# LEGISLATIVE COUNCIL

## Tuesday, 18 March 2025

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

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

*Bills*

### STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO AND OTHER JUSTICE MEASURES) BILL

*Assent*

Her Excellency the Governor assented to the bill.

### SUMMARY OFFENCES (KNIVES AND OTHER WEAPONS) AMENDMENT BILL

*Assent*

Her Excellency the Governor assented to the bill.

*Parliamentary Procedure*

### PAPERS

The following papers were laid on the table:

By the President—

Report of the Auditor-General—Report 2 of 2025:
Regional bus contract procurement—Phase 2

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

Fees Notice under Acts—
National Parks and Wildlife Act 1972—Hunting (2025)
Report and Determination of the Remuneration Tribunal—No. 1 of 2025—
Electoral District Boundaries Commission

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

Regulations under Acts—
Trustee Act 1936—Prescribed Qualifications (2025)

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

Guidelines under Acts—
Return to Work Act 2014—Impairment Assessment

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

By Laws under Acts—
Streaky Bay District Council—
No. 1—Permits and Penalties 2025
No. 2—Moveable Signs 2025
No. 3—Roads 2025
No. 4—Local Government Land 2025
No. 5—Dogs 2025

No. 6—Cats 2025
Regulations under Acts—
National Energy Retail Law (South Australia) Act 2011—
Local Provisions—Small Compensation Claims Regime

## ANSWERS TABLED

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

*Question Time*

## PUBLIC SECTOR EMPLOYEES

**The Hon. B.R. HOOD (14:30):** I seek leave to make a brief explanation prior to addressing a question to the Attorney-General regarding government engagement with medical professionals.

Leave granted.

**The Hon. B.R. HOOD:** Dr Megan Brooks, a former medical director of the Royal Adelaide Hospital's emergency department, recently gave evidence to a parliamentary committee about her interactions with the Coroner's Court. She stated that she received correspondence from the Crown Solicitor's Office indicating she was being considered for an investigation into maladministration or misconduct as a public sector employee, something she attributed to making herself available to the Coroner regarding patient deaths linked to ambulance ramping.

This letter reportedly questioned her motivations, suggesting that she was acting to embarrass the state. Her immunity to give evidence was later overturned by the government-initiated Supreme Court appeal, though she was ultimately allowed to testify under conditions limiting questioning from her own legal representation. My question to the Attorney-General is: did he personally approve or have prior knowledge of a letter sent to Dr Brooks by the Crown Solicitor's Office and, if not, when did he first become aware of it?

**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 thank the honourable member for his question. The provision that the judicial review related to was a brand new provision that was introduced, I think, by the former government in relation to providing immunity in coronial inquests. The judicial review, I am advised, was made and the government's application was upheld by the Supreme Court.

I am advised it is not a particularly unusual state of affairs that new provisions are tested in court to see what the bounds of those provisions are. I am also advised the correspondence was between legal practitioners: between the Crown Solicitor's Office and, I am advised, the concerned individual's legal representatives. As such, I won't go into the correspondence that is between two groups of lawyers.

## PUBLIC SECTOR EMPLOYEES

**The Hon. B.R. HOOD (14:32):** I seek leave to make a brief explanation before asking a question of the Attorney-General regarding public servants.

Leave granted.

**The Hon. B.R. HOOD:** Doctors and medical professionals have a duty to advocate for patient safety and the effective functioning of a health system. Dr Megan Brooks had testified that she received what she described as an intimidating letter from the Attorney-General's Department after she spoke publicly about ambulance ramping and health system failures. My question to the Attorney-General is: what steps is the Attorney-General taking to reassure South Australian health professionals that they can speak out about critical health issues without fear of retribution from his or any department?

**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 thank the honourable member for his question. As I answered in the last question, I certainly won't be going into details

that are between lawyers in relation to matters where correspondence has been sent between parties' lawyers.

I can say that right across the public sector we have many, many valuable people who contribute greatly to this state. They are in a wide range of various frontline services: in emergency services, police, ambulance, firefighters, and particularly in relation to those who work in hospitals. They are all valued employees of this state, and I think members from both sides and the crossbench would acknowledge the valuable work that many people do in the public sector.

**PUBLIC SECTOR EMPLOYEES**

**The Hon. B.R. HOOD (14:34):** Supplementary: does the Attorney-General believe that public sector employees have a right to speak out about issues within the government?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:34):** Once again, I am not going to go into the specifics of anything that has occurred in correspondence between groups of lawyers.

**AMBULANCE RAMPING**

**The Hon. B.R. HOOD (14:34):** I seek leave to make a brief explanation before asking the Attorney-General a question regarding ambulance ramping.

Leave granted.

**The Hon. B.R. HOOD:** The Malinauskas government promised to fix ramping before the last election yet ramping remains a crisis, and doctors on the frontline continue to raise concerns. Dr Megan Brooks has testified that the Attorney-General's Department sent her a letter questioning her motivations after she spoke out about the issue, threatening her with maladministration and a misconduct investigation for 'embarrassing the state' after she made contact with the Coroner after multiple deaths linked to ramping.

My question to the Attorney-General is: does the Attorney-General concede that ambulance ramping has embarrassed his government, given the ramping crisis the state faces despite his government's pre-election promises to fix it?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:35):** I thank the honourable member for his question. I know that the health minister in another place, the Hon. Chris Picton, member for Kaurna, is doing a huge amount in terms of bringing on new hospital beds and making the health system more efficient.

**AMBULANCE RAMPING**

**The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:35):** A supplementary: when will ramping be fixed?

*Members interjecting:*

**The PRESIDENT:** Order! No; sit down. The Hon. Mr Hunter and the Hon. Ms Girolamo, enough. The Hon. Dennis Hood, do you have a question arising from the answer?

**The Hon. D.G.E. HOOD:** I do, sir.

*Members interjecting:*

**The PRESIDENT:** Order!

**AMBULANCE RAMPING**

**The Hon. D.G.E. HOOD (14:36):** Supplementary arising from the answer: Attorney, within the improvements that the health minister is attempting to make that you outlined, when will he fix ramping?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:36):** I thank the honourable

member for his question. I am happy to see if there is anything more that the health minister wants to add, but we are already seeing significant improvements in ambulance response times.

## LEGISLATIVE CHANGES, LAW AND ORDER

**The Hon. M. EL DANNAWI (14:36):** My question is to the Attorney-General. Will the Attorney-General inform the council about this government's reforms in the space of law and order that resulted from directly listening to and working with victims and their families?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:36):** I thank the honourable member for her question. There are a number of areas in the three years of the current term of this government where we have made changes, in some cases very significant changes, to the laws of the state in direct response to listening to the concerns of victims' friends and families, who have gone through and endured some of the worst things anyone could endure in their life and who have bravely consulted with the government. It has been a privilege, as Attorney-General, to meet with many of these members of the families of victims to—for no benefit of their own—encourage law reform in this state.

Honourable members in this place may recall the horrific case in 2015 where young father Daniel Hind, just 29 years old, was tragically killed by Timothy John Seymour at a home in Salisbury North. Mr Hind's body was found in a wheelie bin dumped in a paddock at Waterloo Corner about a month after he was reported missing, where it was found that his killer had callously dumped the body. At the time there was no specific offence in South Australia in relation to concealing or interfering with human remains.

Understandably, the fact that Mr Seymour so cruelly dumped Mr Hind's body in a bin after killing him only added further distress and heartbreak to Mr Hind's family. With there being no recognition in our laws at the time about the particularly traumatic impact that tampering and disposing of humans remains has, Mr Hind's family—namely his parents, Mindy and Philip Hind—bravely spoke about this shortfall in the law.

I am proud to say that after discussions with Mindy and Philip Hind we listened to their cries for change and, as a result of their advocacy, brought in new laws to see that offenders were punished for concealing or destroying a body in these sorts of circumstances. The new laws are now in effect, and mean that people who conceal, mutilate, destroy or interfere with a body in an attempt to frustrate criminal investigations will face up to 15 years in jail on top of the sentence passed for causing the death, while anyone charged with defiling human remains also faces up to 15 years behind bars. Two other new offences were also created, where failing to report the finding of human remains and concealing human remains will carry a maximum five-year jail term.

As a result of these changes made in 2022, any person who finds human remains, or what they reasonably expect may be human remains, must now report them to police. This type of offending has the potential, as it had in this case, to exacerbate the trauma experienced by victims' families and friends and to impede criminal investigations into the case, as was the case in Mr Hind's tragic death, making these changes so important.

I would particularly like to pay tribute to Mindy and Philip Hind for their brave advocacy in helping create the change that will make this easier for families in the future.

## PORT PIRIE, BLOOD LEAD LEVELS

**The Hon. T.A. FRANKS (14:40):** I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries and Regional Development on the topic of lead poisoning in Port Pirie.

Leave granted.

**The Hon. T.A. FRANKS:** On 13 March this year, an article in *The Guardian,* entitled 'Dead and dying Port Pirie birds and bats exposed to lead at 3,000 times acceptable levels', revealed that the South Australian Environment Protection Authority (EPA) did not open a formal investigation into the source of the lead poisoning despite a referral from your department, that being the Department of Primary Industries and Regions, SA.

Furthermore, it was revealed that neither the EPA nor PIRSA had communicated the details to the Port Pirie Regional Council despite residents reporting dozens of sick or dying bats and birds. South Australian Health declined opportunities to answer specific questions about parents' health concerns and whether more could be done to minimise lead contamination.

Details of necropsies obtained under FOI revealed that the presence of lead at more than 3,000 times acceptable levels meant that it was not just an animal welfare issue for native wildlife but potentially also for pets, livestock and domestic animals and, of course, Port Pirie residents, especially children, who are most susceptible to the permanently damaging effects of lead exposure.

The National Health and Medical Research Council acknowledge levels above 10 micrograms of lead per decilitre of blood could harm body functions and organs in both adults and children and recommend any blood lead level greater than five micrograms per decilitre should be investigated and reduced. However, the World Health Organization guidelines state that there is no safe level. The latest SA Health report found 66.3 per cent of children tested in Port Pirie returned a blood lead level above that threshold. My questions to the minister, therefore, are:

1 Is the minister concerned that the EPA and South Australian Health have chosen not to pursue this matter further, given her department believes there was something worth investigating?

2. Given this, is the minister confident that the current powers held by PIRSA are sufficient to protect animals, wildlife and residents in our regions?

3. Can the Malinauskas government now assure the public there is no risk currently to animals, wildlife and residents in Port Pirie, given this reported level of lead exposure?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:42):** I thank the honourable member for her question. My advice is that a specific lead point source was acknowledged as being extremely difficult to locate and identify. Without being able to identify a source of specific lead that may have contributed to this, I am advised that there was no further action taken.

## PORT PIRIE, BLOOD LEAD LEVELS

**The Hon. T.A. FRANKS (14:43):** Supplementary: was that advice from PIRSA or the EPA?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:43):** I am happy to check that and bring back a response.

## PORT PIRIE, BLOOD LEAD LEVELS

**The Hon. T.A. FRANKS (14:43):** Supplementary: how did that advice establish that there was no specific lead source, given there was no investigation?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:43):** I don't think I said that there was no specific lead source; I said it was unable to be identified.

## SOCIAL WORKERS REGISTRATION SCHEME

**The Hon. J.S. LEE (14:43):** I seek leave to make a brief explanation before asking a question of the minister representing the Minister for Child Protection about the Social Workers Registration Scheme.

Leave granted.

**The Hon. J.S. LEE:** The Social Workers Registration Board was established by the state government to oversee the scheme that requires social workers to become registered to work in South Australia from 1 July 2025.

ABC News reported on 7 March that there are fears that experienced domestic violence and child protection workers could leave the sector, which is already struggling due to workforce shortages. There are concerns within the sector that the proposed definition and guidelines for the

Social Workers Registration Scheme are too broad and may unduly impact a range of experienced workers who are not social workers, such as those with public health or psychology qualifications.

ABC News also reported that two people who were appointed to the Social Workers Registration Board in 2024 have since left. In response to media inquiries, the board said it was still working through the details of who will be required to obtain registration from 1 July this year and that the scope of registration is yet to be finalised. My questions to the minister are:

1. Given that the Social Workers Registration Scheme is intended to commence on 1 July 2025, why have the scope and guidelines for the scheme not yet been finalised?

2. Can the minister explain why the two board members resigned from the Social Workers Registration Board less than one year into their three-year appointment?

3. Will the minister address the concerns that workers may leave the sector due to the confusion and stress caused by the lack of detail about how they may be impacted by a registration scheme due to commence in just three months' time?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:46):** I thank the honourable member for her question. I am aware that the minister in the other place has certainly heard some of the concerns that have been raised around the Social Workers Registration Scheme and is endeavouring to work with the sector to ensure that those concerns can be overcome.

In terms of why individuals may resign from a position, I think it is worth mentioning that people can resign for any number of reasons. I think there has been strong support to have a registration scheme in place for social workers and this is something that will continue to be progressed.

## SOCIAL WORKERS REGISTRATION SCHEME

**The Hon. T.A. FRANKS (14:46):** Supplementary: why were the information sessions advertised to outline the new scheme cancelled at short notice?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:46):** That's not from the original answer.

**The PRESIDENT:** Well, minister, you are on your feet.

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

**The PRESIDENT:** I didn't even get the chance to allow it or not.

**The Hon. T.A. Franks:** You didn't know how this scheme was going to work—

**The PRESIDENT:** Order!

**The Hon. T.A. Franks:** —because you haven't taken advice from the Australian Association of Social Workers, who are your key stakeholder.

