged to enjoy the event as part of the government.

As I have spoken about before in this place, the Women Lawyers Association is a group comprised of many members from all sectors of the legal profession progressing meaningful work through their aim of promoting justice and equality for all women within and beyond the law. The association is known for their commitment to improving the career prospects of women within the law and supporting women as they navigate the profession at all levels.

It also creates a supportive and vibrant community for women lawyers practising and working in the profession, and a strong network was certainly on display at the event. Among many other things, the association regularly prepares feedback and submissions to both government and other stakeholders on legal issues relevant to women. I have had the benefit of regular meetings with the association and their representatives to discuss many issues that they progress in detail.

I would like to thank the Women Lawyers Association for engaging so collaboratively with government and sharing their expertise and insight during our regular meetings. The feedback passed on is invaluable to ensure that the view of female lawyers in South Australia is being listened to and supported at the highest form possible.

The function with the judiciary was once again an opportunity to meet with and celebrate South Australia's female lawyers and judiciary. It was especially encouraging to see many young female practitioners having the opportunity to speak and spend time with more senior members of the profession.

The annual Honourable Dr Robyn Layton AO KC Award was presented at the function, once again to honour a practising female lawyer in South Australia in recognition of their outstanding efforts in the law. This year, the award was presented to a particularly deserving candidate, Ms Zainab Alsweedy, now a solicitor at MSM Legal specialising in migration law and wills and estates.

Ms Alsweedy has a particularly moving story of how she came to be practising law in South Australia. Ms Alsweedy came to Australia with her family as a refugee in 2000 to seek a safer life, but her family were kept in detention under Australia's migration laws. It was particularly moving as Ms Alsweedy recounted that Dr Layton, the presenter of the award, was one of the lawyers who provided pro bono legal representation to her and her family while in detention and ultimately when they were free from detention before they settled in South Australia.

This experience is largely what inspired Ms Alsweedy to study law and to go on to work in migration law, where she now represents many families in the same position that she and her family were once in. I congratulate Ms Alsweedy for this award for which she is very deserving and thank

her for the work that she does in representing migrants and others in South Australia. Funds raised on the night of the event from entry and raffle tickets went towards the Zahra Foundation, a South Australian based charity supporting women and children affected by family and domestic violence.

I want to thank the organisers of the event, in particular president Marissa Mackie, and the others who volunteer many hours of their time in the promotion and standing of the work of women lawyers in South Australia.

DOMESTIC, FAMILY AND SEXUAL VIOLENCE

The Hon. T.A. FRANKS (15:00): I seek leave to make a brief explanation before addressing a question to the minister representing the Minister for Women and the Prevention of Domestic and Family Violence on a family, domestic and sexual violence royal commission.

Leave granted.

The Hon. T.A. FRANKS: Between 15 and 21 November this year, four South Australian women were murdered at the hands of men they knew. It has been said that this is potentially the worst week for fatal domestic and family violence in our recorded history. Recent ABS data shows that one in five Australian adults have experienced violence, emotional abuse or economic abuse by a partner. That ABS research found that more than a quarter of women, compared with 15 per cent of men, are experiencing partner violence or abuse from the age of 15 onwards. It found almost a quarter, or 2.3 million women, experienced emotional abuse, compared with 14 per cent of men.

We know it is a national crisis. This year so far, on average, more than one woman a week has been killed in our nation allegedly as a result of domestic and family violence. That is why a vigil was held on Friday 24 November calling for a royal commission into domestic, family and sexual violence in our state. That call was endorsed by many at the vigil for those four murdered women. That included those in the sector, such as Embolden, the Zahra Foundation, SA Unions, OARS, Catherine House, SACOSS, the Working Women's Centre, just to name a few.

The minister at that vigil spoke of the Premier's paternity leave as a reason for an expected delay on a response to their call for a royal commission into domestic, family and sexual violence. My question to the minister is: when will the Malinauskas government respond to that call for a royal commission into domestic, family and sexual violence?

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 question. I will refer it to the minister in the other place, but certainly I think, reflecting on those appalling figures, which are absolutely something that as a community, as a society, we find so unacceptable, it shows that there is still so much more work to be done. My understanding is that the minister in the other place has spoken about the need for short to medium-term actions to tackle this scourge. In terms of the other details of the question, I will refer it to her and bring back a response.

DOMESTIC, FAMILY AND SEXUAL VIOLENCE

The Hon. J.M.A. LENSINK (15:04): Supplementary: has this matter been considered by cabinet?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:04): I think the honourable member opposite is aware that deliberations of cabinet are not something that are discussed publicly. However—

Members interjecting:

The PRESIDENT: Order!

Ministerial Statement

VIOLENCE AGAINST WOMEN

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:04): I table a ministerial statement, which I am advised has just been presented in the lower house, from the Hon. Katrine Hildyard, the Minister for Women and the Prevention of Domestic and Family Violence, on the topic of violence against women.

*Question Time***IMMIGRANT DETENTION**

The Hon. J.S. LEE (Deputy Leader of the Opposition) (15:05): I seek leave to make a brief explanation before directing a question to the Attorney-General about immigration detainees in South Australia.

Leave granted.

The Hon. J.S. LEE: On 8 November 2023, in the Australian High Court decision for *NZYQ v Minister for Immigration, Citizenship and Multicultural Affairs*, the Australian High Court ruled indefinite immigration detention to be unlawful, resulting in the release of individuals, many of whom had their visas cancelled due to character concerns and criminal offences. *The Guardian* article published on 10 November reported that:

The document shows that 21 of their cases were referred to the home affairs minister for character concerns relating to 'national security, cybercrime, serious and high profile organised/gang related, high ranking [outlaw motorcycle gangs] member'.

A further 27 were referred to Giles for concerns related to very serious 'violent offences, crimes against children, family/domestic violence' or 'violent, sexual or exploitative offences against women'.

Some 35 were character decisions made by delegates of the minister. The document warns that the former three categories do 'not necessarily reflect the severity of the character concerns'.

Senator Murray Watt, during question time on Thursday 9 November, said that 'where serious offenders are released from immigration detention, state and territory authorities are notified'. My questions to the Attorney-General are:

1. Since Senator Murray Watt informed the federal parliament that 'where serious offenders are released from immigration detention, state and territory authorities are notified', can the Attorney-General confirm whether the state government has been notified of any serious offenders released in South Australia?

2. Can the Attorney-General inform this council how many of the detainees released, or likely to be released, are currently in South Australia?

3. What is the Attorney-General's plan to monitor the released detainees, with consideration for the safety of the community?

4. Can the Attorney-General confirm what the government's arrangement with the federal government is to receive instructions to manage the released detainees, seeing as this is a critical ongoing matter for the safety of our children, families and communities?

5. Can the Attorney-General confirm whether the Malinauskas government has created a task force with SAPOL to facilitate monitoring of the released detainees? What assurance will the government provide to our community, who may be fearful for their safety?

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 her question. I am happy to answer this question almost identically to how I answered a question in the last sitting week on this matter. I am advised that the—

An honourable member: Are you going to take it more seriously this time?

The PRESIDENT: Order!

The Hon. K.J. MAHER: —Commissioner for Police has publicly mentioned that approximately five of those expected to be released from immigration detention have links to South Australia and might reasonably be expected to come to South Australia. The commissioner, I am advised, has advised that there is national coordination occurring between law enforcement agencies across Australia and that SAPOL is prepared to dedicate the resources as needed.

As I said the last time this question was asked in an almost identical manner, I have confidence in SAPOL's ability to respond to this issue as needed.

CARLY RYAN FOUNDATION

The Hon. R.P. WORTLEY (15:09): My question is to the Attorney-General. Will the minister inform the council about his recent meeting with Sonya Ryan and the Carly Ryan Foundation and the fantastic work that the foundation has been doing both in Australia and overseas?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:09): I thank the member for his question. At the outset, I want to pay tribute to Sonya Ryan and the work that is done within the Carly Ryan Foundation. I have met with Ms Sonya Ryan OAM a number of times, including very recently. Many will remember that she is the public figure, advocate and founder of the Carly Ryan Foundation.

Carly Ryan, Sonya's daughter, was 15 years old when she was murdered by an online predator. It was thought to be the first of this type of crime in Australia, occurring in 2007 as social media was developing and child sex offenders were starting to infiltrate the online space. Sonya, determined to help prevent harm to other innocent children and families and to help them navigate through the online safety journey, founded the Carly Ryan Foundation in 2010.

A law, commonly known as Carly's Law, is the result of the tireless crusade by Sonya Ryan in trying to prevent such tragedies from reoccurring. Sonya and the foundation have been key advocates in getting parliaments here and elsewhere to adopt this law. Legislation was passed recently to strengthen Carly's Law.

The Statutes Amendment (Child Sex Offences) Bill amended section 139A of the Criminal Law Consolidation Act to strengthen Carly's Law to ensure that people communicating with a fictitious child (i.e. an undercover police officer) can still be prosecuted if they believed they were communicating with a real child. Sonya, I know, was most grateful for this change in SA that has been operating since October 2022.

It was particularly good to hear from Sonya in my recent discussions. She is in the United States at the moment, doing work there to take the message of online safety not just around Australia but around the globe. Sonya has been engaging with mayors, members of government and ambassadors to try to ensure that eventually online safety becomes more important and that action is taken in jurisdictions right around the world.

Beyond the advocacy in the US, the foundation has been continuing its work here by rolling out information resources for children in schools, raising awareness of the risks of online grooming and distributing media guidelines to ensure accurate and sensitive reporting of matters of child sexual abuse. The Carly Ryan Foundation has recently been incorporated as a foundation to add further to their highly acclaimed work. There is much more work being undertaken by this government to better protect children from child sex offenders and we look forward to continuing this work in this parliament and in the community.

VETERANS MINISTERIAL COUNCIL

The Hon. S.L. GAME (15:12): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries regarding the Veterans Ministerial Council.

Leave granted.

The Hon. S.L. GAME: On 6 October, federal, state and territory ministers responsible for veterans' matters met in Perth, committing to strengthening national collaboration on the services and supports available to veterans and their families. The Veterans Ministerial Council was joined by the United Kingdom Minister of State for Veterans' Affairs, the Rt. Hon. Johnny Mercer MP. Minister Mercer provided an update on matters of importance to UK veterans and families and shared insights into the UK veteran landscape.

The council agreed that the royal commission into defence and veteran suicide has made it abundantly clear that more needs to be done to support the mental health and wellbeing of defence personnel, veterans and families. My questions to the minister are:

1. Why did the government not send a representative on behalf of the South Australian Minister for Veterans Affairs, the only minister from all the states, territories and commonwealth unable to attend the Veterans Ministerial Council?

2. Is it acceptable that South Australian veterans have now missed out on the state government engaging with the Veterans Ministerial Council to tackle the issues facing veterans, particularly in mental health?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:13): I thank the honourable member for her question. I will refer it to the Minister for Veterans Affairs in the other place. Not being specifically familiar with the dates, but of course the minister in the other place has had a period of illness and been away on that account, but I will get an answer and bring it back to the chamber.

ALLIED HEALTH PROFESSIONALS IN SCHOOLS

The Hon. J.M.A. LENSINK (15:14): I seek leave to make an explanation before directing a question to the parliamentary secretary in her role as the Assistant Minister for Autism regarding allied health professionals in schools.

Leave granted.

The Hon. J.M.A. LENSINK: In 2014, the then Australian Coalition government introduced the Allied Health Project, which promotes collaboration between allied health professionals (in this instance, speech pathologists and occupational therapists) and school personnel (teachers and support staff) to plan and implement teaching and learning strategies aimed at improving the educational experience and outcomes for students with disability. It allows for scheduled site visits, which relieve the disruption of removing a student from the classroom to attend offsite appointments.

The Liberal opposition in South Australia has been alerted by a speech pathologist who provides these services that allied health professionals will be banned from providing services in schools next year at the discretion of the principal. My questions to the parliamentary secretary are:

1. Is the parliamentary secretary concerned that some allied health professionals are not being allowed into public schools to provide treatment for students requiring this support?

2. Is it appropriate for principals to prevent allied health professionals entering the schools, given that this project is well established?

3. Will the parliamentary secretary rule out a blanket ban on allied health professionals in public schools?

4. What support is the government providing to schools to allow allied health services to continue?

The Hon. E.S. BOURKE (15:15): Thank you for the question. As I am not the Minister for Education, I am happy to take that on notice.

TIATI WANGKANTHI KUMANGKA EXHIBITION

The Hon. R.B. MARTIN (15:16): My question is to the Minister for Aboriginal Affairs. Will the minister please inform the council about his recent visit to the *Tiati Wangkanthi Kumangka* exhibition?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:16): I thank the honourable member for his question and his interest in this area. I recently had the privilege to tour the internationally award-winning *Tiati Wangkanthi Kumangka* exhibition at the Bay Discovery Centre in Glenelg.

Tiati Wangkanthi Kumangka translates roughly into truth-telling and this exhibition is centred on telling some of the truths of the early history of South Australia, particularly in relation to the effects of colonisation on Aboriginal people that examines the first encounters, the impacts of colonisation and the words of the Letters Patent.

Importantly, this exhibition has been developed under the guidance and input of senior Kurna elders and community members. I was fortunate to tour the exhibition along with representatives of the local council, with Aboriginal leaders including Aunty Lynette Crocker, Uncle Jeffrey Newchurch, Uncle Frank Wanganeen and Rayne Simpson.

The award-winning success of this exhibition has only been possible due to the strong partnership that the members of the Kurna community have developed with the City of Holdfast Bay over the last half a dozen years. This partnership continuously showcases the way in which we have embraced working together to deliver shared goals, community projects and outcomes that strengthen the understanding of Kurna culture and our connections to places in history.

This partnership has included notable initiatives including the Holdfast Bay council formalising policies regarding diversity, antiracism and social inclusion in early 2002. In 2019, the Kurna nation held a special repatriation ceremony in Kingston Park. The reburial ceremony laid to rest the remains of 11 Kurna old people which had been returned from the Natural History Museum in the United Kingdom and the South Australian Museum.

Over the past few years, the commemorative Proclamation Day event on 28 December at the Old Gum Tree Reserve in Glenelg North has been an opportunity to reflect on a shared history and the important place that has in the state of South Australia. I am informed that the upcoming Proclamation Day commemorations will, for the first time, include a series of signal fires lit on the beach along Holdfast Bay council's coastline.

Kurna elders and the Kurna fire team from Firesticks, an Indigenous alliance across Australia reviving cultural burning and landscape management, will lead this cultural event which the wider community will be invited to take part in. Fires will be lit along the beaches at Glenelg South, Glenelg North, North Brighton and Kingston Park in the afternoon following the Proclamation Day morning ceremony, which is held at the Old Gum Tree Reserve in Glenelg North.

I would like to take this opportunity to congratulate the Holdfast Bay council, particularly the leadership of the mayor and Kurna community members, who continue their commitment to working and sharing Kurna culture and history with the broader community.

TAXI INDUSTRY

The Hon. F. PANGALLO (15:19): I seek leave to make a brief explanation before asking a question of the Hon. Clare Scriven, the minister representing the Minister for Infrastructure and Transport, a question about the transport point to point industry.

Leave granted.

The Hon. F. PANGALLO: The taxi industry has been struggling since the Weatherill government gave the green light to ridesharing disruptors. Many taxi plate owners lost their entire life savings and their superannuation because the move destroyed the value of plates, some bought for more than \$340,000 from the government while the government was moving in this direction. It continues to cause hardship and stress on many plate owners, while drivers are struggling to earn a decent income for the hours they work.

I received a letter this week from one distressed plate owner I met at the recent annual general meeting of the South Australian Taxi Council. He writes that he is battling to pay the mortgages he took out on his plates, believing the government that they were good investments. He has already lost properties, and now the bank wants to take his home, a modest unit. He told me he is seeing a psychiatrist for his mental health, as he has twice attempted to take his life because of the financial stress, which has also caused him marital problems. He is hoping for the government to provide more assistance to plate owners because the compensation they received at the time was minuscule compared to what they lost in value.

I seek to table that letter. It is quite a harrowing account of what has happened to this taxidriver.

Leave granted.

The Hon. F. PANGALLO: I have omitted names and addresses, as well, for the sake of privacy. My question to the minister is:

1. When will he finally release his review of the point to point rideshare industry?
2. Will the government consider a buyback of taxi plates as has happened in other states, or is it contemplating other compensation for taxi plate owners?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:21): I thank the honourable member for his question. I will refer it to the Minister for Transport in the other place and bring back a response.

Ministerial Statement

STEVENS, CHARLIE

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:21): I table a copy of a ministerial statement, which I am advised has just been tabled in the other place by the Hon. Joe Szakacs MP, Minister for Police, entitled Vale Charlie Stevens.

Question Time

BLUE SWIMMER CRABS

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:22): Further, while I am on my feet, I would like to refer back to a question earlier in this question time in regard to blue swimmer crabs. I have been advised that stocks are considered sustainable, and the management plan is currently being reviewed, which is the usual process.

