

LEGISLATIVE COUNCIL**Tuesday, 18 February 2025**

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

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

*Bills***CRIMINAL LAW CONSOLIDATION (STALKING AND HARASSMENT) AMENDMENT BILL***Assent*

Her Excellency the Governor assented to the bill.

PLASTIC SHOPPING BAGS (WASTE AVOIDANCE) REPEAL BILL*Assent*

Her Excellency the Governor assented to the bill.

STATUTES AMENDMENT (CRIMINAL PROCEEDINGS) BILL*Assent*

Her Excellency the Governor assented to the bill.

STATUTES AMENDMENT (BUDGET MEASURES) 2024 BILL*Assent*

Her Excellency the Governor assented to the bill.

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

South Australian Maternal and Perinatal Mortality Committee—Report, 2021-22

South Australian Suicide Prevention Plan 2023-2026—Report, 2023-24

State of the Environment Report for South Australia 2023—

Environment Protection Act 1993

Single-use and Other Plastic Products (Waste Avoidance) Act 2020—

Review of Act 2024

2023-24 Report to Parliament on Palliative Care Spending in South Australia—Voluntary

Assisted Dying Act 2021

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

Fees Notice under Acts—

Supreme Court Act 1935—No 2 (2024)

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

Service Contract for the Provision of Transport Services (Train and Tram)
Report 2025—Passenger Transport Act 1994

By the Minister for Emergency Services and Correctional Services (Hon. E.S. Bourke)—

Regulations under Acts—
Planning, Development and Infrastructure Act 2016—General—
Land Use Continuance
Fees Notice under Acts—
Gaming Machines Act 1992—Approved Trading System

*Question Time***COURT BACKLOGS**

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:28): I seek leave to make a brief explanation before asking the Attorney-General a question on criminal court backlogs.

Leave granted.

The Hon. N.J. CENTOFANTI: The Report on Government Services 2025 reveals that South Australia now has the highest percentage of criminal case backlog in the nation, with 40.5 per cent of cases more than 12 months old in 2023-24. This is a sharp increase from 21.1 per cent in 2020-21, effectively doubling the backlog in just three years.

Given that lengthy delays in the justice system have serious consequences for victims seeking closure, accused individuals awaiting trial and broader public confidence in the rule of law, my question to the Attorney-General is: what specific steps is the Attorney taking to address this growing issue and ensure cases are processed in a more timely manner?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:29): I thank the honourable member for her question. It is an area that we traverse, I think, every budget estimates committee process that we have had, not just since we have been in government but I can remember as shadow attorney-general not being involved but helping to write questions on similar topics for my colleagues when the Hon. Vickie Chapman was Attorney-General.

It is the case that we are finding the complexity of criminal trials increasing. There has been a number of criminal trials in our superior courts that have lasted many, many months, with multiple defendants, and many different parts of those trials considered different evidence. It is also the case that, particularly with Operation Ironside, we have seen a significant spike in the number of serious matters, and that affects the DPP committal stages in lower courts and trials in superior courts.

Over the last few budget cycles, including in Mid-Year Budget Reviews, we have made significant investments in relation to the capacity of courts to deal particularly with Ironside matters, and also for the DPP to deal with those. We will, of course, continue to monitor the situation and receive submissions, but I do acknowledge that, as previous governments have faced the increasing complexity of criminal trials, particularly with Ironside matters, we are continuing to increase resources where they are needed.

COURT BACKLOGS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:31): Supplementary: can the Attorney outline for the council what investments in capacity he has made thus far?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:31): I am happy to get the figures and add them up over the last few budget cycles, but in terms of assistance for our superior courts, help for superior courts, for court layout, for staff in superior courts, and also for the DPP, it

would be some millions of dollars since we have been in government, and I suspect over just the last couple of budget cycles, but I am happy to go and have a summary made and collate the amount of extra funds we have put in and bring back a reply for the honourable member.

COURT BACKLOGS

The Hon. D.G.E. HOOD (14:32): Supplementary: with respect to longer cases, what tools does the government have available to itself to determine if the courts are operating efficiently?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:32): For many years in South Australia, the courts have been independent. They are not a government department or agency. The legislation that established the Courts Administration Authority ensures that. There is a global budget that is provided to the Courts Administration Authority, and it is the Courts Administration Authority that seeks to apply that.

Certainly, I know that the heads of jurisdictions of our various courts are very alive and look for ways to make the delivery of justice as effective and as efficient as possible for the people of South Australia.

COURT BACKLOGS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33): Final supplementary: is the minister concerned about the delays in sentencing and the toll that takes on victims in particular?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:33): I think we have said it a number of times, particularly in relation to initiatives and changes we have made to the law, that victims need to be at the very centre of the approach we take in a criminal justice system, and that is what we will continue to do.

PUBLIC SECTOR DIRECTIVES

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33): I seek leave to make a brief explanation before asking a question of the Minister for Industrial Relations and Public Sector regarding public sector directives.

Leave granted.

The Hon. N.J. CENTOFANTI: The Premier has issued a series of public sector directives aimed at improving efficiency, accountability and service delivery. However, the 2024 State of the Sector report published by the Office of the Commissioner for Public Sector Employment highlights concerns about inconsistent implementation, unclear accountability frameworks and resource constraints affecting the execution of these directives. My questions to the Minister for Industrial Relations and Public Sector are:

1. Has the minister read the 2024 State of the Sector report to avail himself of the information contained within that report?
2. What specific actions has the minister taken to address the deficiencies identified in the 2024 State of the Sector report?
3. Can the minister provide clear evidence that the Premier's directives are achieving measurable improvements for South Australians?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:34): I thank the honourable member for her question. I certainly have, and I have regular meetings with the Commissioner for Public Sector Employment in South Australia to discuss matters that affect public sector employment in this state. Certainly, the public sector is a very, very significant employer in South Australia. I think figures from the middle of last year show the South Australian public sector represented something like 12½ per cent of total persons employed within South Australia.

There are a range of ways that we try to make the public sector as effective and as efficient as possible. Directives provided by the Premier or the Commissioner for Public Sector Employment

are part of those. They are expected to be abided by. I know that there are regular reminders that are sent out, and there are regular meetings that are held by the heads of agencies and departments to ensure that the service that is provided is done effectively and efficiently for South Australian taxpayers.

PUBLIC SECTOR DIRECTIVES

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:35): Supplementary: has the minister read the 2024 State of the Sector report?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:35): Yes. The reports that are delivered—the annual reports, the yearly reports on the State of the Sector, the reports that are done every few years in relation to surveys as well—are all important documents that I don't just read but have meetings with the Commissioner for Public Sector Employment about.

REGIONAL EMERGENCY SERVICES

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:36): I seek leave to make a brief explanation before asking a question of the Minister for Emergency Services and Correctional Services regarding regional response times.

Leave granted.

The Hon. N.J. CENTOFANTI: The latest data released in the Report on Government Services 2025 highlights significant challenges in emergency service performances in South Australia's regional areas. Response times to structure fires in inner regional areas increased from 29.9 minutes in 2021-22 to 38.5 minutes in 2023-24. Similarly, in outer regional areas, response times rose from 21.3 minutes in 2021-22 to 29.8 minutes in 2023-24.

Compounding these concerning trends, fire service expenditure per person in South Australia has fallen sharply from \$166.74 in 2021-22 to \$145.02 in 2023-24. My question to the Minister for Emergency Services and Correctional Services is: what specific measures is the minister taking, or intending to take, to improve response times in regional South Australia, particularly in light of declining per capita expenditure on fire services?

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:37): I thank the member for her question. Obviously, response times across emergency services play a big part in how we protect our community. We see the responses coming from both our regional MFS services but also our CFS services as well. I have seen firsthand the responses that we have been putting in place with the Wilmington fire, where we had lots of people from our community coming together as an emergency service. I want to say thank you to each and every one of them for giving their time to protect our community.

I also know there have been significant investments in regard to our emergency services, with 12 news trucks going into the system but also an audit that is being undertaken. My understanding is that we can look at what services are required and where the gaps are. My understanding is there is an audit underway, and that investments have been made in new appliances across our system.

REGIONAL EMERGENCY SERVICES

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:38): Supplementary: the minister talked about significant investment into emergency services. Where are those new appliances being located around our state? Are they in regional areas?

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:39): Yes, they are across the board. My understanding is that they are across the board and going into different regions to support our community.

REGIONAL EMERGENCY SERVICES

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:39): Supplementary: can the minister outline where specifically—and I am happy for her to take it on notice—those appliances are located?

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:39): I am happy to provide a further breakdown and take it on notice.

AGRIFUTURES RURAL WOMEN'S AWARD

The Hon. M. EL DANNAWI (14:39): My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the four South Australian women who were recently selected as finalists for the AgriFutures Rural Women's Award?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:40): I thank the honourable member for her question. I am very pleased to inform the chamber about the four inspiring South Australian women who were selected as finalists for the AgriFutures Rural Women's Award: Marie Ellul from Adelaide, Emma Gilbert from Clarendon, Annabelle Homer from the Clare Valley and Kelly Johnson from the Murraylands.

These four women are now in the running to win a \$15,000 Westpac grant to support either an existing project, business or program, with professional development opportunities and access to alumni networks. Marie Ellul is a leader in livestock reproduction technologies, who combined her love of agriculture with her expertise as a reproductive scientist to create ART Lab Solutions, which offers world-leading reproductive technologies for cattle breeding. I am advised that IVF for cattle can accelerate the improvement of livestock quality for breeders.

Emma Gilbert is an entrepreneur who developed the app IncubatePro, which enables egg farmers to track and monitor poultry hatches. This allows farmers to analyse egg fertility and to monitor the performance of various bloodlines' fertility and productivity. I am advised that the app also enables someone to monitor variables, including temperature, for example, and its effect on hatch rates. Interestingly, the app is also used in kindergartens and schools to help students learn in a hands-on way about farming and sustainability.

Annabelle Homer is a former broadcast journalist turned professional voice coach, who started her business Voice It to help support regional young people and adults to be effective communicators in interview opportunities for podcasts and radio and in public speaking roles at industry events. Finally, Kelly Johnson is the owner and founder of SPhiker, which produces high-quality plant-based food to create lightweight shelf-stable meals for hiking, cycling and sailing. They use surplus and second-grade produce, purchased directly from farms, reducing food waste and supporting responsible use of resources.

The South Australian winner will be announced on 8 April this year and will go on to represent the state at the national AgriFutures Rural Women's Award gala dinner, held in Canberra later this year. The winner of the national award receives an additional \$20,000 Westpac grant and the runner-up receives a \$15,000 grant. The AgriFutures Rural Women's Award is the country's leading accolade in acknowledging and celebrating the fundamental role that women play in rural South Australia, in industry, businesses and communities. The state government, through PIRSA, is proud to sponsor this great initiative.

All four women are incredible finalists, and I congratulate each of them on their innovation and dedication to bringing about positive change in South Australia's regional and rural communities. I wish Marie, Emma, Annabelle and Kelly the best of luck.

OMBUDSMAN

The Hon. S.L. GAME (14:42): I seek leave to direct a question to the Attorney-General regarding complaints submitted to the Ombudsman.

The PRESIDENT: Do you seek leave to make a brief explanation before asking or do you just want to ask him a question?

The Hon. S.L. GAME: I seek leave to make a brief explanation.

Leave granted.

The Hon. S.L. GAME: The percentage of complaints not being investigated by the Ombudsman has risen from 17.53 per cent in 2019-20 to 23.92 per cent the following year, to 54.64 per cent in 2022-23 and then to 88.48 per cent in 2023-24. In the year ending 30 June 2024, of the 2,685 complaints about government departments, 2,376 were not investigated. These decisions not to investigate were made under section 12H(1)(c) of the South Australian Ombudsman Act 1972 because each complaint was considered 'trivial, vexatious or frivolous', or it had been decided there is no reason to re-examine these complaints. Complainants are then prevented from talking about these decisions. My questions to the Attorney-General are:

1. Can the Attorney-General reassure the public that confidentiality provisions, which carry the threat of large fines or imprisonment, aren't being used to cover up systemic wrongdoing or malpractice in government departments?

2. What is the explanation for the increase in the number of complaints about government departments not being investigated on the basis that it is not in the public interest to do so?

3. Will the Attorney-General commit to establishing an independent review of decisions where the Ombudsman has used his discretion under section 12H(1)(c)?

4. Will the government amend section 12H(1)(c) so that confidentiality only applies in a case where the matter has been investigated?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:44): I thank the honourable member for her question. The Ombudsman is an independent statutory officer who carries out her functions without fear or favour, or influence from government, so any suggestion that there is some systemic desire by government to try to hide things by the way the Ombudsman conducts herself is not something that could happen, given the independent nature of the Ombudsman.

In relation to dissatisfaction with decisions taken by the Ombudsman, there are significant rights of appeal to SACAT for people who are dissatisfied with certain elements. I am not aware of any instance where there has been an attempt to try to hide wrongdoings of government by confidentiality provisions in relation to complaints made to the Ombudsman.

I have no reason not to have confidence that the Ombudsman conducts her work, and that her office conducts its work, in the most professional way.

ADELAIDE CROWS, FREE TICKETS

The Hon. C. BONAROS (14:46): I seek leave to make a brief explanation before asking the newest minister in the house—and I'm not sure under which portfolio—a question about the provision of free tickets for home games at the Adelaide Crows Football Club for children and young people in care.

An honourable member interjecting:

The Hon. C. BONAROS: That's it—Recreation, Sport and Racing.

Leave granted.

The Hon. C. BONAROS: A week ago the Department for Child Protection put out a media release entitled, 'Hundreds of free tickets to Crows home games for children in care', proudly announcing a pledge to provide 500 total complementary AFL tickets to children in care this season.

The release details that under the scheme the Adelaide Crows Foundation will provide 25 tickets to DCP for distribution and another 25 to non-government care providers across 11 home games. My questions to the minister are:

1. How many, if any, tickets have been provided to DCP in previous years?

2. Is this a new initiative?

3. How does it compare to the provision of free tickets in previous years?

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:47): I thank the honourable member for her question. I am advised that the Department for Child Protection and the Office for Recreation, Sport and Racing have a joint plan of action to ensure that children in contact with the system have every opportunity to engage in recreation and sporting life.

The joint plan has three priority focus areas: increasing awareness of the benefits and the opportunities to participate in sport and recreation activities; increasing understanding of the needs and experiences of children and young people in care; and establishing a partnership with sporting clubs and associations to benefit children and young people in care.

I am also advised that DCP has established a strong relationship with several sporting organisations, including the Adelaide Football Club, and the Crows regularly provide an allocation of football tickets to Adelaide Crows home games for children and young people in their care.

The Minister for Child Protection joined the club last week to announce the allocation of 500 tickets to children and young people who have been in contact with child protection and family support systems. I am advised many people have been included in this discussion and tickets have been allocated, including informal care arrangements where the department is working with those families. I understand organisations such as Grandcarers SA have also been contacted in relation to these announcements.

Sport is a powerful part of our community life and we want everyone in our community to be able to participate. I am happy to look into those numbers further and get a briefing on that and provide that to you as well.

TARRKARRI CENTRE FOR FIRST NATIONS CULTURES

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:49): I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs questions on Tarrkarri.

Leave granted.

The Hon. H.M. GIROLAMO: Tarrkarri promised to be a world-class facility but has faced significant delays since Labor came into office. The project remains in limbo, causing frustration among stakeholders. Within the media it is considered that the Premier is avoiding making a definitive decision on the project, as is outlined in a recent InDaily article, on 6 February, by Mike Smithson, and I will quote:

...the Premier doesn't have the courage, or perhaps the folly, to officially knock it out of the park and finally put several interested and frustrated parties out of their misery.

The article also noted:

The sensitive notion of 'shooting Bambi' in the lead up to the March 2026 state election is a path the Premier won't be treading as it's a potentially bad look...

My questions to the minister are:

1. What is the government's plan for the future of Tarrkarri?
2. When is it going to start?
3. What advocacy has the minister made in regard to the future of Tarrkarri, or will it have a fate similar to the old Le Cornu site at North Adelaide, where it was bulldozed in the late eighties and the first sod was turned only in 2022?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:50): I thank the honourable member for her question. Tarrkarri remains the same as it has been since I was last asked questions—that is, that there is money committed by the state government, money committed by the federal government. But the honourable member talked about a 'world-class facility'. The advice we got pretty quickly on coming to government was the amount that had been budgeted by the former

government would not provide a world-class facility. It would provide something that would be of local interest, perhaps some national interest, but certainly not a world-class facility.

As the Premier said, we are still in discussions about finding further outside corporate or philanthropic funding and continuing discussions with the federal government.

TARRKARRI CENTRE FOR FIRST NATIONS CULTURES

The Hon. T.A. FRANKS (14:51): Supplementary: are the funds allocated to Tarrkarri in the Adelaide City Deal in any way time limited?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:51): I thank the honourable member for her question. Not that I am aware of.

EMERGENCY SERVICES VOLUNTEERS

The Hon. T.T. NGO (14:51): My question is to the Minister for Emergency Services and Correctional Services.

The Hon. K.J. Maher: The newest minister.

The Hon. T.T. NGO: The newest, yes, correct. Can the minister tell the council whether she has spoken with emergency services volunteers since being sworn in as minister?

Members interjecting:

The PRESIDENT: Order!

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:52): As the honourable member said, look at my Facebook. Since being sworn into this role I have had the pleasure of listening and connecting with many members of our community who are the backbone of the emergency services sector, volunteers like Heidi from Sevenhill in the north region—

Members interjecting:

The Hon. E.S. BOURKE: Sorry? I thought I missed a running joke or something there—who chose to sign up to the State Emergency Services because she saw a sign for a volunteer training night as she was walking down her main street. Five foot nothing and with a medic background, Heidi thought, 'Why not?' and went along to her training night, where she was the only woman in attendance. Now she is a fierce unit manager, who I understand has just been re-elected to her volunteer association position. Heidi is one of the many volunteers I have had the privilege of listening to over the last few weeks. Her ongoing dedication to helping those in her community, like that of her team and volunteers across the organisation, is commendable. They put their lives on the line for their community.

When I was chatting to Heidi and listening to her SES stories she recalled one of the times she was called to a job where a person was injured in a confronting incident. Often SES volunteers like Heidi are called into difficult situations and sometimes their job might be to hold someone's hand while they are waiting for help. A couple of years later, by coincidence, Heidi saw the same person walking down the street. As they passed one another they both recognised each other and that moment was not forgotten. He thanked her for showing up and being there for him.

Emergency services volunteers take time away from work and their families to provide their services to their community, not for thanks or accolades but because it is the right thing to do. Listening to Heidi's story and the stories of many other volunteers mere hours after being sworn into this portfolio area is a good reminder that it is a portfolio area focused on people—volunteers and staff who spend their time keeping people safe, protected and connected.