**The PRESIDENT:** The Hon. Ms Franks!

**The Hon. T.A. Franks:** The minister has a pattern.

**The PRESIDENT:** Order!

## ATTORNEY-GENERAL'S DEPARTMENT, CORRESPONDENCE

**The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:47):** I seek leave to make a brief explanation before asking a question of the Attorney-General regarding public servant correspondence.

Leave granted.

**The Hon. H.M. GIROLAMO:** Dr Megan Brooks has testified that she received a letter from the Attorney-General's Department warning her not to embarrass the government. Given the significant public interest in the health system failures of this government, including ambulance

ramping, this raises concerns about whether other medical professionals have received similar warnings. My question to the Attorney is: how many other public servants has the Attorney-General's Department written to with similar warnings about embarrassing the state?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:47):** I am happy to reiterate answers I gave earlier. Letters that are between lawyers I certainly won't be going into.

*Members interjecting:*

**The PRESIDENT:** Order!

**ATTORNEY-GENERAL'S DEPARTMENT, CORRESPONDENCE**

**The Hon. D.G.E. HOOD (14:48):** What has been the cost of the lawyers that the Attorney mentioned?

**The PRESIDENT:** Again, I don't understand how that arises from the original answer.

**AUSTRALIA-CHINA WINEMAKER IMMERSION PROGRAM**

**The Hon. T.T. NGO (14:48):** My question is to the Minister for Primary Industries and Regional Development. Can the minister tell the chamber about the Australia-China Winemaker Immersion Program that has just been completed for 2025 as part of the state government's support of the South Australian wine industry's re-engagement with the Chinese market?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:49):** I thank the honourable member for his question. Last week, I was very pleased to meet with participants of the Australia-China Winemaker Immersion Program at the National Wine Centre. The program is a fantastic initiative led by Treasury Wine Estates, with the support of the Chinese Alcoholic Drinks Association and Australian Grape and Wine. A first of its kind, the program offers winemakers from both Australia and China the opportunity for hands-on experience in international winemaking.

While it is valuable from the perspective of the exchange of knowledge and skills between our winemakers, just as importantly the program strengthens ties between our wine industries and deepens the important relationship between our two nations. In speaking with Ding, Gigi, Miao and Luna, the four Chinese winemakers who were part of the immersion program this year, and their support team, Sara, Stanley and Lucius, it was incredible to hear of their experiences in our state over the past few weeks and their genuine excitement to be in South Australia, a world-renowned home to premium wine.

Each of the four participants brought a different focus on wine, such as Ding, who is interested in wine flavour—as I imagine many of us are, in fact. Ding holds the distinction of winning the Moutai Cup, the National College Student Wine Tasting Skills Competition. Gigi is interested in the balance between conventional palatability and crafting experimental expressions, and Luna is interested in the advanced technology of winemaking. No doubt they brought some different perspectives to the vineyards and cellar doors that they visited as part of this program.

With Australian wine once again flowing into China, the South Australian government has stood by our wine industry in navigating new opportunities following the reopening, in large part through the Malinauskas government's $1.85 million wine exporters China re-engagement package, which was launched in March 2024. The program has strengthened exporter capability, promoted two-way market activation and cultural immersion, provided export advisory support, enhanced marketing efforts and facilitated technical cooperation between our industries.

That work is now starting to bear fruit, with wine exporters selling 11.8 million litres of wine valued at more than $93 million to China in just November 2024 alone. This careful, measured approach from both state and federal Labor governments to re-establishing trade with China stands in contrast to those opposite and their federal counterparts when in government. However, now that the work has been done in re-establishing the trade relationship for important South Australian industries with China, we can clearly see just how important those relationships are in creating economic opportunities right throughout our state.

Last week's event was a great chance to debrief, discuss learnings from the program and hear from incredible winemakers, such as Alex Trescowthick, on what goes into making some of the world's most premium South Australian wine and how much the people of China value it. Again, I thank Treasury Wine Estates, in particular Erin Whitear, and Inca Lee from SAWIA for their support of this fantastic program that will continue to provide benefits to both nations long after its completion.

## MID MURRAY COUNCIL WATER

**The Hon. S.L. GAME (14:52):** I seek leave to make a brief explanation before directing a question to the Hon. Clare Scriven, Minister for Primary Industries and Regional Development, regarding access to non-potable water in the Mid Murray Council district.

Leave granted.

**The Hon. S.L. GAME:** Mid Murray Council currently provides access to 14 standpipes that provide a number of locals with access to non-potable water for residential and livestock use. To reduce vandalism and tampering, the council has spent $120,000 in recent years upgrading eight of these standpipes. However, the water reporting relies on customers providing accurate readings of their water use, and abuses of this honour system have cost the council an additional $40,000.

The council has applied for a $415,000 grant through the Department of Primary Industries and Regions to automate seven of these standpipes and install a swipe card system. The closure of two standpipes in particular, at Summerfield and Stonefield, would impact dozens of farming families who rely on these pipes to water their sheep. My questions to the Minister for Primary Industries and Regional Development are:

1. Can the government provide an update on the status of Mid Murray Council's funding application to PIRSA and outline when the council can expect an answer?

2. Will the government concede that, due to the Mid Murray Council's population of less than 10,000 and its financial position recently being described by ESCOSA as 'potentially unsustainable', the council cannot afford to upgrade all its standpipes and therefore needs state government assistance to continue providing water to these farming families?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:54):** I thank the honourable member for her question. When I was in Mannum last year, I met with the local mayor, Simone Bailey, and we had very fruitful discussions about a large number of matters. That included a discussion of the standpipes. The standpipes, as the honourable member has outlined, are owned by council, but they are both a significant difficulty in terms of maintaining them and being able to get accurate readings, given that it is based on an honesty system. I understand that the $120,000 of upgrades in recent years was due to a federal government grant. The application is under consideration, and we will be able to provide an answer as soon as possible.

## PARLIAMENTARY COMMITTEE EVIDENCE

**The Hon. J.M.A. LENSINK (14:55):** I seek leave to make a brief explanation before directing a question to the Attorney-General regarding parliamentary evidence.

Leave granted.

**The Hon. J.M.A. LENSINK:** As has been canvassed this afternoon in question time, and without seeking for the Attorney to go into the details, explosive evidence has been provided to a parliamentary committee in relation to a senior emergency doctor receiving correspondence from his department, which she states has been intimidating and she takes it as an attempt to silence her. Given that this has taken place, what steps has the minister taken to inform himself of the circumstances, the appropriateness of the tone, and has he reviewed the correspondence, without seeking to ask him for the contents?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:56):** I thank the honourable member for her question. The lawyers who work in the Attorney-General's Department in my

experience demonstrate the utmost professionalism, and I have confidence in the way they go about what they do.

## PARLIAMENTARY COMMITTEE EVIDENCE

**The Hon. J.M.A. LENSINK (14:56):** Supplementary question: has the Attorney had a briefing of any sort on this matter?

**The Hon. H.M. Girolamo:** Doesn't even want to answer the question—that's pretty telling, isn't it?

**The PRESIDENT:** Order! The Hon. Ms Lensink, that did not arise from the Attorney-General's answer. It was not a supplementary question.

## EMERGENCY SERVICES AERIAL FLEET

**The Hon. J.E. HANSON (14:56):** My question is to the Minister for Emergency Services and Correctional Services. Will the minister update the council on the government's recent investment in the state's emergency aerial fleet?

**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 member for his question. The Malinauskas government is making a once-in-a-generation investment in our state's emergency service aerial fleet, an investment that will save lives, improve response times and strengthen our ability to meet future demands. With a record investment, I am advised, of $870 million, we are ensuring that South Australia has the very best in emergency service aviation services—services that are available 24 hours a day, seven days a week, to respond to crises anywhere, any time.

A faster, bigger and more effective emergency service response: from next year South Australia will roll out a new fleet of eight state-of-the-art aircraft, strengthening our capacity for law enforcement, search and rescue, and medical retrieval operations. For our police force, we will be introducing two Bell 429 helicopters. With speeds of up to 287 km/h and a range of 596 kilometres, these aircraft will rapidly deploy to support law enforcement, protect the community and assist in search and rescue missions.

For emergency medical retrieval and search and rescue, three Leonardo AW139 helicopters will be delivered. These helicopters, capable of flying 309 km/h, with a range of nearly 700 kilometres, will dramatically improve our ability to transport critically ill or injured patients from regional and remote areas to life-saving medical care. Our new PC12 NG fixed-wing aircraft will also be added to the fleet, providing additional capacity for aerial medical retrieval.

For the first time we are bringing together SA Police and SA Ambulance Services aerial operations under a single provider—Toll Aviation. This will improve efficiencies, coordination and deployment of rescues, ensuring faster response times and better outcomes for communities across the state. We are also proud to partner with the Royal Flying Doctor Service and the Indigenous aerospace consultancy Gunggandji Aerospace, strengthening our emergency response network and ensuring all South Australians receive the best possible care in times of crisis.

Importantly, this is not just an investment for today; it is a long-term commitment. The new aircraft will be available for emergency responses 24 hours a day, every day of the year, under the contract that extends until 2039. Beyond saving lives, this investment will create over 80 new local jobs in aviation management, aircrew engineering and operations, boosting our local economy while ensuring we have the skilled workforce needed to support this world-class emergency fleet.

South Australia expects and deserves the best possible emergency response times. With this investment, we are delivering on that expectation. We will be faster, better equipped and more coordinated. We are committing to ensuring South Australians, no matter where they live, have the rapid response that they are looking for.

## DUST-BORNE DISEASES

**The Hon. C. BONAROS (15:00):** I seek leave to make a brief explanation before asking the Attorney and Minister for Industrial Relations a question about protections against dust-borne diseases for tunnel workers.

Leave granted.

**The Hon. C. BONAROS:** An editorial appearing in the *Sydney Morning Herald* over the weekend, titled 'The human cost of Sydney's many tunnelling projects', discusses the growing evidence of dust-borne diseases taking their toll on trade workers assigned to tunnels in New South Wales. Prompting this editorial was the same day reporting conducted by the *Herald Sun* revealing that 13 workers on tunnelling projects across Sydney have been diagnosed with silicosis, including one worker as young as 32.

Since 2019, SafeWork SA has only raised four alerts related to airborne hazards across tunnelling companies, and that is despite having known about those risks much earlier than that. My questions to the minister are:

1. Can the minister provide an update on the implementation of silicosis-related measures specifically as they relate to tunnelling projects here in South Australia?

2. What measures are or has SafeWork SA taken in terms of protecting against similar sorts of exposure to dust-borne diseases?

3. What are the statistics on silicosis diagnosis here in SA, and what specific projects are they attributable to, if at all?

**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 her questions. Firstly, I acknowledge her longstanding interest and her commitment in this area. We have during this term of parliament made very significant changes to our Return to Work system to recognise the effects that dust-borne diseases have on workers.

Particularly, we recognise how the presentation of that disease can often be a significant amount of time after the disease was contracted, and the effect it has on the ability to work and, unfortunately, in so many cases causing death, often happens a significant time after that, again. While we have made changes at the very end of the process to make it fairer and more equitable, it still is a significant problem.

Not directly in relation to tunnelling, but we have taken a leadership role in Australia in relation to dust-borne diseases as it pertains to engineered stone. We led the way to say we would go it alone if the use of engineered stone for slab benches wasn't looked at nationally. Very pleasingly, it is now national and all states and territories have agreed to end their use, and the commonwealth have an importation ban on those products.

Specifically in relation to statistics and programs for tunnelling, I will be happy to refer that question and bring back an answer after consulting with SafeWork SA for the honourable member. I want to make clear, though, that anyone who runs a business has a responsibility to provide a safe workplace. That's very clear in our legislation, but in terms of specific statistics or programs, I will be happy to bring back an answer for the honourable member.

## SOUTH AUSTRALIA POLICE

**The Hon. D.G.E. HOOD (15:03):** I seek leave to make a brief explanation before asking questions of the Attorney-General regarding offences against police officers in South Australia.

Leave granted.

**The Hon. D.G.E. HOOD:** Unfortunately, we have seen some terrible assaults on police officers in recent times. To that end, on 5 March this year the President of the Police Association of South Australia, Mr Wade Burns, appeared before the South Australian parliament's Select Committee on Support and Mental Health Services for Police. During the hearing, Mr Burns

commented on what measures could be implemented to further support police officers in their work. He stated, and I quote:

> More can be done [by] providing specific legislation to look after, support and protect police…we have provided to the Attorney-General some correspondence in relation to an offence of intimidate law enforcement officer…similar to the stalking, threatening-type offences, but it is tailored to police officers and their family members. That doesn't exist at the moment. They are things that [will make] police officers feel as though the legislation has their back, the government of the day has their back…and then the judiciary, if they use the legislation appropriately…

My questions to the Attorney are:

1. What was the Attorney's response to the Police Association's letter? If he hasn't yet responded, what is his thinking about what his response might be?

2. If the Attorney is so amenable, when might we see such a bill?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:05):** I thank the honourable member for his question and his genuine interest in the protection of the community and particularly the protection of those who serve us in keeping us safe.

In relation to the specific proposal that has been put forward by the Police Association, I will double-check, but, from memory, I have responded reasonably recently to the proposal that was put forward, noting that the underlying offences for those stalking and harassment-type offences are, if I remember correctly, already stronger in South Australia than they were in Victoria before Victoria brought in the specific ones in relation to police. It is certainly something we are open to in South Australia, and it is currently under consideration, I am pleased to report to the honourable member.