NATIONAL DISABILITY INSURANCE SCHEME

The Hon. H.M. GIROLAMO (15:22): I seek leave to provide a brief explanation before asking a question of the parliamentary secretary in her role as Assistant Minister for Autism about the NDIS.

Leave granted.

The Hon. H.M. GIROLAMO: A series of news articles and radio interviews beginning on 19 November reported that the federal Labor government will be introducing steeper requirements for children with autism to access the National Disability Insurance Scheme. To date, no explanation has been provided as to what the requirements will look like or how this will affect those already on the scheme, leaving thousands of South Australian families anxious about looming changes and cuts.

Supposedly, discussions are underway with all state governments on the changes to the eligibility criteria and bolstering of state services for people with autism. However, over a week later, we are yet to see or hear any comment from the Malinauskas government on these proposed changes. My questions to the parliamentary secretary are:

1. Has the parliamentary secretary, in her capacity as the Assistant Minister for Autism, met with or spoken to the federal NDIS minister in regard to the proposed changes?
2. Why has your government been silent on such a significant announcement that affects thousands of South Australians?
3. When will your government be announcing your position on the proposed changes?
4. What, if any, plans are in place to increase state services for children living with autism that Minister Shorten has called for?

The Hon. E.S. BOURKE (15:24): I thank the member for her question and acknowledge the recent media reports in relation to the upcoming release of the NDIS review about autism that she referred to. I am advised the final report from the recent NDIS review is being tabled at national cabinet in early December before being released. The outcomes of the NDIS review will inform future

conversations between federal and state governments. Here in South Australia, we are leading the way when it comes to autism inclusion, and we have made significant investments, including \$28.8 million to create the largest autism inclusion teacher network in the nation, as well as the nation's first Office for Autism.

AUTISM

The Hon. H.M. GIROLAMO (15:24): Supplementary: when did the parliamentary secretary last speak to the Minister for the NDIS and advocate for South Australian families with children living with autism?

The PRESIDENT: I am not quite sure that arises from the original answer.

The Hon. H.M. GIROLAMO: It was my original question that she didn't answer.

Members interjecting:

The PRESIDENT: Order! Everyone stay calm.

MURRAYLANDS AND RIVERLAND STRATEGIC PLAN

The Hon. J.E. HANSON (15:25): My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the launch of the Regional Development Australia Murraylands and Riverland Strategic Direction 2023+ document and the important work the organisation is doing to support the region's resilience and to embrace new opportunities?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:25): I thank the honourable member for his question. Unfortunately, I was unable to attend the launch of the RDA Murraylands and Riverland strategic plan at Monarto last Tuesday, as I was attending the launch of the Riverland Wine Industry Blueprint in Lyrup on the same day. Fortunately, I was still able to provide an address to the forum via teleconferencing. Throughout the state, the Regional Development Australia network performs important roles. They include:

- developing and implementing projects and programs to address region-specific opportunities;
- promoting initiatives and programs of the network's state, commonwealth and local government funding partners;
- developing strategies to facilitate growth and prosperity;
- facilitating new and existing investment; and
- providing advice to the South Australian government on economic and regional development opportunities.

Each region of our state is of course incredibly diverse, and there is no one-size-fits-all approach to regional development. Each region's strategic plan and priority actions should therefore be based on the economic and physical landscape within which they work, as well as the lived experience of people in business and the community.

In this light, I am pleased that the Strategic Direction 2023+ document has been developed by primarily drawing on the Murraylands and Riverland plan, which was itself developed in close partnership with the Murraylands and Riverland Local Government Association and regional landscape board, and included consultation with over 550 regional community members.

It is no secret, obviously, that in recent years the Riverland has been confronted by extensive flooding; biosecurity challenges, including an ongoing fruit fly response and now the management of varroa mite; volatile market conditions, including the loss of the China market for key products, including wine and barley; inflation and the high costs of inputs; as well as labour shortages.

The RDA Murraylands and Riverland have been active in supporting actions to respond to many of these challenges, many of which of course apply to all of the area of the Murraylands and

Riverland. I am advised that, in recent years, the organisation has invested heavily in the Agri Food Tourism Development Program and has supported the Murraylands and Riverland Local Government Association's waste management strategy, public health plan and regional freight options paper. It has managed the Murray River Study Hub on behalf of the Rural City of Murray Bridge, run the #WeAreHere campaign to support businesses through the COVID-19 pandemic and supported the region's River Murray flood recovery work.

The Strategic Direction 2023+ document also looks forward to supporting the Riverland and Murraylands region to embrace future opportunities. The vision is for the Murraylands and Riverland to be recognised internationally as a vibrant, world-leading circular economy with high-performing businesses, resilient communities and individuals with a deep sense of wellbeing and connection to the region who are also aware of global opportunities. This means the RDA supporting projects such as Greenhill's proposal to build the \$425 million Riverbend Energy Hub at Tailem Bend, which I am advised will have the capability to take organic and other waste products, including that sourced from major Murraylands food processing companies, and turn this material into hydrogen gas.

I congratulate the RDA Murraylands and Riverland on the launch of their strategic plan, Strategic Direction 2023+, and I look forward to the collaborative regional development work that it may facilitate.

POWER OUTAGES

The Hon. R.A. SIMMS (15:29): I seek leave to make a brief explanation before addressing a question without notice to the Minister for Regional Development on the topic of power outages.

Leave granted.

The Hon. R.A. SIMMS: At the height of the storm that hit South Australia last night, 14,000 people were left without power and over 5,000 South Australians were still without power at 10am this morning, mostly in regional areas. Some of the worst hit regions were the Barossa, the Lower Murraylands, the Mid North and the Flinders. Last year, the secretary of SA Unions, Dale Beasley, wrote an open letter to the Premier, the Hon. Peter Malinauskas, calling for a reversal of the privatisation of our energy network. In the letter he stated that, 'This model has seen under investment in maintenance and replacement of electricity distribution infrastructure.'

I asked the Minister for Regional Development about this matter back in September, and in the response to my question without notice that she has tabled today she stated:

The government believes that privatising the network by the then Liberal administration was a foolish decision which has resulted in sub-optimal outcomes for consumers. However, restoring the electricity network to public ownership would be a complex and expensive undertaking.

She goes on to state:

Any consideration of such a change would require thorough analysis rather than superficial thinking.

My question to the minister therefore is:

1. In light of her remarks, would she consider the Greens' push for a commission of inquiry into bringing electricity back into public hands?
2. What action has the minister taken to ensure that people in the regions have access to power during this storm?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:31): I thank the honourable member for his question. In terms of one part of that question, it is certainly the case that in the answer I provided to the honourable member, where I alluded to the advice received from the Minister for Energy in the other place, I stated there would indeed need to be a thorough analysis of any proposal to bring electricity back into government hands. We all remember of course how many problems have eventuated due to ill-conceived privatisation by a former Liberal government in this state. In terms of those sorts of steps, I am happy to refer that to the Minister for Energy in the other place.

In terms of the storm power outages, I am advised that, as the honourable member referred to, the storms did cause widespread power outages in addition to localised flooding. I am advised

that approximately 155,000 lightning strikes were recorded, some 26,000 of those hitting the ground. Some of the lightning strikes hit electrical infrastructure, which caused damage. There was also damage from trees and vegetation falling on powerlines, and I am advised that this led to about 30,000 SA Power Networks customers being affected by an outage.

I am advised that SAPN mobilised additional crews and have been restoring power to most customers, and as of 10am today there remained approximately 5,000 out of those 14,000 customers who were still without power. SAPN prioritises work to protect public safety first, and then targets outages from the biggest through to single affected customers. I am further advised that the storm also affected some ElectraNet assets, but the transmission provider expected all lines to be in service by mid-morning, which is the most up-to-date information I have in that regard. Further, there was no loss of load from the transmission network.

POWER OUTAGES

The Hon. R.A. SIMMS (15:33): Supplementary: does the minister accept the analysis of SA Unions that privatisation has seen underinvestment in maintenance and replacement of electricity distribution infrastructure that has contributed to the power failure we have seen overnight?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:33): I think the privatisation of the state's electricity assets by a former Liberal government was a disaster.

POWER OUTAGES

The Hon. R.A. SIMMS (15:33): Supplementary: in light of that, will the minister put her concerns to the Minister for Energy and urge him to support the Greens' call for a commission of inquiry?

The Hon. I.K. HUNTER: Point of order: you can't have run-on questions as supplementaries. The question needs to relate to the original answer.

The PRESIDENT: Very good, whip. The Hon. Mr Hunter is correct.

Members interjecting:

The PRESIDENT: Order!

DOMESTIC AND FAMILY VIOLENCE

The Hon. L.A. HENDERSON (15:34): I seek leave to make a brief explanation prior to addressing a question to the Attorney-General regarding court resources.

Leave granted.

The Hon. L.A. HENDERSON: Following the utterly unacceptable and brutal deaths of four South Australian women in a single week, the Minister for the Prevention of Domestic and Family Violence was quoted on 23 November as saying:

All of these deaths were preventable [and] we are determined to help advance change that means men do not harm women.

In light of these comments, my question to the Attorney-General is: will the Attorney-General and his government consider providing additional resources to the Courts Administration Authority to prioritise charges of domestic and gender-based violence?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:35): I thank the honourable member for her question. Nothing has been brought to my attention that the way courts operate has resulted in the tragic deaths that we have seen over the last couple of weeks. This is certainly something that this government takes very seriously. There are a number of legislative changes that we have made.

I know that the minister, Katrine Hildyard, in another place has been setting up facilities to look at doing more in terms of hubs in the north and the south and almost a dozen regional hubs in relation to domestic violence. I am sure that my colleague Minister Katrine Hildyard in another place

will continue to make every effort possible to protect women and protect survivors of family and domestic violence.

DOMESTIC AND FAMILY VIOLENCE

The Hon. T.A. FRANKS (15:36): Supplementary: previously in the Coroners Court, a position has existed to look at systemic domestic violence deaths and investigate them. Will that be undertaken in light of this most recent horrific week?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:36): I thank the honourable member for her question. Once again, after the fact, there is nothing that we can do in relation to that that would necessarily prevent these tragic deaths happening, but I am happy to pass that on to the Coroners Court.

DOMESTIC AND FAMILY VIOLENCE

The Hon. J.M.A. LENSINK (15:36): Supplementary: is the Attorney aware of whether that position is still operating?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:36): I thank the honourable member for her question. I have meetings from time to time with the Coroner, but I am not aware of that.

PREMIER'S EXCELLENCE AWARDS FOR THE PUBLIC SECTOR

The Hon. T.T. NGO (15:36): My question is to the Minister for Industrial Relations and Public Sector. Can the minister update the council on the opening of nominations for the Premier's Excellence Awards for the public sector?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (15:37): Bravo. I thank the honourable member for his important question and his interest in this area. Certainly, the yearly Premier's Excellence Awards for the public sector are a major feature on our calendar in recognising the crucial role and the very important work members of the public sector do in South Australia. I am looking forward in the future to updating the chamber on those members of the public sector who have gone above and beyond and excelled in providing service for the people of South Australia.

These awards acknowledge individuals and teams across the South Australian public sector who deliver exceptional outcomes for the South Australian community while living up to public sector values. The awards send a message that we value and appreciate the very hard work, dedication and commitment that goes into the Public Service and rewards those who have demonstrated outstanding performance and service to the community. They are run with the generous support from the Commissioner for Public Sector Employment, who is responsible for coordinating these awards.

Nominations opened on 13 November and close on 8 December this year. Our public sector leaders, including chief executives, agency heads and senior human resources leaders and directors, identify and nominate employees within their agencies. These awards are being provided in six new categories. Category 1 is Excellence in Service Delivery, awarded for exemplary service to South Australian individuals and teams whose programs, service or initiatives have had far-reaching positive impact. There is the category of Driving Innovation, awarded for a demonstrated commitment and support for new ideas or experimentation, or for finding new ways to solve problems and deliver for South Australia and its future prosperity.

There is also the category of Building South Australia's Economy, awarded for projects or initiatives that generate a significant positive impact on the South Australian economy, generating job creation and economic diversification. Also, a category in Leadership and Diversity, Equality and Inclusion is awarded for a project or initiative contributing to building a public sector where everyone belongs and is valued; and a category of Connected Communities is awarded for work that has made a positive impact on communities around South Australia, including grassroots or established community initiatives that demonstrate a genuine involvement and offer long-term value to add to the life of their community.

There is a new category of Emerging Young Talent awarded to an individual under the age of 30 who has demonstrated excellence, passionate commitment and action towards making a positive difference to the lives of South Australians. Following close of nominations on 8 December, they will be evaluated before the announcement at the end of January of the winners of these awards. The Premier's Excellence Awards will be delivered at a ceremony in the first quarter of next year and I look forward to letting the council know about the outstanding work of the winners of these awards when they have been announced.

CROSS BORDER COMMISSIONER

The Hon. F. PANGALLO (15:40): My question is to the Minister for Primary Industries about the Cross Border Commissioner. Can the minister update the chamber on the status of the South Australian Cross Border Commissioner, Liz McKinnon, and when can we expect to see a report on her activity since her appointment 12 months ago?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:40): I thank the honourable member for his question. The Cross Border Commissioner is an important role that we have established to assist with those activities and businesses and various pieces of administration that can be different on each side of the border. We know that many of these have been in place for a long time and will take time to change; others have seen some ability to be impacted and that has been certainly a very useful activity so far.

The Cross Border Commissioner was announced roughly 12 months ago in terms of the appointment to the role. She did commence, if I recall correctly, in the first week of April, given that she was in an existing position. I think I have tabled the first Cross Border Commissioner annual report. I certainly have seen it and signed it in. I thought I tabled it last sitting week but I am happy to check that. I am sure that the information about the activities of the Cross Border Commissioner and what she has been able to do will be very helpful.

She has, of course, been working with other jurisdictions. Victoria and New South Wales are two such jurisdictions that have cross border commissioners. She has certainly had a number of meetings with them and has been working on a number of different matters. She has also had numerous meetings with various cross-border communities. Some of the functions or the key strategic areas that she has been pursuing include workforce development, safe and resilient communities, integrated service planning, developing and contributing to regional economic outcomes, and removing barriers to social and business growth.

One of the pieces of work that she had involvement with was something that perhaps would not have necessarily come to people's minds when the role was first established, and that related to footrot in the South-East of our state and the fact that Victoria has a different approach to the management of footrot to South Australia. Victoria simply had a management approach which said that it was not something that could be eradicated, whereas under the arrangements in place where PIRSA provided services under a deed of agreement, if I remember the correct term, it was a very different approach.

Here in South Australia, footrot has different impacts in different parts of the state. Obviously, in the South-East, where it is much wetter, it is more of an issue. The Cross Border Commissioner engaged with a number of stakeholders as well as with PIRSA. PIRSA was doing some work on it, but I think it is fair to say that the additional attention and advocacy was also helpful—simply informal advocacy—and so we are now able to run a trial of a program which has a different approach in the South-East for footrot. I think it just serves to demonstrate the vast array of different issues that might arise and that might be able to be assisted by the Cross Border Commissioner role.

Bills

RESIDENTIAL TENANCIES (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 16 November 2023.)

The Hon. J.M.A. LENSINK (15:45): I rise to place several remarks on the record in relation to this piece of legislation. First of all, I would like to acknowledge all the individuals and organisations who have contacted us, whether they be individual renters, landlords or organisations, which includes the Anti-Poverty Network, and some advocacy organisations, such as the Property Council, the Real Estate Institute of South Australia, and the Landlords' Association of South Australia.

I also thank the minister and her office for providing a briefing and some other details on the bill, although I note the comments of some of my colleagues in relation to a previous piece of legislation that they were invited at the round tables to sit on the kids' tables. I think it might have been the Hon. Frank Pangallo and the Hon. Robert Simms. I want to note that the Liberal Party was not invited to that, and we also were not provided with a previous draft of the bill. I had to get that from it falling off the back of a truck, so to speak.

This bill I think can be broadly characterised as an attempt to respond to a market issue to which the only answer is more supply in the housing market. Housing has become a scarce resource and that is why prices are going up and rental markets have also tightened to levels not seen in most of our lifetimes. While there are a lot of very good provisions in this bill, I am concerned that this bill ultimately is actually only going to serve to worsen the crisis because the only answer to this matter is supply and, in the middle of a housing crisis, we need all hands on deck.

South Australia needs more homes, more investment and more capital and the largest source of capital is in the private sector. If the private sector flees the market, there is not going to be anywhere near enough money in the government to fix the housing crisis. That is why—not directly in relation to this bill—the Liberal Party and others have been so critical of the government jumping into the West End site, trying to be the knight in shining armour on a white horse. The solutions of this government are all about this pondering Premier handwaving with his hi-vis and hard hat on.