EMERGENCY SERVICES VOLUNTEERS

The Hon. B.R. HOOD (14:54): Supplementary: in the minister's discussions with the volunteers of emergency services, have any of those volunteers raised issues with the volunteer support from the CFS?

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:54): I have had many conversations with people across South Australia from the different regions for the CFS and the overwhelming response is how much they love giving back to their community. Being a valued member of the community is their primary focus and, as I have said to each and every one of them that I have spoken to: my door is open and I am willing to hear their stories and I will be listening to them.

GREYHOUND RACING

The Hon. T.A. FRANKS (14:55): I seek leave to make a brief explanation before addressing a question to the Minister for Recreation, Sport and Racing on the topic of acceptable greyhound racing death and injury rates.

Leave granted.

The Hon. T.A. FRANKS: Australia is an outlier when it comes to mixing greyhound racing with betting and has by far the largest commercial greyhound racing industry in the world. But that field is small. Including our nation, only seven countries globally continue to have such an industry and even that has numbers steadily decreasing. For example, there are only two tracks left in the US and both are in West Virginia.

The New Zealand government has recently banned greyhound racing due to an 'unacceptable injury rate'—an injury rate of 25.17 per thousand starters. In the financial year 2022-23, Greyhound Racing SA reported that the injury rate here in our state was higher than that, with 29.4 injuries per thousand starters. We don't know yet what last year's figures are because Greyhound Racing SA is yet to publish its 2023-24 annual report, online at least, and I believe they are the only state greyhound racing body yet to do so.

But what we do know is that in that year 17 greyhounds died on South Australian tracks, compared to 12 in 2023. Greyhound tracks are inherently dangerous. The oval tracks of South Australia cause the dogs to bunch together at turns and running at 60 km/h serious injuries are inevitable. According to the Coalition for the Protection of Greyhounds, 71 per cent of SA racing deaths in the last year were catastrophic injuries suffered at track turns and 88 per cent of those fatal injuries were leg fractures, which could have been treated.

My question to the minister therefore is: what is the greyhound death and injury rate per thousand starters that the Malinauskas government will deem acceptable for this cruelty to continue?

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (14:57): I thank the honourable member for her question and her ongoing interest in this space, and for good reason. As members in this chamber know, the Graham Ashton recommendations are clear: the greyhound industry must change urgently or lose broader support from the South Australian community to continue to operate. I am happy to have ongoing discussions in this space with the member and other members of this chamber because we need to make sure that the integrity is kept in this space. I am happy to keep having these conversations and take on that data and get a response back to you as well.

ANTISOCIAL BEHAVIOUR

The Hon. J.M.A. LENSINK (14:58): I seek leave to make a brief explanation before directing questions to the Minister for Aboriginal Affairs in relation to the CBD.

Leave granted.

The Hon. J.M.A. LENSINK: There have been ongoing reports and concerns regarding antisocial behaviour in Adelaide city, particularly in relation to alcohol consumption. More recently, Professor Scott Wilson, chair of the Aboriginal Drug and Alcohol Council, has stated that people experiencing homelessness and transient populations have limited access to targeted social services. He has also raised concerns about the accessibility of alcohol in the city and suggested that restrictions similar to those in Coober Pedy or Alice Springs should be considered. My questions for the minister are:

1. What is his understanding of which First Nation groups are currently congregating in Adelaide in relation to these matters?
2. What discussions has the minister had with Professor Wilson or other stakeholders regarding these matters?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:59): I thank the honourable member for her question. In relation to the last question, what discussions have I had with Scott Wilson, I regularly have discussions with Scott Wilson. Apart from his work at ADAC (the Aboriginal Drug and Alcohol Council), Scott Wilson is the chair of SAACCON (the South Australian Aboriginal Community Controlled Organisation Network). Scott Wilson is also the South Australian representative on the Joint Council on Closing the Gap from the Aboriginal community controlled sector.

Scott Wilson and Pat Turner, the head of the Aboriginal community controlled organisations and Closing the Gap, not only have regular meetings with myself and other Aboriginal affairs ministers but I think have met every minister in the South Australian government at least once to discuss matters to do with programs and Closing the Gap.

In relation to matters to do with the Adelaide CBD, there are a range of measures that have been put in place from a law and order perspective but also, and possibly more importantly, for providing services. I know the member, when she had responsibility for human services, particularly during the COVID era, there were a range of services that were provided for Aboriginal people who were not from Adelaide who found themselves in Adelaide and particularly during COVID had difficulty getting back, leaving Adelaide to return to country.

I am happy to take on notice some of the other support services provided. I don't have a complete list and many of those that are provided are through the Department of Human Services. I will be happy to take it on notice and provide a more complete answer as to some of those support services that are provided.

There have been various conditions placed on liquor licences in the CBD for availability of alcohol. It is something that we will be continuing discussions on. I know that not just in the CBD but I think the honourable member mentioned other places like Port Augusta, Coober Pedy or Ceduna that from time to time have variations to their liquor licensing regime—certainly the commissioner for liquor licensing implements these from time to time, often in discussion and on the advice of Aboriginal elders.

The honourable member also asked, I think, what groups congregate in Adelaide city. I know that there are a wide number of Aboriginal people from right around the country who find themselves for various reasons in Adelaide and the Greater Adelaide region and the CBD, from the West Coast of South Australia, the northern areas of South Australia, the Riverland, the South-East, and also from across the border in the lower parts of the Northern Territory, and the tri-border area in Western Australia. There are numbers of Aboriginal people who for family and for other reasons, medical reasons, find themselves in Adelaide from right around Australia.

ABORIGINAL PARK RANGERS

The Hon. J.E. HANSON (15:02): My question is to the Minister for Aboriginal Affairs. Will the minister inform the council about the new Aboriginal park rangers employed to increase Aboriginal management of South Australia's natural environment?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:02): I thank the honourable member for his question. I am proud to inform the chamber about the success of employing 15 new Aboriginal park rangers to manage South Australia's special natural environment. This initiative talks to our commitment to conservation, cultural heritage and economic empowerment. Launched in 2022, responding to an election commitment, it is a partnership that harnesses the deep knowledge and expertise of First Nations people in caring for country.

The new rangers are now working in national parks across South Australia from the Limestone Coast and Eyre Peninsula to the Far West Coast, Flinders Ranges, Kangaroo Island and the Adelaide and Mount Lofty Ranges. The contribution of the rangers to our parks is profound and the program is a key element of our broader effort to increase Aboriginal involvement in the management of protected areas.

Through this initiative, we are enhancing the capabilities of the National Parks and Wildlife Service while also honouring Aboriginal traditions and knowledge. It is a co-management model that has been established for some time in South Australia's national parks, spanning across an impressive 13.5 million hectares, equating to some 13 per cent of the land area of South Australia. This approach is not only a practical model for land management but also plays a vital part in supporting culture, storytelling and language, ultimately providing a richer experience for people visiting our national parks. By combining traditional knowledge with contemporary practices, we are not just managing parks; we are safeguarding our shared heritage for generations to come.

FRUIT FLY

The Hon. F. PANGALLO (15:04): I seek leave to make a brief explanation before asking the Minister for Primary Industries a question about the very serious consequences of fruit fly outbreaks in Adelaide.

Leave granted.

The Hon. F. PANGALLO: Queensland fruit fly has been detected in backyards in Glynde and Campbelltown, resulting in heavy-handed government red tape now threatening to destroy the livelihoods of our major apple, pear and strawberry producers, as well as organic fruit producers in the Adelaide Hills—farms that do not have fruit fly. Just like they did with some tomato growers, PIRSA's kneejerk overreach is already starting to bite painfully hard. PIRSA has imposed a 15-kilometre radius restriction zone from those outbreaks, which takes in the Hills and extends to the coast, and which will be in place until at least the end of April.

I met with worried producers last week who told me that severe restrictions on the movement of their fruit and time-consuming paperwork to certify each lot of fruit leaving their farms is strangling them. PIRSA is also telling them their fruit will need to be fumigated, which one large sixth-generation grower does not want to do because he does not want his fruit contaminated with methyl bromide, a highly toxic chemical.

It goes without saying, fumigating is totally unacceptable to the organic growers. Here is where it gets ridiculous: while these growers can still send their fruit interstate, which costs them more, they cannot sell it anywhere within this large yellow zone, but, for some reason only a PIRSA bureaucrat can explain, they can give it away for free. It seems fruit fly can distinguish between what is paid and free fruit.

One distressed organic raspberry and strawberry farmer was threatened with prosecution by PIRSA's Stasi-like inspectors at the farmers' market for simply having a sign inviting customers to consider making a tiny donation for his farm whilst still giving away his produce for free. He says he will now have to lay off his workers.

Meanwhile, a commercial strawberry farmer risks losing hundreds of thousands of dollars if he decides to replant and says he may have to dump tonnes of fruit. Growers are also being told they will have to install hundreds more fruit fly traps on their properties and monitor them. Producers want the zone restricted to 7.5 kilometres and are urging the government to come up with the \$60 million in funding they have been promised for an irradiation unit at the Pooraka SA Produce Market. My questions to the minister are:

1. Will she now act in her state's best interests and meet with her fellow ministers to have national protocols changed regarding these restrictive zones?
2. Can she explain why it is okay to give fruit away but not sell it in these zones; and what is wrong with seeking unspecified donations?

3. Will the government now do what happens in places like California and have regular and widespread releases of sterile fruit flies across our metropolitan area to protect our fragile fruit fly free status before it's too late, as it is in the Riverland?

4. When will the Treasurer stump up the money that is now urgently needed to establish an irradiation facility at the SA Produce Market in Pooraka?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:08): I thank the honourable member for his question and the opportunity to clarify some of the misleading statements that might have been made. It's important to note that under the Australian national fruit fly management protocol there are specific requirements that need to be undertaken in the event of a fruit fly outbreak, which are beyond the control of individual states—that's because it is a national protocol.

There have been, for a number of years, agreed movement pathways for commercial fruit movement under outbreak conditions. These pathways are agreed with the commonwealth and the other jurisdictions and they include interstate certification assurance (ICA), and control arrangement (CA) programs that require documentation and accreditation. South Australia's pest-free status and the movement of fruit that comes from its \$1.3 billion industry depends on complying with these requirements from interstate jurisdictions and the commonwealth.

Commercial produce grown within the red and yellow suspension zones must be treated and accredited to prevent the further spread of fruit fly before it leaves those zones. The size of the zone, such as the 15-kilometre yellow suspension zone, is set by the national protocol and the Department of Primary Industries and Regions has pursued this topic many times with the commonwealth and the other jurisdictions. However, to date we have not been able to get unanimous agreement. I note that unanimous agreement is what is needed to change these national protocols.

At a meeting last year, the case was put—as I understand it, by South Australia it was put very strongly and very well—but unfortunately we did not get unanimous agreement, and therefore we have to live with the national protocol, which is a 15-kilometre suspension zone. The irradiation facility planned to be located at the South Australian Produce Market is part of a project funded in conjunction with our government, the commonwealth, the produce markets and private investors. The South Australian Produce Market is leading the business case and development of this planned project, and I look forward to continuing to engage with them as the project continues.

In terms of sterile insect technology, when that can be used is also subject to part of the national and international protocols. It is currently being planned as part of the response activities to help eradicate not only the Glynde outbreak but also the Salisbury North outbreak. Releases of sterile flies in Adelaide occurred in August last year and will be resumed probably in March this year. However, again, we need to be guided by both the evidence and the protocols.

SIT (sterile insect technology) must be used after the other eradication tools, such as trapping, baiting and hygiene measures, and they are used to ensure the final eradication. In general we cannot use sterile insect technology as a preventative, and that is because, according to my advice, international protocols do not allow this. Personally, I think there would be a lot of benefit in being able to do so, and we will continue to work towards that end.

FRUIT FLY

The Hon. F. PANGALLO (15:11): Supplementary: will the minister stand up for local producers—and we are talking about some of the biggest in the country—and seek to change those protocols to stop them from going broke?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:12): I have done and I will continue to do so.

FRUIT FLY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:12): Supplementary: the minister spoke about the department, but has the minister herself spoken to her interstate colleagues about reducing the suspension zone for Queensland fruit fly to 7.5 kilometres, given that scientific

papers show that 90 per cent of Queensland fruit fly will range only 600 metres from where they emerge?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:12): I have had multiple discussions on the topic of fruit fly, and the national protocols as well as the international protocols. I might also add that if any honourable members would like to put any of the growers they are talking with in contact with my office, I am more than happy to provide them with additional information. I met last week with Fruit Producers SA as part of my regular meetings with the industry, and I am very confident that they are well aware as an association of the protocols and requirements of them, and we will continue to work together to support producers as far as is possible through this difficult time.

FRUIT FLY

The Hon. F. PANGALLO (15:13): Supplementary.

The PRESIDENT: The Hon. Mr Pangallo, your final supplementary. I need to move on.

The Hon. F. PANGALLO: No problem. Is the minister aware that in California there are regular drops of sterile fruit flies, which are done to protect their fruit industry, so that happens regardless of any international protocols?

The PRESIDENT: Minister, you can choose to answer, but I never heard 'California' in any part of your original answer. The Hon. Mr Pangallo sit down. The minister is on her feet and it looks like she is prepared to provide an answer, and then we will move on.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:14): I am happy to answer that in relation to sterile insect technology release. International protocols are for particular market access; for example, the protocols from Korea might be different from the protocols from Vietnam or elsewhere in the world. My expectation, although it is speculation at this time, is that the markets for the California produce are operating under different protocols with different markets within the global economic community.

WILMINGTON FIRE

The Hon. B.R. HOOD (15:14): I seek leave to make a brief explanation prior to addressing questions to the Minister for Emergency Services regarding CFS protocols.

Leave granted.

The Hon. B.R. HOOD: The opposition has been advised by Wilmington locals that their local CFS volunteers and farm firefighting units were denied proper access to contain the Wilmington scrub fire in the Mount Remarkable National Park. The fire, which ignited on 8 February, had reached the boundary range of some 60 kilometres by 12 February. Line containment from prescribed burn-offs and clearance was effective during the first two days, concentrating on the north-western boundary outside the national park, and praise goes to the 70-plus CFS volunteers and farm firefighting units who worked tirelessly in hot conditions right throughout the Wilmington scrub fire.

However, we heard from frustrated locals that while the outside of the park was managed competently there were concerns regarding the DEW staff's containment measures inside the park boundaries. The opposition has received advice that CFS volunteers were denied access by the national park rangers because they did not want burn-offs or bulldozers to create containment lines within the park. In a local's own words: 'We are not allowed to fight the fire our way in our own home region.'

Containment lines were subsequently breached and the fire front spread to the south and east over the next two days, as northerly winds increased. My questions to the Minister for Emergency Services are:

1. Is it normal protocol for the CFS to be denied access to a national park by a national park service during an emergency such as a bushfire?
2. If so, does the minister believe this is helpful or warranted?

3. Does the minister agree that local CFS members and farm firefighting units with intimate local knowledge should be a part of the decision-making process in regard to fire containment in their home regions, even if that involves public lands?

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:16): I am more than happy for the member to forward those concerns to me, so I can directly reach out to them, because last time in question time the concerns you were raising were unfounded. I would more than appreciate getting the feedback that you are raising directly.

The Wilmington community has been working particularly hard, between aerial strikes and volunteers from CFS, MFS, SES, St John's and a range of different communities who have been going to Wilmington. I have been there myself and have heard firsthand from the community about how hard they have been working.

I have been to the primary school. The primary school also identified their thoughts about the local farmers and the CFS and the volunteers who are supporting the Wilmington community. They have made those thoughts and that message very clear to that community. On the front fence of the primary school is 'They rock'. They are the core of the community. There are people from across the entire state who have come to support during this fire and emergency.

To go into the details, I am advised that on 3 February 2025, at around 5.30pm, the CFS responded to a scrub fire near Alligator Gorge in Mount Remarkable National Park in the Flinders Ranges. I understand that due to the thick scrub and the hard-to-access terrain the fire continued to burn. You can appreciate that this is not a flat surface. It is very rugged terrain and requires a coordinated attempt that is done through a central agency.

I am advised that within three hours of the fire starting it was declared as a level 2 incident, with the escalation to a level 3 incident the following day. I am advised that six strike teams, involving more than 150 firefighters per day, aircraft and farm fire units have worked to establish and maintain a perimeter around the fire and to extinguish the hotspots.

As you have suggested, this is a large fire, over 4,650 hectares in steep and inaccessible terrain at most times. The total perimeter is approximately 58 kilometres. This fire, because of a lot of the aerial strikes, was able to be maintained to the size that it was, and only one structure was lost, being a toilet.

I would like to say thank you to the many who have been involved in this fire. It could have been a lot worse but because of the actions that were taken by many there was only one structure lost. We also have to think of the individual, the volunteer, who was impacted by this. As I mentioned in a ministerial statement to this chamber in my very first question time, there was one firefighter injured, a volunteer, and my thoughts are with him and his family.

WILMINGTON FIRE

The Hon. B.R. HOOD (15:19): Supplementary: does the minister think it is normal protocol for our brave CFS volunteers to be denied access to national parks by the National Parks and Wildlife Service during an emergency, such as a bushfire, as was my original question?

Members interjecting:

The PRESIDENT: Order!

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:20): Central coordination is always important, and also the safety of our firefighters is always paramount.

WILMINGTON FIRE

The Hon. B.R. HOOD (15:20): Supplementary question arising from the original answer: can the minister advise the chamber what was unfounded about my previous question in the last sitting week?

The PRESIDENT: Minister, you did mention it.

Members interjecting:

The PRESIDENT: Excuse me. Calm down. It very much did arise from the original answer. The minister went there, so the minister can answer the supplementary question.

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:20): I just want to provide an update in regard to an appliance that was referred to, and that Mount Gambier was not being serviced because an appliance was in service. The appliance has been replaced with a heavy urban pumping appliance. It has the same pumping capacity and can deliver the same kind of response for the community, considering the concerns that were raised.

We have also heard commentary on the radio in Mount Gambier this week, advising, I believe, that the opposition was declaring that there was not 24/7 access to emergency services in Mount Gambier through the MFS. It is also of concern, considering we were going into a hot week, that the community had fears that they didn't have access to MFS services 24/7, 365 days of the year. I am advised that that is incorrect. There are MFS services available 24/7. Through the day they are available through career firefighters and in the evening through retained firefighters. This is an incredible service. They not only reach the national benchmark, I am advised they exceed the national benchmark in their response times.

Obviously, I would love to hear and see the information you are providing, see the facts, see the individuals and hear the responses—

Members interjecting:

The PRESIDENT: The Hon. Mr Hunter! Order!

Members interjecting:

The PRESIDENT: Order! Finish your answer. We are moving on.