## ABORIGINAL AFFAIRS

**The Hon. R.P. WORTLEY (15:06):** My question is to the Minister for Aboriginal Affairs. Will the minister inform the council on the government's achievements in the Aboriginal affairs portfolio since the 2022 state election?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:06):** I thank the honourable member for his question and his interest in this area. It is a great privilege to be South Australia's Minister for Aboriginal Affairs, and it is not a role that is taken lightly. We went to the 2022 election with a significant policy agenda aimed at achieving better outcomes for Aboriginal people in this state and, in the three years since, I am pleased to report we have made significant steps towards fulfilling this agenda. To name a few:

- we have legislated to increase penalties for interfering with, disturbing or destroying Aboriginal heritage;
- we have enshrined the operation of the Nunga Court, the first sentencing court of its kind anywhere in Australia, to ensure it has a formal and recognised place in our justice system;
- in this term, we have appointed two Aboriginal people as magistrates, which addresses the fact that, in the decades and centuries that we have had the state of South Australia and the colony that preceded it, we have never had an Aboriginal person preside over any court in this state;
- we have legislated to allow Aboriginal people to give evidence in court about their own traditions and customs, putting an end to the framework that allowed non-Aboriginal anthropologists to do so but not Aboriginal people themselves;
- we are working with the federal government and have provided funding to Yadu Health in Ceduna to construct a new purpose-built Aboriginal health clinic. This will replace an old facility ridden with black mould and with a troubled history for many Aboriginal people. I understand the official sod-turning ceremony to kick-off construction is happening in Ceduna in the next couple of weeks;

- we have met our commitment to employ 15 Aboriginal rangers in our national parks, recognising the value of cultural knowledge in the care and protection of the natural environment; and
- we have delivered on our commitment of legislating for a Voice to Parliament for Aboriginal people in this state. The First Nations Voice Act passed parliament nearly two years ago, and we have seen the Voice meet with cabinet and chief executives, provide advice on bills, and address a joint sitting of parliament. We are looking forward to further interactions over the year to come.

## REGIONAL ENERGY SUPPLY

**The Hon. R.A. SIMMS (15:08):** I seek leave to make a brief explanation before addressing a question without notice to the Minister for Primary Industries and Regional Development on the topic of regional power.

Leave granted.

**The Hon. R.A. SIMMS:** Last week, more than 26,000 homes were without power in the Mid North and on Yorke Peninsula at a time when the temperatures were in the high thirties. The outage resulted in business owners estimating significant financial impacts after having to discard thousands of dollars worth of stock. ElectraNet has claimed that there was a build-up of pollutants on insulators from dust and salt. A spokesperson for the company has said that this will remain a challenge until, and I quote, 'Good rain settles the dust and washes the equipment.' He went on to further state that it is 'simply not possible to wash all of the state's Stobie poles'.

My question to the Minister for Primary Industries and Regional Development, therefore, is: what is the minister doing to ensure regional communities are not left without power during heatwaves and bushfire danger days, and will the government commit to finally bringing the electricity network back into public hands to ensure that regional communities are not at the mercy of private corporations who put profits above services?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:09):** I thank the honourable member for his question. I think most of us here would have been having grave concerns for those in the areas that were impacted by such a significant inability to access power. As the honourable member has pointed out, the electricity assets are in control of the private sector following, of course, those opposite or their predecessors selling off ETSA back in the nineties. It is something that looking at last week's experiences I would hope that they may reflect on, but I think they continue to defend it.

I am certainly happy to refer the question to the Minister for Energy in the other place to see if he has anything to add. Of course, he was on radio last week. I understand that he was in communication with ElectraNet, if I remember correctly, and was certainly placing as much pressure as was possible for them to fix the issue. If he has something to add to this I will bring it back to the chamber.

## REGIONAL ENERGY SUPPLY

**The Hon. R.A. SIMMS (15:11):** Supplementary question: given the minister's concerns around privatisation of our electricity, will she be advocating for power to be put back in the hands of the people of South Australia?

**The PRESIDENT:** I think you did allude to the privatisation aspect, minister, so you may choose to answer, or you may choose to not answer.

*Members interjecting:*

**The PRESIDENT:** The Hon. Mr Simms, I might have to throw you out.

## YATALA LABOUR PRISON

**The Hon. L.A. HENDERSON (15:11):** My questions are to the Minister for Emergency and Correctional Services regarding prisons:

1. Why has there been a series of violent assaults, including with the use of weapons, at Yatala since the minister was appointed?

2. Is the minister concerned about reports that figures show—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. L.A. HENDERSON:** I wouldn't find this funny. I am glad that the government finds it so comical—

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Mr Hunter!

**The Hon. L.A. HENDERSON:** —that there is an increase of inmate and correctional officer assaults. They clearly don't take it seriously, and it's appalling.

2. Is the minister concerned about reports that figures show inmate and correctional officer assaults have more than doubled in the last 12 months?

3. What action has the minister taken to ensure the safety of corrections officers in light of the lawlessness descending on their workplace?

4. What action has the minister taken to ensure safety of other prisoners in light of this behaviour in Yatala?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:12):** I thank the honourable member for her question. In my six or seven weeks that it's been now I have shown a lot of interest in this space because I want to ensure that we can have a safe workplace for our prison workforce but also a safe space for our prisoners. Prisons, as you would be aware—you have shown a lot of interest in going to our prisons in South Australia—

*Members interjecting:*

**The Hon. E.S. BOURKE:** As a visitor, I would like to confirm.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. E.S. BOURKE:** As a visitor, as far as I am aware, that was why you were going. I have lost my train of thought now.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. E.S. BOURKE:** We need to be making sure that these are a safe work environment and that is why I had immediate conversations with people to make sure that we are putting steps into place, and I am glad that those steps have been taken. It's a really important thing to be doing because we need to have a safe work environment for people. We know that there is much to be done here. That is the point I was going to make: when you have been visiting our prisons, you would know, as I do and as many people in this chamber would know, it is not your everyday workplace. Putting that aside, it is not acceptable for someone to be going to work and not feeling safe, and that is why we are looking into this particular matter.

## YATALA LABOUR PRISON

**The Hon. L.A. HENDERSON (15:14):** Supplementary: can the minister please advise what steps she is referring to having being put in place since these recent assaults?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:14):** Following discussions with the Department for Correctional Services, we have put in steps to make sure that we can review the processes currently in place, ranging from how we inspect our cells and other processes we

could be looking at as well. These are discussions we have sat down with the union and gone through—and one thing I am really proud we were able to achieve was sitting down at the one table to work through these matters as a collective.

**YATALA LABOUR PRISON**

**The Hon. L.A. HENDERSON (15:15):** Supplementary: can the minister advise if regular weapons and drug searches have been cut at Yatala?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:15):** As I said, I have been advised that there are more searches in our prison system. We are putting on more of a workforce in our prison system, and I am advised that we are looking good in what we are able to achieve. However, putting that aside, I have asked for us to look at what we could be doing differently, and that is being undertaken.

**YATALA LABOUR PRISON**

**The Hon. L.A. HENDERSON (15:15):** Supplementary: when did the minister last meet with the PSA to discuss safety at Yatala and other prisons throughout South Australia?

**The PRESIDENT:** Minister, you talked about your union involvement, so—

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:15):** I am happy to talk about it—regularly. I regularly meet with them. I think I made my first phone call to them on the very first day I was elected into this role. I met with them and spoke with them throughout the weekend of the incident you are referring to, and also met with them since the incidents have been undertaken. I would love to tell you the day but days are blending into each other right now, however it has been since the incident.

**YATALA LABOUR PRISON**

**The Hon. L.A. HENDERSON (15:16):** Supplementary: is the minister of the view that there are enough resources to maintain security daily at Yatala and other prisons throughout South Australia at the moment?

*Members interjecting:*

**The PRESIDENT:** No; I will rule on it, the Hon. Mr Hunter. It is a supplementary 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) (15:16):** As I have said before in my previous answers, we are working very closely with what we are doing in our prisons. We want this to be a safe environment for everyone, and that is why we have had those discussions. We have sat down and worked through what we are doing in our prisons.

*Members interjecting:*

**The PRESIDENT:** Order!

*The Hon. I.K. Hunter interjecting:*

**The PRESIDENT:** I beg your pardon, the Hon. Mr Hunter, do you want to repeat that?

**The Hon. I.K. Hunter:** I said it was an excellent answer, sir, to a non-supplementary question.

*Members interjecting:*

**The PRESIDENT:** Order!

## FERAL DEER

**The Hon. M. EL DANNAWI (15:17):** My question is to the Minister for Primary Industries and Regional Development. Will the minister update the council about the ongoing efforts to eradicate feral deer from South Australia?

**The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:17):** I thank the honourable member for her question. Members may recall that I have spoken previously in this place about the ongoing efforts to eradicate feral deer from our state. Feral deer are a declared pest under the Landscape South Australia Act, and land managers are required to destroy feral deer on their land. This is to protect our primary industries, to protect the natural environment, and to protect road users from the impacts of feral deer.

Until recently, feral deer numbers were increasing across agricultural parts of South Australia, and it was clear that action was required to address the issue and protect some of our key agricultural regions from the devastating impacts of feral deer. In 2021 there was an estimated population of over 40,000 feral deer, and that was projected to increase to over 200,000 by 2031 if there was no increase in control activities.

We know that feral deer costs South Australian primary producers an estimated $36 million in agricultural productivity losses—that was in 2022—and modelling predicted this could become a quarter of a billion dollars by 2031. That would, of course, have enormous negative impacts on our primary producers.

Despite the approach to the feral deer eradication program by the current South Australian Liberal Party, the former Liberal environment minister identified the need to address this issue and initiated the partnership with a number of regional landscape boards, playing a key role in developing an ambitious 10-year South Australian feral deer eradication program.

I know that members on this side of the chamber are pleased to know that the feral deer eradication program is continuing this year with great success and has recently reported 21,000 feral deer eradicated from across a number of areas of our state. Operations have been underway in the Limestone Coast, Fleurieu Peninsula, Adelaide Hills, peri-urban areas around Adelaide (Adelaide Hills Council and the City of Onkaparinga), Eyre Peninsula and Loxton in the Riverland.

Breaking down the 21,000 eradicated deer numbers: 13,000 have been culled from the Limestone Coast region, which to put in perspective is the equivalent of the grazing pressure of 20,000 sheep. As I have spoken previously, I visited producers in the lower and upper Limestone Coast region impacted by feral deer and heard firsthand the overwhelming benefits that culling feral deer have. This is even more valuable now because given the tough drought conditions it means that there is increased grazing pressure. Removing feral deer reduces that grazing pressure.

In addition to the Limestone Coast operation, I am advised that 5,600 feral deer have been eradicated from the Adelaide Hills and Fleurieu Peninsula region, 126 from Eyre Peninsula and 636 have been culled from the Adelaide International Bird Sanctuary, along with a small population in Loxton that has almost been eradicated. We expect these numbers to reduce once again when the next round of culling occurs in April across various locations in South Australia.

We know that aerial culling is the most effective landscape level tool available to rapidly reduce feral deer populations and their impacts. I am also pleased to advise that PIRSA staff have been working with commercial processors of feral deer to explore further opportunities to have even more deer processed for human consumption.

I would like to take this opportunity to thank all the landscape boards that are involved in this program for the time and effort they have put in to ensure that the eradication of feral deer is a success. I would hope that members would agree that to have such a significant drop in the numbers of feral deer to under half within just a few short years is worthy of acknowledgement. I look forward to once again continuing to update this place on the work being done to hopefully one day soon achieve complete eradication of feral deer from South Australia.

## WOMEN'S AND CHILDREN'S HOSPITAL

**The Hon. F. PANGALLO (15:21):** I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs a question about the state government's Aboriginal heritage search and clearance protocols.

Leave granted.

**The Hon. F. PANGALLO:** Construction has started on the new $3.2 billion Women's and Children's Hospital on the former police barracks site at Thebarton. The site and the broader River Torrens precinct is regarded as the most significant Kaurna cultural location in Adelaide because of its proximity to a large Kaurna campground, and with that, of course, the Premier's preferred golf course. Indigenous elders strongly believe the building site is home to many Aboriginal remains and as such extra precautions are required.

I am informed the site has been and is being excavated without proper cultural impact monitoring or necessary consultation with traditional owners. I am also informed that under normal Aboriginal heritage search and clearance practices two qualified heritage monitors are supposed to be assigned to each excavator on site and that is not being followed at the Women's and Children's Hospital site. My questions to the minister are:

1. Are you comfortable with the current Aboriginal heritage search and clearance protocols being undertaken on the site of the new Women's and Children's Hospital?

2. Have any Aboriginal remains been located on the site so far?

3. Have any other Aboriginal artefacts been found on the site?

4. When will the government release the cultural heritage management plan for the site, which is required for major projects and which outlines protocols to be followed when discoveries are made on a construction site?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:23):** I thank the honourable member for his question. It is, as I mentioned in an answer to an earlier question about strengthening the protection for Aboriginal heritage in this state, under our Aboriginal Heritage Act, which was first introduced in 1988 I think, an offence to damage, interfere or destroy Aboriginal heritage.

There is a process that is often undertaken where there is deemed to be a risk of that occurring. Under the provisions of the Aboriginal Heritage Act, pursuant to section 23 an application can be made and it is most often made by a land-use proponent, whether they be a public or private land-use proponent, wind farm developers, housing developers but also government when building roadways or major infrastructure, such as in this case the Women's and Children's Hospital.