Labor is so desperate at a state and federal level to be seen to be the fixers that they have had to paint themselves into the centre of everything, rather than leaving it to those who have more experience and can do it faster and more efficiently. I feel for renters who are facing increased rental prices and for those who are trying to find a property in this current market. I have spoken to many people who have experienced homelessness or are at risk of homelessness and are stressed, particularly those with children. This includes Gabby, who has successfully rented for many years, but when her landlord was selling the house privately, she could find no alternative, so she had to present to the homelessness system and live with her daughter in the hotel system for eight months before being provided a property by a community housing provider.

As I said, there are good elements in this bill, including some greater protections for tenants, such as the retaliatory provisions, moving more tenancies to being longer term, energy efficiencies, enabling modifications for people with disability, domestic and family violence provisions—and I will have some questions at that section, particularly in relation to where the perpetrator is not on the lease, which is something that we raised in the briefing, and what the likely outcomes will be under these provisions—changes to rooming house rules and subletting. But some of the other changes and elements in this bill will not ease the market; they are actually going to make the situation worse.

The majority of rental homes are owned by mum-and-dad investors. Some manage them themselves, others use property managers. A number of the mum-and-dad types have recent migrant backgrounds—not so recent, actually; post World War II—like my parents. This group of people did not have access to superannuation until it came into effect in the 1980s, and women particularly did not end up with large superannuation balances.

This group of people particularly prefer bricks and mortar to paper investments, and for many their rental homes have been their retirement funds, their nest egg, and they have spent decades paying a mortgage and maintaining their properties. Younger investors, too, have had to stick their necks out to borrow from banks substantial amounts of money, and they may be facing substantial interest bills at the moment due to interest rate hikes.

There are some people who think that all landlords are out to get their tenants and make life as difficult as possible for them. There may be no changing those opinions, but I do believe that is a simplistic, one-sided and convenient way to point the finger rather than finding more lasting solutions—the solution being supply, supply, supply. As in any situation, there are good landlords

and good tenants, and bad tenants and bad landlords. Any sensible landlords try to keep their good tenants.

This bill amends the Residential Tenancies Act, the Residential Parks Act and the Real Property Act, and follows on from a previous bill relating to protection of tenants and rent bidding, which the party supported at that stage. This bill is far more substantive and follows on from a range of issues which were raised in a government discussion paper released late in 2022.

A consultation draft was circulated in August—not to us, I might add—and some minor changes have been made to that version. We were told that in the negotiation phase this government had made up its mind about several clauses several months ago and was not to negotiate post that. I note that on 1 November the government announced the final version of the bill at a press conference with the Greens, which has guaranteed them passage.

We will have an amendment, a regular amendment that often appears in many pieces of legislation, which is a review clause for three years. There are other amendments that we would have been interested in but we see where the numbers are. I will speak about some of the potential amendments, areas which I think do need to be reviewed at some point.

The key cause of concern for a lot of landlords is the changes to what has been heretofore an end of the contract. For anyone who has done any degree of law—and I confess I have only ever done one set of study through a degree—contract law is quite clear. The current tenancy laws have protections for both tenants, as consumers, and landlords, who are the property owners. Essentially, it is based on a fairly simple law of contract, which people sign, it comes to the end of a tenancy and then the two parties determine whether they will continue or not.

I do not agree with the premise that the current laws are no-cause evictions. The end of a tenancy is the end of a contract, and I note that the Real Estate Institute, through one of its submissions, highlighted this. Their advice regarding the final piece of legislation is that the prescribed grounds specified in the bill align with what they had sought so they are now comfortable with the bill.

However, I do reiterate that the conditions for ending tenancies is a significant diversion from the current situation. It will result in more documentation requirements for landlords and agents. Given that SACAT's role in determining fairness and reasonableness, disputes, determining compensation, awarding costs and the like will increase significantly, this too will add to the existing delays through the SACAT process.

We did ask the question in the briefing as to whether SACAT was going to be provided with additional resources and were quite surprised to learn that it will not. So for those who have had the experience where they found SACAT processes not timely, that situation will only worsen.

Turning to 'requiring a prescribed ground to terminate or not renew a tenancy': there are a number of these, some of which already exist where the tenants and landlords can actually end an agreement due to a breach of contract, which fits within, as I mentioned, those fairly straightforward understandings of contract law. However, there are a range of other elements which will be added to the grounds, and I note that there will be some others which will be also added through regulation. These will include:

- whether a tenant or visitor recklessly causes serious damage to property;
- the tenant or a visitor puts neighbours, landlords, agents, contractors or employees in danger;
- the premises are unfit for human habitation, destroyed or destroyed to the extent that they are not safe;
- a tenant or anyone else living at the property threatens or intimidates;
- a tenant has failed to comply with a SACAT compliance order, has been given two breach notices and the same breach occurs;
- the property is being used for illegal purposes;

- other tenants or subtenants have been brought in without consent;
- the bond has not been paid;
- the tenant misleads a government housing authority or a social housing authority so that they can become a tenant through the income and asset limits and the like;
- if there is illegal drug activity at the property from the tenant;
- if the tenant keeps a pet without consent and SACAT has made an order to exclude the pet; and
- if they have engaged in false, misleading or deceptive conduct in concealing material facts.

There are also some changes to notice periods regarding ending tenancies, which my colleague in the other place, Josh Teague, the member for Heysen, spoke about in detail. I am sure honourable members will be pleased to know that I will not be speaking anywhere near as long as my learned colleague the member for Heysen.

An honourable member: No-one can.

The Hon. J.M.A. LENSINK: Vickie Chapman can, of blessed living memory. As I said, the passage of this bill will result in more documentation requirements for landlords and property managers, which will particularly have an impact on that 70 per cent of mum-and-dad investors. My belief is that this legislation will, quite clearly, lead to landlords exiting from the market, which is only going to tighten the market. That is the principal reason for the Liberal Party being unable to support the bill, albeit that there are a range of things which are very helpful in it.

In relation to the keeping of pets, the Liberal Party acknowledges that Australians love their pets. I think most members in this chamber have pets—I certainly do. I have always had pets. I have had pets as a tenant and I have pets at the moment. We certainly know that one of the trends is towards more single-person households, which is actually a factor fuelling the current housing crisis as there are more houses that have spare rooms as the number of couples and families get smaller.

Pets are very important for wellbeing, so we have certainly been in the space of trying to ensure that people in rentals, or in whichever situations, can look after their pets. We are also very well aware that pets can be targeted by perpetrators of domestic violence and that sometimes it is a disincentive for someone to flee a situation because they are fearful that their pet will be harmed.

Our alternative to the current framework that is being put forward by the government and the Greens is that we have advocated for a pet bond. My understanding is that it exists in other jurisdictions and enables that potential risk from a pet to be covered by a bond, because the advice that we have received is that pets have traditionally been responsible for more damage in properties than humans.

Our understanding also from talking to people in the industry is that there are many landlords and property managers who already favourably consider requests to allow pets in those properties, even though it may appear on some of these searches that have been done that places do not allow people to keep pets.

We certainly do support the provisions for domestic violence victims; for provisions to allow tenants to make alterations if they have a disability; for subletting changes that are in the legislation that will clarify the rules for both parties, whether they be tenants or landlords; for energy efficiency measures which will be grandfathered in as appliances or things are replaced in a property and are sensible and there is a lot more available in the market in any case; and amendments to the rooming house and residential parks legislation; and some of the other clarifying clauses that have been altered in the Residential Tenancies Act.

So there are a number of things that are positive. I think I have probably spoken clearly to articulate our position about the concerns that we have that this piece of legislation is going to drive out people who are currently renting properties and potentially also Airbnb, which will not be captured by the residential tenancies laws.

I think it does highlight why we should actually have a review clause because if, as I predict, the rental market continues to tighten, I think it would be incumbent upon this state parliament to conduct a review as early as practicable, but certainly in three years' time so that these laws can be revisited to provide for a more robust market. With those comments, I indicate that I am the lead speaker and look forward to the committee stage.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (16:02): I rise to address two crucial aspects of proposed legislation impacting our housing landscape. The government's Residential Tenancies (Miscellaneous) Amendment Bill seeks to reform rental laws, altering the conversation between tenants and landlords. In my contribution, I wish to express both support and concern regarding this piece of legislation, as my colleague the Hon. Michelle Lensink has already outlined.

Firstly, let us acknowledge the importance of fairness and balance in our rental laws. But, as we navigate through these changes, we must consider the perspectives of both tenants and landlords, recognising the challenges faced by each.

Property investment holds particular significance to many South Australian families. My colleagues in the other place have already put on the record that many of their constituents, where a significant portion of the population comprises individuals who migrated to Australia in the 1950s and 1960s, see property investment as an important part of generational succession planning and future proofing for their family's financial safety net.

Many of these hardworking Australians have chosen to invest in real estate, shaping their retirement around these decisions. This bill, in its quest for balance, must take into account the aspirations and challenges faced by both renters and property owners, particularly those owners who have invested their hard-earned money in South Australian property.

The Liberal Party has been approached with specific concerns since the introduction of this bill, particularly by retirees who find themselves navigating a changing landscape of rental laws, rates and taxes as self-made small investors, largely with one or two properties. It is evident that these individuals who invested in properties for various reasons, including retirement planning, are grappling with the potential impacts of these proposed reforms.

These are not the big end of town. These are mums and dads, the grandmas and the grandpas, and they are simply trying to secure their families' future. They are simply thinking ahead to after they have passed on. As we seek to understand and be informed by the views of our constituents, we have gathered—and certainly I have gathered—feedback through a variety of methods and in particular emails.

Whilst we have seen the tick-and-flick mass email campaign regarding rental rights—and that has indeed been substantial—the number of personally written individual stories received in my office inbox and that of my colleagues is just as important to voice. It is this very feedback that has played a crucial role in shaping our approach to this bill in the Legislative Council. We sought feedback on termination and non-renewal of tenancy agreements, and we have sought feedback on notice periods, on pet policy, on inspection frequency, on subletting and on rental increases.

Housing choices impact the lives of everyone in our community. It is essential to consider the broader implications of these proposed changes, and the balance we seek in rental laws must contribute to a housing landscape that is fair for both tenants and property owners. The goal must not be merely to legislate for the sake of change but to ensure that the changes contribute positively to the wellbeing of our community. On that note, I am certain that we all here can agree.

However, I must express my reservations about the potential unintended consequences of some of the provisions in this bill. As I mentioned earlier, the Hon. Michelle Lensink has outlined a number of those. While addressing issues like termination notices and rent increases, we must be cautious not to create additional challenges for landlords, particularly those who have invested in real estate for long-term financial stability.

Furthermore, the legislation's impact on the supply of rental properties is a matter of concern. The proposed changes, while addressing certain aspects of the tenant-landlord relationship, do not

contribute to the construction of additional rental properties. In fact, there is a risk that these reforms could make it more challenging for landlords to manage their asset sufficiently.

In conclusion, as we move forward in the consideration of this bill we do have a number of questions during the committee stage. It is imperative that we strike a balance that genuinely addresses the housing crisis and also, critically, promotes fairness for all parties involved. The legislation must not only respond to the immediate concerns but also contribute to the long-term wellbeing of our housing market. I look forward to further deliberations and the opportunity for my colleague the Hon. Michelle Lensink to bring forth our case in committee.

The Hon. H.M. GIROLAMO (16:08): Along with my colleagues I also have concerns in a few areas of this bill, specifically looking at the conditions for ending tenancies. I think that we need to ensure that landlords are able to protect their rights, that they are able to protect their property and that they are able to continue to provide housing to those who are in the rental market.

My concerns with some of the elements of these changes is that they could be the straw that breaks the camel's back during a rental crisis and housing crisis in general—that you have people who are looking for housing and wanting to buy but then you have landlords on the other side facing a lot more regulation and challenges there. Some of the specific changes that concern me are around the notice period increasing to 60 days, where a tenant only has to give seven days' notice. This could potentially be another blow for landlords.

When it comes to home ownership, this is often referred to the Australian dream, and I hope this long continues to be so. I think it is important that landlords have the opportunity to continue renting to those whom they choose to rent to, rather than having to be forced into continuing tenancies long after they have completed, in the event that a landlord wants to change a tenant, whether that be for a family member or a friend to move in. I have questions around the conditions for ending tenancies. This is an area that I think could have unintended consequences. As the Hon. Michelle Lensink mentioned, this is a contract—a contract that has an end date.

I do not disagree that potentially there should be the opportunity for longer-term leases, where individuals who want to continue renting for the long term are able to make those arrangements, but they should be agreed to by both parties. I am not supportive of taking choice away from landlords.

When it comes down to it, we are in a housing crisis, and my concerns are that some of the elements of these changes may have unintended consequences, requiring landlords to sell their properties as they are facing higher interest rates, less flexibility and potentially more paperwork and areas that they have to address. Already SACAT has a very high workload, and some of the changes that are proposed in this bill I think would increase that substantially.

Pets are an important area. I think it is very important for families and individuals to have the opportunity to have pets, but there is no doubt that pets do cause more damage. Potentially having a bond, or something like that, I think would be very important. Again, it should be the landlord's choice to approve this. Also, there are strata requirements and apartments—there are lots of areas where it is not appropriate to have pets in place. I think there needs to be more consideration in this space as well.

We do not want to see investment driven away. We want to see opportunities for the housing crisis to improve. We want to make sure that tenants have the opportunity to have housing and that landlords do not choose to go onto short-term leases or a holiday lease rather than renting out for longer-term periods. We want to see opportunities for making sure that there is continued supply and opportunities within the housing market to ensure that investment is not driven away and we do not decrease the number of investment properties that are rented out across our community.

The Hon. S.L. GAME (16:12): Commencing on 1 September 2023, the state government progressed priority measures to provide immediate relief for tenants through the Residential Tenancies (Limit of Amount of Bond) Amendment Regulations 2023. The bond threshold was raised to \$800 to ensure that, for most rental properties in South Australia, only a four-week bond is required. More affordable bonds are estimated to have saved tenants up to \$1.3 million in up-front bond payments during the first month. Other priority measures included a ban on rent bidding and

reducing the amount of information that can be asked for in rental application forms, as well as protecting tenant data.

The Residential Tenancies (Miscellaneous) Amendment Bill 2023 is the next round of proposed measures, and it goes too far. These measures have the Greens' fingerprints all over them, and they can be described as an attack on landlords. As is the nature of the idealistic Greens, they always build their bridges too far, sucking the incentives of private enterprise dry.

Landlords will be required to provide tenants with a prescribed reason to end a periodic tenancy agreement or to not renew a fixed term agreement. Why should landlords be forced to give a reason for termination, and why should only tenants have the right to end a tenancy with no reason? It costs a landlord to terminate because they need to re-advertise, prepare the property for reletting and take the time to find and vet another tenant.

Regarding the prescribed reason, namely, to abuse or threaten the landlord or their family, property manager/agent or neighbour, this will further inflame already strained relationships and lead to more SACAT hearings. A system more onerous on landlords will push some out of the market, and the proposed changes will not resolve the rental crisis but will simply make it easier for undesirable tenants to remain in a landlord's property.

Landlords currently have the right to say yes or no to pets, which is reasonable, given that they own the property. Under proposed changes landlords will have to accept pets, unless they can justify to SACAT that they cannot. Currently, the fee to apply for a SACAT hearing is \$85—this is another expense for the landlord simply unrecognised by the Greens, who are more inclined to find ways of distributing other people's money.

A landlord needs to protect themselves from losses. We know from experience that bonds rarely cover the losses felt by landlords. Why should a landlord be forced to take on the added risk of damage caused by pets? A reasonable reform has already been made; it is not the time to start discouraging landlords who are investing in the rental market that is in crisis. How will the government accommodate renters currently in the private market if these proposed reforms force landlords out of the industry? I will support landlords and I oppose this bill.

The Hon. R.A. SIMMS (16:15): I rise to speak in favour of the Residential Tenancies (Miscellaneous) Amendment Bill 2023, and I speak proudly in favour of this legislation. This is transformative legislation. It is something that will help South Australians who are struggling in the middle of the worst rental crisis we have seen in generations, the worst housing crisis we have seen in generations.

If the Greens' fingerprints are all over it, I am proud of that, because this bill actually achieves many of the things that we in the Greens have been campaigning on for many years. Of course, it does not go as far as we would like. We would like to have seen action on rent prices in terms of rent capping, an issue I have campaigned on over many years. However, this bill makes some really important changes that will change the lives of many South Australians for the better. I will speak to some of these features of the bill in a moment.

Before doing so I put on the public record my thanks to Minister Andrea Michaels for the collegial way in which she has worked with the Greens in approaching this. In particular, I acknowledge her leadership and that of the government in taking on this important reform piece, because it has been long overdue, so I thank her for that.

I also acknowledge the work of her adviser, Chad Buchanan, with whom we have worked closely, and my own adviser, Melanie Selwood, who has played a key role in negotiations with the government, and Commissioner Dino Soulio, who worked on the government's review process. I acknowledge their work and the work of the community sector, all the groups that have been campaigning on these things for years. They should be proud of their efforts today, because finally we are seeing some movement in this space.