The Hon. E.S. BOURKE: I guess when members of the community in Mount Gambier are being told that those opposite us can provide a 24/7 MFS service for \$1 million, I believe were the comments made via radio—I don't know where you are getting your costing from. It is incredibly concerning since your Leader of the Opposition was the Minister for Emergency Services and they are now costing a new station at \$1 million.

Members interjecting:

The PRESIDENT: Order!

The Hon. E.S. BOURKE: I would just like you to provide the facts.

SA GRAIN INDUSTRY AWARDS

The Hon. R.B. MARTIN (15:23): My question is to the Minister for Primary Industries and Regional Development. Will the minister please update the chamber about the recent inaugural Grain Industry Awards night hosted by GPSA?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:23): I appreciated the opportunity to recently join over 300 industry leaders, grain producers, researchers, agribusiness professionals, along with many members from this place, as well as the Hon. Tony Piccolo from the other place, at an amazing event celebrating the individuals and businesses driving innovation, sustainability and leadership in the grains industry here in South Australia.

The event was sponsored by PIRSA and was the inaugural South Australian Grain Industry Awards held at Adelaide Oval, and it was the perfect opportunity to acknowledge the important role the industry plays here in South Australia. The estimated farmgate value of the grains industry in South Australia is currently \$2.1 billion, which as members would acknowledge is down on the bumper crops of recent years, due to the ongoing challenges associated with the drought and other challenging weather conditions.

Despite these challenges, the industry took the opportunity to acknowledge the significant contribution the industry makes and continues to make by feeding the nation, along with being a key contributor to the South Australian economy. I congratulate Grain Producers South Australia and its CEO, Brad Perry, and his team for initiating this inaugural event to highlight the importance of the industry.

Some of the major announcements at the dinner included the announcement of the first South Australian Grains Industry Hall of Fame inductees, which honoured five individuals whose contributions have shaped the industry over generations. I want to take this opportunity to congratulate the winners of the inaugural awards night and acknowledge the significant contribution they have all made to this critical industry.

The Innovation Award was won by Sam Trengove, who was recognised for his outstanding contributions to agronomic research and development, including groundbreaking trials that are set to revolutionise farming practices, particularly in low rainfall years, which is obviously particularly pertinent at the moment. The Sustainability Award was won by Tim Paschke, acknowledged for his commitment to soil health and sustainable farming techniques, achieving remarkable production results despite minimal growing season rainfall.

The Women in Grain Award was won by Lou Flohr, celebrated for her leadership and influence in the grains industry, including her active roles in governance, advocacy and industry mentorship. The Industry Impact Award was won by Professor Christopher Preston, who was recognised for his significant contributions to agricultural research and advocacy for responsible chemical use in broadacre farming.

The Young Grain Producer of the Year is Jock McNeil, acknowledged for his innovative approach to farming in the Mallee and his leadership in adopting new technologies to manage soil and weeds. Andrew Polkinghorne is the Grain Producer of the Year, recognised for his forward-thinking approach to farming, global research on grain industry trends through a Churchill Fellowship, and lessons applied in succession planning processes within his family business.

I also want to congratulate the inaugural inductees of the South Australian Grains Industry Hall of Fame. Interestingly, two particular awards were for historical inductees. Given this was the first grains awards night of its type, that was particularly fitting. First of all, in terms of historical inductees, was John Ridley, the inventor of the Ridley stripper, which was the world's first successful mechanical grain harvester and of course revolutionised globally grain production. Richard and Clarence Smith were the pioneers of the stump-jump plough, an innovation that allowed for broadacre cropping on previously unusable land.

Then we came to the modern inductees. John Lush is a highly respected grains industry advocate, the inaugural chair of Grain Producers SA and a key figure in industry leadership at both state and national levels. Dr Allan Mayfield is a renowned researcher, agronomist and industry leader, with a legacy in grains research and development. Ken Schaefer was sadly a posthumous inductee, but he was a passionate industry advocate who was instrumental in establishing the South Australian Grain Industry Trust, supporting millions of dollars in research funding.

I am sure everyone in this place will join me in congratulating all the award winners and inductees into the grains hall of fame. Once again, I thank the entire grains industry for hosting this wonderful event.

LIV GOLF

The Hon. R.A. SIMMS (15:28): I seek leave to make a brief explanation before addressing a question without notice to the Minister for Recreation, Sport and Racing on the topic of LIV Golf and the Adelaide Parklands.

Leave granted.

The Hon. R.A. SIMMS: On Sunday, the Premier, the Hon. Peter Malinauskas, announced plans to redevelop the North Adelaide Golf Course as part of a deal to secure LIV Golf's future in Adelaide. In making the announcement, the Premier indicated his desire to work with the Adelaide City Council in advancing any redevelopment, but he also indicated that backup legislation was an

option that he could pursue. The Hon. Connie Bonaros and the Hon. Sarah Game were both quoted in the Premier's media release and have stated their intention to provide support for any legislation. My question to the Minister for Recreation and Sport therefore is:

1. Has the minister been briefed on any potential backup legislation required to redevelop the golf course?
2. Can she confirm whether legislation will in fact be required?
3. Will the minister table any draft bill in this chamber this week so that all members of the parliament have an opportunity to see it, or is this just another secret One Nation deal?

Members interjecting:

The PRESIDENT: Order!

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:29): I thank the honourable member for his question. Obviously, decisions made by other members in this chamber are their decisions and their conversations to be had.

LIV Golf is an incredible event that brings many to our community from across the world, as the member knows. I think the Premier made it clear in his public comments that he is working with the community, with the local council, and that his door is open. I encourage the honourable member to knock on that door and go and have that conversation with the Premier.

Bills

SUMMARY OFFENCES (KNIVES AND OTHER WEAPONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 6 February 2025.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:30): I rise today to speak on behalf of the Liberal opposition on the Summary Offences (Knives and Other Weapons) Amendment Bill 2025, introduced by the Attorney-General, the Hon. Kyam Maher, on 6 February 2025. This bill proposes critical amendments to the Summary Offences Act 1953 following the government's review of knife crime, mounting pressure from the opposition and public sentiment.

Knife crime has been on the rise, and the opposition has long called for comprehensive legislative reform to address this serious issue. On 30 October 2024, the shadow minister for community safety, police and correctional services, Mr Jack Batty MP, took the initiative by introducing the Summary Offences (Unlawful Selling of Knives) Amendment Bill 2024 as a private members bill. That bill made it an offence to sell a knife to anyone under the age of 18. We, the opposition, felt we had to do something because this government was doing nothing.

Clause 5 of the government's bill adopts this reform put forward by the shadow minister but, notably, removes exemptions for minors involved in lawful occupations, education or training. This is a stark departure from the Attorney-General's own remarks in a radio interview on 29 October 2024, when he stated that such exemptions were necessary. The government's sudden change of stance raises questions about the consistency, rationale and indeed lack of consideration and scrutiny behind its legislative approach.

Beyond this, this bill makes several other key amendments, largely aligned with proposals outlined in the government's discussion paper released six months ago. Key provisions of the bill include clause 6, which introduces new sections 21DA, DB and DC, namely, creating offences for supplying knives to minors who later commit offences, failing to display prohibition notices at points of sale, and failing to secure knives in retail premises, and clause 7, which expands the offence of carrying a knife in a public place or school to include childcare centres, preschools, universities and TAFE campuses. They also include clause 8, which amends section 21L to allow police to search individuals suspected—and not just known—to be subject to a weapons prohibition order, and clause

9, which inserts a new part 14C aimed at strengthening police search powers at events locations where public safety concerns are heightened. This includes:

- division 2, which provides police with expanded search powers based on previous section 72B provisions;
- division 3, which enhances these powers to include the use of metal detectors;
- division 4, which allows for metal detector searches of individuals convicted of certain offences, former criminal organisation members and other prescribed persons;
- division 5, which authorises metal detector searches at declared locations including shopping precincts, public transport hubs and licensed premises;
- division 6, which empowers police to search vehicles entering or leaving these declared locations; and
- divisions 7 and 8, which introduce offences for obstructing or failing to comply with lawful searches.

Clause 10 repeals now-redundant sections 72A, 72B and 72C, and, finally, clause 11 foreshadows the addition of machetes to a list of prohibited weapons, a reform the opposition has been also advocating for months.

This is long overdue reform. While we welcome the government's belated action on this issue, we must highlight the fact that these reforms should have been introduced much earlier. The opposition has repeatedly called for stricter knife crime laws, yet the government has only acted under increasing public and political pressure. The delay in implementing these reforms has left communities vulnerable to continued knife-related violence. We therefore propose an amendment to the bill's commencement date to ensure that the majority of these provisions take effect immediately upon assent rather than awaiting proclamation. Given the urgency of the knife crime crisis, there is no justification for further delays in enforcing these protections. I note there is a carve-out in this amendment for the retail industry, allowing them time to adjust as necessary.

Public safety must be our highest priority. This bill introduces necessary reforms, many of which the opposition has long championed. We will support this legislation, but we will continue to hold the government accountable for its delays in acting on this critical issue, and we urge all members to support our amendment to expedite these measures and ensure that South Australians are protected without unnecessary bureaucratic delay.

I also acknowledge the amendment from the Hon. Ms Bonaros and am pleased to inform the chamber that she has the support of the opposition. I also acknowledge the amendment from the Hon. Frank Pangallo and am also pleased to inform the chamber that, whilst I have a question or two on his amendment, broadly we are supportive of that amendment as well.

Let us not allow politics to stand in the way of protecting our communities. The time for action is now, and in doing so we commend the amendment bill to the chamber.

The Hon. S.L. GAME (15:37): I rise to make a contribution to the government's Summary Offences (Knives and Other Weapons) Amendment Bill. Broadly speaking, this bill aims to expand police powers to conduct wandering searches in public places plus strengthen laws around the storage of knives in retail outlets and supplying knives to minors. Overall, it aims to reduce the incidence of knife crime in South Australia by reducing the number of knives on the street.

Naturally, I support measures that make innocent South Australians safer, and without doubt this package of reforms will achieve that. However, before rubberstamping this amendment I wish to outline some facts about South Australia's existing laws, particularly in comparison to other states. Last year, I spoke to Brett Beasley from Queensland. He and his wife, Belinda, are behind the Jack Beasley Foundation and ultimately the creation of Jack's Law.

Jack's Law came about following the death of the couple's 17-year-old son, Jack, who was fatally stabbed in Surfers Paradise in 2019. Jack's family and friends, including his parents, came together to form the foundation with the aim of saving other families from enduring the same horrific

experience. The family made it their mission to beef up Queensland's knife laws, and after much lobbying and hard work Jack's Law, as it was called, was passed in early 2023.

Jack's Law had immediate results, which I will detail shortly, but such was the positive effect of the new legislation Mr Beasley in particular was keen to ensure other states have similar protections. Backed by police his movement had success with the New South Wales government and most recently with the West Australian government.

After speaking to Mr Beasley my office set about comparing Queensland's laws and Queensland's knife statistics with those of South Australia. The statistics we found, which we obtained via freedom of information, the Jack Beasley Foundation and a senior Queensland police officer, were extraordinary, but nothing prepared us for some left-field information that brings into question how South Australian police have been employing—or not—existing knife laws at their disposal.

In the 2023-24 financial year in Queensland, 53,619 people were subjected to the use of handheld scanners, compared to just 1,078 people in South Australia. From those scans Queensland police seized 510 knives or edged weapons, while South Australian police seized just 30 knives. We checked with Queensland police, read the legislation and double-checked with our own parliamentary counsel and established that currently South Australian police have similar powers as their Queensland counterparts and we have written evidence of this.

So, while we welcome the new raft of knife laws, the obvious question is: why the discrepancy? Why has this broken down? The obvious take-home message is that we can give our officers all the powers in the world, but they need to be empowered to use them.

In supporting this amendment, we trust the government ensures all officers on the beat and on the street are aware of their powers and are aware of how and when to use them, are physically armed to enact those powers, and know with zero uncertainty that they have the full support of SAPOL and the government to do so, because if that is not the case, the current scourge of knife crime and lives needlessly lost will continue in South Australia. I will be watching this closely and revisiting that data, looking and hoping to see a significant reduction in the number of knife crimes in South Australia.

The Hon. J.S. LEE (15:40): I rise to speak in support of the Summary Offences (Knives and Other Weapons) Amendment Bill 2025. With an increasing incidence of knife crime reported across Australia and South Australia, it is a critical time that law reforms aimed at addressing knife crime and prohibiting the sale of knives to minors are enacted.

The Bondi Junction Shopping Centre stabbing rampage in April 2024 shocked us all. Every Australian can see themselves in those victims. There was a new mother on an outing with her baby, a refugee security guard only a week into his new job, the daughter of a wealthy family excited about her wedding planning, an international student enjoying her retail therapy after exams, and parents who never went home to their kids. It is such a frightening, confronting and heartbreaking experience for so many.

Closer to home, it was reported that machetes and batons were allegedly brandished by teenagers before the lockdown of Westfield Marion Shopping Centre in June last year, followed by the stabbing of a teenager with serious injuries at Elizabeth Shopping Centre. Mobile phone footage of the incident shows several teenagers fighting, with three of them carrying knives.

While I am glad to see that the government has finally introduced a bill, with a strong push from the opposition, our community is wondering why it has taken so long for the government to bring about these reforms, especially when community members, business owners and law enforcement agencies have repeatedly called for additional measures to tackle knife crime, which has been increasing over 15 per cent year on year.

The bill presents a suite of changes, including banning the sale of knives to all minors and making it unlawful to supply a knife to a minor if there is a reasonable suspicion that it will be used in an offence. I understand that the opposition has previously called for exemptions that would allow minors to purchase knives for the lawful pursuit of occupation, education or training. From the briefing I received from the government, I understand that such exemptions were not supported by the retail

industry due to concerns that exemptions would cause confusion and place the onus on retail staff to decide whether a minor is exempt from the ban or not. Simply banning the sale of knives to all those under 18 seeks to avoid any confusion and provides clarity for retail workers.

The bill also creates a new requirement for safe storage of certain types of knives at retail premises and expands the existing offence of carrying a knife in a school or public place to apply to educational facilities including childcare centres, preschools, primary and secondary schools, universities, TAFEs and other tertiary education campuses. I believe these are all sensible reforms that will help our community become a safer place. I understand that the Hon. Frank Pangallo also would like to include places of worship and I would like to indicate my support for his amendment.

I turn my attention now to the increased powers afforded to police in the bill. The bill would expand the ability of a police officer to scan people for weapons by using electronic metal detectors at certain declared events and places, including licenced premises, public places holding a declared public event, declared public transport hubs, declared public transport vehicles, declared shopping precincts, at any public place where there is a likelihood of violence or disorder involving weapons, and at any time on a person in a public place if they have been found guilty of certain offences in the last five years or have been a member of a declared criminal organisation.

These are quite significant expansions of existing police search powers. It will also be an offence to refuse or fail to comply with a requirement or direction made under this part of the act, with a maximum penalty of \$2,500 or six months in prison. I understand that existing safeguards have been replicated in this bill and that declarations must be published on the police commissioner's website before the commencement of the declaration period.

There are a number of criteria that the commissioner must be satisfied with to make and maintain a declaration, including that the exercise of search powers will not unduly affect lawful activity in the area. I would like to see that police are cognisant of the impact these additional search powers may have on members of culturally and linguistically diverse communities, who may have difficulty understanding why they are being searched with a wand metal detector in a public place.

We expect to go through security screening and searches when we go to the airport and other locations with high security like this place, but it will be a new experience for many to be wanded at a shopping centre or at a train station. If police are searching every person boarding or exiting a bus, that would be understandable, but if, for example, police were randomly searching visitors in a major shopping centre or Rundle Mall, would they feel targeted or be embarrassed by these types of random searching techniques?

The commissioner must also ensure that existing procedures and safeguards are upheld and are sufficient to reduce the risk of people from migrant and refugee communities feeling singled out or unduly targeted by metal detector searches while going about their daily lives. I am also pleased to see that swords and machetes will be added to the list of prohibited weapons in the regulations, as requested by SAPOL, making it an offence to possess them without an exemption.

In line with this, a new exemption category will be created for machetes used for gardening and camping purposes only. As somebody who has occasionally used a machete to participate in harvesting maize with African community members at various festivals, I am very glad that this exemption has been clearly outlined in the bill to ensure that such cultural practices, gardening purposes or other legitimate uses are not impacted.

I understand that SAPOL were closely involved in the consultation and the drafting of these reforms and that significant public consultation was undertaken by the government to ensure that the legislation balances civil liberties and community safety. I will consider all the other amendments during the debate. With those remarks, I commend the bill.

The Hon. F. PANGALLO (15:47): I will not be long. I just wanted to express my disappointment in the government in the way they have rushed this legislation through. We only received briefings about it last week, and it has not really been able to stand and be scrutinised by other stakeholders. Contrary to what the Hon. Jing Lee has just said, there are many stakeholders who are not happy that they have not had much time to consider this legislation.

While it is welcome—and of course something needs to be done to ensure that we do not see incidents like what happened at Bondi—one would have expected that the government would have at least allowed other members in this place to spend some time analysing it, to go back to stakeholders and to have a good chance to assess the legislation to see if it can be improved, and if there are some oversights in there. But, no, the Malinauskas government and the Attorney-General love pounding their chests about cracking down on crime. Here is another example of where they are going.

I do have some amendments to this bill and, again, I apologise to other members in this place that they have not had enough time to really consider them simply because the government did not give us much time ourselves to consider its own legislation. In fact, my staff are often told, 'You better get your motions and amendments in quickly and with a lot of time,' just so the government can consider it, but of course when it comes to their own legislation, those rules do not apply.

I want to refer to the views of the Law Society. In this place over the years that I have been in here, we welcomed and sought the views of the Law Society when it came to legislation, particularly controversial or contentious legislation, but even the Law Society has been caught out here; they have not had much time to consider what has been going on here. I just wonder why the Attorney-General seems to give them short shrift. To outline the views of the Law Society, I will seek leave to table the letter that they sent to the Hon. Kyam Maher on 17 February 2025, which gives you an indication of how rushed they were in trying to get something to the Attorney-General before debate started today. I will seek leave to table that document and then I will refer to it.

Leave granted.

The Hon. F. PANGALLO: Firstly, on stakeholder consultation, the Law Society's concerns are that the draft bill was not adequately discussed with stakeholders before being tabled in parliament. I even had a call late last week from a representative of retailers who were disappointed that they were not able to be heard. The Law Society says it emphasises that reforms must be proportionate and backed by evidence, and they warn against further criminalising or disproportionately impacting children and young people.