I will go and check, but to the best of my memory there was an initial application made during the term of the former government on the former much more constrained site where the Women's and Children's Hospital had been proposed, the site where it wouldn't have allowed for expansion or growth in any meaningful way to meet the future needs of South Australians in the Women's and Children's Hospital.

My understanding—and, as I said, I will double-check this—is that an application was made during the term of the last government under section 23 of the Aboriginal Heritage Act and authorisation was granted for that project to go ahead with, as is usually the case, specific conditions in relation to what happens if there are discoveries, particularly of Aboriginal remains: how they are handled and how that works.

As I said, I will double-check, but to the best of my memory there was a further section 23 application during the term of this government, although plans for the Women's and Children's Hospital under this government are significantly more ambitious than they were under the last government, to make sure that there is that ability for future expansion and to cater for what we need now in a much more meaningful and significant way.

Again, with permissions granted under section 23 of the act, there are conditions put in place in relation to protocols to be followed. I will check, but I don't recall it having been reported that there

was evidence of the conditions of protocols set down not being followed, but I am happy to go away for the honourable member and check that. As I said, for many major projects, authorisations are applied for. On the occasion that they are granted, there are often conditions attached as to how projects are undertaken. I am happy to go away and check if there have been any concerns raised.

**WOMEN'S AND CHILDREN'S HOSPITAL**

**The Hon. F. PANGALLO (15:26):** Supplementary: I am sorry to the minister, I may have overloaded you there. Another question that I asked that you may be able to answer: have any Aboriginal remains been located on the site so far, along with Aboriginal artifacts?

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:27):** I thank the honourable member for his question. In relation to Aboriginal remains, I don't recall Aboriginal remains being discovered at the site, but I might say that wherever you dig anywhere in this country there is a chance you will find Aboriginal remains. Some estimates have the Kaurna nation up to 5,000 strong at any given time and, if you have generations at say 20 years over tens of thousands of years, you have millions of people who have lived in a certain part of this country buried in this country, so finding remains is something that does occur during projects.

It occurs in major infrastructure projects that both the private sector and the government have undertaken and there are strict protocols as to what happens if remains are found, then identified to be Aboriginal remains and how they are handled. I don't recall reports of remains being found during the construction of the current Women's and Children's Hospital, but I am happy to go away and check if that is the case.

In relation to artifacts being found, again I am happy to check. It won't be unusual; it will be even less unusual that artifacts will be found. Wherever settlement occurred, and settlement occurred right across this nation for millennia, you will find artifacts that are remnants of human habitation, whether they be middens from cooking, discarded cooking implements or tools that have been made. It would be difficult to walk over coastal or river areas anywhere in this country and not have Aboriginal artifacts at any given place, but I am happy to go away and check that as well.

**ADELAIDE 500**

**The Hon. B.R. HOOD (15:28):** I seek leave to make a brief explanation before addressing a question to the Minister for Sport, Rec and Racing regarding the Adelaide 500 car race.

Leave granted.

**The Hon. B.R. HOOD:** According to an article in *The Advertiser* on 15 March, Aaron Hickmann denied that VAILO had been removed as a naming sponsor from the Adelaide 500 but was instead mutually not extending, or a conscious uncoupling. The same article states that it was understood that international, national and local brands have been in talks that were conducted before VAILO's administration. My questions to the minister are:

1. When did the discussions around their sponsorship with VAILO begin?

2. When did the state government cease negotiations with VAILO, and why?

3. Had the state government or the South Australian Motor Sport Board already decided not to progress with VAILO's sponsorship extension prior to negotiations?

**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 member for his question. This is an issue that covers many portfolios, as you may be aware, but my understanding is the contract with VAILO had expired. It was not about ending the contract: my understanding is the contract had expired.

**ADELAIDE 500**

**The Hon. B.R. HOOD (15:30):** Supplementary: when did the contract expire?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:30):** As I said in my previous response, my understanding is it has expired.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. E.S. BOURKE:** It has expired.

## EMERGENCY SERVICES DEPLOYMENTS TO QUEENSLAND

**The Hon. T.T. NGO (15:30):** My question is to the Minister for Emergency Services and Correctional Services. Can the minister update the council about the largest single South Australian storm and flood deployment in more than a decade?

**The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:30):** I am very happy that we get to end on this note. I am very proud to update the chamber on how our dedicated and selfless emergency services have been assisting Queensland with the aftermath of ex-Tropical Cyclone Alfred. It was a pleasure to personally see off 53 members of our emergency services from Adelaide Airport last week who were on their way to provide their essential support to South East Queensland communities. This was one of the largest deployments that we had seen in almost a decade.

Local crews landed in Brisbane before heading off to affected areas across Queensland. Of these 53, there were 31 SES, 19 CFS and three MFS volunteers and personnel as part of a multiagency approach. Knowing they were in for flash flooding, heavy rains and destructive winds, this brave crew put up their hands to leave their families and friends at home to step up and help. This deployment was followed by three more deployments from our emergency services agencies, with over 100 staff and volunteers travelling to Queensland to assist with the flood response.

South Australians should be very proud that our emergency services sector is punching well above its weight in its willingness to help interstate colleagues and agencies as this was the biggest deployment of its kind interstate since 2011 following Cyclone Yasi in North Queensland. This is off the back of nearly 100 volunteers and staff returning home in recent weeks after providing crisis support around the nation. In total, that brings us to almost 200 brave personnel who paused their day-to-day jobs, spending their time away from family and friends to put the safety of others ahead of their own by travelling to Queensland, Tasmania, Victoria and Western Australia.

To each and every one of these volunteers and personnel, I would like to extend my thanks and gratitude from the Malinauskas Labor government. We are truly grateful for your service, showcasing that South Australia will always step up and help when needed.

*Bills*

## CHILDREN AND YOUNG PEOPLE (SAFETY AND SUPPORT) BILL

*Committee Stage*

In committee.

(Continued from 6 March 2025.)

Clause 1.

**The Hon. C.M. SCRIVEN:** Last week, members of this council had a number of questions, and I will now put answers to those on the record. If any further clarification is required, we are happy to bring those back. I understand there will be more questions regarding clause 1 today and we will do our best to answer as much as possible, but again we are happy to come back with answers on anything extra that is required. Firstly, the Hon. Tammy Franks had a series of questions regarding the paramount principle. I think our government and the minister have been clear as to the reasons behind the principle of safety in the legislation.

The government and the Department for Child Protection will work under a safety framework for children. The government and the minister understand the need for best interests. This is why we

have placed it into this bill, noting that it is not currently in the 2017 legislation. I have been advised that the minister has continually met with key stakeholders such as CAFFSA, Connecting Foster and Kinship Carers SA, CREATE Foundation, the Reily Foundation, the commissioners, the Guardian for Children and Young People and Wakwakurna Kanyini.

The minister recently met with these stakeholders and discussed the principles and how they will work together, taking on feedback and how the legislation can be clearer. That is why today an amendment has been filed to amend language under clause 10(2), to make it clear that the safety principle will prevail where there is conflict between this principle and other principles set out in the bill. This meets the expectation of staff who have made it clear to the minister that a circuit breaker is required.

The honourable member had further questions regarding the age of assistance. I have been advised that an eligible care leaver in the CYP(S) Act is defined as a person over the age of 16 but less than 26. The bill changes the definition to a person who is above 15 and less than 25, so that it is aligned with the ability to provide financial assistance to carers for children and young people to the age of 25. The definition of an eligible care lever is consistent with clause 143, which allows the chief executive to provide financial or other assistance to a person with whom a child is placed until they reach the age of 25.

Further, a number of questions were tabled regarding the Aboriginal and Torres Strait Islander Child Placement Principle and why sections are not a must. I am pleased to inform the member that clause 44(3) provides that each of the elements of the Aboriginal and Torres Strait Islander Child Placement Principle must be implemented to the standard of active efforts. Further, before making an order, the court must be satisfied that the ATSICPP has been implemented to the standard of active efforts. Fully embedding the ATSICPP has been long called for by SNAICC in legislation, and I am very pleased this is occurring. Under our amendment that has been filed, we have listened to the community and are removing several clauses to further strengthen part 4 of the bill.

As a government, we know that the voice of the child is very important, and that is why in this bill the voice of the child and young person is elevated, with a relentless focus to ensure it is heard. Clause 13 of the bill makes it clear that the voices of children and young people are to be heard in prescribed decisions. This specifically includes decisions relating to a child's annual review (see clause 13(7)(e)), and decisions relating to the contact arrangements for the child or young person (see clause 13(7)(d)), including decisions made by CARP. It also sets out without limiting the ways the voice of a child or young person may be heard or their views presented, including having their voices heard in person, with the accompaniment of a support person, or in the absence of a particular person.

Just before answering the next set of questions from the member, I think it is worthwhile to place on the record a huge thankyou to all child protection officers and social workers here in our state. It is also a good opportunity to highlight World Social Work Day, a day to celebrate their work. They do outstanding work every day to ensure children and young people are safe and supported where possible, and for that our government thanks you and we will continue to listen to you.

The member asked, 'What is the rationale for clauses 28(1)(d) and (e) of the bill?' Clause 28(1)(d), according to my advice, expands the persons who may be child protection officers under the act. This now includes Aboriginal or Torres Strait Islander persons authorised by the chief executive to ensure people working within recognised Aboriginal entities can be authorised as child protection officers. Clause 28(1)(e) enables the authorisation of other people, should this be required.

It was further requested that we provide an explanation for clause 213, and why moneys are not payable to the child or young people under the chief executive ceasing guardianship. I am advised that clause 213 allows the chief executive to receive money on behalf of a child or young person under guardianship and governs how money is to be paid upon the chief executive ceasing to have guardianship.

Clause 213 provides that, where the chief executive ceases to have guardianship, the money will be paid to the child or young person if over 18; parent or guardian if the child or young person is

under 18; or to an administrator, if an administrator is appointed by SACAT. This is to ensure that moneys are held on the child's behalf by an adult or guardian with responsibility for them.

There are occasions when the chief executive receives significant amounts of money on behalf of a child or young person—for example, as a result of a superannuation death benefit claim or inheritance. The chief executive arranges for such funds to be held by the Public Trustee on trust for the young person. If a young person ceases to be under the chief executive's guardianship before they turn 18 years—for example, in the case of a four-year-old child who was reunified with a parent—it would not be appropriate to pay a significant sum of money directly to the child.

The member also asked a question regarding the rationale for clause 132(3) of the bill. I am advised that subclause (3) is inserted to more easily allow a child or young person to be placed with a family or a person known to the child or young person or their family, which in the case of Aboriginal children and young people is also consistent with the Aboriginal and Torres Strait Islander Child Placement Principle. It is also consistent with the best interests principle, which sets out a placement hierarchy to promote children and young people living with their family. Further, the rationale for clause 114 of the bill: this clause confirms that the court does not have the power to make orders in relation to contact and placement. Importantly, the courts do not currently have this power.

Consistent with recommendation 9 of the Nyland royal commission, decision-making about placements should be kept as close to the child as possible. Placement decisions may need to be made rapidly depending on the circumstances and wellbeing of the child. It is important to remember that placement decisions are about the best interests of the child and not the adult.

Further to questions asked by the Hon. Tammy Franks, the Hon. Laura Henderson also requested information from the government. Questions were asked by the member regarding whether the government will table a clear and transparent list of what has been changed in the bill before the council. It is pointed out this is not an amendment bill. This is a bill that will replace the current act while retaining some parts of the current act. Therefore, the bill should be read in its entirety. To assist throughout the consultation period, the government provided an overview of the key elements of the bill.

Questions were raised by the member regarding the operationalisation of the bill. As the minister has said, there will be a two-year implementation period that will be an important part of getting the practice right. I am advised the minister has briefed stakeholders such as CAFFSA, CREATE Foundation, the Reily Foundation, Connecting Foster and Kinship Carers, Wakwakurna Kanyini, the commissioners, the guardian, carers and those with lived experience about this important period and how organisations can be involved to get this right.

The member asked for details regarding the independent review into the DCP complaint and feedback management process. I am advised that the findings of the review were largely positive, indicating that the department's system is sound and has appropriate escalation pathways, with opportunities for improvement identified in areas such as reinforcing training to local office staff in managing complaints and feedback.

As part of the department's process of continuous improvement, a statewide roadshow for frontline staff to increase information and knowledge regarding the effective management of complaints is nearing completion. Through the department's new Learning, Excellence and Innovation Academy, the following opportunities will also be explored: developing an online staff training complaints management module for any incorporation for DCP staff induction (I am advised this work has commenced); and additional training in complaint resolution for frontline staff.

In relation to the questions on the topic of reunification for all children, clause 46 is specific to Aboriginal children and young people and requires that active efforts are taken to explore ways in which they can be reunified. This is incorporated within the bill in a way which is consistent with the government's national commitments on legislative reform to address the over-representation of Aboriginal children and young people in care.

All children should expect the government to pursue reunification when it is in their best interests. The best interests principle at clause 11 makes it clear that it is desirable for a child or

young person's family to have the primary responsibility for their care. All children's case plans must have a reunification plan that is reviewed as part of the annual review.

The provisions to establish a respected person scheme are set out in clause 55. In the last week of parliament, the member had a number of questions regarding clause 55 and clarification of the role. I am advised that clause 55 provides that a scheme may be established by regulation, providing for the use of respected persons in court proceedings to support Aboriginal and Torres Strait Islander children and young people and to assist and advise the court in relation to the traditions, practices and culture of Aboriginal and Torres Strait Islander people and communities.