I talked about the challenges we face in the rental market. It is worth going through them and putting some of the key stats on the public record again today. I will start with the vacancy rate across the state. In Adelaide City, the vacancy rate for property currently sits at 0.4 per cent; it was 1.2 per cent five years ago. In the Yorke Peninsula and the lower north SA it is currently at

0.2 per cent; it was 2 per cent five years ago. We have seen significant rent increases in Adelaide, all dwellings, in the last 12 months; in fact, rent has gone up 7.2 per cent across the board—houses 6.7 per cent and units 9.8 per cent.

We have median rent in Adelaide sitting at \$548, versus Melbourne at \$553. Gone are the days when people can say that Adelaide is a cheap place to live. We have 29 per cent of people living in metropolitan Adelaide who are renters and 23.9 per cent of people living in regional SA who are renters. These people deserve to have their rights protected by the law. They should not be treated as second-class citizens, and sadly that has been the case in South Australia over many years.

On 14 November, National Shelter released the national Rental Affordability Index, which showed that five years ago rent in Greater Adelaide was considered acceptable at 20 to 25 per cent of income, whereas now it is considered moderately unaffordable at 25 to 30 per cent of income being spent on rent. Large parts of Greater Adelaide are now considered unaffordable, where people spend more than 30 per cent of their income on rent.

In November of this year, the Anti-Poverty Network released a report which detailed a snapshot of low income renting. It found that for people who are on Centrelink payments without any other form of income, 85 per cent are experiencing rental stress and 54 per cent are in the middle of a rental crisis. Seventy per cent of those people surveyed said that the cost of their rent meant they had to reduce spending on food.

In June of this year, SACOSS released their June quarter rental affordability report. Of the 33,000 renters in regional SA, 71 per cent were in the bottom two income quintiles. The Anglicare Rental Affordability Snapshot showed in South Australia there were no rentals affordable for a single person on JobSeeker, no rentals affordable for a single person on Youth Allowance, 1.7 per cent of rentals were affordable for a couple on JobSeeker with two children, 0.8 per cent were affordable for a single person on a parenting payment with one or two children, and 0.8 per cent were affordable for a single person on the Age Pension.

So the facts speak for themselves and it is pretty disappointing to hear the Liberal Party turn their noses up at these very sensible changes. It is very galling to see the One Nation Party attack the Greens for advocating for a fairer go for renters. It demonstrates, really, that the One Nation Party has no solutions at all, other than fanning the flames of xenophobia when it comes to dealing with the cost-of-living crisis in our state. They do not have any ideas other than to criticise others.

I want to talk through some of the really positive elements of this bill. I also want to highlight one of the things that the Greens negotiated as part of our discussions with the government. We are really pleased that the government have agreed to put funding on the table for an advocacy service for renters. That is an independent tenants' advocacy service that can stand up for renters' rights.

We know, of course, that SACAT receives approximately 1,500 residential tenancy related matters per quarter and that an advocacy body, such as the one that we have proposed and the government has supported, exists in other jurisdictions, such as Queensland, New South Wales, Victoria and Tasmania. The activities they undertake include informing and educating renters, supporting to resolve issues, providing help and assistance in writing letters or filling out forms, providing legal advice, support attending tribunal hearings, policy development work and systems advocacy, reform advocacy, and training in tenancy law. These things will be really helpful for tenants in the middle of this rental crisis and I know will be welcomed in particular by people who work in that sector.

This bill has lots of really positive features. One of the elements in the bill that we welcome is the focus on giving SACAT the power to consider whether or not a rent increase is disproportionate. We in the Greens understand that disproportionate increases are those that are beyond CPI. I think this change is a welcome one. It will also require the payment of rent to be reasonably convenient, and at least one means made available for the tenant should be electronic. The government has also stamped out the use of third-party apps, which often apply to tenants for a fee, and it is good that they have got rid of that practice.

One of the elements that has had some focus in the media—and rightly so—is the changes that make it easier to rent with pets. The bill will limit the grounds in which a landlord can refuse to allow a tenant to keep a pet. Other jurisdictions have been well ahead of South Australia in allowing tenants to rent with pets. The ACT and Victoria have a presumption of renting with pets, which is considered the best practice model. In that case, it is the responsibility of the landlord, not the tenant, to apply to the tribunal to deny a request.

This model is more in keeping with the Queensland model, where a landlord can knock back a request for a pet, but they have to have some clear grounds around that. Whilst we would have liked it to have gone further, we recognise that this is going to be a really positive step for renters in South Australia.

We know that according to the RSPCA, one in five animals surrendered is due to their owner being unable to find a rental property that allows them to have pets. That is pretty cruel when you think about it because a pet is actually a member of the family. If you are moving house, you do not leave a member of your family behind, and yet that is what we are asking people to do in the middle of this rental crisis. That changes with this law and that is a really good thing.

The bill also ensures that it is the responsibility of the landlord to manage a premises that has been contaminated by previous drug activity. It also reduces the right of entry to inspect a property to four times per year; previously, it was every four weeks. It also deals with terminations and evictions. It makes clear that a landlord can only terminate a fixed term tenancy with 60 days' notice, whereas it was previously 28 days. That extra time is going to be so beneficial for people in the middle of this tight rental market.

It is also going to see the removal of no-cause evictions from the act, that is, instead ensuring that a landlord can only choose not to renew a lease if the prescribed grounds have been met. This is a really important change because one of the issues we face in South Australia for renters is that we have a really tight market, but at the same time because the renter is living in fear of their lease not being renewed they are not in a position to assert their rights under the act.

I rented when I was in my 20s and my early 30s, and I had lots of issues in the rental market living in share houses with problems like broken air conditioning, broken toilets and issues with mould. It was very difficult to assert my rights as a renter because you knew, heading into the Christmas period, your lease was going to expire and you did not want to give yourself a bad reputation as a tenant and find that you were not able to then secure another place. That was 10 years ago. The market has changed dramatically since then. This change is one that has been on the wish list for advocates in this space for many years and finally the parliament can get that done.

Another really important change relates to domestic abuse. This bill establishes protections for people who need to terminate their agreement on the grounds of domestic abuse. They will no longer need to apply to SACAT. Instead, they can provide supporting evidence as prescribed in regulation. If a person is protected by an intervention order but not listed on a tenancy agreement, they will be able to apply to vary the agreement so that they can remain in their home without the perpetrator. Changes to the rules around damage caused to the property to protect people who have experienced domestic abuse are also happening.

There are changes in the law relating to rooming houses and residential parks. There are also changes relating to solar systems and tenants will be able to enter into agreements with landlords regarding the installation of solar energy for their homes. There are also changes around the way that information is managed. The landlord will not be able to charge a tenant a fee for giving personal information relating to them.

That is just a snapshot of some of the elements of this bill. There are many positive features that are worthy of support. In concluding, I want to read out a few stories that have been shared with me. In the lead-up to this debate, I put out a call on my social media and said, 'Look, does anyone have some stories they would like me to read into *Hansard*?' and we did get some constituent feedback so I will share those. In the first of those, and I will not name the constituent but I will refer to it as story 1, she wishes to share her daughter's experience as a tenant over the last decade. She writes:

It's a long story. It compromised her health and is certainly keeping her in poverty.

She is now homeless and has moved back in with myself (her mother) and step-father for the past 10 months. She cannot find affordable rent and is competing with hundreds of others in similar circumstances.

Ten years ago she moved from regional SA to Adelaide after ongoing harassment at her work and had depression as well as anxiety. She shared a house for the first 12 months with a former colleague. They went their separate ways, and she found a [National Rental Affordability Scheme] house at Andrews Farm which was modern and all appliances were in good working order. After 12 months, despite being an exemplary tenant, the rent increased to a level that was unaffordable for her on her Newstart income.

She was successful in getting a unit at Windsor Gardens which had a [Housing Improvement Act] order over it. There was mould, bowed walls, salt damp, broken screens and many fixtures that did not work...It was during this time she developed an autoimmune disease which I believe was triggered by the mould and damp in this unit. Only 1 fan was working, screens were broken and only an antiquated air conditioner in the lounge was operational.

She was there nearly 8 years. The lounge ceiling collapsed narrowly missing her, despite her bringing it to the attention of the agent that items were coming through from the roof. The owner shortly after this terminated the contract as she claimed she was selling the unit.

Since then my daughter has been unable to find accommodation in her price range. She is now on the Disability Pension.

That really underscores the point I made earlier about the benefit of axing no-cause evictions because this would give a tenant in this situation the capacity to be able to better assert their rights. Story 2 is:

When we first moved into our rental in Blackwood we had no access to electricity. The landlord had given SA Power Networks the wrong address to register the property. We did not have the permissions necessary to register, as we do not hold the title to the property. We explained this to our real estate agent, and they insisted it was our responsibility. This went back and forth for 2 weeks. They then demanded that we pay rent even without power to the unit (everything is electric, the stove, the water. There is no gas).

We did not. They then eventually had the property registered and told us that this wasn't a good start for us and that in the future we 'shouldn't make waves'. We still had to pay the rent for the first 2 weeks because we had moved our stuff in, which was limited to a couch and a bed frame. We both had to stay with friends in this time. Shortly after, the backyard sewage line developed a crack and began to leak raw sewage out of our back yard and into the walkway where other people walked. We were told it was not a priority to fix, and this was only resolved as the strata got upset. We've also had an ongoing issue with mould on our ceilings.

If this bill gets through, this tenant will be in a much better position to assert their rights. Story 3 is:

We are paying \$450 a week for an old Housing Trust house that is falling apart. We've had 8 maintenance reports in 3 months. We have a power board that can't actually power the whole house properly. The back yard is completely overgrown.

Can anyone seriously say that the current system is working? Can the Liberal Party honestly say that the market is delivering what is needed to solve this crisis? It is clear that we need intervention, and whilst this bill does not go as far as the Greens would have liked, it is a significant step in the right direction and it will have a tangible impact on this crisis and I really do thank the government for their leadership and for stepping up to the mark on this important issue.

The Hon. C. BONAROS (16:32): I rise to speak on the Residential Tenancies (Miscellaneous) Amendment Bill 2023. I am not going to speak for long and I do not think, given the contributions or indeed the debate that has happened on this, that I need to step through the details in the bill, but I will say at the outset that I think it has been a very thorough process in terms of consultation. I note that there have been comments made in relation to what that consultation looked like. I think it was mid last year that certainly I first observed some of the round tables that were taking place on this. It was a very extensive consultation process that I think started in about August last year.

I also note in relation to some of the comments that were made that all the information that has been provided in submissions that were made during that process has been very publicly available for all of us to have access to. That includes submissions and that is not something that we often see from governments in terms of that level of openness and transparency in terms of what stakeholders are saying, so from that perspective I think it has been a very open process and one that has allowed us, and indeed enabled us, to go through and look at all the submissions that have

been made by individuals and stakeholder groups and those representing both sides, whether that be landlords or tenants.

I commend the minister responsible for this portfolio for the level of openness and transparency that she has tried very hard to achieve through this process and also Commissioner Soulio in working through that process as well because what we know is that, regardless of which side you sit on, this is a difficult debate for everybody. This government, just like the last government, and indeed all of us on the crossbench, are going to have the same hurdles to overcome when it comes to landing a balance and finding that balance between landlords and tenants. It is not easy—just as public holidays was not easy this morning, when you are comparing workers' rights and business rights—but there is always room for a middle ground.

I am a bit of a realist when it comes to these things now. I know that there are things in this bill, for instance, that I have previously opposed. Renting with pets is one that I have opposed every time the Hon. Rob Simms has introduced it in this place. I have a dog and I would love her to be living with me, but she is not, so I have been enlightened a little, if you like, about the difficulties of renting with pets since opposing that.

I remained opposed to that provision, but do I think the government looked at this and thought, 'There is something we need to do to address this and how can we do that?' Yes, they have. They have not gone with the model that has previously been proposed, but they have tried to find a middle ground in terms of looking at the Victorian model, which flips the onus to the tenant, meaning that if for some reason the landlord says, 'No, you can't have your pet'—and I think that they should be able to do that—then the onus is on the tenant to make that application to SACAT and try to get a different outcome. Of course, there are, I think, different rules for properties subject to strata rules as well, in terms of overriding presumptions of allowing pets.

Realistically speaking, sometimes in this place you can see where you are headed; you can absolutely see. The numbers dictate where you are headed as well, and so when we know where we are headed we try to find a middle ground. At least, certainly that is my view of the world, and I think in this case the government and the minister have tried to find a middle ground, knowing full well that every landlord her government consults with probably is not happy about these changes. By the same token, there are tenants who are equally unhappy with our continual opposition to renting with pets.

I am actually very pleased, as the Hon. Rob Simms said. Believe me, if I can say one thing it is that in this instance I do not share a lot of the views of my Greens colleagues when it comes to rental properties. I do not agree with rental caps. I do not agree with vacancy caps. I certainly did not in the past agree with renting with pets. I have a list of Greens policies here that I absolutely fundamentally do not agree with when it comes to some issues on this. That is not because they are not well-intentioned. I just have a different ideology, I suppose.

However, being the realist that I am, I also know that there are ways and means. I think this is one of those occasions where striking the right balance, or striking a balance, finding that middle ground, has been fundamentally important. I think that the minister responsible for this portfolio, Minister Michaels, and indeed her office and Commissioner Soulio, knew when they inherited this that it was going to be problematic—as anyone in government would. I do not underestimate the amount of work and the length of time that it has taken to draft the bill that we have before us, trying to strike that balance between the rights of landlords on one hand and the rights of tenants on the other hand.

I can tell you that I have not spoken to a single landlord who has said to me they are thrilled about the changes. Indeed, we have submissions by a landlord association, which was obviously part of all this process, which is equally opposed to some of the measures. I have certainly made this known to the government as well. By way of concern, I think that some landlords will be looking at this and saying, 'Well, if this is what we are going to have to deal with going forward, then we will ensure that we only offer short-term leases to individuals, so that we can, at the end of a 12-month period, re-advertise a property with an increase in rent,' because regardless of whether interest rates are going up or not they also need some certainty and stability going forward. It is one of those issues that does not just affect one party in the equation, it affects both.

The only thing that I would say going forward is that I think tenants also deserve and want longer term tenancies. I always remain nervous about them getting that because I think that, despite all our best efforts in here, what we find over a period of time is that there are ways and means around things. I know that a lot of effort has gone into the bill to make sure that that is not the case, and I certainly hope that that is not the case, but I do think that, where we are today, this bill, thanks to the work and effort that has gone on with both sides, seeks to strike that balance between the rights of landlords and the rights of tenants.

I do note, of course, the number of submissions that we have had from tenant advocacy groups and also the joint letter we have from Uniting Communities, SACOSS, Shelter SA, Anti-Poverty Network, Better Renting, and co-signed by 40 community organisations who are at the coalface of our cost-of-living and rental crisis. They see all the things that we are all immune to in terms of how difficult it is to not only afford to put a roof over your head but to put food on the table every day.

The submissions that they have made and the asks that they have made, in terms of this legislation and in the review, cannot be underestimated or undermined because, as I said, they are the ones who each and every day see what it is like to not be able to house a person, or to try to find emergency housing for someone. There are myriad reasons why people are not finding houses, and they, I guess what I am saying, are at the coalface of that and see it. I commend all of them, each and every one, for their advocacy on this issue.

I could go on with a list of stories that have been told to me by landlords—and believe me there are many—and I could go on with a list of stories from tenants as well, but I am not going to do that. I am going to give you two things, one of which happened this morning and actually affected me today. Every day, when my son and I go home—I did not expect to be saying this right now—there is a huge car park behind my house, and I watch this man every day sleep in his car in that car park. He has a tent and he covers his car and sleeps in that car park every day. Every day, I am tempted to go over and talk to him, but I do not go over and talk to him because I do not know what to say to him.

Last night, during those storms, I just kept thinking of him sitting in the car park outside, metres away from where we were sleeping. This morning when I woke up, the first thing my son said to me when he heard about the weather was, 'Mummy, what are we doing about all those homeless people who don't have a roof over their head today?' My son is seven. If that does not speak volumes about the work that is being done by Shelter SA and SACOSS and all those other organisations to make sure that people do have a roof over their head, then I do not know what does.

In closing, I am not suggesting by any stretch that anything we do in this place is perfect, on both sides of the equation, but I do have confidence that the minister has done her level best to reach that sensible outcome for both sides, and it is on that basis that I will be supporting the bill.

The Hon. F. PANGALLO (16:43): On speaking to the bill, I will actually declare my own conflict of interest, as I have in my register of interests. My wife has an investment property, heavily mortgaged, and, of course, it is subject to spiralling increases in interest rates and other increasing costs associated with maintaining the property to an appropriate standard for the tenants in there.

The tenants have been long-termers. They have been there for 10 years and have been excellent. We have a very cordial relationship with them, to the point that today they informed me that the property suffered some flood damage and we will need to rectify that very quickly. It is probably going to be a cost that we will not be able to recover. We also have a joint property on Kangaroo Island owned through our self-managed superannuation fund which is leased as a holiday rental.