As for the supply of knives to minors, the society says that it questions the broad interpretation of 'supply' and 'knife', which may criminalise legitimate conduct. They also criticise the high penalties, which is up to four years' imprisonment, and the tiered offence structure. But, again, this is the government wanting to show how tough they are on crime, even though perhaps the courts never interpret it as such.

The Law Society goes on to suggest reconsidering the mental element requirement, favouring a simpler knowledge standard to avoid unintended applications. As for expanded police search powers, the society criticises the removal of the reasonable suspicion requirement, fearing it could lead to over policing.

They raise concerns about the potential for these powers to be misused, particularly in declared public areas and other newly defined zones. They also point out the risk that these measures could disproportionately affect marginalised communities, rural areas and individuals with legitimate reasons for carrying metal items; for example, metal implants and rural residents.

As for the impact on vulnerable groups, the Law Society express concern over the cumulative effect of the new offence provisions and search powers on children, rural communities and individuals relying on knives for legitimate purposes. It also notes the risk of undermining young people's ability to use knives responsibly for work or recreation, particularly where independent minors are involved.

As for a recommendation for further review, the society suggests referring the bill to a select committee for a more comprehensive examination of its impacts and adequacy of existing legal frameworks. I really do not know why the government has not considered spending a little bit more time on this, rather than trying to rush the whole thing through just to appease its own interests.

I will acknowledge the work the opposition has done, particularly the member for Bragg, Jack Batty, who has raised this issue in light of crimes that have been committed in the state and

elsewhere. It certainly was something they campaigned hard for and they had to drag the government to the trough to finally see that this was required.

As I said, it is disappointing that not enough time has been spent on ensuring that this is good legislation and does not have any unintended consequences, which already the Law Society has indicated they could well be. This place probably will have to deal with changes to this act somewhere down the track.

As a summary of the amendment I am seeking, it is to further strengthen the government's proposed changes to the Summary Offences Act by expanding the offences of possessing knives or weapons in public places and education facilities to include places of worship. To complement this we propose an expansion of police powers to conduct metal detector searches to also cover these places of worship. This ensures, particularly in the current climate, that a consistent approach to public safety across all high-risk areas is assured.

I do not need to remind members as they can recall the terrorist incident in Sydney in April last year, where a priest was stabbed in the Assyrian church. That was considered a terrorist incident. Places of worship are just as much at risk as are places in the community, like retail outlets, shopping malls, etc. I could even say that in the current climate, particularly the antisemitism climate that is prevailing, sadly, in our communities, particularly in Melbourne and Sydney, places of worship are more at risk than other places.

As I pointed out, there was the incident in the Assyrian church in April last year, where the bishop was stabbed in the eye—luckily he was not killed—by a 16 year old. Let us not forget that there were two major shootings in mosques—places of worship of course is what they are. There were two major shootings in New Zealand in 2019. I hope members see the merit in these amendments. With that, I look forward to the debate.

The Hon. R.A. SIMMS (15:57): I rise to speak on this bill on behalf of the Greens. In so doing I make very clear that peace and nonviolence is one of the four pillars of the Greens political party. We condemn all forms of violence. Violent crime, knife crime, really should have no place in our society and our state. I recognise the significant distress these crimes have on members of our community and the need to manage that behaviour and ensure there is appropriate criminal sanction.

It is my view that the law does already have significant penalties in place, however, for this kind of offending, and I worry that some of the legislative approaches we are seeing from the Malinauskas government of late are moving us back into the populist law and order years that we saw during the Rann era, where what the government seems to be focusing on in the law and order space is populist politics, winning news headlines but not actually tackling the root causes of crime.

If the government is genuinely concerned about young people participating in criminal activity, and in particular knife crime, then when will it come to the parliament with a clear strategy to deal with the fundamental causes of crime? Why does it instead keep focusing on penalties, when we know from all of the evidence over the years that harsher penalties simply do not work in terms of dealing with the causes of crime and making our societies safer?

These sorts of laws are really good for getting newspaper headlines, but they do not necessarily do anything to make our streets safer, and they certainly do not do anything to address the social factors that might be leading young people, in particular, down a pathway of criminality. I just urge the government to do better when it comes to policy in this space.

The Hon. Frank Pangallo has addressed the submission from the Law Society. I do not intend to go through all of that again, but there are a few elements that I think are worth highlighting from the perspective of the Greens' contribution. I note that in the Law Society's letter to the Hon. Kyam Maher, the Attorney, dated 17 February, their submission to this bill, they note or question the pace at which these reforms are being progressed and suggest that a more fulsome consideration of their impact could be conducted, such as referring the bill to a select committee of the Legislative Council to consider the bill and related issues.

I do wonder why the government has not sent this through to the Legislative Review Committee so that there would an opportunity to consider how this bill might interact with other

criminal law that we have in our state. It does worry me that once again this chamber is being asked to legislate without being cognisant of the potential implications.

One of the issues the Law Society talks about here is the broad definition of a knife, the fact that a knife includes a blade. For example, this could be a razor blade. This is a quote from their submission:

9. The Society notes the importance that is to be placed on the practical interpretation of 'supply' for the purposes of both proposed offences and whether that extends to merely making the knife available to the minor, such as by not locking it away. The definition of 'knife' for the relevant part of the Act is broad, being:

Knife includes a blade (for example a knife blade or razor blade)

10. The possible application of proposed section 21D(2)(b), despite its less significant penalty, is concerning. Notwithstanding the important policy considerations to prevent minors being supplied with knives, the offence provision should be carefully considered noting in particular, the broad definition of 'knife' and the range of circumstances in which the offence provision in existing section 21E could be enlivened.

11. The Society briefly notes the significance of the four-year penalty, which is considerable for the Act, noting that only three other provisions have commensurate penalties, being in relation to weapons prohibition orders, as well as the distribution of invasive images, and indecent filming. It is also notable that those offences are committed by the principal offender rather than a third party. Further, Members of the Society's Children and the Law Committee briefly noted the reference that the person 'knew or reasonably ought to have known' as per paragraph 7 above to enliven the offence. The Society queries whether the mental element that attaches to the offence (particularly proposed section 21D(2)(b)) should be simply 'knowledge' and that a person supplies a knife knowing it will be used in the commission of an offence. This is particularly so given the fact that the definition of 'supply' (as per paragraph 9 above) remains uncertain, noting the offence may be enlivened in a range of circumstances where a minor might merely have access to a knife.

This broad definition is concerning to me. Is there the potential to capture a range of conduct that the government may not necessarily have within its contemplation? I do intend to ask a few questions about that in the committee stage.

The point that the Hon. Frank Pangallo touched on, that the Law Society raised, I also think is a fair one, and that is about the potential implications of a bill like this for young people working in regional areas or being in regional areas who might be going on a fishing trip, for instance, and have a fishing knife on their person. Again, there are a lot of scenarios that I am concerned have not been appropriately considered. Indeed, as noted by the Law Society in their submission, and I quote:

30. ...there may be numerous personal reasons why young people may not have adults that can purchase knives for them. The Society's Children and the Law Committee understands there is a significant number of young people that live independently by the age of 16 years and not all youth can rely on an adult to purchase a knife, which in many cases may be a necessity for living independently or partaking in [a range of] activities. A further reluctance might stem from public awareness as to the reforms described ... which may render an adult even less likely to provide knives for young people even if they are likely to use them for legitimate purposes, especially where the person is not their responsible guardian.

31. While well-intentioned, the reforms take a position which does not give due consideration to the fact that the vast majority of young people between the ages of 16 and 18 years are trying to enter the adult world and are not intending to commit crimes.

Indeed, this is the worry I have with laws like this, in that what they tend to do is stigmatise young people, in particular vulnerable young people in our community. When we are talking about giving police new powers to target particular groups, we know the young people who will be targeted. We know based on what has happened in law enforcement in our state over many years. It is going to be First Nations children who get targeted by these sorts of laws disproportionately, or other young people who are deemed to look suspicious. That really worries me. These sorts of laws, I think, tie into a stigmatisation of young people in our society, and can actually alienate young people and lead them to be more likely to commit offences in the long term.

I note that there has been some debate about similar—not exactly the same, but similar—laws in Queensland. The Queensland Council for Civil Liberties has expressed some concerns regarding the way in which those laws operate, and I think it is worth highlighting some of those concerns because they apply similarly to the legislation we are debating here in this parliament.

The Queensland Council for Civil Liberties said of similar legislation there that these laws abrogate a fundamental protection of individual liberty by removing the requirement for police officers

to have a reasonable suspicion prior to conducting a search of a person, and they note their concern that the power could be abused by police officers who will search people based on prejudices and generalisations about people in the community. They also expressed concern that pressure will come to expand these powers, and this has already happened. Originally, the measure was to be used only in safe night precincts. It has been extended to public transport, it has been extended to shopping centres and recreations, and they note that there will be pressure to extend the laws to other areas.

The Queensland Council for Civil Liberties also notes there was a review of the initial trial of these powers by Griffith University, and no evidence was found in that study that the searches enabled by the legislation had actually reduced offences. In particular, the Griffith University review found that during the trial, of the many people who were searched, they were searched due to police racial bias; i.e., it noted in particular that Indigenous people were searched disproportionately. This worries me when we are making law that has such wide-ranging consequences, and these elements are not being given appropriate consideration by government.

I note that a number of members have filed amendments. I will listen to the debate in terms of forming a position on those. I think it is worth noting, and the Hon. Frank Pangallo touched on this point, I would just encourage members, particularly of the two large parties in this place—I understand they have their party room meetings on Tuesday morning or a Monday afternoon and that amendments may be filed soon after that—that it would be very helpful for the crossbench to get advance notice of amendments, particularly when they relate to this level of complexity. I only saw the amendments early this afternoon. It does make it difficult to be able to engage with stakeholders and form a view.

I note the Hon. Connie Bonaros has filed amendments to expand this principle somewhat. I am concerned about how that might work in a retail setting, for instance, and so I am certainly not supportive of that amendment, but I will hear the honourable member's explanation of the amendment, obviously when we get to the committee stage.

As I indicated, I will have a few questions to ask of the government in the hope that they may allay some of my concerns. However, from my perspective, this seems to be more about a race to the bottom between Labor and the Liberals when it comes to law and order rather than actually addressing the root causes of crime in our society. I would really like to see the Malinauskas government start to do some work in that area rather than continuing to engage with this race to the bottom with the Liberals on law and order.

The Hon. C. BONAROS (16:10): I rise to speak on the Summary Offences (Knives and Other Weapons) Amendment Bill, which strengthens laws around the possession, sale and regulation of knives in South Australia. I think we have all seen the discussion from both major parties in relation to this issue. This government has declared quite proudly that this bill will introduce the toughest knife laws in the country.

For those members who have been here long enough, I was trying to refer back to the last time that we saw these laws changed in this jurisdiction. From memory, there was a horrific event in the city that involved groups of young teenagers and one of them, having left an altercation, went to the mall, picked up a knife from a supermarket, headed back to the group and killed the victim. I actually looked for it on my phone while I was sitting here, and I tried this last week too, but there are so many stabbing and knife stories each and every day here and elsewhere that I could not actually find that one. So this is not a new issue; I guess that is the point I am trying to make. It is an issue that has been around for a long time.

I have to say at the outset, before I focus my remarks today on something that I will deal with by way of amendment and an issue that I think goes to the heart of accessibility and community safety, whilst I do not agree with everything the Hon. Rob Simms has said, what I do agree with is our failure and inability to deal with the root causes of these issues, the systemic failures and the social issues that result in such rampant knife crime. That is an unfortunate set of affairs that has existed for a long time and plagued us all for a long time.

I, too, like the Hon. Rob Simms, remain hopeful that at some point we are actually going to get serious about addressing those underlying issues, social issues and systemic issues that lead to

this sort of offending. I guess it raises the question also that we ban guns, we ban knives and what are we banning next? That is not to say that these laws are not necessary, but it does point to the fact that we are not really doing a good job of dealing with those underlying issues.

I will focus the rest of my comments on the amendments that I seek to move now rather than during the committee stage. The bill raises the minimum legal age for purchasing a knife from 16 to 18, and that aligns with Queensland, Victoria and Western Australia. However, unlike other states, the bill provides no exceptions, ensuring that the responsibility of determining eligibility does not fall on the young person selling the knife.

If we accept that a person under 18 should not be able to buy a knife then it must follow that we also accept that they should not be responsible for selling one, and that is at the heart of the amendment that I will be seeking to move. The amendment will restrict the sale of knives to workers aged 18 and over, just as we do with alcohol. As we know, young retail workers, often as young as 14, are working at the checkout of supermarkets and retail stores. It is not reasonable to expect them to be the ones enforcing knife sale restrictions, checking ID and refusing sales when necessary, and it is not just the legal compliance issue, it is a workplace safety issue for those young people who work in those sectors. No minor should be put in a position where they have to challenge someone of a similar age or older—whatever the case may be—over the purchase of a knife.

I note that in South Australia right now those under 16—and thank you to the Attorney, I thought it was 18—cannot legally sell tobacco products, and it is strongly discouraged for those under 18 to do so due to the difficulties in refusing sales. If we apply this logic to tobacco in this instance it should certainly apply to knives, only more stringently.

I have ensured the amendment includes a carve-out, of course, allowing for exemptions by regulation, recognising that a blanket restriction on under-18s selling knives will have unintended consequences and difficulties. This is particularly the case for small businesses and regional businesses; for the fishing tackle store in Port MacDonnell where dad might be at the back fixing a boat and the young son or daughter is at the counter when someone comes in wanting to buy a fishing knife, and they are the only ones on duty.

There are a hundred different examples we can give where there ought to be those sorts of exemptions, and they are really designed to provide flexibility where needed while maintaining strong protections in higher risk retail environments. It should not extend to major shopping centres or large retailers where an adult should always be available to oversee such sales, as they are with tobacco and with alcohol.

I do think this strikes a fair balance between practicality for small businesses and the overarching goal of strengthening our knife sale laws. No one is suggesting, by any stretch, that we should penalise young people through the amendments but, during the committee stage, I note now that I will also be seeking clarification on several aspects of this bill from the Attorney, including the definition of a knife and the application of these laws to online sales.

I note that the National Retail Association has gone as far as preparing what is a 20-odd page document that runs through all the different laws that exist across jurisdictions, all jurisdictions. It is becoming somewhat of a complicated area in the absence of any national consistency, as well, and in light of the growing trend to shop online.

As I said, the bill does take that strong step towards addressing knife-related crime and public safety concerns, but if you want the strongest knife laws in the country then we have to ensure they are practical, enforceable and fair to young workers. That is my main objective through these amendments, and in this bill. I urge the government to consider those carefully when we get to them.

The Hon. T.T. NGO (16:17): I rise to speak in support of the Summary Offences (Knives and Other Weapons) Amendment Bill 2025. This bill brought to mind three recent tragedies that all involved the violent use of knives, which also share a common thread about the importance of public safety in communal public spaces.

The Bondi Junction stabbings on 13 April 2024 tragically involved six people being fatally stabbed and 10 others suffering injuries. In June 2024, at the Westfield Marion shopping centre in Adelaide, we witnessed a fight between a group of young males, some reportedly armed, leading to

a lockdown of the shopping centre. While no fatalities were reported, the chaos on that day caused significant distress amongst shoppers and staff.

In South Plympton in December, a supermarket worker was injured during an attempted robbery on Marion Road. The offender, armed with a knife, attacked the employee by while trying to steal groceries. Another recent stabbing involved a 13-year-old who randomly stabbed a 63-year-old shop assistant in the back, leaving her critically injured. This horrific stabbing occurred in a Coles supermarket in Ipswich, Queensland, I believe, while the woman was going about her duties at work.

Collectively these incidents highlight how critical our rapid response strategies and security measures are for handling violence outbreaks in public spaces. South Australia is leading the nation in regard to strong knife laws, with reforms being brought in by the 2012 Labor government regarding the prohibition of the sale of knives to minors under 16 and banning the marketing of knives that suggest using them as a form of combat. Further changes in 2017 were made about police conducting metal searches, and the reforms in this bill have been guided by further consultation and feedback from the public and targeted stakeholders such SAPOL.

We want and expect to feel safe in the public spaces we share on a day-to-day basis. The proposed changes to knife and weapon laws will be another step towards achieving this. In brief, this bill allows the police to use metal detectors on public transport, such as buses and trains; in stations; in shopping centres; and in places that sell alcohol. It expands police powers so that they can also search anyone with a metal detector in public places where violence or trouble is likely, including searching gang members or people at any time who have a history of weapon-related violence.

It introduces stricter knife sales rules by increasing the minimum age to buy a knife from 16 to 18 years, with no exceptions. It stipulates that places, both physical and online, that sell knives must store them safely and display warnings about illegal use. It creates two new offences in clause 6. It will become a crime to sell a knife to a minor if the seller knows or should have known that the minor might use the knife for a serious violent crime, with a penalty of a \$35,000 fine or four years' imprisonment. The second offence is unlawful possession in a public space, with a \$10,000 fine or six months' imprisonment.

The bill prescribes that carrying a knife in a way that could scare someone will be illegal at more locations, including childcare centres, preschools, kindergartens, and university and TAFE campuses.

Furthermore the bill includes making amendments in anticipation of the prescribing of swords as prohibited weapons by regulation, meaning they will be subject to more strict laws around their use and possession. In anticipation of the stricter prescription of machetes as prohibited weapons, an exemption to the prohibited weapons offences for gardening and camping purposes will apply only to machetes, as requested by SAPOL. Once swords have been prescribed as prohibited weapons by the regulations it will be an offence to possess them without an exemption.

Any improved enforcement that aims to reduce violence and crime will lead to people feeling safer and more secure in public spaces. This bill gives people greater peace of mind. We know that tougher laws and improved enforcement can only help to reduce violence and crime. We must continue to protect the public and promote safer communities. I commend this bill to the chamber.

The Hon. M. EL DANNAWI (16:24): I rise to speak in support of the knives and other weapons amendment bill. In the last few years there have been several high-profile knife crimes that have drawn a large amount of media attention and community concern. I am sure everyone remembers the week last year when there were five unrelated stabbing attacks across Sydney, including at Bondi Junction.

In South Australia, we have also seen some shocking attacks in the last few years. In 2023, Julie Seed and Susan Scardigno suffered a random knife attack in Plympton that tragically took Julie's life. Queensland and New South Wales have both acted in recent years to introduce stronger laws in relation to knives, and other states have indicated that they will be reconsidering their legislation too.

Since Australia banned guns in the nineties, the number of homicides committed with knives has increased. The Australian Bureau of Statistics reported that from 2010 to 2023 the most common

weapon used in homicides was a knife. South Australia already has strong knife laws, introduced by the 2012 government; however, following recent incidents this government prepared a discussion paper for public consultation to ensure that our laws were as tough as possible. The reforms in this bill will see South Australia with the most comprehensive knife laws in the country.