Clause 55(2) provides that the regulations must provide for certain matters, including the kinds of proceedings before the court in which a respected person may or may not be used, the role of respected persons as support persons for Aboriginal and Torres Strait Islander children and young people in court proceedings, and the role of respected persons in providing advice to the court in relation to the practices and culture of Aboriginal and Torres Strait Islander people and communities.

This clause provides the legal framework for the introduction of the scheme and the important involvement of respected persons in court proceedings. The detail of this scheme will be developed in the regulations through consultation with key stakeholders, including peak bodies, the community and the Youth Court. Acknowledging that there is much to be worked through, consultation is critical to ensure that the involvement of respected persons is culturally appropriate and safe and that respected persons are provided with the necessary supports to fulfil this important function while ensuring that care and protection proceedings are dealt with expeditiously, as required by clause 108 of the bill.

Before I answer the next set of questions from the honourable member, I also want to say how wonderful it is that we are discussing the role of the First Nations Voice to Parliament and how that is possible because of the Malinauskas Labor government. It is not the government that sets the agenda of the Voice to Parliament; it is the members of the Voice. The government consulted with the Voice regarding this bill, and with the minister and her team, including members of the department making themselves available to the Voice to discuss the bill and answer any questions. This occurred on 14 November last year.

On the topic of thresholds, we know that getting the threshold right for reporting and responding to children at risk of and experiencing harm is a critical part of keeping children safe, which is why it was a central question in the review of the act. I am aware that raising the threshold was supported by a large number of organisations and experts, including Professor Leah Bromfield and the Australian Centre for Child Protection and Uniting Communities. As noted in the review of the act, increasing the threshold would also be consistent with the recommendation of Malcolm Hyde.

In the current South Australian child protection legislation the threshold for mandatory reporting and screening in notifications is harm. The threshold for removal is the need to protect a child or young person from serious harm. The current threshold for mandatory reporting is relatively low when compared to other jurisdictions. Determining the appropriate threshold for reporting, for screening in notifications and for removing children from their home is a complex task. The threshold needs to reflect community expectation about when a child protection statutory intervention is required to keep children safe and when a support response from other parts of the system and the community might be more appropriate.

This bill provides for a change in the threshold for mandatory reporting from 'harm' to 'significant harm', which better aligns South Australia to interstate legislation regarding notifications. This threshold for mandatory reporting is now consistent with the threshold for removal. The threshold for removal in the current act is 'serious harm'. In this bill, it changes from 'serious harm' to 'significant harm' to ensure consistency of language.

Importantly, this does not preclude mandatory reporters or any member of the public making a report about harm or where they are concerned about the safety or wellbeing of a child or young person. The chief executive is still required to assess all reports indicating that a child or young person is at risk of harm—and that is in clause 73, according to my advice. The word 'harm' is deliberately used in other places within the act to ensure that the chief executive can take action

where it is identified that a child is at risk of harm, including by referring a family for intervention services and family group conferences.

Any proposal to change the use of 'harm' to 'significant harm' throughout the bill will have implications and will limit the chief executive's ability to act in relation to children at a lower threshold. For example, if there were a change to 'significant harm' rather than 'harm' in clauses 73 and 74, the chief executive would only then be required to assess and take action where the chief executive suspects the child is at risk of significant harm.

The implication of such a change means the chief executive would not be able to take any action, including referring a matter to a state authority for intervention services unless the child is at risk of significant harm. Effectively, this closes the door for the chief executive to be able to refer families who come to the attention of the department for early intervention under the act. This would have a flow-on impact for families, including limiting the ability to convene family group conferences to circumstances where a child is at risk of significant harm.

On the topic of the Statement of Commitment to Foster and Kinship Carers, I am advised that this has been in operation outside legislation since 2020 and was designed to provide guidance for how carers and workers can understand their roles and responsibilities to work together to support children and young people in care. In providing that guidance, it also recognises the importance of that ongoing working relationship and sets out the basic principles, roles and expectations underpinning that relationship. It is expected that the Statement of Commitment to Parents and Families will similarly set out the basic principles, roles and expectations underpinning the relationship between DCP and the parents and families of children and young people we are involved with.

I would like to thank all members who have asked questions regarding this very important bill. I look forward to the ongoing discussions today in a way that will continue to advance the needs for children and young people in our state.

**The Hon. C. BONAROS:** I am just wondering if the minister can assist us with the amendment that has been filed today. Can she explain to us the difference between the original set of words in the bill and the amendment that has been filed when it comes to the safety principle and paramountcy principle?

**The Hon. C.M. SCRIVEN:** I am advised that the amendment provides additional clarification around the principles. Members would be aware that this bill has added 'best interests' into the legislation—and will do if it were to pass—which was previously missing from the legislation, so this is a clarification and the minister continues to meet with stakeholders around these issues.

**The Hon. T.A. FRANKS:** Could the minister please outline who was consulted with in regard to the amendment that we have just received—in fact, that we received on our desks as you were answering the questions?

**The Hon. C.M. SCRIVEN:** I am advised that the minister continues to meet, and has continued to meet, with various stakeholders, a number of whom I outlined in my opening remarks today in answering some of the questions that have been placed on the record. I am advised that the minister has emphasised her deep understanding and appreciation of the best interests principle, but has conveyed also to stakeholders the reasons why the safety principle must be prevalent in the event that there is a conflict.

**The Hon. C. BONAROS:** Can the minister explain how the amendment filed provides the clarity that she referred to?

**The Hon. C.M. SCRIVEN:** I think it provides the clarity that I just outlined in response to the most recent question as well.

**The Hon. C. BONAROS:** With respect, I did not understand it from the response that was given, so perhaps the minister could do that again. I did not understand that from what the minister just said at all.

**The Hon. C.M. SCRIVEN:** As I outlined, the minister is very conscious of the importance of best interests of the child and in fact in this bill it is included for the first time because in the existing

legislation, the 2017 legislation, best interests does not form part of that act. However, in the event that there is a conflict between best interests and safety, the safety principle is the paramount principle and that is what is specified in this amendment.

**The Hon. C. BONAROS:** Just to be clear, best interests may not be in the current act, but it is in the current bill. I want to understand the difference between the words: 'No other principle or requirement set out in this act displaces or can be used to justify the displacement of the paramount principle,' versus, 'If, in relation to a decision under this act, there is a conflict between the safety principle and any other principle or requirement, the safety principle prevails.' What is the legislative interpretive basis and difference between those two sets of words?

**The Hon. C.M. SCRIVEN:** I am advised that the clarification in language is considered appropriate.

**The Hon. C. BONAROS:** And therein lies the issue, because that also does not answer my question. Perhaps if I can ask the minister in a different way. Under the current drafting in the bill, if there is a conflict between safety and the principles that have been inserted in subclause (11), which will prevail?

**The Hon. C.M. SCRIVEN:** I am advised safety will prevail.

**The Hon. C. BONAROS:** So taking me back to my original question: what is the difference then between the current bill as drafted and the amendment that has been filed today?

**The Hon. C.M. SCRIVEN:** My understanding is that the clarification of language was an outcome of some of the discussions that have occurred.

**The Hon. C. BONAROS:** Who did those discussions occur with?

**The Hon. C.M. SCRIVEN:** I answered that question a few minutes ago.

**The Hon. T.A. FRANKS:** No, you actually did not. We asked who supports this amendment that the government has put before us today?

**The Hon. C.M. SCRIVEN:** I said earlier in my comments today, and also in answer to a question a few minutes ago, that the minister has continued to meet with various stakeholders. I outlined some of those who were named in my opening remarks in the chamber today. The amendment has come about following various discussions with a number of stakeholders.

**The Hon. T.A. FRANKS:** If any of the stakeholders named by the minister representing the minister as those who engaged in meetings and photo opportunities in the last few weeks wish to disavow themselves as support for the current amendment before us, how will that be facilitated?

**The CHAIR:** The Hon. Ms Franks, would you like to clarify for the minister?

**The Hon. T.A. FRANKS:** The minister has represented the minister and answered that she has met with a number of stakeholders. A number of stakeholders have been cited. We have asked which of them support the amendment that the government has now put to their own bill. We have not actually been told which ones support the government amendment to the government bill. We have been told that they have been met with. The clarification we seek here is how will groups be able to de-identify themselves as being in support of this government amendment if they are not? Or is the government claiming that all of the people who have been met with in the last few weeks are actually in support of this new government amendment?

While it has shades of the Social Workers Registration Scheme, perhaps the easier way to frame all of this is: would the government name those stakeholders who actually support the government amendment? Make it simple: can you please name which stakeholders, which organisations, support your current amendment here, filed in the last hour today?

**The Hon. C.M. SCRIVEN:** I repeat again, the minister continues to have meetings and discussions with various stakeholders and continues to seek to come to outcomes that are consistent, as well as taking into account the views of stakeholders.

**The Hon. C. BONAROS:** Besides the fact that we do not know which stakeholders the minister is actually referring to in the statement she just made, I would still like clarity around the wording. Is the net effect of the original drafting and the amendment the same?

**The Hon. C.M. SCRIVEN:** I have already answered that question.

**The Hon. C. BONAROS:** Sorry, I would like that a little clearer on the record. What is it: yes or no? Is the net effect precisely the same under the amendment and the original provision in the bill?

**The Hon. C.M. SCRIVEN:** As I said earlier, the amendment seeks to clarify the language.

**The Hon. C. BONAROS:** I do not know if I am talking the same language as the minister—and I know this is not her portfolio so this is not a personal affront to her—but the minister responsible for this bill has put forward an alternative amendment. My question is very reasonable: I want to know the difference between the amendment and the original clause. The minister says it provides clarity. I cannot see that clarity.

If the government cannot respond to me and provide that clarity then we have a problem, so I am going to ask again: clarity in what way, in what sense? Is the net effect the same? Will safety prevail in both instances in precisely the same way? Is there any legislative or interpretive difference between those two sets of words?

**The Hon. C.M. SCRIVEN:** I am advised that the clarity, the clarification, is particularly considered useful and appropriate for practitioners. As I mentioned in my opening remarks, there needs to be clarity for practitioners and those who are involved in making these decisions.

**The Hon. C. BONAROS:** I remind the minister that when that clarity is being sought we refer to *Hansard* all the time. Our courts refer to *Hansard* when they seek clarity from us about what was intended when we made these pieces of legislation. So, again, I am asking not for the interpretation that the lawyers or the courts might apply when they are looking at it, I want the government's intention insofar as it relates to that clarity now, while we are dealing with this bill.

**The Hon. C.M. SCRIVEN:** As I mentioned in my opening remarks, this amendment makes it clear that the safety principle will prevail where there is a conflict between this principle and other principles set out in the bill. As I said, this meets the expectations of staff, who have made it clear to the minister that a circuit breaker is required.

What would be important is the implementation of this, which will be done in consultation with peak bodies. Peak bodies will be absolutely important in the implementation process, and the minister will continue to discuss the interaction between the two.

I think it is unreasonable to imagine that we could set out every single circumstance. I do not think the honourable member was necessarily saying that is what we should do, but that is almost the implication of the question. This sets out what will prevail where there is a conflict, and that clarification is considered particularly important for practitioners.

**The Hon. C. BONAROS:** With all due respect to the minister, my next question is: based on that response, is there any circumstance where safety will not prevail over best interests in the current drafting in the bill?

**The Hon. C.M. SCRIVEN:** I think it has been a consistent position of the government and of the minister that safety needs to prevail. But it is important to reiterate again that in the existing act best interests is not one of the considerations, so this bill actually elevates the importance of best interests while still maintaining that safety must prevail.

**The Hon. C. BONAROS:** I apologise. Maybe we need to dumb this down a little for me. The current act does not include a reference to best interests, but we are not talking about the current act; we are talking about the current bill. The current bill does provide for best interests, in clause 11 of the bill. Clause 10 of the bill deals with safety.

There is an amendment in relation to safety that interacts with best interests, as is drafted in the bill now—not the act. We are putting the act to one side for a moment because we are not looking

at the act; we are looking at the bill. In what circumstance will best interests, under the bill, not the act, override safety either in the bill or in the amendment?

**The Hon. C.M. SCRIVEN:** I think it is relevant to compare to the current act because it is about what this bill is seeking to achieve. It is seeking to achieve an elevation of best interests of the child whilst maintaining safety as the paramount principle. I emphasise again, the implementation will possibly answer some of the questions that the honourable member is raising. There is a two-year implementation period, I am advised, according to the plan within this bill.

**The Hon. C. BONAROS:** With respect, I am not willing to wait two years to understand a set of words that the government has proposed or the minister has proposed as put before us in a debate that we are having right now. That is a lousy, lousy excuse. We are here now and we are asking for some clarity around words.

If this is the amendment that we have had presented to us today, then I would expect, given that there are so many ears and eyes watching this debate to see where we are going, we can at the very least explain the difference between the current set of words that are being proposed in the bill and the current set of words that are being proposed in the amendment. That is not a big ask—absolutely, by no stretch of the imagination a big ask. Can we confirm if the net effect, as I said before, of the original drafting and the amendment are the same when it comes to best interests and safety?

**The Hon. C.M. SCRIVEN:** What we can say is that the safety principle is paramount. The amendment seeks to clarify that. It is not possible to outline every possible circumstance that may arise as an example in this place.

**The Hon. C. BONAROS:** I do not want the minister to outline any circumstance. I want to know what the clarity is. I do not want anything more. I want her to explain the difference between the two amendments. I understand she has said now three or four times that it provides clarity. Either I am stupid or I do not see the clarity. That is what I want a response to.

**The Hon. C.M. SCRIVEN:** I think I have answered the question. It has been asked a number of times. I have answered it a number of times. I am not sure that there is anything further to add.