The government says the need for these reforms is to tackle the crisis in available rental accommodation and also affordability. Can I point out that these two key reasons are not the fault of property owners or landlords. The blame for this crisis lies firmly at the feet of successive Labor and Liberal governments across the country, whose housing policies have been abject failures.

Only now are they trying to correct their mistakes of judgement and planning, along with their mismanagement of public and community housing. In South Australia, they all but dismantled the

vision of Sir Thomas Playford, who embarked on an ambitious and successful housing program for low income families and individuals with the establishment of the South Australian Housing Trust.

Instead of building on that enterprise for future generations, the provision of low-cost housing became a low priority. Governments were reluctant landlords. They did not want to spend taxpayers money on building more or maintaining the existing ones. There was a wholesale sell-off of trust properties, many bought at bargain prices by investors.

It was the Labor government at the time that sold off most of those properties. Now, ironically, here they are trying to fix the mess that they helped create. They sold off the trust maintenance contracts to private operators who did the minimum required in order to maximise their profits. We had a situation where there were people in Housing Trust places who required urgent maintenance on their properties. In the old days, you could just pick up the phone and it was run by the government and you would get somebody to call around and do the required work, but under private operators that was not the case at all. They were either under the pump because they were not properly resourced, or were not able to do the maintenance required to the standard, so that was a policy failure as well.

Increases in population and migration intakes, social upheavals in our society, an ageing population, cost-of-living pressures from interest rate hikes to the necessities of life, soaring government taxes and charges on property investment, construction impediments and stagnant wage growth: these have all contributed to the situation that we find ourselves in today, with the lack of rental properties on the market.

I am going to give some credit here to landlords and property owners and investors, which this government does not seem to do in its legislation. Landlords have had to bear the brunt of housing policy on the run and the greed of governments raking in the proceeds of property transactions on the back of property booms, particularly the land tax reforms by the Marshall government in 2021, which have contributed to a sell-off of properties by mum-and-dad investors.

Land tax continues to hurt investors, big and small. I have been informed that the South Australian Produce Market at Pooraka has been hit with a massive land tax slug—I believe in the vicinity of about \$800,000—which is likely to increase further next year. This is just unsustainable for an essential service provider like they are.

There is little in this bill that can give comfort to landlords and property investors and owners. They get little credit for getting governments out of a squeeze of their own making. If anything, these new compliance measures, along with others already in place, will make prospective new players think twice about investing, particularly when returns are actually low. Many who have contacted me to vent their frustrations feel the government is eroding their rights as landowners and they are contemplating getting out and putting their money elsewhere.

Thirteen straight spikes in interest rates have added to the rental affordability crisis. Not every landlord is a Harry Triguboff or Lang Walker. The vast majority are not rich. They have small portfolios created as wealth creation schemes to fund their retirements. That is so they do not have to rely on government handouts. With property values so high, the newer players would have large mortgages to service on top of other charges to maintain their investments. They cannot absorb all the costs, even despite negative gearing.

The Greens' national policy has been to push for rental freezes—a rental cap. A move in that direction would be catastrophic and a disincentive for investors. It would add to the rentals accommodations shortage that we are currently experiencing. But I will not take the stick entirely to the Hon. Robert Simms, because I commend the Greens for at least striking an agreement for a rental advocate. I think that is certainly a service that is needed in that sphere, as it is in other spheres, including aged care and aged-care advocacy.

I would like to point out that what we are seeing in Australia is not unique. It is being repeated overseas. It is happening in the UK, it is happening in Europe and it is happening in Canada, Asia and the Americas. You might even recall recently there was this humorous story that made the online platforms about an Italian mum who booted out her two sons who were aged in their 40s. She got

them out of her rental place simply because she could not afford to keep them in there, and they could not afford to find a place themselves to go and rent. So what we are seeing is not unusual.

Back to this bill: there are elements in it designed to give protection to tenants and ease the financial strain that they are facing, and there is nothing wrong with that. It has already tried to find an acceptable balance with the ability to keep pets, but, again the right of veto has been taken away from the owners. I can understand, as the Hon. Robert Simms has pointed out, that pets are part of the family. They really are. It is no different in my family as well and those of probably a lot of other members here.

However, landlords also have a property that they need to maintain to an acceptable standard. It is what they own. It is what they have put in a massive investment for. In some cases it is their only investment in life, and they should have a right to say who goes in there and whether pets should be allowed in there.

I know that there is a provision in here where it goes to some kind of an arbitration, but I can see the situation happening in the tribunal where a renter has moved into a property without a pet and later on decides they would like a pet or have a pet that has been given to them. If it is challenged by the landlord, they go to the tribunal and the tenant will probably say to the tribunal member, 'Well if I can't keep this cat, this dog, this pig'—this whatever—'this snake, these spiders, I'm going to have to put them down,' and that is going to be a pretty tough decision for any tribunal member to make as a person. But again, as I have pointed out, you have taken the right of veto away from the very person who has invested their life into that property.

Banning rent bidding I think is a fair move, particularly in the current climate where competition for rentals is fierce. Advertising properties with a rent range, trying to solicit offers over the advertised rental price and rental bidding will be prohibited, and hopefully this is going to put the brake on the unscrupulous opportunists. There are not too many out there: I think the vast majority of landlords, property managers and property owners are fair and reasonable people. There are the few who are out there who would like to exploit the system and also exploit tenants, and at least this is a measure that will now be able to control that.

Another positive step is making rental bonds more affordable—now requiring renters to pay a four-week bond only, where previously it was six weeks' rent for amounts greater than \$250 a week. The bond threshold has now been raised to \$800 per week, meaning a saving of around \$500 to \$1,600 in up-front costs. I think there is also a consideration that needs to be made for renters of more upmarket properties as well, and how the landlords of these properties are going to be impacted by that.

While the majority of renters do the right thing when it comes to looking after properties, we know that some do not and often leave damage far in excess of the bond amount, which may not be recovered through landlord insurance. This, by the way, has dramatically increased after recent disasters around the country. In fact, a number of insurers now no longer carry it; there are only a couple that you will find who probably do landlord insurance. It is becoming pretty difficult, even for landlords, to have insurance to cover any losses that they may have to incur.

Another frustration for property owners, landlords and property managers has been the delays in getting bonds in the event of property damage. There are cases where bonds will not cover the damage; for instance, where premises have been used for illegal drug activity like cooking methamphetamine. The costs for cleaning a house of the toxic residue left behind on walls and floors can cost thousands of dollars. The property owner will then need to spend more on legal action just to get compensation. Sometimes they just give up.

I remember an experience, before I came into this place, where a property owner had called me about the situation with his rental property. He had tenants who were paying good rent, and they were paying on time. However, when they left the place reeked of meth—and it was a fairly new property, a double-storey place. I think it cost him, at the time, in excess of \$80,000 to clean the place out, because meth remains in the walls and in the floor—it is there and it is very difficult to clean out. If you do not know that these people are doing that sort of activity and then they leave your place in a mess, you can be left with a huge bill for the eventual clean-up.

I am not so sure that this bill will be able to address those major damage situations that occur. Of course, this poor landlord had to then try to find those errant tenants and then try to take them to court. The litigation costs were going to be outrageous, so he just threw up his hands and gave it away.

This bill also seeks to protect tenants' privacy, prohibiting a landlord from requesting or disclosing prescribed information from tenants or prospective tenants, with them having to pay for it. What I would like to ask the Attorney-General is: what does he mean, or what is the legislation going to mean, in terms of what the prescribed information is? Can he explain that, as it is not made clear as yet?

Again, it seems to be stilted against the rights of property owners. It might be the start of a push, eventually, aimed at preventing the blacklisting of errant tenants on property databases or websites. To have a tool that can help landlords and property owners to assess the suitability of a tenant to rent is important; however, I do agree with the government's intent here that the cost of accessing information from data providers should not be passed on to the tenant.

As we know, banks use credit information to assess their borrowers. There are some associated costs that are passed on to the prospective borrowers. I do not see governments, state or federal, trying to interfere here. Other commercial businesses, such as insurers, Airbnb, Trip Adviser and other online sites, also collect data and feedback on their customers. Google, Facebook and X collect data on users as well. Governments also collect private information—it is the world we live in today. To restrict or even prevent them from being able to determine suitability of a tenant on the grounds that it may be discrimination serves to remove yet another right from the owners of the property.

They will also be required to give cause for not renewing a lease. That is an issue that has been brought to my attention by many smaller mum-and-dad investors, who called me when I was on Radio Italiana recently. They had issues with that as well because they thought that, at the end of 12 months if the lease is up, it is their right to decide what they are going to do with the property. Why do they need to tell the tenant why they are not renewing the lease? They just want to move on. That was the opinion of many people who called in—they could not understand why that provision was put in there.

Landlords are expected to maintain their properties to an acceptable standard and for the comfort of their tenants. That is a given anywhere, and if a landlord or property owner does not do that, shame on them if they put people up in places—as the Hon. Robert Simms pointed out when he was a renter once, and I was a renter as well. Unfortunately, there are opportunists out there who are willing to try it on and exploit the situation.

Members may have seen recently in *The Advertiser* and online the story about the pretty ordinary home in Kilburn being offered for \$600 a week. It was ridiculous. When you saw inside it, it was in a poor state of repair. I can see a situation where the property owner or property manager was really trying it on here, perhaps even trying to gauge some bidding from desperate people out there to achieve this ridiculous price. In a way the measures to get rid of rent bidding would certainly stop situations like we saw there.

I note that the government is still considering forcing owners to comply with minimum energy standards for appliances and other fittings. This came out during the course of the consultation period conducted by the minister and the Office of Business and Consumer Affairs. They were playing around with the idea that perhaps there could be in legislation a provision for landlords to adopt minimum energy standards for appliances and other fittings.

I do not see it in this one, fortunately, and caution is needed here. To move in this direction could result in property owners withdrawing their properties from the rental market and selling them off. Property prices are high now, so you would not want to push them too far to the point where they say, 'Well, what's the point of all this? We might as well get out and put our money elsewhere.'

There is a provision here to delete information provided by a tenant in applying for a lease or to be deleted or destroyed three years after the end of the tenancy. I am not sure why that has been put in there. I do not know why there is a limit of three years. I do not think three years is long

enough. The minister fails to grasp the fact that these properties owned by landlords are massive investments and are highly geared.

They come with the risks that need to be managed for them to have confidence in their choice of tenants, and I think that needs to be respected. It has been pointed out already that it is a difficult balance that governments need to make here as well: they have to consider the rights of the tenants as well as the rights of the landlords. I think, in this case, the seesaw is going more on one side than in the centre.

As I pointed out, landlords and property owners need to have confidence in being able to choose their tenants, and you cannot do that on blind faith. If you keep kicking landlords and property owners, they will leave the market, just as many did after the land tax debacle. In saying all that, I am supporting the bill as it has the right intent on improving the obstacles and the financial situation faced by renters in difficult times.

Another meritorious consideration is for the victims of domestic violence. I think that is certainly a worthy addition to this legislation. I will support the opposition amendments for a review of these reforms. I think it is important that we do have a look at this legislation in three years' time, just to ensure that it is working and it is either achieving what it was intended to do or perhaps it may also show that there could be detrimental effects or impacts on the rental situation. I would hope that the government would support having that review in there, as we often do with a lot of other pieces of legislation.

I see there has also been a late amendment filed by the Attorney-General, which relates to tenants breaking their lease agreements. Again, it seems to favour the tenants over the landlords. If there is a lease being broken with less than 24 months left, the penalty payment is one month's rent and it is to be made on seven days' notice and then on vacant possession. That gives the landlord a short period of time to ready the premises for the next tenant. It may be that the property requires a clean-up from illegal drug use, it could have fallen into disrepair, or it may require painting and other works done, so it leaves very little time for the landlord to ready themselves for the next tenant.

I note that the penalty is one month rent payable for each of the whole 12-month period of the term of the agreement on vacant possession and the penalties to be paid are no more than a total of six months' rent. I will ask the Attorney-General how he came to this amendment that has been filed and what were the reasons behind that. In saying that, I look forward to the debate on the bill.

The Hon. R.B. MARTIN (17:08): This bill proposes to make important improvements in the rights of renters and modernise South Australia's rental laws, whilst also safeguarding the ability of landlords to manage their properties effectively. This is the next step in the Malinauskas Labor government's delivery on our commitment to improve housing outcomes for South Australians amid the tremendously challenging conditions we see now in the rental market.

The bill now before us includes broad reforms that are, as the Premier has said, both progressive and pragmatic and, above all, necessary to address the unprecedented challenges renters in our state are facing. In August 2023, the residential rental vacancy rate in Adelaide was 0.5 per cent. Combined with rising rents, this means that finding suitable and affordable housing is perhaps the most difficult it has ever been for people across our community.

This bill proposes amendments to South Australia's rental laws that are consistent with an agreement made by national cabinet in August for 'a better deal for renters' which focuses on improving renters' rights across Australia. Reforms within the bill also consider the outcome of extensive consultation on the review of the act conducted by Consumer and Business Services.

One of the most important reforms proposed by this bill aims to provide tenants with greater housing security and encourage longer tenancies by prohibiting no-cause evictions or non-renewals of leases. In order for a landlord to make the decision to terminate a tenancy agreement, or to decline to renew a tenancy agreement, they must have a prescribed reason backed up by written evidence of that reason. Notice of a termination on a prescribed ground must be accompanied by written evidence.

It is important that landlords still have the ability to terminate or not to renew leases where it is appropriate. The bill allows that landlords will retain the ability to terminate a tenancy by providing a notice of termination due to a breach of agreement as specified in section 80 of the act. Landlords will also be able to end a periodic tenancy agreement or not renew a fixed term tenancy agreement because they require possession of the property for the reasons detailed in section 81 of the act.

The aim is to balance tenants' housing security with landlords' rights. It is important to get that balance right, and certainly amid the current market conditions that balance can reasonably be considered to be in need of some degree of adjustment. It can be observed, amid the conditions we see now in South Australia's rental market, that tenants are sometimes forced to leave rental properties due to unaffordability arising from disproportionate rent increases.

Section 56 of the act currently allows SACAT to determine rent to be excessive by considering factors including the general level of rents for comparable premises in the same or similar localities and the state of repair and general condition of the premises. The bill proposes to amend this provision to require that SACAT must also give regard to whether the increase in rent was disproportionate when deciding if a rent increase is excessive. The changes propose that tenants who believe their rent is being increased excessively will have 90 days after being notified of a rent increase to apply to SACAT for a determination.

One change long advocated for by sections of the community relates to pets in rentals. We know that South Australians are struggling to find pet-friendly rentals. The RSPCA reports that one in five animals is surrendered due to their owners being unable to find a rental property that allows pets. I think most reasonable people would find this fact morally objectionable. The bill proposes that a tenant who applies to keep a pet in a rental property cannot have their request unreasonably refused, provided they agree to comply with reasonable conditions imposed by the landlord.

Further changes make it easier for tenants to terminate tenancies under certain necessary circumstances. Section 85C proposes that a tenant can terminate a tenancy if they require care of a kind prescribed by the regulations, such as care within a nursing home, and they need to vacate in order to obtain that care.

The last change I will highlight is a very important one. This bill proposes to amend section 83A to require that a landlord may only terminate a fixed term residential agreement at the end of a fixed term on a prescribed ground with 60 days' notice, as opposed to 28 days. This will provide tenants with a more reasonable period of time to secure a new rental property. With rental vacancy rates as low as they are, this is a crucial change for our community.

The bill proposes significant reforms to South Australian tenancy laws that will ensure tenants are safer and more secure in their homes and will refine the roles and responsibilities of landlords and agents. Amid the housing crisis we are in, there has never been a more opportune time to make these changes. I think it is worth ending by noting that this bill is supported by REISA, the Real Estate Institute of South Australia, and like them I too commend the bill.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (17:13): I wish to thank honourable members for their contributions, for their firsthand experiences and stories of why they will be particularly supporting parts of this bill, or all of this bill, and I look forward to the committee stage and to answering questions about the operation of the bill.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. J.M.A. LENSINK: I will try to do as many questions at clause 1 as possible to help facilitate the debate if that suits everyone. The Property Council wrote to the government in relation to purpose-built student accommodation and have sought that their sector be exempt from a number of elements in this legislation, but I note that they are to be included. Can the government outline why it chose not to exempt them from all or some of the operations of this legislation? I think

when we talk about purpose-built student accommodation we appreciate that a lot of these are multistorey buildings in the CBD where the concept of everybody having a pet could be problematic, so could the government respond and outline in a bit more detail about that sector, please?

The Hon. K.J. MAHER: I thank the honourable member for her question in relation to not excluding student accommodation. It is quite a simple answer. I am advised we thought that just because you are a student should not diminish the rights you have and the protections you have like any other renter.

The Hon. J.M.A. LENSINK: Does the government appreciate that the sector might have some differences that mean it could be more nuanced and that some of the clauses in this bill they could have been exempt from?

The Hon. K.J. MAHER: I thank the honourable member for her question. Every single sector that is involved in renting will have some difference from another sector, but we do not think it is justified that just because you are a student living in student accommodation you should have fewer protections or abilities from the regime that we are proposing.