As a result of that consultation, which included family members of victims of knife crime and those who have survived knife attacks, public stakeholders and SAPOL, the bill makes a number of changes to the current laws. I will discuss a few of the most impactful changes today.

Firstly, the bill expands the police search powers. The Commissioner of Police will have new powers to authorise police search powers in specified public places if there are reasonable grounds to believe that an incident of violence or disorder may take place there and that these search powers are necessary to prevent the incident. Authorisation will be limited to no longer than six hours.

Police officers would be empowered to conduct searches of any person who is in, or is apparently attempting to enter or leave, the specified place, and any property they may have on them. A police officer will also be authorised to conduct wandering of any person in any place so declared by the commissioner. Places subject to declaration are all licenced premises, a public place holding a declared public event, a declared shopping precinct, a declared public transport hub, a car parking area specifically or primarily provided for the use of patrons and customers, and a public transport vehicle providing a declared public transport service.

Criteria must be satisfied before the commissioner can make a declaration that the place is subject to police wandering. Before a declaration is made, the commissioner must be satisfied that the exercise of the search powers is necessary or appropriate for the purposes of deterring or detecting the commission of offences involving the possession or use of a knife or other weapons in the shopping precinct or public transport hub, that the exercise of the search powers is likely to be effective in detecting or deterring the commission of offences involving the use of a knife or other weapons in the shopping precinct or public transport hub, and that the exercise of the search powers will not unduly affect lawful activity in the area.

Declarations of shopping precincts, public transport hubs and transport services will be in effect until revoked by the police commissioner. They must be revoked when the commissioner is no longer satisfied of the criteria.

Police officers will also be authorised to conduct wandering of any person who has within the last five years been found guilty of an offence of violence or has been a member of a criminal organisation. Before conducting the search, the police officer must provide the person with information, including the grounds for the search and the effect of noncompliance. If the person requests, the identification of the police officer must be provided.

The bill also makes several changes to address the issue of young people carrying knives. Last year, the ABC reported that young people were significantly overrepresented when it comes to who is being charged with violent knife crimes. Currently, the age of sale to purchase a knife is 16, with reasonable exemptions for plastic and wooden cutlery and shaving equipment. This bill will raise the age of lawful sale of knives to 18.

The bill will also make it an offence to supply a knife to a minor where they know or should have known that the minor was likely to use the knife to commit a serious offence of violence or an offence of unlawful possession in a public place. Minors who require a knife for any purpose, for example if they are training in a kitchen, will need to have an adult employer or training provider supply the knife to them. The bill also requires that certain types of knives must be subject to storage requirements at both brick-and-mortar and pop-up stalls. The bill also requires that a prohibition notice be displayed at any retail premises selling knives, be it a brick-and-mortar store or an online retailer.

When high-profile knife crimes receive extensive media coverage, it can start to feel like dangerous crime is on the rise and it is easy to get scared. It is important to remember that this is not the case. ABS data demonstrates that overall crime across Australia has been steadily declining since 2009. Crimes in which knives are commonly used, such as attempted murder and armed robberies, have fallen since 2004.

It is true that we have seen some horrifying incidences of knife crime in South Australia, and that people have suffered greatly because of those attacks. Some have even tragically lost their lives. While the numbers show that those crimes are outliers, these laws are designed to make sure that those outlier attacks that cause harm, tragedy and panic are prevented. I commend the bill to the chamber.

The Hon. R.P. WORTLEY (16:30): I rise in support of the Summary Offences (Knives and Other Weapons) Amendment Bill 2025. There is little that is more important to the quality of the human experience than safety. Both a felt sense of safety and a reality that reflects lived conditions of safety are highly influential to our wellbeing. Governments bear a significant responsibility to the public to ensure and to promote safety through the means that are available to them, and ensuring safety for South Australians is one of the foremost priorities of the Malinauskas government.

South Australia has maintained strong knife crime laws for a long period of time, in particular following a range of reforms that were implemented by the Rann and Weatherill governments. This government seeks to continue and expand upon that legacy. The reforms proposed in this bill aim to deliver the most comprehensive knife laws in the nation. These reforms build upon a strong foundation and have been informed by consultation feedback that arose from public consultation, targeted stakeholder engagement, and particularly from consultation with SAPOL.

In considering this range of reforms, it is worth noting that there are three categories of weapons in South Australia's criminal law, the first being offensive weapons. Currently, it is an offence to carry an offensive weapon without lawful excuse. Under existing provisions, a knife is classed as an offensive weapon, as are swords, guns and pistols, for example. The only knife that has so far been declared a dangerous article under our laws is a gas-injected device, including a WASP injection knife. There are strict rules around possession of these devices.

Some knives are also classified as prohibited weapons, such as daggers, flick-knives and ballistic knives. There is no defence or lawful excuse for possessing or selling a prohibited weapon, unless for an exempt person such as a police officer. Briefly, the changes that the bill before us proposes include:

- expanding police metal detector search powers on declared public transport vehicles, at public transport hubs, at shopping centres, and all licensed premises;
- expanding police metal detector search powers at any public place where there is a likelihood of violence or disorder;
- expanding police metal detector search powers in relation to any person with a relevant history of weapon-related violence or who is a member of a declared criminal organisation;
- increasing the age for purchasing knives from 16 to 18 years, with no exceptions;
- requiring the safe storage of knives for sale and the displaying of prohibition notices across both brick-and-mortar and online premises;
- creating a new offence for supplying a knife to a minor if the supplier knew, or reasonably ought to have known, that the minor intended to or was likely to use the knife in the commission of an offence;
- expanding offences for carrying and using knives in a manner likely to cause a reasonable person to fear for safety from schools to a broadened environment of 'education facilities', which will include childcare centres, preschools, kindergartens and, indeed, any place at which an approved learning program was undertaken within the meaning of the Education and Children's Services Act 2019, as well as universities and TAFE campuses;
- making amendments in anticipation of prescribing swords as a prohibited weapon by regulation, meaning they will be subject to more strict laws in relation to their use and possession; and

- anticipation of the stricter prescriptions of machetes as prohibited weapons, creating an exemption to the prohibited weapons offences for gardening and camping purposes, which will apply only to machetes, as per the request of SAPOL.

The reforms before us give consideration to items within each of the three categories of weapon, and where appropriate seek to adjust the classification of certain weapons, increasing the level of seriousness with which swords and machetes in particular are regarded, except where appropriate exemptions apply.

These efforts towards reform aim to illustrate that it is possible to succeed in enhancing community safety by keeping knives out of the wrong hands, as well as to succeed in strengthening the effectiveness of our laws in this important area without creating difficulty for persons who legitimately have a need to possess, carry or use knives that are offensive weapons for a legitimate purpose, which constitutes a lawful excuse, or persons who are exempt pursuant to schedule 2 of the Summary Offences Act for knives that are prohibited weapons. I commend the work of all those who assisted in the development of these reforms, including SAPOL and the Commissioner of Police. I commend this bill to the chamber.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (16:36): I thank all members for their contribution—some I thank more than others. This is an important bill designed and squarely aimed at the safety of the community. I might, for the benefit of members, as we progress to the committee stage, let members know the government's initial views—and of course we will listen to contributions made—about the amendments that are being filed.

In relation to the amendments that the opposition has filed to commence upon assent certain sections of the bill, we will support this being progressed to the lower house but I want to put a caveat on that that we will need to do some further work to make sure there are not unintended consequences of commencing some sections earlier. For example, some of the sections allow police greater powers to conduct wandering metal detection searches need regulations made about previous offences that that applies to a class of person.

We do not want to get a situation where we are holding up the rest of the legislation while those regulations are developed in consultation with the police, and it would be a shame if the legislation stalled for a bit longer in the lower house than is necessary while that consultation on regulations were made, knowing that upon assent that would come into place and you would need those regulations made.

We also want to just double-check in relation to the different treatment that swords and machetes will receive. That will be a proclamation that is made by the government at a later date, but we are not applying those sections, which will leave a time where there is even less regulation of those things. We will pass it here but with the caveat that we want to do some more work between here and the lower house to make sure we are not inadvertently doing something that means it has a danger of coming into force even later than it would without those sections.

In relation to the Hon. Mr Pangallo's amendments, there is a very similar approach from the government: we are happy to pass these in the house here, but given we have not had time yet to fully look and do our due diligence on the amendments, we will use the opportunity between the houses to further look at those, particularly the carve-out and exemptions that need to apply for the reasonable lawful use, and particularly in places of worship. We would not want to have the ceremonial dress that a number of different faiths have, particularly as part of ceremonies, inadvertently banned by the laws if that was the application of the law. So we will support in principle but reserve our right to have a more detailed look at those between the houses.

In relation to the Hon. Ms Bonaros' amendments, at risk of disappointment, we are not inclined to support those, but, again, I will caveat that we will look to see, between the houses, the application of those. Our great fear in relation to the amendments the Hon. Connie Bonaros has put forward is whether it is actually workable to think of all the scenarios that you might want to exclude by regulation where it would make a real and genuine difficulty in younger people being able to sell these products.

Where we have regulations in relation to the age that people can purchase things, like the tobacco products—the Hon. Connie Bonaros talked about the fact that people under the age of 18 can sell those—the closest analogy in relation to secure storage and under 18s not being able to buy products is in relation to spray paint, where they are under lock and key. My advice is that people under the age of 18—in hardware stores is a typical setting—can sell those as well.

We do not want to get into a situation where, as was mentioned, in the bait and tackle shop in Port MacDonnell or Marion Bay, or the very small IGA or whatever supermarket is in Elliston, you might have someone who is 16 or 17 working in one of those stores and a couple of grey nomads—tourists in their 70s or 80s—come through, want to do some fishing, did not pack their fishing knife and come into the store to buy one and are faced with the absurd situation of not being able to buy one because there is not an adult in the store at the time.

We understand the very good intent behind these amendments. We will not support them in this chamber, but we will look further to see whether there is a workable way to do that between the houses. With that, I look forward to questions and the passage and passing of this legislation in the upper house and, as I say, more work to do between the houses in relation to amendments.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. R.A. SIMMS: I referred in my second reading speech to the contribution from the Law Society, in particular their concern around inadequate consultation. Has the government considered referring this bill on to a committee like the Legislative Review Committee and, if not, why not? Could the minister indicate with which organisations he has actively consulted? For instance, has he sought the views of someone like the Commissioner for Children and Young People, and has he sought the views of the Youth Affairs Council of South Australia? Having received the feedback from the Law Society, what action has he taken in relation to that?

The Hon. K.J. MAHER: I do not have the numbers here, but from the discussion paper that was released in August last year there was very extensive consultation, and we appreciated the extensive feedback. I do not have numbers, but particularly from the YourSay website there may have been in the order of around 100; I am advised there were 115 responses.

I do not have the list of everyone who put in detailed responses, but certainly a lot of organisations took the opportunity to do that, whether it be unions that represent retail workers, the National Retail Association or South Australia Police, who, because a large part of the bill is about police powers, were heavily involved in the development of this bill. In fact, from the discussion paper to the development of the bill before us, this has been one of the most extensively consulted pieces of legislation that we have had in this term of government.

There has been a lot of extensive consultation in the development of this bill. We always appreciate the feedback from the Law Society, but given the extensive consultation and, in a lot of cases, improvements that have been made to the bill as a result of that consultation, we do not see the necessity of referring that to a further body after having gone through extensive consultation for the best part of six months.

The Hon. R.A. SIMMS: Can I ask the Attorney about the scenario that was referenced in the Law Society submission; that is, a young person who might want to obtain access to a knife, who is living independently and who may well have a legitimate reason for accessing a knife, for cooking or working in a trade. What arrangements does the government have in place for young people in that scenario, who may not be able to rely on an adult purchasing a knife on their behalf?

The Hon. K.J. MAHER: I thank the honourable member for his question. One of the reasons we followed some other jurisdictions that have not provided exemptions was a result of that consultation. The feedback to us, particularly from retailers, was that it was putting retailers in a difficult position. Again, a lot of the retailers are younger people working in those retail settings. To

have to on the spot decide whether an exemption applied to someone was an almost completely unworkable position to put someone in.

To have a 16 year old, or a 19 year old, in a retail setting at the checkout having to make the decision about whether the legislative exemption for a trade or the legislative exemption to have a knife is permissible, and to have to make that decision and apply that legislation made it exceptionally difficult. In the submissions we have had, that is why in other jurisdictions they do not have the caveat.

We do appreciate that this will lead to inconvenience, but balancing the difficulty in applying the legislation at the point-of-sale in a retail setting, balancing that with some of the inconvenience that will apply, we had to make the decision that balancing the difficulty at the point-of-sale in a retail setting will mean that there will be younger people who will have to rely on a caregiver, an adult, a parent or an employer, in the case of needing them for trade, to supply or buy those knives for those lawful purposes.

The Hon. R.A. SIMMS: I understand what the Attorney is saying, but what about those young people who are living independently who will not have access to a caregiver or someone in their life who can go and purchase a knife on their behalf? What if they are engaged in cooking school or they are wanting to do a trade or something where they might legitimately need a knife? What you are saying is that there is no solution for those young people; it is just bad luck, because it is too difficult to actually come up with a legislative exemption. I mean, does that not demonstrate that there is a problem with the law?

The Hon. K.J. MAHER: I disagree with that, with respect. Regarding the situations at cooking school or being engaged in a trade, if you are a young person engaged in a trade you are almost certainly working as an apprentice. You will have a host employer as an apprentice at a cooking school. There will be adults who are teaching and instructing you in that manner, and that is a possible avenue for being able to get those knives.

The Hon. R.A. SIMMS: What if you are somebody who is living on your own, independently, as a young person? There are young people in this situation, who might want to cook a meal, slice a steak or whatever at home. What are you offering for those young people? What provisions does the government have in place to manage that scenario? You cannot just say, 'Bad luck. You have to find someone to buy it for you.'

The Hon. K.J. MAHER: I thank the honourable member for his question. In those situations, I think the vast majority of, if not all, young people will know someone, somehow, in their lives who is over the age of 18 who can help them with the ability to have those knives for those legitimate purposes.

The Hon. C. BONAROS: Can I just follow on from that, before I get to my line of questioning? If I am a young person and I have travelled interstate, for instance, where knife laws are not as prescriptive as they are here, or I have gone to Japan and I have come back with a beautiful set of knives and I come through customs or the airport, is there any potential for that individual if they are checked or searched? Are there any ramifications for that individual if they are carrying knives on them? If you have a 17 year old and they go interstate and think, 'Great, I can buy knives here. I am taking them back home to Adelaide,' are there any ramifications for them in this?

The Hon. K.J. MAHER: My advice is this is not about the possession; this is about the sale. If you have a lawful excuse to be in possession of a knife, it is about the sale of the knife, and we can control what happens for sales that occur in South Australia.

The Hon. C. BONAROS: If I just go back to the point that I made during my second reading contribution, looking at that paper that the National Retail Association has prepared in relation to online sales. In Queensland they say online marketplaces, e-commerce sites, home delivery, click and collect, sales to an end customer regardless of where the seller is based and all Queensland-based sellers regardless of where the customer is based are covered by their laws. Is that the intent here, or what is the extent of the intent in South Australia?

The Hon. K.J. MAHER: My advice is, in the example the honourable member has given of sales over the internet, if it is linked to a delivery in South Australia my advice is that these laws will come into effect.

The Hon. C. BONAROS: So if it is a sale within South Australia, and a delivery linked to South Australia, the laws will apply? So it is in effect the same as what Queensland has in that respect.

The Hon. K.J. MAHER: My advice is it is similar in that respect.

The Hon. C. BONAROS: What verification measures are we anticipating to accompany those? If you are purchasing alcohol, for instance, usually it requires you to present ID upon receipt by whoever is delivering it to your premises, to show that you are able to have it. Is that the sort of thing we are envisaging in this case?

The Hon. K.J. MAHER: My advice is like in other ways that there are age limits to buy products that will be up to a retailer to demonstrate that they have taken the appropriate steps to ensure the age.

The Hon. C. BONAROS: How will those interstate retailers be made aware of the changes, given the age restrictions across jurisdictions for South Australia? Are there any plans for national consistency that the Attorney is aware of?

The Hon. K.J. MAHER: I thank the honourable member for her question. We are moving to much more national consistency. The under 18 no exceptions already apply in, I am advised, WA, Victoria and Queensland, and it will be up to those retailers if they sell into South Australia to have those notices about the age of sale as well.

The Hon. R.A. SIMMS: Does the minister have any evidence that this legislative approach will work? Is there any evidence from other jurisdictions that demonstrate that increasing penalties in this way will reduce the prevalence of knife crime?

The Hon. K.J. MAHER: I thank the honourable member for his question. I think the point needs to be made that it is not an increase in penalties. Two things this legislation is aimed at doing is reducing the supply of knives, particularly to young people, and we have seen incidences like a knife taken off the shelf in a supermarket in an eastern suburbs state recently, and also, in certain circumstances and settings, giving the police more powers to detect knives. So this is not about increasing penalties for every single element to do with knives and the criminal law; it is about reducing supply and making sure police have more powers to detect.

The Hon. C. BONAROS: Just on that point: do we have any statistics of the number of incidents involving purchased knives versus knives that are accessed through homes, for instance? Are there any stats kept? In how many of those instances has someone—I pointed to that example, you have pointed to an example, Attorney, but is that the main source of knives or is it just somebody going into somebody's kitchen, accessing a knife and using that to commit a crime that is more likely to be the supply of a knife?

The Hon. K.J. MAHER: I thank the honourable member for her question. I do not have statistics, but certainly making it more difficult to obtain knives that maybe the types of knives that are used in the commission of offences means there will necessarily be less supply.

The Hon. R.A. SIMMS: Does the Attorney have any evidence that suggests the reduction in supply has led to a reduction in offences?

The Hon. K.J. MAHER: As I understand it, the honourable member's question essentially is: if there are fewer knives that are able to be used in the commission of offences might there be less offences committed? Like the Hon. Ms Bonaros' question, I do not have statistics that break it down into that sort of segmented area. However, unapologetically, this is aimed at reducing the supply of the types of knives that can be used in offences.

The Hon. R.A. SIMMS: I understand that but, to assist the Attorney in responding to my question, what I am trying to understand is will this actually do anything? I am trying to understand whether there is any evidence that supports the idea that the government's approach is going to actually reduce knife crime. Can the government point to examples of similar laws that have been implemented in other jurisdictions and say, 'Yes, during this period of time there has been a significant reduction in the kind of offending that the government is trying to prevent.' Do you have some evidence of that that you can share with us?

The Hon. K.J. MAHER: I am advised that a number of these amendments, particularly in Queensland, are reasonably recent amendments. I am not aware of there being long-term studies on the very recent amendments but, as I have said, the aim of this is to reduce the supply of the types of knives that can be used in the commission of these offences.