**The Hon. T.A. FRANKS:** Turning to another issue, I do thank the minister for the responses that we received today. It is a little disappointing we could not have received them out of session prior to the debate coming back before the council today, but we will look forward to digesting those responses because, as I had referred to, certainly mine were related to potential amendments to the bill.

One that I did not raise in the last incarnation because it was actually not able to be accommodated with the response that I would have hoped to have had at the time was in regard to concerns raised by the Guardian for Children and Young People with respect to the lack of accountability in this bill as opposed to the current act.

Regarding the reporting requirement, I note the current bill in the reporting requirements proposes to remove the only reporting obligation regarding Aboriginal and Torres Strait Islander children and young people. I note that currently section 156(1)(a) of the CYP(S) Act requires the chief executive to report annually on the following information regarding Aboriginal and Torres Strait Islander children and young people, that is:

(i) the extent to which case planning in relation to such children and young people includes the development of culture maintenance plans with input from local Aboriginal and Torres Strait Islander communities and organisations;

(ii) the extent to which agreements made in case planning relating to supporting the cultural needs of such children and young people are being met (being support such as transport to cultural events, respect for religious laws, attendance at funerals, providing appropriate food and access to religious celebrations);

(iii) the extent to which such children and young people have access to a case worker, community, relative or other person from the same Aboriginal and Torres Strait Islander community as the child or young person…

I note the guardian's concerns raised in her submissions—and I note that most of her concerns have not been addressed by government—that in fact there has been I think for some six years a legislative breach in reporting to these requirements. Could the government (1) outline whether or not it has been six years that these elements have not been reported on, and (2) explain why they are simply removing their obligation to report rather than reporting?

**The Hon. C.M. SCRIVEN:** I am advised that clause 23—Minister's annual report, sets out, under subclause (1):

> (d) a part setting out the operation of Part 4 during the reporting year, which—
>
> (i) must, in accordance with any requirements set out in the regulations, be prepared in consultation with Aboriginal and Torres Strait Islander persons or bodies;
>
> (ii) must include the information required by the regulations; and
>
> (e) any other part required by the regulations.

It is considered that this will be a suitable reporting mechanism.

**The Hon. T.A. FRANKS:** Had I gone on to continue to read out the guardian's submission, she noted that the removal of a reporting responsibility that the DCP had been unable to meet for six years had been replaced by a generalised description of relevant reporting allocated instead to the minister against requirements that can be set from time to time through the regulation-making process, but she echoed her disappointment that there had been no consultation on those regulations and what they might look like.

Not only was she concerned about this particular removal of this reporting requirement that has seen a legislative breach now—and I did not catch the answer to for how many years, so I would like that question answered—but it was in fact in Commissioner Lawrie's final report recommending legislating that sixth element to the Aboriginal and Torres Strait Islander Child Placement Principle of performance. So it should hardly come as a surprise to the government that we are expecting to see it in this legislation here articulated rather than waiting for regulations down the track that may or may not come.

**The Hon. C.M. SCRIVEN:** In regard to the first question, I am sorry, I did fail to answer that: we will need to take on notice the question around the claim of six years. The development of regulations is the next part once a bill has passed—I think that is a fairly well-accepted principle—so there will be consultation on proposed regulations once the bill has passed.

**The Hon. T.A. FRANKS:** Could I please get an answer on how many years it has been since the department has reported on these requirements? Surely, the department should be aware of how—

**The Hon. C.M. Scriven:** I said I would take that on notice.

**The Hon. T.A. FRANKS:** That is why I did not ask this last time when we did not have the parliamentary and ministerial staff in the room. We do now, so: how many years? The guardian has put it in her submission. It has been well promulgated publicly that it has been six years since this reporting requirement was actually adhered to. It is a legislative breach by this department and this minister and this government currently, and obviously previous governments, if that is the case. So can you clarify: how many years has this legislative breach been in place?

**The Hon. C.M. SCRIVEN:** I am advised that I do not have that information here and that I will need to take it on notice. Certainly, had the honourable member put it on notice the previous week, then we could have ensured there was an answer today.

**The Hon. T.A. FRANKS:** The honourable member should not have had to take this on notice because the government should be able to answer a question that has been in the report of the Aboriginal children and young people's commissioner and in the submissions from the Guardian for Children and Young People. We know in the select committee into this bill that the chief executive officer claimed that the guardian had not raised issues that she then presented to the select committee and then had to admit either that she had not read the submission or, in fact, that she had misrepresented the guardian.

Could you just work it out now, please? How many years have you been in legislative breach for this reporting requirement, and why is it not in this bill? Why have you dropped it? It was something you were not doing anyway that you are required to do. How on earth can this government expect us to trust you to put it in the regulations when you are not doing it now? You cannot even tell us for how many years you have not been doing it. Indeed, it is something that has been raised by no lesser than the Aboriginal children and young people's commissioner and the Guardian for Children and Young People. It is a significant concern.

**The Hon. C.M. SCRIVEN:** I have already outlined what the approach is planned to be and that we will have to take the question in regard to the claim of six years on notice.

**The Hon. T.A. FRANKS:** In response to the questions placed on notice, the government noted that it had consulted with the South Australian First Nations Voice to Parliament on 14 November last year. Can the minister representing the minister outline how much later that was than when the parliament received this bill?

What was the date that the parliament first received this bill, and what was the date—which was 14 November last year—that the South Australian First Nations Voice to Parliament was consulted with? I will also note that it was one of the very few significant criticisms in the inaugural address of the South Australian Voice to Parliament, that this bill had been so poorly consulted on between the government and them, so to then trumpet it as somehow an achievement is a little bit rich.

**The Hon. C.M. SCRIVEN:** I am advised that the bill was introduced to the House of Assembly on 16 October and passed on 12 November, and that the minister was invited to address the Voice on 14 November, remembering that it is not the government that sets the agenda of the Voice to Parliament—the Voice is able, quite rightly, to seek information and seek to have matters discussed with them.

**The Hon. T.A. FRANKS:** In that inaugural address by the South Australian Voice to Parliament there was criticism on the consultation process for this particular bill. Did the minister follow up with the Voice to Parliament following that criticism?

**The Hon. C.M. SCRIVEN:** I am advised that both the minister and the department have made themselves available to the Voice and to other stakeholders; I am not able to answer the question that was specifically asked.

**The Hon. T.A. FRANKS:** How did the minister and her office make themselves available to the South Australian Voice to Parliament?

**The Hon. C.M. SCRIVEN:** When they were asked to speak or to engage, they did so.

**The Hon. T.A. FRANKS:** I guess the answer is, and if the minister representing the minister could clarify, it is like, 'I won't call you, you need to call me.' They had already put it in their inaugural address that they had a problem, but the minister has not followed up; is that the case here?

**The Hon. C.M. SCRIVEN:** As I said, I was not able to address the specific question of if or when the minister reached out, but I reiterate again that the Voice to Parliament sets its agenda. It decides whether it wishes to invite ministers or others to address them. They invited the minister and she was happy to oblige.

**The Hon. L.A. HENDERSON:** Following that meeting, what changes were made to this bill following that consultation with the First Nations Voice to Parliament?

**The Hon. C.M. SCRIVEN:** I am advised that, following discussions with the Voice as well as with other stakeholders, the amendments that have been introduced since the introduction of the bill to this chamber have taken some of those into account.

**The Hon. L.A. HENDERSON:** Can the minister please advise which of the government's amendments they have filed specifically as a result of the feedback from the Voice to Parliament? Is it the amendment that has been filed this afternoon, or which one?

**The Hon. C.M. SCRIVEN:** To my knowledge, it is not the one that was filed today. However, as a general rule, we will not necessarily say, 'This body said this, and therefore this amendment

was filed.' Given as well that there have been a number of discussions, it will not be only one stakeholder group—in this case, the Voice—that would have made suggestions that have now been incorporated into amendments that have been moved by the government.

**The Hon. T.A. FRANKS:** On promulgation of the previous amendments from the government, several organisations were cited as having been consulted with. Why was the South Australian Voice to Parliament not cited as one of those organisations that have been consulted with in those previous amendments? Will they be surprised to learn that apparently now they have been with regard to the first set of government amendments?

**The Hon. C.M. SCRIVEN:** I am advised that, as an outcome of the discussion with the Voice, some of the things that they identified as issues or potential issues have been incorporated into government amendments.

**The Hon. T.A. FRANKS:** What have the responses been to the Commissioner for Aboriginal Children and Young People's submission? I note she is a member of the Voice; she is not the presiding member of the Voice. Why, then, have her efforts been ignored?

**The Hon. C.M. SCRIVEN:** I do not agree with the characterisation that any of the feedback has been ignored. I think the minister has engaged extensively in terms of feedback and consultation, and all of that has been valued. It does not necessarily mean that every piece of feedback can be incorporated into amendments, particularly given some of it could easily be conflicting, so it is a matter of continuing that dialogue and that interaction, which I know the minister has been continuing to do. That will continue throughout any next stages, including should the bill pass in development of regulations.

**The Hon. C. BONAROS:** Can the minister confirm if the minister responsible sought the views of the three commissioners with respect to the amendment that was filed today?

**The Hon. C.M. SCRIVEN:** In regard to the amendment that was filed today, as I have outlined a number of times today, that is seeking to clarify language for practitioners. In terms of all of these matters, the ongoing consultation—the ongoing discussions and engagement—will inform and have informed any amendments.

**The Hon. C. BONAROS:** Perhaps I was not clear enough in my question. I will try to be crystal clear. The three commissioners all signed a joint letter, effectively asking for best interests to be the paramount principle. There is an amendment now that apparently seeks to provide some clarity around safety and best interests principles. I think it is reasonable to ask: have the three commissioners had any discussions with the minister in relation to the drafting of the amendment?

**The Hon. C.M. SCRIVEN:** I have just answered that question.

**The Hon. C. BONAROS:** Respectfully, I do not think you did, minister. Of those bodies that apparently have been the subject of consultation—I note that the minister said that for the Voice and others there have been consultations and many of those issues have been incorporated into amendments moved by the government, including, in some instances, this one. Can the minister explain to us how the clarity that she speaks of today was described to them?

**The Hon. C.M. SCRIVEN:** I was not present at any of the consultations as I am not the minister. What I can say is that the minister has continued to engage, to consult and to take on board all the feedback in relation to this bill.

**The Hon. C. BONAROS:** That is not an accurate reflection, actually. She has not continued to take into account all the feedback. She has continued to say that she will not resile from her position on this bill and has now come with an alternative amendment. So it is not fair to say that she has taken on board all the feedback. If she had taken on board all the feedback, then the feedback of the three commissioners whom I just referred to, and the letter that they co-signed, would have been considered in the drafting of amendments. Clearly, I do not need the minister to tell me that it was not considered in the drafting of the amendment.

I have a question, minister. My question is: given that she was not in the room and could not provide those answers, will she take that on notice and come back with a person who was in the room with those individuals and provide a response?

**The Hon. C.M. SCRIVEN:** I would like to clarify: I think my words were that the minister has taken into account all the feedback. That does not mean that all the feedback will necessarily be agreed to and incorporated.

**The Hon. L.A. HENDERSON:** I asked a couple of questions last sitting week. My apologies if I missed the responses when you brought them back earlier this afternoon, but I will put it to the minister again in case they were in fact missed. Can the minister advise if it is the government's position that, should 'best interests' be made the paramount principle, the government will no longer pursue this legislation and retain the 2017 legislation?

**The Hon. C.M. SCRIVEN:** I am advised that the answer to that question is yes.

**The Hon. L.A. HENDERSON:** Just to clarify, should 'best interests' be made the paramount consideration by virtue of the majority of this Legislative Council passing an amendment, the government will retain the 2017 legislation.

**The Hon. C.M. SCRIVEN:** I am advised that we will not be working under a framework that does not prioritise children's safety.

**The Hon. T.A. FRANKS:** I also am not sure if you answered my questions from the previous sitting week in regard to clause 85—the definitions there and the wording around parents. I will outline the question again. It was again raised by the guardian, certainly around current qualifying offences: homicide and offences against the person and causing serious harm where the victim is a child or young person and the offender is a parent or guardian of the child or young person.

The guardian has raised some concerns around the wording because, with the limited new definition, she is fearful—and I ask this specifically—about what happens if somebody has committed a homicide, for example, against their stepchild and whether that is indeed covered. Could you please clarify that? It was one of our concerns around a potential amendment being required.

**The Hon. C.M. SCRIVEN:** I am advised that the matters raised are quite complex, and therefore additional advice is being sought. That advice has not come back as yet, but we will endeavour to be able to provide that once the clarification is available.

**The Hon. T.A. FRANKS:** Can I ask the minister then what other questions were not answered because we have just identified two that were not answered? We have not received this in writing. What other questions from the previous sitting week have not yet been answered?

**The Hon. C.M. SCRIVEN:** I have provided the answers that are available to me. I am sure if there are any members who have asked questions that have not been answered, they will be able to identify them and re-ask them or seek clarification.

**The Hon. T.A. FRANKS:** I am not sure that this is productive then. We have identified already two questions, and mine was quite serious and quite specific around the wording of the definition of 'parent' and whether or not a step-parent who commits a homicide against a child, a different child, is then actually included in the scope of the new legislation. It does not seem to be advantageous to try to continue this particular committee stage at this point, so I move to report progress.

Progress reported; committee to sit again.

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

That this bill be made an order of the day for the next day of sitting.