The Hon. J.M.A. LENSINK: I also have some questions about penalties in general because a number of the clauses in the legislation increase penalties. As a first general question: how many penalties are issued? Any data the government is able to provide would be useful. If they can provide a breakdown at all on any penalties that are issued, whether they have annual data through the Residential Tenancies Act, that would be exceptionally useful. Secondly, where do those funds go?

The Hon. K.J. MAHER: I thank the honourable member for her question. I am advised that we have no numbers for across-the-board penalties, but my advice is that it is very few. Of those very few that have been issued, I am advised that the penalties would go into consolidated revenue.

The Hon. J.M.A. LENSINK: Quite a few of the penalties have significantly increased. Is the government able to provide a rationale for what those increases are? Is it because the act has not been reviewed in such a long period of time, or were specific targets set for things based on specific concerns?

The Hon. K.J. MAHER: My advice is that it is as the member suspected and that most of the penalties were very old. They have not been updated in quite some time and the view was that they were not sufficient to act as a deterrent.

The Hon. J.M.A. LENSINK: I appreciate that response. There are a couple of examples that I thought were a bit curious. I wondered whether they had been explored at all. At clause 18—Landlord's duty to keep proper records of rent and other payments, there are obvious reasons why there should be a penalty there, but the expiation goes from \$210 to \$1,200, and one of the maximum penalties, I think, goes from \$1,250 to \$25,000. Can the government provide a rationale as to why such steep penalties would be implemented in this way? The other one is quiet enjoyment. Obviously, we support that tenants should have quiet enjoyment from their landlord, but it is an increase from \$5,000 to \$35,000 at clause 23.

The Hon. K.J. MAHER: My advice, particularly in relation to clause 18 to do with things like keeping of records, is that there have been significant increases in penalties. That is partly a function, I am advised, of such an amount of time since they were last updated. Also, particularly given the amount you can receive from rentals, we do not want to create an incentive to breach certain obligations. Given how much rentals are and how small the penalties have been, this is to bring that more into line, to actually create a disincentive and a deterrent.

Clause passed.

Clauses 2 to 6 passed.

Clause 7.

The Hon. F. PANGALLO: In relation to 47B—Prospective tenant, requirements relating to provision of information, a landlord or an agent of a landlord must not request a prospective tenant to disclose prescribed information. What would be the prescribed information?

The Hon. K.J. MAHER: I am advised that that will be decided later on, but often when we come to these sorts of clauses where there are regulation-making powers it is reasonable that we outline the flavour of what sorts of things they might be. I am advised that these are the sorts of things that would not be able to be asked for in that information. The thought is that it will be the sorts of things that you cannot ask for pursuant to things that are prescribed in, for example, the Equal Opportunity Act, things that are irrelevant to the tenancy, like marital status or issues such as that.

The Hon. F. PANGALLO: Would they be able to ask for financial records or previous rental history or criminal history, for instance?

The Hon. K.J. MAHER: My advice is the intention is anything relevant to their suitability, such as financial records or renting history. The intention is, yes, that would be allowed to be asked for.

Clause passed.

Clauses 8 to 21 passed.

Clause 22.

The Hon. K.J. MAHER: I move:

Amendment No 1 [AG-1]—

Page 14, lines 2 to 10 [clause 22(9), inserted subsection (14)]—Delete inserted subsection (14) and substitute:

- (14) Despite any provision of this section, the following provisions apply to the repayment of a bond under a residential tenancy agreement where there are co-tenants, other than if the whole amount of the bond is to be paid to the landlord:
 - (a) if the application proposes that none of the bond is to be paid to the landlord and the landlord agrees to the application—
 - (i) in the case of an application that proposes that the bond be paid to the co-tenants in shares that are not equal and each co-tenant consents to their share as proposed—the Commissioner must pay the bond as specified in the application; or
 - (ii) in the case of an application that proposes that the bond be paid to the co-tenants in equal shares—the Commissioner must pay the bond to all co-tenants in equal shares;
 - (b) if the application proposes the payment of a specified amount of the bond to the landlord and the balance to the co-tenants, and the amount proposed to be paid to the landlord is agreed to by the landlord—
 - (i) in a case where the balance payable to the co-tenants is to be paid in shares that are not equal and each co-tenant consents to their share as proposed—the Commissioner must pay the bond as specified in the application; or
 - (ii) in a case where the balance payable to the co-tenants is to be paid in equal shares and at least 1 of the co-tenants consents—the Commissioner may pay the bond as specified in the application.
- (14a) If the Commissioner acts under subsection (14) in relation to an application, the application is not liable to be disputed.

This amendment has been included to clarify how bonds are to be refunded at the end of a tenancy. Where there is more than one tenant, it is intended that the Residential Tenancies Act would allow bond money that is not claimed by the landlord to be equally distributed between co-tenants unless otherwise agreed by co-tenants. The purpose of this is to prevent circumstances where one tenant claims and receives the entire portion of the bond without the knowledge or consent of other tenants.

The Hon. F. PANGALLO: I am just wondering whether it is an appropriate time to ask a question about bonds that are actually kept by the department, how much is in there, and bond interest. What happens to the interest that is collected from bonds?

The Hon. K.J. MAHER: I am advised that interest that accrues on bonds do a few things in relation to the operation of the Residential Tenancies Act. In part, they provide funds for the operation of that part of Consumer and Business Affairs that deals with residential tenancies, and in part funds a portion of that area of SACAT that deals with residential tenancies. It is intended in the future that that interest would also fund in part the Tenants Advisory Service.

The Hon. F. PANGALLO: Does the Attorney-General have a figure of how much is currently being held in bonds by the department?

The Hon. K.J. MAHER: In total?

The Hon. F. PANGALLO: In total.

The Hon. K.J. MAHER: I do not have a figure but if we can get it before the end of this committee we are happy to do so. If we cannot, we will get it to the honourable member afterwards, but I am advised that it is tens of millions of dollars but we just do not have that global figure.

Amendment carried; clause as amended passed.

Clauses 23 to 25 passed.

Clause 26.

The Hon. J.M.A. LENSINK: Clause 26 is the clause which provides a framework for pets to be enabled to be in rentals, so this is probably the point at which to ask some questions about it. One of the stakeholders that I spoke to has severe allergies, and I note that new clause 66D(c) provides:

- (c) keeping the pet would pose an unacceptable risk to the health or safety of a person, including, for example, because the pet is venomous.

This is one of the grounds for refusing pets being kept at premises. That is a fairly high bar. It is an example in the legislation, but if a landlord, for instance, has severe allergies to a particular species, is that something that would be considered as a ground for refusing pets?

The Hon. K.J. MAHER: My advice is that is something that under the provisions of how this operates SACAT could take into account when deciding this.

Clause passed.

Clauses 27 to 35 passed.

Clause 36.

The Hon. K.J. MAHER: I move:

Amendment No 2 [AG-1]—

Page 26, lines 7 to 11 [clause 36, inserted section 75A(1)]—Delete inserted subsection (1) and substitute:

- (1) If a tenant under a residential tenancy agreement for a fixed term terminates a tenancy, the tenant will not be liable to pay more than the following amount of rent under the agreement:
 - (a) if the term of the agreement remaining after the day on which the tenant is to give up vacant possession of the premises is less than 24 months—1 month's rent;
 - (b) in any other case—1 month's rent for each whole 12 month period of the term of the agreement remaining after the day on which the tenant is to give up vacant possession of the premises (provided that a tenant cannot be liable to pay more than 6 months' rent in total under this paragraph).

In August of this year, national cabinet agreed to limit break lease fees for fixed term tenancy agreements to a maximum prescribed amount, which declines according to how much the lease has expired. Section 75A specifies that if a tenant terminates a fixed term residential tenancy agreement early, they will not be liable to pay more than one month for each 12-month period remaining on the agreement and they cannot be liable to pay more than six months in total.

The Hon. R.A. SIMMS: I want to briefly indicate that the Greens will be supporting the amendment. It is certainly a positive step in our opinion and we will support it on that basis.

The Hon. F. PANGALLO: Can I just ask the Attorney: what is the reasoning behind this amendment?

The Hon. K.J. MAHER: I am advised that the rationale is to limit the exposure of tenants for these break lease fees and, in addition, it was an agreement of national cabinet in August of this year.

The Hon. F. PANGALLO: Did the Attorney-General consult with other stakeholders—namely, property owners, the Real Estate Institute—in relation to this, and what was their view on that?

The Hon. K.J. MAHER: My advice is in particular the Real Estate Institute of South Australia have been supportive of the amendments we are putting forward.

The Hon. J.M.A. LENSINK: I see where the numbers lie, but I would refer honourable members to the comments of the member for Heysen in the other place who expressed concern about this particular clause which I think this amendment makes more problematic.

Amendment carried; clause as amended passed.

Clauses 37 to 48 passed.

Clause 49.

The Hon. J.M.A. LENSINK: This is for new clause 84A—Compensation for termination in certain circumstances, in relation to break lease cost. I was wondering if the Attorney can expand on this particular clause by way of further explanation.

The Hon. K.J. MAHER: My advice is that there was concern raised that tenants were using other means than breaking their lease—for example, the possibility that tenants would deliberately not pay the rent or breach their agreements in other ways so that it was a termination of the lease. Rather than the tenant choosing to break the lease, it was the landlord enforcing the breaking of the lease, which put the landlord at a disadvantage. This seeks to remedy that concern.

Clause passed.

Clause 50 passed.

Clause 51.

The Hon. J.M.A. LENSINK: Clause 51 is the first set of amendments that insert a new section in relation to domestic violence—or domestic abuse issues is the terminology used in this legislation—which we clearly support. In our briefing we asked some questions in relation to coercive control, where sometimes it would be the victim who is on the lease, because the perpetrator is well aware that if it is the victim on the lease then they will carry the financial burden of any issues going forward.

What is the mechanism for government to address placing costs back on the perpetrator, if you like, in these situations where there is some damage which is done which, obviously, we do not want the victims to be held responsible for? What recourse does the landlord have to recover costs from the perpetrator?

The Hon. K.J. MAHER: My advice is, in the instance the honourable member has given, if the perpetrator's name is not on the lease there is not a legal mechanism through SACAT or other avenues. However, in that situation I am advised that the landlord's rental insurance may well cover that.

The Hon. J.M.A. LENSINK: I think my colleague the member for Heysen was concerned about whether landlords' insurance would indeed cover that. How confident is the government that that is the case?

The Hon. K.J. MAHER: I do not have all the policies that are available, but my advice is that we understand that some policies do cover this.

Clause passed.

Remaining clauses (52 to 95) and schedule 1 passed.

New schedule 2.

The Hon. J.M.A. LENSINK: I move:

Amendment No 1 [Lensink-1]—

Page 57, after line 6—Insert: Schedule 2—Review

1—Review of amendments made by this Act

- (1) The Minister responsible for the administration of the *Residential Tenancies Act 1995* must cause a review of the operation and impact of the amendments made by this Act to the *Residential Tenancies Act 1995*, *Real Property Act 1886* and *Residential Parks Act 2007* to be undertaken and a report on the review to be submitted to the Minister.
- (2) The review must be completed, and the report on the review submitted to the Minister, within 3 years of the commencement of this clause.
- (3) The Minister must cause a copy of the report provided under this clause to be laid before both Houses of Parliament within 6 sitting days after receiving the report.

I did reflect on this in my second reading speech. As we know, the crossbench do love a review clause, so I am very hopeful that I will receive crossbench support for a review clause for this piece of legislation.

In all seriousness, the Liberal Party does hold very genuine concerns about the impact this piece of legislation is going to have on the rental market, so we believe that a review should be triggered, and this is the standard three years that crossbench members are so fond of inserting into most pieces of legislation. If this does become problematic, as I suspect it will, then I think we do need to come back and have another good, thorough look at this piece of legislation.

The Hon. R.A. SIMMS: I am very sorry to dash the hopes of the Hon. Michelle Lensink, but the Greens will not be supporting this amendment. It is true that we usually like reviews, and indeed committees. I am a big fan of those, as you know. But in this instance we have just had the most comprehensive review of the Residential Tenancies Act in years. It has been a very thorough consultation process that the government has embarked on.

They have actually gone to the effort of publishing all the submissions, which is a really welcome transparency measure. The legislation has been in the public realm for some time and it has been an exhaustive process, so I do not think we need to create more uncertainty by having another review in three years' time. Let's lock in these changes and get behind them.

The Hon. K.J. MAHER: I rise to say that the government will not be supporting this amendment for reasons similar to those that the Hon. Robert Simms outlined. I do appreciate that usually there is barely a committee or a review clause that the Hon. Robert Simms is not attracted to. There has been a huge amount of consultation on this bill, and we are slightly concerned, given the extent and the scope of these changes, that the time frames might be an unnecessary burden in terms of looking at how this operates. Of course, this government has shown a willingness, and will continue to show willingness, to make changes to anything where it is deemed necessary.

The Hon. F. PANGALLO: I rise to say that I will be supporting this. A review is an important provision to have in this bill because, as we have seen, things have actually changed in the past 12 months, in the past 24 months and in the past 48 months. There is nothing to suggest that things will not change again within three years, and it may be necessary that we have a look at what elements of the bill are working, what elements of the bill are not working or maybe even improvements—to go to other steps to either improve the situation for rentals or maybe landlords have been complaining that it has been detrimental to their own interests. I think it is important that we do have a look at it in three years' time.

The Hon. J.M.A. LENSINK: Can I just say, too, that I have REISA's permission to say that they do support a review clause.

The committee divided on the new schedule:

Ayes7
Noes.....9
Majority2

AYES

Centofanti, N.J.
Hood, B.R.
Pangallo, F.

Girolamo, H.M.
Lee, J.S.

Henderson, L.A.
Lensink, J.M.A. (teller)

NOES

Bourke, E.S.
Hanson, J.E.
Martin, R.B.

El Dannawi, M.
Hunter, I.K.
Simms, R.A.

Franks, T.A.
Maher, K.J. (teller)
Wortley, R.P.

PAIRS

Game, S.L.
Scriven, C.M.

Ngo, T.T.

Hood, D.G.E.

New schedule thus negated.

Title passed.

Bill reported with amendments.

Third Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector) (17:46): I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 17:47 the council adjourned until Wednesday 29 November 2023 at 14:15.

*Answers to Questions***ENERGY RETAILERS PRICING STRUCTURE**

304 The Hon. R.A. SIMMS (27 September 2023). Can the Minister for Energy and Mining advise:

1. Are energy retailers in South Australia able to recoup the following from customers through their pricing structure?
 - (a) Lobbying
 - (b) Public relations spending
 - (c) Trade association fees
 - (d) Political advocacy
2. Are energy retailers in South Australia able to include any of the above costs in their retail allowance?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Minister for Energy and Mining advises:

Unfortunately, the energy system in South Australia was privatised by the Liberal government of the time. Consequently, the government of South Australia has no oversight of the business decisions made by privately owned energy retailers.

These retailers are subject to the same set of laws and regulations as any other privately owned business selling goods and services to consumers, including but not limited to the Commonwealth's Corporations Act 2001 and the Competition and Consumer Act 2010.

In addition, in the energy market, retailers are obliged to operate under the National Energy Retail Rules. The Australian Energy Regulator is responsible for monitoring and enforcing these rules. Provided they do not breach any applicable laws and regulations, how costs of doing business are recovered are matters for the retailers.

COVID-19 VACCINATIONS

313 The Hon. S.L. GAME (18 October 2023).

1. What evidence supports the Department for Health's advice that mRNA COVID vaccines are safe for pregnant women and for the fetus?
2. Has the Department for Health reported or investigated a rise in health complications suffered by newborn babies whose mothers have been injected with a mRNA COVID vaccine whilst pregnant?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector): The Minister for Health and Wellbeing has advised:

The Australian Immunisation Handbook states;

- Unvaccinated pregnant women are at increased risk of severe illness from COVID-19. Unvaccinated pregnant women are recommended to receive a primary course of COVID-19 vaccine.
- mRNA based vaccines are preferred in pregnancy based on the large body of evidence supporting the safety of monovalent mRNA vaccines in pregnancy.

The above recommendations are also endorsed by the Royal College of Obstetricians and Gynaecologists stating on its website 'COVID-19 vaccines are strongly recommended in pregnancy. Vaccination is the best way to protect against the known risks of COVID-19 in pregnancy for both women and babies, including admission of the woman to intensive care and premature birth of the baby.'

The Australian Advisory Group on Immunisations (ATAGI) Clinical Guidance for COVID-19 vaccine providers outlines the safety of COVID-19 vaccines during pregnancy and breastfeeding stating that mRNA COVID-19 vaccines are safe and effective in pregnancy. The adverse event profile of pregnant women is similar to that of non-pregnant women following vaccination with a monovalent (Original) mRNA COVID-19 vaccine.

There has been no evidence found through the SA vaccine safety surveillance system, or nationally, to suggest any increase in complications suffered by newborn babies whose mothers received a mRNA COVID vaccine whilst pregnant.