The Hon. R.A. SIMMS: If the laws are only recent in Queensland and other jurisdictions and there is no data on whether or not they actually work, would it not have made more sense for the government to wait and see and maybe look at how those laws were working in practice rather than rushing to follow their lead without any evidentiary base?

The Hon. K.J. MAHER: I thank the honourable member for his comment. With respect, no, we do not agree with that at all. If the honourable member is suggesting that we wait and see until there is a whole body of evidence built up over many years about whether reducing the supply of knives that can be used in these types of offences helps reduce these offences, and if we saw some more of these crimes committed and we look back and say, 'If only we had passed these laws this offence might not have been committed,' I would not feel comfortable that I have done my job properly.

So, no, the idea that we wait a number of years to implement what three other jurisdictions have implemented to see the sorts of studies that the honourable member wishes to see, in my view would not be responsible, given that this can have the capacity of reducing the supply of the sorts of knives that are used in offences.

The Hon. C. BONAROS: I will clarify my questions, because they are not about opposing the bill but they are genuine questions in relation to how we are going to track that. Knives are in every household, so when we talk about a reduction in knife supply it is not like a reduction in gun supply or in prohibited weapon supply because they are more accessible. Once the bill comes into force, are we looking at any measures aimed at keeping track of whether there has been some sort of reduction in supply versus knife crime? Are we going to be monitoring that in any way, shape or form?

The Hon. K.J. MAHER: Let's make no mistake, we do not say this is a silver bullet and that having restrictions on these sorts of knives will end all knife crime. What we are saying is that this is one way to reduce the supply of these sorts of knives. As I said, I am advised that Queensland, Western Australia and Victoria are all moving towards similar supply reduction legislation. We think it is sensible to do that as a precaution here in South Australia.

The Hon. C. BONAROS: Perhaps an easier way: is there any proposal or could there be a proposal to collect data on the number of refusals of knife sales to under 18s to gauge the sort of impact that it is having on supply?

The Hon. K.J. MAHER: I am happy to check, but I am not sure that retail settings will keep—like with the analogy with the spray cans—statistics on when someone has or has not been refused.

The Hon. C. BONAROS: Can I ask another couple of questions, one in relation to machetes. I think it was gardening and camping that was going to have an exemption. Is that the only grounds for exemption for a machete? What about collectors? I guess that is where I am going.

The Hon. K.J. MAHER: My advice is that collectors are another exemption already identified in the act. These are specifically in relation to machetes and are based on advice from SAPOL for appropriate exemptions. My advice is that apart from the new section in, I think, schedule 2, in relation to machetes there is already a general exemption for collectors contained in the legislation. That is my advice.

The Hon. C. BONAROS: For the sake of clarity, I have been through Queensland's legislation again in terms of exempt, controlled, controlled-secured and restricted sales. Is that the sort of model we anticipate we will adopt here in terms of actually defining what a knife is? There are butter knives, cheese knives, steak knives.

The Hon. K.J. MAHER: That is the process we are engaged in as we speak. There is a round of consultation that has already commenced, particularly for storage and sale, about exactly what sort of knife will be captured and what sort of knife will not be captured. It is intended that the

legislation provides for regulations in relation to that, and consultation has already begun. I understand that will take only a couple of weeks.

The Hon. C. BONAROS: Who will that consultation extend to? Who are we looking to consult with in relation to the definition of knives?

The Hon. K.J. MAHER: In relation to storage and sale, largely it is the retail sector but also law enforcement.

The Hon. F. PANGALLO: I thank the Attorney for supporting in principle my amendment for further consultation elsewhere. I think that essentially supports what I have been saying in this place about the bill, that it has been rushed, but I am glad they are doing that. So far what I am hearing is that there is still a bit of a way to go with this thing.

Saying that you are going to reduce the number of knives because of this bill is the silliest proposition I have ever heard. What about axes? What happens if suddenly these people decide to use axes for their crimes?

The Hon. K.J. MAHER: I thank the honourable member for his question. Depending on what you are doing with an axe it can already be considered an offensive weapon under our legislation, I am advised.

The Hon. F. PANGALLO: How does the Attorney define what a knife is?

The Hon. K.J. MAHER: Do you mean for the purposes of storage or—

The Hon. F. PANGALLO: No, I want to know what your definition of a knife is.

The Hon. K.J. MAHER: My advice is that a knife includes a blade, under legislation, but for the purposes of some of the changes we are making now, particularly the storage provisions and the sale provisions, that is what consultation is commencing on, and it will take a couple of weeks to look at what should be excluded from that.

For example, bread and butter knives, plastic knives, bamboo knives, the round-edge knives that are sold as dinner knives in cutlery sets are the sorts of knives we are consulting on for looking to exclude. In essence, what these aim to cover are the sorts of knives you see used in offences.

The Hon. F. PANGALLO: Is a sword a knife?

The Hon. K.J. MAHER: What this bill does is provide the framework to then make the declaration that a sword will be a prohibited weapon.

The Hon. C. BONAROS: So we can have a better idea, if we look at the Queensland example, and I am not suggesting that this is where we will land, generally in Queensland we are talking about one single-sided blade such as a kitchen knife, a utility knife, a box cutter, a fishing knife, a scalpel, a cutthroat razor, a single-sided knife with a multitool or kit as opposed—and I am getting the sense that this is where we are going—to scissors, shears, shaving razors, cheese knives, plastic or wooden knives for eating and knives with rounded dull tips. The consultation is looking at the difference between those sorts of instruments when we are talking about knives; is that fair?

The Hon. K.J. MAHER: In a short answer, yes. But to clarify a bit further, that is what we are consulting on at the moment. We do not want to see plastic or bamboo knives or bread-and-butter knives requiring to be behind lock and key storage. It is firmly designed for a lot of those Ranger knives the honourable member has mentioned in relation to Queensland that we do see used in the commission of offences.

The Hon. C. BONAROS: And the ones that are more likely to be controlled or secured would be, then, your machetes, your swords, your sickles, your spears, potentially spear guns, daggers that have those double-edged blades. They are likely to be the ones that move into the prohibited weapons, bearing in mind there are already offences that apply to many of those already?

The Hon. K.J. MAHER: I am advised that some of those sorts of articles are already prohibited weapons, and certainly part of what this bill does is set up the framework for machetes and swords to also become prohibited weapons.

The Hon. N.J. CENTOFANTI: Just in terms of regulations and knife exemptions, is the government looking also at blades such as kirpan blades, which are in my understanding a part of religious uniforms for Khalsa Sikhs? In Sikh temples there are religious uniforms that are often worn as part of dress. Might that be an exemption? I ask that in particular around the Hon. Frank Pangallo's amendment, which the opposition have indicated we are broadly supportive of, including a place of worship. I am just wanting to make sure there are no unintended consequences.

The Hon. K.J. MAHER: I appreciate the question. Under I think it is schedule 2, part 2, section 7, the principal act provides for exemptions for legitimate religious purposes. As I have said what we want to do between the houses is just make sure that interacts with the Hon. Frank Pangallo's amendments. We would not want to create the situation where we had made it unlawful to have a knife in a place of worship and then a part of a religious ceremony that had been conducted for centuries for a legitimate religious purpose had been banned inadvertently. There is already a broad exemption under the act. We will do the work to make sure it properly interacts with the Hon. Frank Pangallo's suggested amendments.

The Hon. F. PANGALLO: I guess there are ceremonial occasions, and you could easily substitute steel for wood. What about screwdrivers, Attorney?

The Hon. K.J. MAHER: Again, depending on how you are using them, they can be deemed offensive weapons.

The Hon. F. PANGALLO: If a young person, a minor, working in Bunnings or another hardware store innocently sells a Stanley knife or a double-bladed knife, would the employer or the business be liable for their selling that to a young person? I will explain it. If I sent my young teenager—I do not have a child in the teens anymore—and said, 'Mate, we're doing some painting here. I need a Stanley knife. Can you just go down to Bunnings and buy it for me?' who will be liable if it is sold to them?

The Hon. K.J. MAHER: I thank the honourable member for his question. I gather his question is: if it is a knife that becomes one that is not allowed to be sold to someone under the age of 18 years, that knife would likely, I am advised, have to be in that secure storage. So I think the honourable member is asking: what happens if any person, whether it be an adult or a 17 year old at Bunnings, unlocks that secure storage cabinet that the knives are required to be behind and then sells one of those knives to someone under the age of 18 years? My advice is that under this it is the person doing the selling who would be held responsible.

The Hon. F. PANGALLO: So what is going to happen, Attorney, is that in hardware stores and other stores, but hardware stores in particular, things like Stanley knives and other bladed items that are used by tradies or whoever are going to have to be locked up behind some kind of a cupboard or whatever. How much is that going to cost businesses in having to apply the legislation to their stores?

The Hon. K.J. MAHER: I thank the honourable member for his question. It will be similar to businesses that previously have sold spray paint. We have had discussions with retailing bodies. In the consultation we have had it was suggested that there will be some retail outlets where the sale of knives that will need to be secured is a very small part of what they do. It might not be a particularly profitable part or it might not be by volume a particularly large part and those businesses might decide that this is not something they actually make a lot of money from and the need to put them behind secure storage means it is not worth selling them anymore.

But, obviously, as when legislation for spray cans came in and they needed to be behind lock and key, a decision might be made by the retailer that actually this is a part of their business that is needed and they will make the decision to keep them as a part of their line and put them behind lock and key.

The Hon. F. PANGALLO: But there is no evidence that locking away spray paints has actually reduced the incidence of criminal vandalism. In fact, it has probably got worse.

The Hon. K.J. MAHER: I thank the honourable member for his observation. It is equally true that it could be a lot worse if it was available to be taken off the shelf than it is now.

Clause passed.

Clause 2.

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

Amendment No 1 [Centofanti-1]—

Page 3, lines 5 and 6—Delete clause 2 and substitute:

2—Commencement

- (1) Subject to subsection (2), this Act comes into operation on the day on which it is assented to by, or on behalf of, the Crown.
- (2) The following provisions of this Act come into operation on a day to be fixed by proclamation:
 - (a) sections 3 to 7 (inclusive);
 - (b) section 11.

This amendment really seeks to ensure, where possible, that these laws can be swiftly acted upon in a practical sense to assist with the safety of South Australians.

The Hon. K.J. MAHER: I thank the honourable member for bringing this amendment to the chamber. As I said, we will support it in this place, but we will want to make sure it does not have what would be an absurd consequence of actually holding up the implementation of the bill because, even under some of the parts that this amendment would say would come into effect on proclamation, there still needs to be regulations made under those. So we will support it here, but with the caveat that we want to make sure that—and I understand it is not the intention—it will not have the unintended consequence of actually holding up the implementation of some of these things even longer.

The Hon. C. BONAROS: I indicate my support on the same basis as the government.

The CHAIR: I am going to put the question that clause 2 stands as printed and if you are supporting the honourable Leader of the Opposition you will vote no.

Question resolved in the negative.

The CHAIR: The next question is that new clause 2, as proposed to be inserted by the Hon. N.J. Centofanti, be so inserted.

Question agreed to.

Clause 3 passed.

Clause 4.

The Hon. F. PANGALLO: I move:

Amendment No 1 [Pangallo-1]—

Page 3, line 33—After 'facility' insert ', a place of worship'

I note that the Attorney-General and also the opposition have indicated they are supportive of this amendment in principle, so then there will be three other consequential amendments. Should I move all of them now?

The CHAIR: No, we have to do them one at a time.

The Hon. F. PANGALLO: Amendment No. 1 amends the offence of using or carrying an offensive weapon or dangerous articles in a school or public place to include places of worship.

The Hon. K.J. MAHER: Similarly to my contribution to the Leader of the Opposition's amendment, and as I outlined in my second reading sum-up, we will support these but we want to do some work to make sure they do not have any unintended consequences between the houses.

Amendment carried; clause as amended passed.

Clause 5 passed.

New clause 5A.

The Hon. C. BONAROS: I move:

Amendment No 1 [Bonaros-1]—

Page 4, after line 5—After clause 5 insert:

5A—Insertion of section 21DAA

After section 21D insert:

21DAA—Prohibition of retail sale of knives by minors

(1) A person is guilty of an offence if the person—

- (a) carries on a business of selling knives at retail premises; and
- (b) employs a minor at the retail premises; and
- (c) causes or permits the minor to sell a knife from the retail premises.

Maximum penalty: \$10,000.

Expiation fee: \$1,000.

(2) However, subsection (1) does not apply to the sale of knives from retail premises in circumstances prescribed by the regulations.

(3) In this section—

retail premises includes—

- (a) a market stall; or
- (b) a temporary or pop-up shop (however described); or
- (c) any other premises or place, or premises or places of a class, prescribed by the regulations.

I have already spoken to the amendment but I will say this: I am grateful and appreciative of the Attorney's willingness to continue to look at this issue in terms of sales by minors, which is the subject of this amendment. That said, I will just remind honourable members that if we flip the very last argument that was put at the beginning of this debate, and I think it was in response to one of the Hon. Rob Simms' questions to the Attorney, I think it really illustrates why we have moved this amendment.

I cannot recall the precise wording or detail but, in effect, the response given by the Attorney—and I do not mean to misquote you, Attorney—was that it would be unfair to expect a young retail worker to be responsible for exemptions of knife sales, for instance, to a 16 year old or a 17 year old. Really, what this amendment is trying to do is alleviate that same unfairness from a safety perspective of that young worker when it comes to selling these knives overall.

I do not think, from a safety perspective, it is fair to expect young kids—bearing in mind they are not all 16 and 17; we have 14 year olds and 15 year olds working in these places as well who are selling these knives. I just do not think it is fair to put them in that position, which is precisely the same argument that was given in response to the Hon. Rob Simms when it came to exemptions for young people wanting to buy knives. So I am really hopeful that the Attorney will continue to look at this.

I note and thank the opposition for their support. But as we progress, I remain hopeful that the Attorney will give some more thought to this in terms of providing, which I know he is very passionate about, safe workplaces for young people, particularly in those retail spaces.

New clause negated.

Clause 6 passed.

Clause 7.

The Hon. F. PANGALLO: I move:

Amendment No 2 [Pangallo-1]—

Page 6, line 23 [clause 7(1)]—After 'facilities' insert ', places of worship'

Amendment No 3 [Pangallo–1]—

Page 6, line 25 [clause 7(2)]—After 'facility' insert ', a place of worship'

Amendments carried; clause as amended passed.

Clause 8 passed.

Clause 9.

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

Amendment No 1 [AG–1]—

Page 10, line 14 [clause 9, inserted section 66Z(3)]—Delete 'A police officer' and substitute:

For the purposes of detecting the commission of an offence against Part 3A, a police officer

These are minor drafting amendments. They have been picked up by drafters to make the language consistent with other provisions in our legislation.

The Hon. N.J. CENTOFANTI: I will speak just quickly because it was remiss of me not to mention the government's amendments in my second reading speech, although I do echo the thoughts of the Hon. Robert Simms in regard to these amendments being quite late. Perhaps the government should heed their own advice when putting in last-minute amendments. But on that, I do think the government's amendments create consistency in legislation. They allow the commissioner to create an order for the prevention of a weapon and they also stipulate that the commissioner must report on special searches and the nature of each incident within each annual report. We think that these amendments collectively are sensible and we are happy to support all of the government amendments.

Amendment carried.

The Hon. F. PANGALLO: I move:

Amendment No 4 [Pangallo–1]—

Page 12, after line 6 [clause 9, inserted section 66ZB(1)]—Insert:

(ab) a place of worship;

This amendment is consequential to the previous three.

Amendment carried.

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

Amendment No 2 [AG–1]—

Page 19, after line 23 [clause 9, inserted section 66ZJ]—After paragraph (f) insert:

- (fa) the number of authorisations granted under section 66Y and 66Z during the relevant period and, in relation to each authorisation (identified by location and date)—
 - (i) the nature of the incident in relation to which the authorisation was granted; and
 - (ii) the number of people searched in the exercise of powers under the relevant section; and
 - (iii) whether weapons or articles of a kind referred to in Part 3A were detected in the course of the exercise of powers under the relevant section; and
 - (iv) the types of weapons or articles so detected; and
 - (v) in relation to an authorisation granted under section 66Y—whether the Commissioner gave consent under section 66Y(3);

Amendment carried; clause as amended passed.

Remaining clauses (10 and 11) and title passed.

Bill reported with amendment.

Third Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (17:23): I move:

That this bill be now read a third time.

Bill read a third time and passed.

ANIMAL WELFARE BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 28 November 2024.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (17:23): I rise to speak on the Animal Welfare Bill 2024 as the lead speaker for the opposition. As shadow minister for primary industries, I am committed to ensuring that animal welfare remains a key priority, particularly from a primary production perspective.

Our farmers and livestock producers take great pride in upholding high standards of animal care, recognising that good welfare practices are not only an ethical obligation but also fundamental to sustainable and productive agriculture. Therefore, the opposition's focus will always be on supporting policies that balance strong animal welfare outcomes with practical science-based approaches that acknowledge the realities of modern farming. We will unashamedly advocate for fair, transparent legislation and regulations that provide certainty for producers, whilst maintaining public confidence in our food and fibre industries.

By working closely with industry leaders, producers and the broader community, governments can and should ensure that animal welfare remains a priority without undermining the viability of our essential primary industries. We recognise that the state government has committed to reviewing the current act to ensure these laws align with modern practices and community expectations. Australian farmers highly value the trust placed in them by the public and understand that maintaining community confidence in their animal care practices is essential to the success of the agriculture industry.

Good animal welfare goes hand in hand with good farming, as high-quality agricultural products depend on healthy animals and excellent standards of care. Farmers are dedicated advocates for strong animal health and welfare outcomes. It is widely understood that the general public expects food production systems to adhere to national endorsed codes of practice, which are based on best practices, supported by scientific evidence and explicitly prohibit animal cruelty. These cover all manner of sectors, such as animals at saleyards or slaughter establishments, intensive husbandry of rabbits and the farming of ostriches to more common pigs and goats.

To drill down into an example, the code of practice for livestock at slaughter establishments addresses unloading, pre-slaughter handling and the slaughter process, emphasising the efficient and humane treatment of animals to minimise stress. Additionally, it includes guidelines for the emergency slaughter of sick, crippled or downer animals, as well as techniques for their humane destruction. It is thoroughly comprehensive, as are all the established codes of practice.

I raise that I will have amendments to this bill regarding legislating the use of virtual fencing for livestock animals in South Australia, something industry has been telling me and the opposition they wish to see form an explicit part of this Animal Welfare Bill. As we are all aware, state and territory animal welfare legislation determines where and what type of electronic devices can or cannot be used to contain livestock. Currently, these collars cannot be used commercially in Victoria, South Australia, New South Wales or the ACT. However, exemption permits can be obtained for research purposes.