The council divided on the motion:

Ayes .....8
Noes.....9
Majority .....1

AYES

| | | |
|---|---|---|
| Bourke, E.S. | El Dannawi, M. | Hanson, J.E. |

| | | |
|---|---|---|
| Hunter, I.K. | Maher, K.J. | Ngo, T.T. |
| Scriven, C.M. (teller) | Wortley, R.P. | |

NOES

| | | |
|---|---|---|
| Bonaros, C. | Franks, T.A. (teller) | Game, S.L. |
| Girolamo, H.M. | Henderson, L.A. | Hood, B.R. |
| Hood, D.G.E. | Lee, J.S. | Simms, R.A. |

PAIRS

| | | |
|---|---|---|
| Martin, R.B. | Centofanti, N.J. | Pangallo, F. |
| Lensink, J.M.A. | | |

Motion thus negatived.

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

That this bill be made an order of the day for the next Tuesday of sitting.

Motion carried.

## CLIMATE CHANGE AND GREENHOUSE EMISSIONS REDUCTION (MISCELLANEOUS) AMENDMENT BILL

*Second Reading*

Adjourned debate on second reading.

(Continued from 6 March 2025.)

**The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (16:43):** I rise as the lead representative for the opposition to speak on the Climate Change and Greenhouse Emissions Reduction (Miscellaneous) Amendment Bill 2024. This bill was introduced into the House of Assembly in late August 2024 by the Deputy Premier in her role as the Minister for Climate, Environment and Water and follows on from the Climate Change and Greenhouse Emissions Reduction (Targets) 2021, introduced into the other place by the then Minister for Environment and Water, the former member for Black the Hon. David Speirs.

I want to begin by acknowledging the need for this amendment to the Climate Change and Greenhouse Emissions Reduction Act. This bill was originally introduced with renewable energy targets which, while ambitious for their time, are now outdated. These targets were based on a 1990 baseline, which was also widely adopted in Europe following the reunification of Eastern and Western blocs, when heavy coal-fired emissions were standard. Today these measures fail to reflect current energy challenges or the realities of the South Australian energy transition.

Our current renewable energy targets are still anchored in a context from 2014, and here we are in 2025 facing a very different landscape. Since those early targets were set, renewable energy technology, market forces and energy consumption patterns have evolved tremendously. The need for updated targets is not just about the environment, it is about practical impacts on industry, businesses and households throughout South Australia. I believe that it is of critical importance that our targets must reflect the needs of the society we live in.

The timing of this amendment is especially critical, given the recent experiences of several South Australian businesses, such as Nippy's, an iconic company in South Australia. Nippy's reported a staggering increase in power bills from June 2023 to June 2024, rising from $51,600 to an eyewatering $109,580, despite a reduction in electricity usage.

That is right, they used fewer kilowatt hours or less power yet saw their cost almost double, largely due to the market and network charges which account for over $34,000 of their total electricity bill. Nippy's has invested heavily in sustainability, installing $1 million worth of solar panels, yet even with this investment, the company faces times when they have to halt production. Yes, that is right,

they have to halt their core food and beverage manufacturing business due to soaring spot prices that made it completely uneconomical to operate.

How can it be good policy that a business that has reduced its power usage and invested $1 million on renewable generation still sees its power costs more than double and must shut down operations due to the power spikes? Their struggle is not unique. Many businesses are buckling under the weight of unprecedented and rising energy costs that impact their ability to compete and supply South Australia and the broader Australian market.

Robert Brokenshire, President of the Dairyfarmers' Association and former upper house MP, recently highlighted the significant financial strain facing the dairy industry, with electricity prices rising on average by 38 per cent. He shared that his own electricity bill has increased from $70,000 in 2023 to nearly $100,000 in 2024, illustrating the mounting pressures that businesses are experiencing.

South Australian fruit growers are also affected. Century Orchards reported a staggering 60 per cent increase in their power bills over the past three years. Since they cannot pass these costs on to consumers, they are left with no choice but to absorb them, which directly impacts business operations, employment and reinvestment in their properties.

Golden North, a very well-known South Australian brand, has also felt the sting of rising electricity costs, with their bills jumping by a massive 48.6 per cent. Their average monthly electricity bill in 2023 was $34,000, but in 2024 it soared to around $50,000 per month. While they have not yet raised the prices of their ice cream, their managing director has made it clear that if these price hikes continue they will have no choice but to increase the cost of their products, as they simply will not be able to absorb these rising expenses any longer.

I want to highlight a particularly telling development that occurred following the bill's introduction on the Friday afternoon after most media outlets had filed their stories for the day. The Essential Services Commission of South Australia (ESCOSA) released its retail market offers report. This report, which detailed the average retail electricity prices paid by households and small businesses in South Australia, shed light on the significant and sustained price hikes being felt by consumers.

The timing of this release raises questions. Why would the government choose to release such a crucial report at a time when it could avoid public scrutiny? Was it an attempt to bury these findings or at least minimise attention on the hardships faced by South Australians? The numbers in the ESCOSA report are stark. Over the course of the year, the average household electricity bill in South Australia increased by $411, bringing the total to $2,621. At an increase of 18.6 per cent, it is the highest recorded average residential electricity bill in the state's history. Small businesses fared even worse, with the average bill climbing by a staggering $791, resulting in an average annual electricity cost of $5,364, the highest recorded for businesses since ESCOSA began publishing these reports.

These figures lay bare the reality for South Australians. Households and small businesses are facing unprecedented electricity price hikes, and this is directly tied to the ongoing energy transition in the state. These price increases not only add strain to the family budget, they also threaten the viability of small businesses that are already under pressure from rising costs and economic uncertainty.

Any attempts to reduce emissions cannot be divorced from the need for affordable, reliable energy. The current approach focusing only on reducing emissions risks unintended consequences, as we have seen in South Australia with rising prices and reliability issues. The previous Liberal government understood the need to balance price and reliability against emissions reduction and working collaboratively to manage these elements in a way that made sense for our state. However, it is clear with this bill that the current government fails to strike the balance.

The singular focus on emissions, as evidenced by the aggressive emissions targets outlined in this bill, is made without broader consideration of the impact on South Australians and key industries. While the bill before us today proposes important changes to renewable energy targets,

it is essential that the government also addresses the very real economic pressures that are facing South Australian businesses.

Businesses like Nippy's and the broader small business community are struggling to survive, and the government must do more than just offering finger pointing and vague promises. Concrete solutions are needed to protect both the livelihood of businesses and the financial wellbeing of households across our state as we transition to a more sustainable energy future.

The bill aims to establish an interim target of reducing South Australia's emissions by 60 per cent by December 2030 and achieving a 100 per cent renewable target by 2027. This is being proposed at a time when South Australian households and small businesses are facing the highest electricity on record. Given the circumstances, the opposition argues that the bill must be amended to ensure it does not focus solely on emissions and renewable energy goals but also incorporates measures to reduce the impact on consumers and businesses.

We believe that, alongside emission reductions and renewable energy targets, there should be clear objectives for guaranteeing affordable energy prices for households and small businesses, as well as ensuring the reliability of the energy supply. These considerations are essential and should be explicitly included in the policy within this bill, if passed, and would be set in motion. While the goal of reducing emissions is important, it must be pursued in a way that recognises the financial strain on South Australians and supports a transition that is both fair and orderly.

Given these conditions, the opposition believes it is essential to propose these amendments to the bill regarding energy pricing. These amendments would ensure that, alongside the focus on emissions reductions and renewable energy targets, the legislation also addresses crucial issues, such as ensuring affordable electricity prices for residential consumers and small businesses, as well as guaranteeing the reliability of the power supply.

As to the agricultural sector, which the state relies on, there are questions from farmers around what the impact will be and how it is going to affect them, because they produce food here in South Australia at a very affordable price and they need to be assured that they will be able to continue to do so. You would expect that also from all South Australians who consume high-quality food, including milk and dairy. I think it is important to point out that over the time of the former Liberal government emissions did come down, and at the same time we were mindful of other parts of the energy framework, including price and reliability.

In fact, I note that in the government's explanation documents for this bill the department's own charts show that South Australia's largest drop in greenhouse emissions was made under the previous Marshall Liberal government, and those changes were made without negatively impacting agriculture, so it can be done.

Many producers are very sustainable. They want the land they work to be healthy and productive so that it remains viable for future generations. Our state's primary producers are responsible for over 50 per cent of our economic exports. We must protect those responsible for growing our food and fibre or we forfeit the foundation of our state's economy.

I note that the minister in the other place said of the onerous nature of the reporting against targets: 'It ought make no difference to the price of food; it is certainly not intended to do that.' I believe this shows a remarkable lack of awareness of the implications of the minister's own bill. It is the consequences of this bill that matter, not the intent.

I indicate that the opposition has amendments to section 16 in this bill, addressing concerns from the primary producers sector and in particular about sector-based targets. I will speak to this further during the committee stage of the bill, but it is safe to say they seek to exempt the production of food and fibre from any targets aimed at reducing greenhouse gas emissions within the state of South Australia, highlighting the importance of food and fibre production to this state and noting that these targets bring onerous reporting requirements that directly impact on the cost of production.

As we consider this amendment bill in this chamber, I urge the government not only to modernise our renewable energy targets but also to address the broader implications of this energy transition. With that, I conclude my remarks.

**The Hon. J.S. LEE (16:56):** I rise today to speak on the Climate Change and Greenhouse Emissions Reduction (Miscellaneous) Amendment Bill 2024. This bill seeks to modernise South Australia's legislative framework to deliver climate change policy objectives and enshrine the state's short and long-term emissions reduction targets in the legislation.

The bill seeks to replace the existing target of a 60 per cent reduction of greenhouse gas emissions with a target to achieve net zero greenhouse gas emissions by 2050. This 2050 net zero target was first adopted by the federal government in 2015, meaning that this bill will enshrine in legislation a policy that has been in place already for a decade.

A new short-term target for reducing net greenhouse gas emissions by at least 60 per cent by 2030 has also been proposed. The current act still has an outdated reference to a target for at least 20 per cent renewable electricity generation by 2014, which was achieved almost 15 years ago in 2011. The bill will update this, legislating a state target of 100 per cent net renewable electricity generation by 2027. As other honourable members have highlighted, the latest data shows that currently 74 per cent of our electricity is generated from renewable sources.

The minister will be required to set interim five-yearly emissions reduction targets for the state from 2030 to 2050, building in a greater reduction target each iteration to ensure progress is being made towards the long-term targets. In doing so, the minister must undertake consultation with experts to look to national and international best practice. The bill introduces a requirement for the government to prepare a publicly available statewide emissions reduction plan and to review and update it in line with the five-yearly targets. The plan must set out the government's objectives, policies, programs and initiatives for reducing, limiting or preventing greenhouse gas emissions.

The bill also requires a statewide climate risk assessment to be prepared within two years of the bill being enacted. The risk assessment will be reviewed every five years and will help businesses and communities prioritise climate risk and adaptation planning. In addition, the bill allows the Premier to nominate a public sector entity to prepare an agency or sector plan that addresses emissions reduction and/or climate change adaptation.

During the briefing my office received from the government, we were advised that such plans and sector agreements would be voluntary and would be developed in collaboration with stakeholders to facilitate strategies to meet state targets. That is providing some reassurance to stakeholders. While the bill provides for such plans to be developed in future as needs are identified, these plans are not mandates in the bill. Sector agreements may also include climate change adaptation measures.

The bill will also require government agencies to include details in their annual reports about how they are addressing climate-related risks and reducing greenhouse gas emissions. This is intended to increase transparency and accountability and help review progress towards the targets and objectives of the act.

I understand the opposition has raised many valid concerns that the bill may allow for the government to set industry-specific targets for the reduction of greenhouse gas emissions and is particularly concerned about the impacts that such targets will have on primary producers and key industries in terms of both the potential for onerous reporting requirements and flow-on effects increasing the cost of food and primary products. I share those concerns. The opposition has proposed an amendment to prevent the minister from setting a sector-based target for the primary production sector, and I can see that this has merit and will warrant some further consideration.

The Greens have also filed a range of amendments intended to further strengthen the targets outlined in the bill and to reform the composition and functions of the Premier's Climate Change Council. I note that the government has also proposed a number of amendments in response to the Greens' proposal, and I will give due consideration to all amendments during the committee stage.

**The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (17:00):** When the Climate Change and Greenhouse Emissions Reduction Act came into operation back in 2007, it was the first of its kind anywhere in Australia. It has guided policy and planning in our state to achieve world-leading outcomes in renewable energy generation and climate change mitigation.

This bill will modernise the act to provide a more contemporary legislative framework to deliver South Australia's climate change policy objectives. The bill will enshrine South Australia's short-term and long-term emissions reduction and renewable electricity generation targets in legislation to help limit the extent of climate change. Importantly, it will also strengthen policy and planning provisions in the act to allow the targets to be achieved and to better understand and address the impacts of climate change in our state.

I thank honourable members for their contributions to the debate thus far. I also thank the dedicated public servants who have supported development of the bill, including with very extensive stakeholder and community engagement. The government will be introducing, as has been foreshadowed by other members, several further amendments and I will expand on these further during the committee stage.

Bill read a second time.

**The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (17:02):** By leave, on behalf of the Hon. Nicola Centofanti, I move contingently, on the Climate Change and Greenhouse Emissions Reduction (Miscellaneous) Amendment Bill being read a second time:

That it be an instruction to the Committee of the Whole Council on the bill that it have power to consider amendments relating to grid reliability target, residential power prices target and small business power prices guarantee target.