MEN'S HEALTH

314 The Hon. S.L. GAME (18 October 2023).

1. What government health programs are in place to address areas where men have disproportionately higher adverse health outcomes than woman?

2. How are these programs funded?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector): The Minister for Health and Wellbeing has advised:

Whilst men experience some disparities in health outcomes, the needs of all genders are best managed as part of an integrated comprehensive health system. The funding for men's health is embedded within the overall budget allocations for acute services, community based and preventive health services. In areas where the data identifies particular need, targeted strategies are implemented.

Examples are skin cancer campaigns addressing the higher lifetime risk of melanoma of the skin amongst men—with one in 30 men diagnosed over their lifetime, compared with one in 44 women and a statewide tobacco cessation campaign targeting males. Despite the higher rates of smoking among men compared to women, there has been a decline in smoking rates among men from 18 per cent in 2017 to 8.9 per cent in 2022.

SA Health promotes a range of services to support men's health through their website including:

- The Better Health Coaching Service which focuses on improving general health and wellbeing and reducing the risk of developing long-term health problems such as type 2 diabetes and heart disease.
- The Foundation 49 website which includes a one-minute men's health check that can be printed and taken to a GP, as well as a more detailed DIY health check and men's health information.
- Menshed's Australia, an organisation specialising in the needs of men, their health and wellbeing and their communities. Sheds are located in the Adelaide metropolitan area and country areas.
- MensLine Australia which offers a range of services and programs to support men in managing family and relationship difficulties.

COST OF LIVING CONCESSIONS

315 The Hon. H.M. GIROLAMO (19 October 2023). Can the Minister for Human Services advise—

1. How many applications for the Cost of Living Concession have been received since 1 July 2022?
2. How many of these applications have been approved and had payments finalised?
3. What is the average processing time for Cost of Living Concession applications?
4. How many complaints about the Cost of Living Concession have been received since 1 July 2022?
5. What were the complaints regarding?
6. How many of these complaints have been resolved?
7. What is the average processing and resolution time for complaints about the Cost of Living Concession?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Minister for Human Services has advised:

1. There were 62,218 new applications received from 1 July 2022 to 19 October 2023. Over that period, the Department of Human Services (DHS) made 212,057 Cost of Living Concession (COLC) payments for the 2022-23 financial year and 211,489 COLC payments for the 2023-24 financial year.

2. Of the 62,218 new applications received from 1 July 2022, 44,519 have received a COLC payment. 17,699 were not approved or paid as they were either ineligible, have not provided required information after following up, or another resident of the household has been paid.

3. Since 1 July 2023 the average processing turnaround has been five days.

4. From 1 July 2022 through to 19 October 2023, DHS has received around 269 complaints regarding the COLC. This represents 0.06 per cent of the total 423,546 COLC payments made over the financial years 2022-23 and 2023-24.

5. Common topics for complaints included issues regarding eligibility, payment time frames, and contacting DHS. There were also a number of applicants who had received their payments but were unaware of this.

6. All customer inquiries are responded to and resolved by DHS providing advice of payment/receipt, rectifying any payment issues, or providing information regarding eligibility criteria.

7. The majority of the aforementioned enquiries to DHS are resolved with customer contact within one-three days. Customers who require a payment to be made will routinely receive it within two weeks.

CONSTRUCTION INDUSTRY TRAINING FUND

317 The Hon. H.M. GIROLAMO (1 November 2023). Can the Minister for Education, Skills and Training advise:

1. All projects funded by the Construction Industry Training Fund in 2022-2023 including the organisation, the amount and the project title.
2. The balance of the Construction Industry Training Fund as at 1 March 2022?
3. The contributions from the construction industry to the Construction Industry Training Fund by the Construction Industry Training levy between March 2022 and 31 October 2023?
4. The current balance of the Construction Industry Training Fund as at 1 November 2023?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector): The Minister for Education, Skills and Training has advised:

All projects funded by the Construction Industry Training Fund in 2022-23 including the organisation, the amount and the project title include:

Industry Funding 1.7.2022–30.06.2023:

Apprenticeship Training Support	\$15,362,555
Short Course Funding	\$5,354,508
Doorways2Construction	\$1,423,950
Total	\$22,141,013

Further information regarding the performance of each Construction Industry Training Board (CITB) funded program is available in the 2022-23 Annual Report. Further information on CITB funding support is available: <https://citb.org.au/funding-programs/>

The annual report also provides detailed financial statements and current balance details.

SELECT COMMITTEE ON DOLPHINS IN ADELAIDE DOLPHIN SANCTUARY AND PORT RIVER REPORT RECOMMENDATIONS

318 The Hon. T.A. FRANKS (1 November 2023). Can the Minister for Climate, Environment and Water advise:

When will the government respond to the recommendations in the Interim Report of the Select Committee on Dolphins in Adelaide Dolphin Sanctuary and Port River?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector): The Minister for Climate, Environment and Water has advised:

The government has received the Interim Report of the Select Committee on Dolphins in the Adelaide Dolphin Sanctuary and Port River. The report contains recommendations which are the responsibility of different ministers and agencies across government.

The Minister for Climate, Environment and Water will provide written advice to the select committee in early 2024.

ABORIGINAL HERITAGE CONSULTATION PROCESS, RIVERLEA PARK

321 The Hon. T.A. FRANKS (16 November 2023). With regard to the Aboriginal heritage consultation process on the Riverlea development at Buckland Park, specifically the consultation meeting on 14 August 2023:

1. Were any attendees asked to present ID or asked who they were prior to entering the meeting?
2. Was anyone turned away from the meeting or refused entry at the desk and decided not to attend?

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

No attendees were asked to present ID; however, they were asked to provide their names when entering, given the meeting was part of Aboriginal Affairs and Reconciliation's (AAR) consultation process under section 13 of the Aboriginal Heritage Act, and questions and statements made by attendees may be included in the report that AAR will provide for a decision to Walker Corporations' application under the act.

One person who sought entrance to the meeting was not admitted. This person was a non-Aboriginal person who had been commenting on the Riverlea matter through social media. Under the Aboriginal Heritage Act, section 13 consultation meetings are conducted solely for the benefit of traditional owners and other Aboriginal people that may have a particular interest in the matter.

SA HEALTH FOCUS WEEK

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (16 May 2023).

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector): The Minister for Health and Wellbeing has advised:

SA Health developed and ran a focus week this year to help give our clinicians the bandwidth to ensure our system can run as well as possible to meet the needs of our patients.

While focus week is not the singular solution to address ramping, it is important our clinicians have the opportunity to develop and trial new initiatives that could improve hospital flow and system capacity.

AMBULANCE RAMPING

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (13 June 2023).

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector): The Minister for Health and Wellbeing has advised:

The Liberals left the health system in disarray and now spend their time questioning the hard work we are doing to turn the system around.

Their inaction—or blatant neglect of the health system—resulted in ramping increasing 485 per cent during the Liberal's term in government.

The Liberals had no plan or policies to address ramping and hospital system capacity.

Instead, the Malinauskas Labor government's number one priority is addressing the ramping crisis we inherited, and we are delivering a generational investment to rebuild the health system.

We are investing a record amount to open more beds, recruit hundreds more doctors, nurses and ambos, build and upgrade key health infrastructure, and deliver more services to provide the capacity our healthcare system needs.

We are now seeing improvements in ambulance response times. In May, paramedics reached 68.2 per cent of urgent priority 1 cases within the recommended eight minutes—well above the 60 per cent target. That compares to just 47 per cent in January 2022.

For priority 2 cases, paramedics reached 59.1 per cent of patients within the recommended 16 minutes. That's compared to just 36 per cent in January 2022.

WHYALLA HOSPITAL AND HEALTH SERVICE

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (27 June 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Minister for Health and Wellbeing has been advised:

It has been noted that there is currently a significant shortage of midwives to meet the needs of the community.

In addition to the existing relocation reimbursements offered across SA Health, a number of regional local health networks are providing additional short-term incentives to attract and retain midwives in rural and regional areas. These include free accommodation and workplace programs for the care of staff and their families, such as assistance with spouse employment.

SA Health anticipates that the 2024 Transition to Professional Practice Program (TPPP) recruitment campaign will generate more applications for midwifery and nursing graduate positions across South Australia, including in rural and regional areas.

HAHNDORF BYPASS

In reply to **the Hon. R.A. SIMMS** (12 September 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Minister for Infrastructure and Transport has advised:

The government is not diverting freight traffic down River and Strathalbyn roads—we are banning through traffic by heavy vehicles over 15m in length from the main street of Hahndorf.

This will require the approximately 130 affected vehicles to amend their standard routes, which will be determined individually by each operator based on the origin and destination of the freight carried. A portion of this traffic is likely to use River and Strathalbyn roads—but equally it is expected that other routes will also be utilised.

River Road is classified as a general access route, permitting the safe operation of freight vehicles up to semitrailer size (19m, 42.5t). According to a 2019 traffic count, 130 heavy vehicles safely traverse this route every day,

with no heavy vehicle related crash recorded in the past decade. Additional enhancements to River Road are also planned—intersection upgrades, tree trimming and shoulder sealing that will enhance the travel experience for all users, including locals.

The government will not be building a half or full interchange at Paechtown, which would involve significant acquisition of homes and land from the iconic Beerenburg Farm. The local community was consulted extensively through the Hahndorf project and was resolute in its opposition to this option.

REGIONAL ENERGY SUPPLY

In reply to **the Hon. R.A. SIMMS** (26 September 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Minister for Energy and Mining has advised in principle, the Malinauskas Labor government is opposed to the privatisation of essential services.

The government believes that privatising the network by the then Liberal administration was a foolish decision which has resulted in suboptimal outcomes for consumers. However, restoring the electricity network to public ownership would be a complex and expensive undertaking.

Any consideration of such a change would require thorough analysis rather than superficial thinking.

ADELAIDE CASINO

In reply to **the Hon. C. BONAROS** (26 September 2023).

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector): The Minister for Consumer and Business Affairs has advised:

As the honourable member is aware, on 23 August 2023, the Liquor and Gambling Commissioner (commissioner), approved the appointment of internationally respected risk and financial consultancy firm, Kroll Australia Pty Ltd (Kroll), as the Independent Monitor of SkyCity Adelaide Pty Ltd (SkyCity Adelaide).

Kroll is a leading global provider of compliance, risk and investigative services with offices in 30 countries around the globe. The team monitoring the Adelaide Casino has worked with AUSTRAC in the past, are experts in providing fraud, compliance and risk management solutions, and have extensive experience ensuring casinos are fulfilling their regulatory requirements, most recently after being appointed by the NSW regulator as the Independent Monitor of Crown Sydney Casino.

Importantly, Kroll is required to report to the commissioner any breaches of SkyCity Adelaide's ongoing regulatory obligations with respect to anti-money laundering and counter-terrorism financing laws and addressing gambling related harm.

Inspectors from Consumer and Business Services are currently undertaking daily inspections of the Adelaide Casino. These inspections include checks on a variety of compliance matters including anti-money laundering and counter-terrorism financing procedures, as well as gambling harm minimisation measures.

These inspections, combined with the oversight of the Independent Monitor, ensure that SkyCity Adelaide is under greater scrutiny than ever before.

In response to the member's question regarding SkyCity's plans to sell its Adelaide operations and matters relating to its New Zealand operations, I can advise the honourable member, I am not aware of such plans by SkyCity in relation to its Adelaide operations at this time and the commissioner is aware of the allegations that SkyCity Auckland had failed to comply with host responsibility requirements.

SECOND GENERATION ANTICOAGULANT RODENTICIDES

In reply to **the Hon. T.A. FRANKS** (17 October 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

The Australian Pesticides and Veterinary Medicines Authority (APVMA) is the Australian government regulator of agricultural and veterinary chemicals. For rodenticides to be legally manufactured, imported supplied, sold or used in Australia, they must be registered by the APVMA. The APVMA's registration process involves scientifically evaluating the safety and efficacy of products in order to protect Australia's trade and the health and safety of people, animals and the environment. My Department of Primary Industries and Regions (PIRSA) is not responsible for registering any products for use, including rodenticides, but does have responsibility for ensuring that products, such as rodenticides, are used according to the label instructions approved by the APVMA.

There are several types of rodenticides that are approved for use by the APVMA including anticoagulant rodenticides and the non-anticoagulant rodenticides (zinc phosphide, cholecalciferol, bromethalin and strychnine). The second-generation anticoagulant rodenticides are often referred to as the 'single-dose' anticoagulants as a lethal dose can be ingested in a single feeding. There are five second-generation anticoagulant active constituents currently registered for use in Australia by the APVMA: brodifacoum, bromadiolone, difethialone, difenacoum and flocoumafen.

These active ingredients have been approved for use in and around domestic, commercial, industrial and agricultural buildings but are not approved for use in crops, in the open or in other areas accessible to non-target animals or children.

I note the issues you have raised and reported in relation to off-target risks associated with the use of second generation anticoagulant rodenticides whereby you reported recent Australian studies have found dangerous and even fatal levels of SGARs in dead birds of prey and you reported there has been an increase in small native animals consuming poisoned rodents, resulting in secondary poisoning.

I am aware the APVMA has commenced a reconsideration (review) of anticoagulant rodenticide approvals and registrations to reassess the potential risks associated with the use of these products and to consider whether labels carry adequate instructions to protect the health and safety of people, animals and the environment. The APVMA's reconsideration is currently in the 'assessment' phase with publication of the proposed regulatory decisions expected in September 2024. This reconsideration process by the APVMA is the appropriate place for residue and secondary poisoning events and concerns to be reported and considered by the APVMA in relation to ongoing registration and label directions.

PIRSA does not provide any guidance in relation to the use of second generation anticoagulant rodenticides other than to use rodenticides in accordance with the mandatory label instructions. More detailed rodenticide use advice is typically provided directly to users by either industry bodies or by consultants/veterinarians. PIRSA is responsible for investigating any reported misuse of registered rodenticides and does so in accordance with the Agricultural and Veterinary Products (Control of Use) Act and regulations. I understand there have been no reports relating to the misuse of second generation anticoagulant rodenticides made to PIRSA in recent years for investigation.

I have not had any discussions with regard to the use of these products at the federal level in ministerial meetings.

STIRLING VILLAGE FIRE

In reply to **the Hon. T.A. FRANKS** (18 October 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Minister for Small and Family Business, and for Consumer and Business Affairs has advised:

The South Australian government through the Office for Small and Family Business (OSFB) has been in regular contact with the Adelaide Hills Council who are working with the Stirling Business Association to determine the needs of the small businesses impacted by the recent Stirling Village complex fire.

Adelaide Hills Council have engaged Rural Business Support (RBS) to connect with impacted businesses to urgently assess the level and type of support and assistance required. A report will be provided to the South Australian government for consideration.

MARINE SCALEFISH FISHERY

In reply to **the Hon. C. BONAROS** (18 October 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

The management of commercial fisheries in South Australia, including the marine scalefish fishery, falls under the purview of the Department of Primary Industries and Regions (PIRSA). PIRSA operates in line with its cost-recovery policy, which necessitates that commercial fishery licence fees cover fisheries management costs. To this end, PIRSA engage in ongoing consultations with service providers and industry stakeholders to formulate fishery-based management programs, which in turn influence the annual licence fees.

Within the Fisheries and Aquaculture Division of PIRSA, there are 38 compliance officers and 11 fisheries management officers. This count includes the following vacant roles: four fisheries officers, three compliance support officers, one fisheries manager, one fisheries management officer, and the manager of traditional fisheries (who is currently on maternity leave).

For the 2023-24 fiscal year, fisheries management has allocated 220 activity days, and compliance has allocated 967 officer days for the marine scalefish fishery. The costs for these services are assessed to be \$201,740 and \$1,292,879 for fisheries management and compliance, respectively, bringing the total to \$1,494,619. In terms of full-time equivalents, this translates to 1.10 FTEs for fisheries management and 4.84 FTEs for compliance.

As part of the marine scalefish fishery reform and the subsequent incorporation of quotas, there have been changes in the licence fee structure that reflect a licence holder's resource access level.

The new licence fee structure proposed to be implemented in 2024-25, includes 30 per cent of the management expenditure be attributed to a base fee, and the remaining 70 per cent designated to quota unit fees. Each of the four individual transferable quota (ITQ) species will equally share this 70 per cent allocation.

To delineate the lower and upper bounds for licence fees under the new licence fee structure, note:

- The lower end comprises the base fee with no quota units, approximately \$2,000.

- The upper limit is the summation of the base fee and quota unit's cost based on the individual quota a licence holder possesses. For some licence holders their fees will be approximately \$40,000 in line with the quota they hold.

Specific figures corresponding to these limits will be ascertained during the 2024-25 cost-recovery process. For more detailed insights into quota unit holdings, one can refer to the Fisheries Public Register at Fisheries Registers—Production—(pir.sa.gov.au).

I would also recommend consulting the PIRSA website, particularly the services to industry page under the cost-recovery implementation statements (CRIS) section for more comprehensive information.