In contrast, in Western Australia the Animal Welfare General Regulations 2003 were changed in June 2022 and now permit the use of a brand of virtual fencing technology in cattle, as long as the device is used in accordance with the manufacturer's instructions. A virtual fencing of livestock is also permitted in the Northern Territory, Tasmania and Queensland, and it is about time

that we move in line with these states to make virtual fencing commercially available in South Australia. The livestock industry has been calling on the government to allow for the commercial use of virtual fencing for a number of years. In fact, in their submission to the government on this Animal Welfare Bill, Livestock SA said:

Livestock SA has repeatedly requested that the restrictions on the use of virtual fencing collars in livestock be permitted beyond the research sector and allowed for use on commercial livestock properties. We note that the definition of an electrical device remains unchanged in the bill. As such, we again request government expedite amendments to the Animal Welfare Regulations 2012, specifically amending section 8(1)(a), to enable virtual fencing to be used for livestock management purposes.

It should be noted that during debate in the committee stage, when questions were asked of Minister Close by several members of the Liberal Party, the minister failed to affirm a commitment to virtual fencing, stating, 'Should virtual fencing be permitted, it will be done through regulations and this section does not change that.' Questions to the Minister for Primary Industries regarding the enabling of virtual fencing have also been asked during question time, and equally the minister fails to commit to industry. In the PPSA submission to the Animal Welfare Act, they stated:

Livestock and dairy commodity groups are strong advocates for the future application of virtual fencing technology in commercial farming systems and seek regulatory approval for use beyond the research sector in South Australia. Virtual fencing has been shown through peer reviewed research, to be effective at managing livestock movements in a low stress, reduced handling way, with benefits to the environmental management and reduction in labour requirements. Of particular concern to our industry sectors is how 'virtual fencing' is handled under Regulations.

They are concerned, and so are we. We are concerned that this Labor government will not progress with the use of virtual fencing through regulations, not because of any reason that has facts and science behind it but because of their ideology. I have a memo from the South Australian Dairyfarmers' Association, which they have asked to be read verbatim in the chamber:

The South Australian Dairyfarmers' Association has long advocated for the authorisation of virtual fencing. As representatives of the South Australian dairy industry, SADA is committed to a productive and sustainable future both on farm and through the supply chain. As an industry that relies on the highest standards of animal husbandry to ensure good productivity, we seek to ensure that animals in our care are treated optimally to make certain of ongoing productive outcomes.

In light of recent developments, including research conducted in South Australia under the direction of Minister Scriven, for which the industry is appreciative, we believe it is now important that virtual fencing be allowed within our State. Other states have come to permit the use of this technology as it amounts to an appropriate animal management tool that offers a number of advantages that current tools do not. Particularly, the use of this technology enables farmers to not only manage pastures more effectively, but also enables farmers to manage land in such a fashion that would allow protection sensitive areas and ecosystems on their properties.

It is important that changes are now made without delay to enable the use of virtual fencing technologies in South Australia. Delays will continue to generate uncertainty, create delays in business decision making which directly impact on industry, delaying investment decisions by farmers and placing South Australian farmers at a disadvantage to other states.

We have seen years of peer-reviewed research which shows virtual fencing is low stress and effective for managing stock movements. Other states have been using this technology for years, making South Australia anticompetitive as a place to do business in the ag sector, and it is about time that is changed.

Given the failure of both Minister Close and Minister Scriven, and indeed the government, to commit to enabling the use of virtual fencing through regulations, given the failure of any public commitment to do this, it is proposed that the legislation be amended to include a provision enabling its use.

If the Attorney in his role as minister in charge of the bill in this chamber would like to firmly commit to the chamber that the Animal Welfare Act 2024 regulations will allow the use of virtual fencing commercially in South Australia, then I am more than happy to consider withdrawing my amendment. The Attorney has that choice, and I firmly counsel him to take up my offer to make a public commitment in this place which will enable the use of virtual fencing through the associated drafted regulations.

The industry fears that if we wait for regulations under the new act it will be well into next year before anything gets done. I also fear that the minister will hold out on any regulations at all and

simply wait for the national animal welfare committee to come up with an agreed national standard. They have been at it for a couple of years now, and there is no guarantee that they will reach a position this year, or even next, or even the next year after that. It is taking too long, and any further delay is a disadvantage to South Australian producers.

The excuse from government in the chamber may be that there is a national standard which is coming, but waiting is not good enough. We need to level the playing field and ensure that virtual fencing technology is available into the future.

I note that there are amendments to this bill—several—which have been filed by the Attorney-General, the Hon. Connie Bonaros, the Hon. Frank Pangallo and the Hon. Tammy Franks. I can inform the chamber, and it probably will not be a big surprise, that we will not be supporting the amendments from the Hon. Tammy Franks, member for the Greens.

In regard to the amendment put forward by the Hon. Connie Bonaros, whilst we appreciate the intention behind this amendment, we believe it does not fully address the necessary requirements and, as a result, we are unable to support it because we believe the Hon. Frank Pangallo's amendment better encapsulates the broader issues and, as such, I indicate that we will be supporting his amendment. In regard to the government's set of amendments, I do have some questions around some of those amendments, and we will assess those amendments on their merits during the committee stage.

Before I wrap up, I do want to raise an important issue in regard to the RSPCA as inspectors or authorised officers under this new bill and the role that they play in investigating animal cruelty. There is a growing concern amongst industry regarding the policy direction of the RSPCA extending into production animal welfare. There is no doubt that animal cruelty is abhorrent, and reducing animal cruelty is a fundamental responsibility that transcends personal beliefs about livestock production methods. It is essential for ethical and also a number of practical reasons.

Humane treatment minimises unnecessary suffering, improves animal welfare and leads to better meat quality in the final product. Proper handling also creates safer working conditions for employees and supports industry best practice. Regardless of the production method, minimising harm is a fundamental responsibility in livestock management. However, what I hear constantly from industry as a growing concern is a slide, not for the advancement of best practice but for a call for a reduction or even the end of practice for animal production.

There is an inherent conflict in the RSPCA's dual role of fundraising for campaigns aimed at changing the legal framework governing production animals while simultaneously seeking public and community funds for animal welfare inspection services. To demonstrate impact, the RSPCA has a strong incentive to focus on animal husbandry practices or industries that are the subject of public activist campaigns, such as the push to ban live sheep exports.

I emphasise that the public and highly visible nature of the support of such campaigns has the potential to negatively affect the livelihoods of livestock producers who are fully compliant with Australian laws and animal welfare standards. Such campaigns can also erode public trust in farming and cause undue harm to an industry's reputation. It is firmly my opinion that as governments we have a responsibility to ensure this potential conflict of interest does not undermine livestock producers' confidence in operating within the legislated animal welfare framework.

I fully acknowledge the legitimate role of organisations like the RSPCA in advocating for and lobbying governments to enact legislative change that aligns with the interest of their members in advancing animal welfare. Advocacy is an important part of the democratic process, and groups have every right to push for reforms they believe in; however, my concern, and the concern of many within the livestock industry, lies with the RSPCA's dual status as both an advocacy group and a regulator.

This dual role creates a conflict of interest, as the same organisation that actively campaigns for changes in legislation is also responsible for enforcing existing animal welfare laws. This raises questions about impartiality, transparency, and the fairness of regulatory oversight, particularly for primary producers who rely on clear, consistent and unbiased enforcement. Regulatory responsibility should be carried out independently to ensure confidence in the system and fair treatment for all stakeholders.

Additionally, as a registered charity, the RSPCA receives significant public funding. Notably, the 2024-25 South Australian budget allocated \$16.4 million over four years in additional support for compliance activities, welfare assessments, and enforcement of animal welfare provisions. This funding suggests that inspection activities targeting both domestic animals and commercial livestock in South Australia are likely to increase in the coming years, regardless of any proposed legislative reforms.

I think it is important to note and place on the record that, to improve animal husbandry and to develop best practice for production animals, the government needs to work in partnership with industry, because the responsible stewardship of animal welfare must be guided by practical evidence-based policy that upholds high standards whilst ensuring the viability of our primary industries. The livestock sector plays a vital role in our economy and communities, and its commitment to best practices should be supported and not undermined by ideological agendas or regulatory uncertainty.

The government must work collaboratively with industry to achieve balanced and effective animal welfare outcomes, ones that enhance public confidence without placing unnecessary burdens on farmers. The opposition will continue to stand with our producers, advocating for fair and transparent regulations that enable innovation, maintain competitiveness and reinforce the proud tradition of ethical and sustainable livestock production in South Australia.

The Hon. F. PANGALLO (17:40): I rise to speak about this bill and, while I support much of the intent of the bill, I fear it is also a Trojan Horse for some of the minister's pet topics, if you pardon the pun, namely, a back door in seeking to ban the practice of duck, quail and other types of game hunting. Even though this has not been specified in the bill, there is concern that it may take that in. I note that there have been amendments from the crossbench to carve those elements out of it, and I hope that they get the support of the chamber.

I also say this because the minister's department has recently announced huge increases in permit costs, certainly much more than apply in other states. I think this is further evidence of how this government also extracts taxes and levies that, in comparison to larger states, are far too excessive. I will move amendments, which I hope will be supported, in the spirit of the select committee findings and recommendations into duck and quail hunting.

That was a very exhaustive committee and we took evidence from all around the state. It was quite clear from the evidence that was gained from that inquiry that there is a lot of support for the recreational activity of duck, quail and other types of hunting, which so far have shown to have been well observed by those involved in it. From what I was told by recreational and other hunters, the last duck season went really without much incident, and there were few areas of complaint in regard to that. Nonetheless, there still remains opposition from some sides of the fence, including from the minister and the Hon. Tammy Franks of course.

The Hon. T.A. Franks interjecting:

The Hon. F. PANGALLO: The Hon. Tammy Franks actually has a pile of amendments here, some of which I will support and others I will not. The opposition also has amendments, as does the Attorney-General. I certainly support the views that were expressed by the Hon. Nicola Centofanti in her observations about the RSPCA.

From when they were appointed as regulators by previous governments, I really had serious concerns about that. I did not think they were the appropriate organisation to be acting as the police, so to speak, of animal welfare, even though we know they do have that strong interest and you welcome their interest in that area and what they have done, but in this area I do not think they were the appropriate body to be the regulators.

I think that has been confirmed through some campaigns they have been running in recent years that indicate that this organisation has been hijacked by activists, which in turn, as the Hon. Nicola Centofanti has pointed out, are starting to threaten the livelihoods of farmers and livestock producers. It also indicates that there could be perceived conflicts of interest, but I am not going to attack the RSPCA because generally they have done fantastic work over the years and they

should be encouraged to continue with their advocacy for animal welfare as they have done for such a long time—not just in this state but elsewhere and also overseas.

However, as I have indicated, there are elements that have infiltrated the RSPCA and are beginning to influence what they do and some of the attitudes they have to animal husbandry and other things. It remains to be seen what will happen to that but, generally, I agree with what the Hon. Nicola Centofanti had to say in relation to that. In saying that, I will conclude my remarks and look forward to the debate.

The Hon. T.A. FRANKS (17:46): I rise today as the Greens' animal welfare portfolio holder to indicate that the Greens will be supporting the Animal Welfare Bill 2024 that is currently before us today. I flag also that the Greens will be introducing a series of amendments to make it an even better bill than it currently is, and we look forward to discussing and debating them in this place.

This bill before us is required to update and modernise the 40-year-old Animal Welfare Act 1985, to make it consistent with contemporary best practice, modern scientific understanding and the community's expectations for our animal welfare laws. I note the bill is the culmination of a process that began with a commitment by the government in opposition—an election campaign promise—and I am pleased that they have carried through with it all the way to fruition. It is obvious that the processes the government has undertaken here have validated those reforms.

The two separate rounds of public consultation received, in fact, more than 1,000 submissions each. This is testament to how strongly the public support strong animal welfare laws and how highly they rate animal protections, whether it be for our beloved domestic companions—whether furred or feathered or finned—our precious, unique and sadly sometimes threatened and endangered native wildlife, or the livestock across many of our rural communities that provide food, fibres or other products, and many hundreds if not thousands of jobs across our state in communities large and small.

The common denominator across all of these is overwhelmingly a love of and respect for animals large and small. It is pleasing to see such a consensus emerge for the need to take action to reform the old, outdated act. The bill before us addresses seven reform areas, and I note the government's stated intention to later address an eighth area of reform: shelter licensing. I look forward to that debate.

The Greens look forward also to the opportunity to participate constructively in that process in due course, hopefully in the not-too-distant future. However, the seven areas that this bill addresses are:

- updating the bill's purpose and including principles and objects in the act to rationalise its existence and guide its interpretation;
- improved recognition of animal sentience, acknowledging animals experience both positive and negative feelings, such as pleasure and pain;
- expanding the definition of 'animal' to include fish, consistent with other states, and cephalopods (such as squid, octopus and cuttlefish), but only, unfortunately, in the context of scientific purposes for the latter group, which I shall discuss further later on;
- establishing a duty of care provision with a positive obligation to provide a minimum level of protection;
- improving the regulation, oversight and transparency of the research and teaching sector to facilitate increased accountability and reflect community concerns;
- increasing capacity to manage and enforce the act so people who do contravene animal welfare standards can be held to account, cruelty can be deterred and animal welfare improved; and
- modernising the governance and administration of the Animal Welfare Advisory Committee to provide animal welfare advice from an appropriately qualified and diverse group.

While there are some shortcomings, passage of this bill will significantly strengthen the current act and improve animal welfare for domestic animals, native wildlife and livestock. More animals will be protected and better outcomes will be delivered, with two new mechanisms to enhance compliance and enforcement, namely, notices to comply and enforceable undertakings.

Penalties have been substantially increased for both individuals and corporations and moneys raised from licence fees, fines and penalties will be hypothecated into a new fund dedicated to improving animal welfare. This is a welcome reform. A new provision will enable additional activities and/or items to be prohibited through regulation, and that is also welcomed by the Greens and I look forward to constructive conversations with the minister about the sorts of things that might be included in those processes.

Seizing animals at risk will become easier and the process more animal focused, with the care and welfare of the animal the central consideration, noting that it will not deny natural justice to owners who can still apply to the minister not to have their animals forfeited if they are contesting the matter.

The bill will increase protections to animals by preventing interstate offenders escaping the oversight of their jurisdiction by recognising any animal welfare orders that they may have been subjected to. It will also introduce mandatory reporting requirements for people involved in the greyhound racing industry to report suspected breaches to the minister, as recommended by the independent Ashton inquiry into the governance of the greyhound racing industry—again, another welcome reform.

There really is no excuse for animal abuse. It is essential we ensure that cruel acts and practices against animals are treated as serious crimes, whether committed by private individuals or corporate offenders who, if found guilty, should be exposed to the full extent of the law and the highest penalties that this legislation now provides for.

I give credit to the government and the minister. I give credit where it is due, and it is due there. The penalty provisions are amongst the nation's best and I hope they do act as a deterrent to reduce cruelty and neglect and lead to improved welfare outcomes for all animals, whether in our homes, in the wild or on farms. To guarantee that, it is imperative that the Animal Welfare Act is monitored and enforced by well-resourced and expert inspectorates.

I am pleased to acknowledge the creation of the Animal Welfare Fund, which will see moneys raised from licence fees, fines and penalties hypothecated into a fund to improve animal welfare. I trust the government will match its rhetoric for animal welfare with increased funding and guarantee that the enforcement and rescue, rehoming and shelter organisations will be adequately, indeed amply, resourced to fulfil their expanded roles.

The incongruence of outsourcing the role of law enforcement of animal welfare matters to a private charitable organisation, albeit one that is dedicated, experienced and knowledgeable, yet dependent on public fundraising to ensure it can balance its books and fund its activities, has always been a concern for the Greens.

I do have some amendments and I will be introducing a number of them, as previously mentioned by other speakers. They were drafted in consultation with numerous stakeholders and which, if they were passed, would further strengthen this bill and would be truly nation leading and indeed would see South Australia become a lead in the world in this sort of legislation.

Our amendments reflect feedback that has been received from stakeholders, including the RSPCA South Australia, the Australian Alliance for Animals, an umbrella organisation incorporating Animals Australia, Compassion in World Farming, Voiceless, Humane World for Animals that was formerly known as the Humane Society International, Four Paws and World Animal Protection. They were also informed by the Law Society of South Australia's Animal Law Committee's submission to the consultation for the draft bill in May 2024.

I thank all those organisations, and so many more, for their input, advice and advocacy towards delivering the best possible outcomes for the animals who have no voice in this place and have no voice in the community and yet who give us their love, devotion, companionship and often their very lives for us.

The amendments that the Greens have put forward for this bill are in line with the Greens' policies, all stemming from our four pillars of ecological sustainability, social justice, peace and nonviolence, and participatory democracy. They will improve animal welfare outcomes, enhance scrutiny and oversight through better transparency and enable the industry to be held more closely to account regarding animal welfare and integrity standards.

The Greens strongly believe and know that animals are sentient beings capable of feeling and suffering. Their intrinsic worth is separate from the needs of humans. Their welfare must be respected with regard to both the survival of the species as a whole and the protection of individual animals. Humans do, in fact, have a responsibility to minimise any suffering of animals caused by our human activities and to maximise their quality of life. We do acknowledge that animal welfare should be considered in terms of the five freedoms that animal welfare experts now acknowledge as best practice, namely, freedom from hunger and thirst; freedom from discomfort; freedom from pain, injury and disease; freedom to express normal behaviour; and freedom from fear and distress.

The Greens welcome the opportunity to raise a number of amendments and I will go into detail as I move each of those in the debate. With that, I would like to thank the minister in particular for undertaking a very thorough and extensive consultation process; certainly, the documents and the briefings provided to me and my office have been of high quality. I would also like to particularly thank Emily Gore from the minister's office, as well as the minister's department for their facilitation of quite constructive conversations. With that, we welcome the committee stage of the bill.

The Hon. J.S. LEE (17:56): I rise today to speak about the Animal Welfare Bill 2024. This bill will replace the Animal Welfare Act 1995 and seeks to modernise South Australia's animal welfare laws to ensure that they are consistent with contemporary practices, science and community expectations.

The bill aims to provide a new framework to put animal welfare at the centre of decision-making and clearly recognises animals as living beings that experience positive and negative states. The definition of 'animal' has been expanded to include fish and cephalopods in certain contexts and the bill introduces a positive duty of care which requires owners to provide adequate food, water and living conditions. The bill seeks to increase accountability within the research and teaching sectors by improving regulation and oversight.

Notably, the government has adopted a range of new compliance and enforcement tools to provide greater flexibility to deal with cases of cruelty that may not have otherwise been able to be prosecuted. From the information provided to me in briefings, this seems to be a very sensible approach that will allow for greater nuance and provides a range of practical measures to help prevent cruelty and address contraventions of the act without always having to resort to prosecution.