MARINE SCALEFISH FISHERY

In reply to **the Hon. C. BONAROS** (18 October 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

On 15 June 2023, I received draft reports from the Independent Cost Recovery Review Panel (ICRRP) pertaining to both the fisheries and aquaculture sectors. Shortly thereafter, on 21 June 2023, I tasked the Department of Primary Industries and Regions (PIRSA) to prepare a summary briefing that outlined the key findings of these reports.

As I had indicated during the *Hansard* discussion on 29 August 2023, after assessing the draft reports, it became evident that there were gaps in the reports requiring further consideration. Hence, I sought additional information from the panel through the department on 28 July 2023.

On 13 October 2023, the panel provided the revised reports to the department, which are now being considered.

The objective of the review is to ensure that we arrive at an equitable cost-recovery system that stands up to scrutiny and serves the interests of all parties involved. While I understand the eagerness for conclusions, it's crucial to ensure the comprehensiveness of our approach.

AERIAL CULLING

In reply to **the Hon. H.M. GIROLAMO** (18 October 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised that there was an incident on 28 March 2023, during a program that was being run by the Limestone Coast Landscape Board and the Department for Environment and Water. These agencies are in the portfolio of the Deputy Premier, and I understand that she has been briefed on this matter.

The Department of Primary Industries and Regions was not involved in this program, which is why I have only just been briefed.

I will start by highlighting that after the incident occurred, I'm advised that a follow-up phone call by general manager of the Limestone Coast Landscape Board, Steve Bourne to the landholder confirmed that the landholder did not believe that this incident was a near miss incident and that the landholder holds no animosity towards the program.

In relation to what happened leading up to the incident, I'm advised that a landholder who had signed on to the aerial shooting operation and even verified maps and dates where and when shooting would occur, subsequently did not respond to a standard notification, which was sent to inform landholders when the shoot was about to commence. This notification was sent on 24 March 2023 via text message, which was 72 hours before the aerial shooting program commenced.

The landholder did not reply to advise that he had any concerns of that he wanted to withdraw from the program.

On 28 March 2023, the landholder sent one of his employees to a location near the area where aerial shooting was scheduled to occur. The employee was also there to shoot feral deer, albeit from the ground.

The employee of the landholder was near the shooting zone when the aerial marksman team from the Department for Environment and Water were culling deer.

The aerial marksman team were culling deer on the property for about 80 minutes, and they removed 17 feral deer.

During that time, the landholder called staff from the Murraylands and Riverlands Landscape Board to withdraw from the shoot. These staff subsequently called staff from the Limestone Coast Landscape Board, who requested that the helicopter pilot cease operations on that property.

When notified, the pilot followed protocols and ceased operating and relocated. Flight maps were modified with the property deleted from any further operations.

It was later confirmed the landholder had been contemplating withdrawing his participation in the shoot on Wednesday 22 March 2023, but the landholder had discussed this with the Murraylands and Riverlands Landscape Board, not the Limestone Coast Landscape Board who were running the shoot.

The Murraylands and Riverlands Landscape Board advised the Limestone Coast Landscape Board that the landholder was considering withdrawing and would advise further if this was confirmed. No confirmation was received by the Limestone Coast Landscape Board.

The landholder did not make his intention to withdraw from the aerial shooting operation clear to the Limestone Coast Landscape Board and the landholder did not respond to the notification that the program was about to commence.

Most importantly, I reiterate that the landholder involved did not believe that this incident was a near miss incident and the landholder holds no animosity towards the program.

Notwithstanding, the Limestone Coast Landscape Board and the SA Pest Animal Aerial Culling Committee undertook an investigation into this incident and have improved their planning processes and the clarity of their text message notifications, which they send out to give landholders 72 hours notice before the operations commence.

Regarding your second question, as to whether farmers, their workers and people in general in the South-East are safe from this practice of aerial culling, I confirm that they are safe.

The risk to people on the ground is negligible. I have described the planning and engagement with landholders to ensure that landholders are aware of these operations and remain absent from the areas where culling is occurring.

The SA Feral Deer Eradication Program has safely removed more than 9,000 feral deer since May 2022.

The eradication program works in accordance with the National Code of Practice and Standard Operating Procedures for the Effective and Humane Control of Feral and Wild Deer during aerial culls.

Aerial culling is the most effective landscape-scale tool available to rapidly reduce feral deer populations and their impacts. Thermal-assisted aerial culling improves the detection rate of feral deer in dense vegetation compared to traditional (non-thermal) aerial culling and improves the rate at which feral deer are removed.

Sightings of feral deer are confirmed by at least two personnel onboard the helicopter before shooting commences.

AUTOMOTIVE TRADES WORKFORCE

In reply to **the Hon. D.G.E. HOOD** (18 October 2023).

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector): The Minister for Education, Training and Skills has advised:

The Malinauskas Labor government is investing record funding to tackling skill shortages. As announced earlier this month, we have signed a new National Skills Agreement, unlocking over \$2.2 billion investment in skills for South Australians. This represents an increase of almost \$690 million in funding, with \$440 million from South Australia and \$250 million from the commonwealth over the life of the agreement from 1 January 2024 to 31 December 2028.

Investment will be aligned to key priority areas including defence, early childhood education, clean energy transition, building and construction, automotive, and ICT, supporting South Australians to complete training and move into secure, well-paid jobs.

This funding will enable the state government to continue to support access to subsidised training for key occupations, including those in the automotive sector. Currently over 30 courses and skill sets aligned to the automotive retail, service and repair sector are subsidised.

Through the support provided by our government, we have seen positive increases in training levels and, in particular, in key apprenticeship areas aligned to the automotive sector.

According to the latest figures from the National Centre for Vocational Education Research (NCVER), the number of South Australian apprenticeships in training in automotive trade occupations has increased 10.4 per cent to 2,505 as at 31 March 2023. This excludes fabrication and mechanical engineering trades, which have also increased from 2022.

In addition, to investing in training delivery, the Malinauskas Labor government is investing in specific initiatives to support skills development in the automotive sector. Initiatives include:

- MTA Mentoring Program—The state government committed a total of \$280,000, over two years from 2022-24, to provide additional mentoring support for automotive apprentices and trainees. This support will assist to address skills shortages in the automotive retail, service and repair sector by delivering industry mentoring services to first and second-year apprentices that help ensure they remain engaged with their training and employment.

- MTA Cleve Skills Centre—Aligned to the \$9 million investment in immediate responses to the skills plan engagement, government is supporting the MTA to expand its training facility in Cleve which specialises in mechanical, agricultural machinery, and automotive electrical vocations. This project will build a new heavy and agricultural machinery workshop, which will also house a prime mover for training purposes. This expansion will support the training facility into full-time operational training delivery for the region.
- Tonsley Technical College—The MTA has been recently announced as a key partner of the new Tonsley Technical College, with automotive being one of the streams available from 2025 for students in years 10-12.

In addition, the \$28 million targeted subsidy increase for industry and not-for-profit training providers, announced in the 2023-24 state budget, will benefit providers including the MTA.

The state government also continues to fund a number of initiatives targeted at removing barriers for unrepresented groups, support apprentices aged 21 and over and focus on apprenticeships and traineeships completions. Initiatives include:

- Return to Work SA Apprentice Incentive—available to all employers registered with ReturnToWorkSA who employ an eligible person, as well as self-insured employers. The incentive aims to assist skills creation in South Australia by encouraging employers to take on apprentices.
- The South Australian Group Training Program (or SAGTP) enables GTOs to provide:
 - pastoral care arrangements for apprentices and trainees employed by GTOs, and
 - the placement of those apprentices and trainees with host employers.
 - enhanced opportunities for target cohorts such as Aboriginal
 - apprentices and trainees, a person living with a disability or female learners.
 - from 2023-24 to 2025-26, the SAGTP will provide around \$1.3million per annum to GTOs.
- The GTO Boost Program helps GTOs to:
 - reduce the charge out rate (by \$100 per week per apprentice and trainee for 12 months) for each new training contract commencement.
 - enable retention, engagement and new opportunities for adult apprentices across all industries.
 - from 2023-24 to 2025-26, the GTO Boost Program will provide around \$1 million per annum to GTOs.
- In addition, over \$2 million is provided to eligible GTOs through the GTO Support (Payroll Tax) Program, which provides funding commensurate with the payroll tax liability incurred by participating GTOs within a financial year.

ELECTRONIC PATIENT RECORD SYSTEM

In reply to **the Hon. S.L. GAME** (19 October 2023).

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector): The Minister for Health and Wellbeing has advised:

The Sunrise EMR and PAS system was chosen in a competitive selection process and assessed against criteria developed with clinical consultation and engagement.

In 2018 a review of the EMR and PAS project was undertaken by the then Liberal government, and one key point made by the review panel was that the 'Sunrise software...is widely used and respected internationally. The key agencies that rate EMRs around the world place the Sunrise EMR in the top 3-4 globally. Its configuration capability enables it to be localised'.

The review panel also noted that the system was able to integrate to other systems data and would become fit for purpose in time with clinical involvement in configuring the system to suit local needs. The then government determined it would be continued to be used and rolled out across other hospital sites.

Digital Health SA have a comprehensive clinically led optimisation program to coordinate EMR enhancements raised by the clinicians using it. The optimisation program and broader clinical engagement is led by the Chief Medical Information Officer, a clinician that works within Digital Health as well as being an intensivist in the Southern Adelaide Local Health Network.

There were no adverse patient outcomes were reported following the outage on Tuesday 10 October 2023.

SA Health's Sunrise EMR and PAS environment comprises a complex integration of technology components including (but not limited to) applications, networks, storage, data centres, servers, infrastructure, and databases, supported primarily by the Department for Health and Wellbeing, with the assistance of key industry partners such as

Altera Digital Health, Microsoft and DXC. The environment is also dependent on facilities and services provided by other government agencies including the Department of the Premier and Cabinet.

Sunrise EMR and PAS is continually improving with new, optimised and upgraded functionality. The cost of this forms part of the overall support budget.

MARINE SCALEFISH FISHERY

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (31 October 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

In recent years, the Marine Scalefish Fishery (MSF) has undergone a period of significant change, with several reforms implemented in July 2021 by the previous government, including the introduction of quota management for the four priority species in the fishery, among several other changes. Commercial fishers operating in the West Coast Fishing Zone, itself created as part of the reforms, were part of and involved in these changes.

Consultation on the MSF reforms commenced with the release of staged information packages to all licence holders in the MSF on 23 June 2020 and 15 August 2020. The Department of Primary Industries and Regions (PIRSA) undertook a number of regional meetings across the state from 24 August to 9 September 2020 at which 210 industry members participated.

West Coast Port Meetings:

- 2019 included Ceduna and Port Lincoln on the Eyre Peninsula; and
- 2020 included Port Lincoln, Streaky Bay and Ceduna.

In addition, two online surveys were implemented coinciding with the two information packages resulting in 157 responses. A further 69 written responses were also received.

As part of the former government's reform of the MSF, significant changes to its management were implemented on 1 July 2021, which included:

- The move to a total allowable commercial catch and individual transferable quota (ITQ) management system for snapper, King George whiting, southern calamari and southern garfish;
- Establishment of four fishing zones;
- Establishment of an ITQ management system for snapper in all four fishing zones, and for King George whiting, southern calamari and southern garfish in the Spencer Gulf and Gulf St Vincent Fishing Zones;
- Establishment of a competitive quota management system for the management of King George whiting in the West Coast Fishing Zone;
- Separation of the commercial vongole and sardine fisheries from the MSF;
- The removal of 100 licences through a voluntary licence surrender program; and
- Red tape reduction measures.

Red tape reduction measures introduced from 1 July 2021 included:

- Removal of the requirement to be in attendance of longlines.
- The addition of lift nets as a commercial gear type in the MSF.
- Changes to allow for the holder of an MSF licence or their registered master to take less than 150 razorfish over a period of three days in the West Coast.
- Removal of the regulation prescribing the mesh size in the pocket of a haul net.
- Addition of permitted species to Schedule 1, of the Fisheries Management (Marine Scalefish Fishery) Regulations 2017 including Conger Eel, Knifefjaw, Sergeant Baker, Silver Drummer, Blue Weed-Whiting, Rock Crab (permitted to take west of 135 degrees east, as per existing restrictions for fishing for Blue Crab, and per amendment to the Fisheries Management (General) Regulations 2021) and Spider Crab (permitted to take west of 135 degrees east, as per existing restrictions for fishing for Blue Crab, and as per amendment to the Fisheries Management (General) Regulations 2021).
- Changes to the conditions of restricted fish processor registrations to enable restricted fish processors who are also MSF licence holders to sell their catch to any type of business.

Whilst the reforms that have been implemented are intended to increase the profitability of businesses involved in the fishery overall, this is expected to take several years to be fully realised. In late 2021, further meetings were held on the West Coast including at Port Lincoln, Streaky Bay and Ceduna.

King George whiting in the West Coast Fishing Zone was determined not to be managed under an ITQ system because it was considered that catch levels were well within the estimated recommended biological catch limit and there was a low risk of the stock being over-exploited.

So, far from being left out, the West Coast fishery was very much a part of the marine scalefish fishery reforms.

PRIMARY INDUSTRIES AND REGIONS DEPARTMENT

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (1 November 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised the Department of Primary Industries and Regions CBD office will be moving from its current location at 25 Grenfell Street to levels 20 and 21, 11 Waymouth Street. The relocation is estimated to occur in mid-January 2024.

The lease at 25 Grenfell Street expires on 31 January 2024, with discussions held in early 2022 with Department for Infrastructure and Transport to either renew the lease at 25 Grenfell Street or to relocate to other premises within the Adelaide CBD. The Department of Infrastructure and Transport (DIT) are the leasing agency for state government.

In April 2023, a relocation to 11 Waymouth Street was approved for all CBD staff currently at 25 Grenfell Street and of a small number of staff from the Biosecurity SA division at Glenside.

The annual rent costs for 25 Grenfell Street are currently \$2.2 million per year. The initial annual net rent for 11 Waymouth Street will be \$1.661 million indexed accordingly. The financial analysis of the lease costs shows approximated operating savings of \$6.3 million over the 10-year term of the lease.

BORDERTOWN WATER SUPPLY

In reply to **the Hon. B.R. HOOD** (2 November 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Minister for Climate, Environment and Water has advised:

1. Subject to appropriate approvals, SA Water intends to install two new surface tanks (or possibly a one tank solution) and pump station in the town, at the industrial estate. It will include the pipeline infrastructure (utilising existing and new pipelines), electrical, communications and digital monitoring infrastructure to support these new works.

Funding has been requested in SA Water's Regulatory Determination 2024-28 (RD24) for investigative bore monitoring infrastructure to better understand the complex interwork of the freshwater lens and saline aquifers at the water source borefield. The planning and investigations will be critical to correctly determine the required solutions for the medium to longer term water security for Bordertown.

2. Initial high-level investigations were previously undertaken as part of the routine SA Water master planning process for an option to supply Bordertown from Keith, (from Tailem Bend—Keith Pipeline). This will require approximately 45km of 300mm watermain in addition to a booster pumping station. This option along with others will be investigated and considered in future regulatory periods.

SHARK MANAGEMENT

In reply to **the Hon. C. BONAROS** (14 November 2023).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

I thank the Hon. C. Bonaros for the question related to shark management and mitigation measures in South Australia.

While not ignoring the significance and tragedy of any loss of life or harm to persons from sharks in the coastal waters of our state I believe that I have covered the spectrum of the government's approach to the management of sharks in South Australia.

If I may reiterate—

White sharks are protected in South Australia and they are important apex predators that are vital to the health of our ocean ecosystems. From an ecological perspective any mitigation measures that may harm sharks, or other marine animals, will not be supported.

By their nature sharks are transient and highly migratory. They are very much part of our South Australian aquatic environment. Given this, management and exclusion zones are problematic and likely to be ineffective.

Notwithstanding the recent deaths and injuries raised by the honourable member the incidents of shark attacks has, thankfully, been very low.

South Australia does have, as I have already covered in my previous response, a range of mitigation measures in place to reduce the risk of shark-related incidents to the public within our coastal waters.

My understanding of mitigation measures adopted in other states, including shark exclusion areas, are not without their own problems or limitations. There is no shark safety plan that is 100 per cent effective.

Research into sharks and shark behaviour is ongoing and South Australia has a shark response plan in place.

POLICE COMPLAINTS

In reply to **the Hon. T.A. FRANKS** (15 November 2023).

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

On 8 November 2023, the Commissioner of Police determined to authorise both the disclosure and publication of information in relation to this complaint and investigation as it was in the public interest to do so.

Further the Commissioner issued an authority pursuant to sections 45 and 46 of the Police Complaints and Discipline Act 2016 allowing for the lawful disclosure and publication of CCTV footage related to police and a man at a care facility in Southern District on 26 October 2023.

The effect of the commissioner's authorisation was to allow others to publish the relevant CCTV footage, which was already in the public domain. SAPOL has never published the relevant footage however it was made available through local media outlets.

There is no end date to the commissioner's authority.