Some of the other key changes in the bill include a provision for animals that have been seized to be considered forfeited after 30 days unless the owner uses the appeal processes provided under the bill. This proposition would prevent seized animals from being held for long periods of time while awaiting court outcomes and will result in better outcomes for the ongoing welfare of those animals. The bill also introduces an obligation for employees, contractors and volunteers in the greyhound racing industry to report any suspicion of animal welfare offences being committed in the sector. I understand that this was a recommendation from the independent inquiry into the governance of greyhound racing that has been adopted by the government.

The establishment of a new Animal Welfare Fund is another significant addition to this bill, which will capture licence fees, fines and penalties to be reinvested into supporting and promoting animal welfare outcomes. I understand that this section of the bill will require significant regulation and that the fund is intended to be used towards the promotion of research into animal welfare, including wildlife, and education programs relating to the protection of animal welfare and prevention of harm.

I would particularly like to make mention of the change to the definition of 'animal', which now includes fish. I know that questions were raised in the other place and also in this place about the impact this may have on recreational and commercial fishing practices. It is somewhat comforting for many to know that the minister has given strong assurances that fishing and aquaculture practices will not be impacted.

Likewise, the minister has assured members in the other place that this bill will not affect other industries, such as the dairy industry and other animal husbandry industries, as their codes of practice will remain attached to the new act as a regulation that gives an exemption to the general provision. However, it is important that these considerations are addressed explicitly by the minister because many industries and communities are heavily invested in and potentially impacted by animal welfare legislation, from livestock producers to breeders, hunters and fishers.

While the ministers have made assurances that practices such as duck hunting will not be regarded as an act of cruelty in this legislation, many organisations have raised concerns and prompted me to examine this further. Therefore, I wish to indicate that I will be considering supporting the amendments proposed by members to give ironclad certainty that this bill will not prohibit duck hunting or recreational game hunting activity.

I note that there was substantial debate and questioning in the other place around the issue of virtual fencing and understand that there has been very strong representation made by Livestock SA and other stakeholders for the bill to allow for virtual fencing to be used in South Australia. Therefore, I wish to indicate that I will be supporting the opposition's amendments in relation to the use of virtual fencing systems in line with industry submissions.

In regard to the number of amendments proposed by the Hon. Tammy Franks, I would like to take some time to consider those amendments during the debate and the committee stage. With those remarks, I commend the bill.

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

INDEPENDENT COMMISSION AGAINST CORRUPTION (CONDITIONS OF APPOINTMENT - INTEGRITY MEASURES) AMENDMENT BILL

Introduction and First Reading

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

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The House of Assembly appointed the Hon. J.A.W. Gardner to the committee in place of Mr Basham.

At 18:03 the council adjourned until Wednesday 19 February 2025 at 11:00.

*Answers to Questions***BARNGARLA DETERMINATION ABORIGINAL CORPORATION**

394 **The Hon. T.A. FRANKS** (11 September 2024).

1. How much has been spent by the Attorney-General's Department office in relation to legal matters involving the Barngarla Determination Aboriginal Corporation RNTBC (a) between 1 July 2021 to the present; and (b) between 1 July 2023 to present?

2. What is the value of work undertaken by Ashurst (on behalf of the South Australian government) in relation to Barngarla Determination Aboriginal Corporation RNTBC, and what amount of this work is yet to be invoiced?

3. How much has been spent by the Attorney-General's Department on the process of negotiation with the Barngarla Determination Aboriginal Corporation RNTBC regarding: (a) the hydrogen jobs power plant since 1 July 2022 to the present; (b) the Northern Water desalination project since 1 July 2022 to the present; (c) the Port Bonython precinct since 1 July 2021 to the present; and (d) the drafting of the Hydrogen and Renewable Energy Act since 1 July 2022 to the present.?

4. What was the total legal fees paid to Ashurst lawyers, incurred by the Attorney-General's Department, in respect to: (a) the hydrogen jobs power plant since 1 July 2022 to the present; (b) the Northern Water desalination project since 1 July 2022 to the present; (c) the Port Bonython precinct since 1 July 2021 to the present; and (d) the drafting of the Hydrogen and Renewable Energy Act since 1 July 2022 to the present?

5. What was the total legal fees paid to Ashurst lawyers, incurred by the Attorney-General's Department, in respect to: (a) the hydrogen jobs power plant since 1 July 2022 to the present; (b) the Northern Water desalination project since 1 July 2022 to the present; (c) the Port Bonython precinct since 1 July 2021 to the present; and (d) the drafting of the Hydrogen and Renewable Energy Act since 1 July 2022 to the present?

6. In the last 12 months how many barristers and solicitors have worked on, at least in part, negotiations involving Barngarla Determination Aboriginal Corporation RNTBC in respect to: (a) the hydrogen jobs power plant; (b) the Northern Water desalination project; (c) the Port Bonython project; and (d) any other advice provided?

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

OHPSA legal costs are disclosed in each annual report. It is not possible to provide a more detailed breakdown in relation to specific legal matters.

BREAST AND GYNAECOLOGICAL CANCERS

415 **The Hon. L.A. HENDERSON** (13 November 2024). Can the Minister for Health and Wellbeing advise the number of—

1. Women that have been diagnosed with breast cancer and gynaecological cancer in the past 12 months?

2. Women that have been treated for breast cancer and gynaecological cancer in the past 12 months?

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

Population-based cancer registries use multiple sources of information to determine statewide cancer incidence in South Australia, this includes all diagnoses in public and private facilities.

Collation of these data result in a time lag to reporting to ensure high-quality data (1). In 2021, there were 1,482 new cases of breast cancer and 470 new cases of gynaecological cancer diagnosed among women in South Australia.

With regard to treatment, for the 12-month period from 1 September 2023 to 31 August 2024 there were:

- 1,119 female patients admitted to SA public hospitals for breast cancer.
- 1,075 female patients admitted to SA public hospitals for gynaecological cancers.

The number of patients admitted to SA public hospitals may change slightly as the data is finalised at the end of the financial year.

(1) Australian Institute of Health and Welfare, interpreting cancer data, interpreting cancer statistics, last updated 11/8/2023, www.aihw.gov.au/reports/cancer/interpreting-cancer-data/contents/summary.

TREASURY AND FINANCE DEPARTMENT

420 The Hon. H.M. GIROLAMO (27 November 2024). Have any complaints been made against executives of any entities under the Department of Treasury and Finance from 2022-23 to present? If so, provide details and nature of the complaints, including the process of resolution that has taken place?.

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

In 2024, an investigation was undertaken regarding the conduct of former Super SA chief executive Mr Dini Soulio relating to his previous employment in the Attorney-General's Department. The matter was referred to the Department of Treasury and Finance to oversee as the current employer.

Mr Soulio was suspended pending the outcome of the investigation and resigned from the role of chief executive, Super SA in November 2024.

The Department of Treasury and Finance has not received complaints against executives of any entities under its complaint management policy or respectful treatment in the workplace policy from 2022-23 to present.

PUBLIC HOSPITALS

421 The Hon. N.J. CENTOFANTI (Leader of the Opposition) (28 November 2024). Can the Minister for Health and Wellbeing advise—

1. Can the minister provide all information regarding: the cost per national weighted activity unit for the periods 30 June-1 July for each of the years 2019-20, 2020-21, 2021-22, and 2022-23, for the hospitals listed below:

- Flinders Medical Centre;
- Royal Adelaide Hospital;
- Lyell McEwin Hospital;
- Modbury Hospital;
- The Queen Elizabeth Hospital;
- Noarlunga Hospital;
- Mount Gambier and Districts Health Service;
- Port Augusta Hospital and Health Services, and
- Whyalla Hospital and Health Service?

2. The average length of stay in each of the hospitals listed above, for the same periods?

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

1. SA Health provides costing data to the Independent Health and Aged Care Pricing Authority on the cost per national weighted activity unit. This information is publicly available at National Benchmarking Portal (NBP) which is publicly accessible at <https://www.ihacpa.gov.au>.

The benchmarking portal includes insights from data collected between 2017-18 and 2021-22. The NBP has three areas of focus:

- Cost per NWAU;
- Hospital acquired complications (HACs); and
- Avoidable hospital readmissions (AHRs).

2. SA Health provide data to the Australian Institute of Health and Welfare (AIHW) who publish data (<https://www.aihw.gov.au>).

Data on average overnight length of stay (days) is publicly accessible at <https://www.aihw.gov.au>.

WHYALLA STEELWORKS

In reply to **the Hon. F. PANGALLO** (26 September 2024).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Department for Energy and Mining and Minister Koutsantonis are in regular contact with GFG, and the blast furnace is a regular topic of discussion. The department and minister are aware of the cause of the shutdown and the estimated restoration timeframe.

The government is not aware of any allegations of industrial espionage.

The Department for Energy and Mining is in regular contact with SafeWork SA to monitor all aspects of safety around GFG's mining and steelmaking operations.

TRANSCRANIAL MAGNETIC STIMULATION

In reply to **the Hon. T.A. FRANKS** (17 October 2024).

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

At The Queen Elizabeth Hospital, a University of Adelaide research protocol has been developed that will make transcranial magnetic stimulation (TMS) available to some patients as part of the protocol and provide experience in TMS to some clinical staff using a university acquired machine. The trial is anticipated to make TMS available to an estimated 50 patients.

The Prescribed Psychiatrist Treatment Panel Position Statement on TMS has been released and the Chief Psychiatrist is working to support local health networks on how TMS can be implemented in the public system, including funding and resources required.

The government will consider further investments in the South Australian health system as part of budget processes.

VOLUNTARY ASSISTED DYING

In reply to **the Hon. L.A. HENDERSON** (12 November 2024).

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

Part 10 of the Voluntary Assisted Dying Act (SA) 2021 (the act) establishes the Voluntary Assisted Dying Review Board (the review board). The review board's functions include that it monitors matters related to voluntary assisted dying (VAD) and that it provide advice to the Minister for Health and Wellbeing in relation to the operation of the act.

Section 129 of the act requires a review of the operation of the act to be completed by 31 January 2028, being the anniversary of the act's fifth year of operation.

The review board will consider feedback received from members of the community, as well as information and learnings collated from compliance reviews of each completed VAD episode, to inform this review.

The review board has advised it will ensure that access to VAD for individuals either convicted of a crime and imprisoned, or those awaiting conviction, is raised and considered as part of this review.

TOMATO BROWN RUGOSE FRUIT VIRUS

In reply to **the Hon. F. PANGALLO** (12 November 2024).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

The new testing facility at the Waite campus, managed by the South Australian Research and Development Institute (SARDI), is operational and has alleviated our reliance on interstate labs. The current capacity and turnaround times are linked to the high volume of samples that have been taken at the start of the most productive season for our growers.

The laboratory's capacity was established to assist in market certification needs, particularly for Western Australia and Queensland, which require testing within 10 days of harvest. This rapid response is critical to maintaining access to these markets while ensuring stringent biosecurity measures to prevent the spread of the virus.

South Australia is committed to balancing biosecurity protocols with market access and minimising disruptions for growers while refining the operational framework for ToBRFV testing.

SOUTH AUSTRALIAN COUNCILS

In reply to **the Hon. S.L. GAME** (13 November 2024).

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

Trees play an important role in improving the amenity and appearance of our streets and suburbs and provide benefits to our communities and environment. Councils have responsibility for managing many trees as well as an obligation to manage risks to safety and infrastructure in their areas, including risks that may be caused by trees.

Under section 245(1) of the Local Government Act 1999 (the act), councils are not liable for damage to property which may result from a street tree. However, section 245(2) of the act also states that a council may be liable

for any property damage if the owner or occupier of a property adjacent the road has made a written request to a council to take reasonable action to avert a risk of damage to their property from the tree and the council has failed to take reasonable action in response to the request.

These provisions have been in place since the commencement of the act.

REGIONAL HOUSING

In reply to **the Hon. R.A. SIMMS** (13 November 2024).

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

Sixty-nine new SA Housing Trust public houses have been completed to date, with a total of 182 expected to be completed by March 2026.

FERAL DEER

In reply to **the Hon. F. PANGALLO** (13 November 2024).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

That on 26 October 2024 an aerial culling operation for feral deer took place at Buckland Park as part of the SA Feral Deer Eradication Program. This operation included the Adelaide International Bird Sanctuary and a number of adjoining private lands. The operation was a collaborative effort between Northern and Yorke Landscape Board, Green Adelaide and National Parks and Wildlife Service.

This was the third aerial culling operation for feral deer in the Buckland Park area. A total of 38 feral deer were removed during this operation.

The first aerial culling operation in May 2023 removed 373 feral deer, and the second operation in February 2024 removed 224 feral deer.

No other feral deer were sighted during the recent operation, but I am advised that it is possible that a few feral deer could remain along the Gawler and Light rivers, and they could reinfest the Buckland Park area. Landholders are being asked to continue to monitor and report feral deer in the region because ground shooting operations will seek to remove any remaining feral deer.

I understand landholders in the region are already experiencing benefits from the removal of more than 600 feral deer from reduced grazing pressure in the food bowl region and increased biodiversity outcomes in the Adelaide International Bird Sanctuary and high value sabkha communities.

AVIAN BIRD FLU

In reply to **the Hon. T.A. FRANKS** (13 November 2024).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

PIRSA biosecurity staff have been actively engaging with the veterinary profession to raise awareness on highly pathogenic avian influenza (HPAI) and about emergency preparedness activities in the different poultry sectors.

South Australia's preparedness and response activities to emergency animal diseases (EAD) are guided by the Australian Veterinary Emergency Plan (AUSVETPLAN) which provides Australia's nationally agreed approach to responding to emergency animal diseases (EADs) of national significance. AUSVETPLAN comprises response resources that support efficient, effective and coherent responses to emergency animal diseases.

PIRSA Animal Biosecurity actively participates in the development of AUSVETPLAN and was part of a national working group which recently completed a review of the AUSVETPLAN operational manual for humane destruction methods of various animal species that may be used in an emergency animal disease (EAD) response. The Australian Veterinary Association (AVA) was actively involved in the review which included various destruction options for use in poultry.

PIRSA staff are members of the Australasian Veterinary Poultry Association (AVPA) and attended the AVPA scientific meeting in May 2024 where biosecurity, EAD risks and plans were covered. The AVPA has drafted consensus policy for poultry destruction in case of an EAD incursion. Animal Biosecurity is a member of the Poultry Health Liaison Group which has covered EAD preparedness activities within the state.

As part of EAD preparedness, Animal Biosecurity has developed a private vet practitioner engagement strategy which has included a webinar on HPAI which covered:

- HPAI overview and update,
- laboratory sampling techniques,

- reporting and working with PIRSA,
- biosecurity practices for clinics and
- introduction to emergency response.

Sixty-one veterinarians and vet clinic staff interacted with the webinar event.

PIRSA biosecurity staff also presented on overview of equipment for destruction and disposal of poultry to about 40 veterinarians and vet clinic staff at a veterinary roadshow at Robe.

Information sharing is a key part of engaging private veterinarians through the Veterinary Surgeons Boards of South Australia (VSBSA) and via a dedicated PIRSA mailbox.

PORT STANVAC HOUSING DEVELOPMENT

In reply to **the Hon. R.A. SIMMS** (14 November 2024).

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

A proposal to initiate a code amendment to rezone the site has recently been submitted for my consideration. The Proposal is currently under assessment by the Department for Housing and Urban Development and I am unable to comment on the merits of the proposal at this stage. I anticipate a range of investigations will be undertaken to address affordable housing options, site contamination and public transport access. Funding arrangements will be subject to future negotiations.

TOMATO BROWN RUGOSE FRUIT VIRUS

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (26 November 2024).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

Current waiting times can be found at:

https://pir.sa.gov.au/biosecurity/plant_health/emergency_and_significant_plant_pests/tomato_brown_rugose_fruit_virus

TOMATO BROWN RUGOSE FRUIT VIRUS

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (26 November 2024).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

Yes.

REGIONAL UNEMPLOYMENT

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (26 November 2024).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised by the Minister for Housing and Urban Development:

The South Australian Housing Trust has completed construction of 69 new public houses to date in various regional areas.

Renewal SA, through the Office for Regional Housing, has completed construction of eight new houses in regional South Australia with a further 22 currently under construction.

SUMMIT SPORT AND RECREATION PARK

In reply to **the Hon. S.L. GAME** (27 November 2024).

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State): The Minister for Recreation, Sport and Racing has advised:

The grants identified by the member totalling \$3.775 million were provided to the Mount Barker council over two years from 2016-17 as a contribution towards the construction of an Australian rules/cricket oval, soccer facilities and female-friendly change rooms at the Summit Sport and Recreation Park which had a total budgeted cost of \$23.0 million.

The Office for Recreation, Sport and Racing has confirmed the Mount Barker council has met and fulfilled their obligations under the grant agreements related to the Summit Sport and Recreation Park. The future utilisation of the site is a matter for the Mount Barker council.

SOUTH AUSTRALIAN RESEARCH AND DEVELOPMENT INSTITUTE

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (28 November 2024).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

1. The fish larvae and oyster spat mortalities are being investigated by PIRSA. These investigations are ongoing.
2. Yes, Robarra is being included in the ongoing investigations by PIRSA.
3. There is no evidence to directly link the fish and oyster spat mortalities to the dredging at this time.

RECREATIONAL FISHING APP

In reply to **the Hon. C. BONAROS** (28 November 2024).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

The app has been used by approximately 24,582 active users in the past 12 months, reflecting a 2.35 per cent growth in active users and a 1.06 per cent increase in total views. Users are spending more time on the app, with average engagement time per user increasing by 4.03 per cent to 10 minutes 49 seconds.

TOMATO BROWN RUGOSE FRUIT VIRUS

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (5 February 2025).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): I am advised:

Owner reimbursement costs for the tomato brown rugose fruit virus response are considered nationally under the Emergency Plant Pest Response Deed.

Being a plant nursery, SA Tomato is represented by Greenlife Industry Australia as a signatory to the national Emergency Plant Pest Response Deed.

While it's true that these costs cannot be paid until a national response plan has been agreed, my department has been taking steps since the early stages of the response to support this business in the assessment of these costs in order to make that process as efficient as possible.

Those measures have included:

- engaging Plant Health Australia, the custodians of the national deed, early to understand the formula that is applied in assessing claims and so that this could be communicated with the business to help them to prepare for the claim.
- engaging with Greenlife Industry Australia nationally, who have been exposed to similar claims interstate to ask them to work with the business to prepare for the assessment process.
- ensuring that PIRSA staff undertook their own, early assessment of impact to understand the likely quantum of claim so that all national contributors could understand this early, which helped in having these costs agreed in the national response plan.