The council divided on the motion:

Ayes .....7
Noes.....10
Majority .....3

AYES

| | | |
|---|---|---|
| Game, S.L. | Girolamo, H.M. (teller) | Henderson, L.A. |
| Hood, B.R. | Hood, D.G.E. | Lee, J.S. |
| Lensink, J.M.A. | | |

NOES

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

PAIRS

| | | |
|---|---|---|
| Centofanti, N.J. | Martin, R.B. | Pangallo, F. |
| Hanson, J.E. | | |

Motion thus negatived.

*Committee Stage*

In committee.

Clause 1 passed.

Clause 2.

**The Hon. T.A. FRANKS:** I move:

Amendment No 1 [Franks–1]—

Page 2, line 13 [clause 2(1), inserted subparagraph (ii)(B)]—After 'electricity' insert 'generation'

This is a test amendment for No. 11 and interacts with Franks consequential amendments or related amendments Nos 2, 5, 6, 10 and 11 in set 1. This amendment clarifies the target as being one of renewable electricity generation and brings back the renewable electricity generation target at amendment No. 11. I understand that the government will have some support for some of the Greens' amendments. I do not believe they support this one, but it is a conversation that is going to unfold.

**The Hon. K.J. MAHER:** As the honourable member pointed out, this is at least related, if not consequential, to amendments that are coming up to include a renewable energy target. Amendments Nos 2 and 11 [Franks-1] I think it relates to. The inclusion of a renewable energy target is not necessary; hence, this consequential amendment, in the government's view, is not needed to differentiate between generation and use target. I will expand on my reasoning and propose alternative amendments when we next discuss the primary amendment—that is, amendment No. 2 [Franks-1], which is next.

Amendment negatived.

**The Hon. T.A. FRANKS:** I move:

Amendment No 2 [Franks–1]—

Page 2, after line 13 [clause 2(1), inserted subparagraph (ii)]—After subsubparagraph (B) insert:

(C) the renewable electricity use target; and

This retains the renewable energy target from the original act.

**The Hon. K.J. MAHER:** As I explained at the previous amendment, in the government's view the addition of renewable electricity use targets are not necessary. This is because generation and consumption are highly related, as electricity is generated to meet consumption needs. A target for net renewable electricity generation is more appropriate to guiding increasing investment in renewable generation in the state and to reflect the contribution renewables make to meeting state electricity use.

The government does, however, understand the importance of being more transparent on these matters. I will be proposing government amendments at clauses 3 and 6—that is, government amendments Nos 1 and 3 [AG-1]—to define 'net renewable electricity generation' and to make it clearer that two-yearly reporting under section 7 of the act will report on the use of both renewables and non-renewable electricity sources in this state.

**The Hon. H.M. GIROLAMO:** The opposition will be opposing the Greens' amendment, but we will be looking to have further discussion around the government amendments in due course.

Amendment negatived.

**The Hon. T.A. FRANKS:** I move:

Amendment No 3 [Franks–1]—

Page 3, line 2 [clause 2((2), inserted text]—Delete 'targets' and substitute 'target'

This deletes 'targets' and substitutes 'target'. It is a test amendment for amendment No. 7 [Franks-1], and consequential to amendment No. 7, which brings the zero net greenhouse emissions target within the state forward to 2040 and eliminates the need for interim targets every five years because of that shorter timeframe.

**The Hon. K.J. MAHER:** I indicate, and as the honourable member indicated earlier, the government will be supporting some but not other amendments. The government will not be supporting this particular amendment. This amendment is related to an amendment by the Hon. Tammy Franks, amendment No. 7 [Franks-1], to amend the SA target to bring forward the date of net zero to 2040, as the honourable member has outlined. The government will propose an alternative amendment at clause 4—government amendment No. 2 [AG-1]—that does not alter the proposed SA target date of 2050 but instead establishes a process for consideration of an earlier date.

**The Hon. H.M. GIROLAMO:** The opposition will be opposing this amendment.

Amendment negatived.

**The Hon. T.A. FRANKS:** I move:

Amendment No 1 [Franks–2]—

Page 3, after line 4—After subclause (3) insert:

(3a) Section 3(1)—after paragraph (b) insert:

(ba) to promote transparency in relation to the operation of this Act, including through the public reporting of information; and

I note that it is also identical, I believe, to amendment no. 4 [Franks-1] in your running sheets. This elevates the principles of transparency and public reporting in the act. As the Attorney-General has just alluded to, it has been of great concern to the Greens to make sure that there is greater transparency in the act. We believe that that will bring public trust as well as better outcomes. I understand that this has been a fruitful conversation with the government, and we look forward to progressing to having an act that is far more transparent than the current workings.

**The Hon. K.J. MAHER:** I rise to indicate that the government will be supporting this amendment. This amendment is to include an additional object in the act that will help promote transparency in relation to the operation of the act, including through public reporting of information. We will be supporting it.

Amendment carried; clause as amended passed.

Clause 3.

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

Amendment No 1 [AG–1]—

Page 3, after line 35 [clause 3(3)]—After the definition of *net greenhouse gas emissions* insert:

*net renewable electricity generation* means the contribution of renewable electricity generated in South Australia after taking into account non-renewable electricity generated in South Australia and interconnector flows over the course of a financial year;

This amendment defines the term 'net renewable electricity generation' in order to make clearer what is meant by net renewable electricity generation in relation to the renewable energy target in the bill. I propose this amendment as one of two alternative amendments to the inclusion of a renewable energy use target as proposed by the Hon. Tammy Franks.

The other amendment is to clause 6 (government amendment No. 3 [AG-1]), which will make it clear that every two years information on the use of renewable energy and electricity and non-renewable electricity will be publicly reported under section 7 of the act.

**The Hon. T.A. FRANKS:** To paraphrase the government previously, I think it is the Frank Sinatra approach of 'they will do it their way'. The Greens are happy to take a good idea and support it, even though we had it in a different form.

Amendment carried; clause as amended passed.

Clause 4.

**The Hon. T.A. FRANKS:** My amendment No. 7 deletes '2050' and substitutes '2040' but, given the vote on my previous amendment failed, there is not really a reason for me to formally move it. It would have brought a net zero greenhouse emissions target within the state forward to that 2040 date, making the multiple five-year targets redundant. However, I will not be progressing with formally moving that amendment at this point. I move:

Amendment No 8 [Franks–1]—

Page 4, line 13 [clause 4(1), inserted subsection (2)(a)]—Delete '2005' and substitute '2022'

This deletes '2005' and substitutes '2022'. The Greens intend to divide on this particular amendment. We think that this is a really important point. This amendment would tie the emissions reduction target to 2022 rather than to the current 2005, which was significantly higher and thus made the target that

we have less ambitious. The Greens' target would choose a better base year to ensure that our actions were in fact the best that they could be, notwithstanding the use of '2005' in other jurisdictions.

The use of '2005' for South Australia does suggest a lack of ambition—an ambition that we had when we led the country in this sort of legislation. I note that we have often rested on our laurels here in leading the way. We could yet again lead the way. If the argument from the government is that everyone else is doing the other year, the Greens do not think that is good enough. We think we need to use the right base year to get the right results.

**The Hon. K.J. MAHER:** On this occasion we will not be supporting the Greens' amendment to amend the baseline of the 2030 interim target from 2005 to 2022. It is my advice that what would be a 60 per cent reduction in net greenhouse gas emissions from 2022 levels would equate to an 83 per cent reduction from 2005 levels. It is the government's view that this represents a significant change to the 2030 emission reductions target on which we have not had any public consultation or assessment or feasibility of social, economic and environmental impacts, so the government proposes to retain the 2005 baseline.

**The Hon. H.M. GIROLAMO:** The opposition will be opposing this amendment.

The committee divided on the amendment:

Ayes .....2
Noes.....16
Majority .....14

AYES

| | | |
|---|---|---|
| Franks, T.A. (teller) | Simms, R.A. | |

NOES

| | | |
|---|---|---|
| Bonaros, C. | Bourke, E.S. | El Dannawi, M. |
| Game, S.L. | Girolamo, H.M. | Hanson, J.E. |
| Henderson, L.A. | Hood, B.R. | Hood, D.G.E. |
| Hunter, I.K. | Lee, J.S. | Lensink, J.M.A. |
| Maher, K.J. (teller) | Ngo, T.T. | Scriven, C.M. |
| Wortley, R.P. | | |

Amendment thus negatived.

**The Hon. T.A. FRANKS:** I move:

Amendment No 9 [Franks–1]—

Page 4, line 15 [clause 4(1), inserted subsection (2)(b)]—Delete '100%' and substitute '125%'

This aims to generate more renewable electricity than we require in this state for export interstate and elsewhere, and subsequently increase the use of renewables in other jurisdictions from our state.

**The Hon. K.J. MAHER:** I rise to indicate the government will not be supporting this amendment. The government is concerned that the amendment shifts the focus of the target from ensuring we have sufficient renewable energy and electricity to meet demand for South Australian consumers to one where the additional 25 per cent is about the export of renewable energy to other states. In the government's view that would be a significant change.

In addition, the government does not wish to set targets that are not feasible and considers it would likely be impractical to achieve 125 per cent net renewable electricity generation in the state by 31 December 2027.

**The Hon. H.M. GIROLAMO:** The opposition will be opposing this amendment.

Amendment negatived.

**The Hon. T.A. FRANKS:** Amendments Nos 10 and 11 are both consequential, and I will not be moving them. Amendments Nos 12 and 13 are consequential as well, and I will not be progressing with them.

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

Amendment No 2 [AG–1]—

Page 5, after line 10 [clause 4(1), inserted subsection (2d)]—After paragraph (b) insert:

and

(c) consider whether zero net greenhouse gas emissions within the State can reasonably be achieved before 31 December 2050.

This amendment will require the minister responsible for the act to consider and report on whether zero net generation gas emissions within the state can be reasonably achieved before the target date of 2050. The minister will consider this matter when setting interim emission reduction targets, which occur in 2030 and every five years thereafter, with a report to be tabled in parliament.

If an earlier net zero emissions target is feasible and acceptable, then the act allows the minister to subsequently vary the SA target. This approach will allow for consultation with stakeholders in the broader community.

**The Hon. T.A. FRANKS:** The Greens will be supporting the government's amendment. I note it is an alternative way forward on some of the Greens' [Franks-1] set of amendments, and we appreciate the conversation with the government that has come to this compromise.

Amendment carried.

**The Hon. T.A. FRANKS:** Amendment No. 14 [Franks-1] is consequential. I move:

Amendment No 2 [Franks–2]—

Page 5, line 16 [clause 4(4), inserted paragraph (ba)]—After 'calculating' insert:

the total amount of greenhouse gas emissions attributable to the State,

This requires reporting on real zero; that is, to require reporting on total greenhouse gas emissions without any removals of emissions from the atmosphere from offsets outside the state. The current situation we have essentially allows for greenwashing, with offsets outside the state able to be used in the calculation of total net emissions. This aims to capture the real picture of total emissions for our state to end that greenwashing, so I look forward, hopefully, to the support of the government to end the greenwashing.

**The Hon. K.J. MAHER:** I am pleased to fulfil the hope of the honourable member, and indicate that the government will be supporting this amendment updating the method for calculating greenhouse gas emissions. I also indicate we will be supporting the next amendment, amendment No. 3 [Franks-2].

Amendment carried.

**The Hon. T.A. FRANKS:** I move:

Amendment No 3 [Franks–2]—

Page 5, line 18 [clause 4(4), inserted paragraph (ba)]—After 'offsets' insert 'from outside the State'

This is consequential on the previous amendment ending the greenwashing and ensuring we have better transparency and honesty in our system.

Amendment carried.

**The Hon. T.A. FRANKS:** Amendments Nos 15 and 16 [Franks-1] are consequential.

**The Hon. H.M. GIROLAMO:** On behalf of the Hon. Ms Centofanti, I move:

Amendment No 6 [Centofanti–1]—

Page 5, after line 36—After subclause (6) insert:

(6a) Section 5(5)—delete 'The' and substitute:

Subject to subsection (5a), the

(6b) Section 5—after subsection (5) insert:

(5a) The Minister must not set a sector-based target for the reduction of greenhouse gas emissions under subsection (3)(c) in relation to the primary production sector.

This amendment seeks to exempt the production of food and fibre from any targets aimed at reducing greenhouse gas emissions within the state of South Australia, highlighting the importance of food and fibre production to the state and noting that these targets bring onerous reporting and requirements that directly impact cost of production.

I appreciate that currently the state government have not set sector targets, however the legislation does permit for sector targets. We know that these targets come with significant costs. In fact, it has been estimated by Treasury that the federal government's compliance scheme, known as Scope 3 emissions reporting, set to begin in 2027, will cost an estimated $2.3 billion in the first year alone, which is likely to be passed on to the consumer.

Whilst the federal Coalition has committed to overturning the climate-related financial disclosure scheme if elected at the next federal election, this bill provides an opportunity to ensure that with state legislation, primary production is not targeted in emissions reductions ensuring more affordable South Australian produce to our supermarkets in the future.

This amendment provides not only our primary producers but indeed all South Australians with the certainty that their food prices from South Australian farms will not increase due to direct sector costs associated with emissions targets. This amendment acknowledges that farmers may choose to report emissions to access certain markets or potentially earn product premiums, although it is worth noting that such premiums have yet to materialise in any significant way.

While this choice is theirs to make, mandating emissions reporting through legislation, especially when it goes far beyond the requirements in other countries, imposes unnecessary burdens on local producers. Such a move risks creating an uneven playing field where our farmers face higher compliance costs and greater operational challenges than their international counterparts, potentially undermining their competitive advantage in the global market.

**The Hon. K.J. MAHER:** I indicate that the government does not support the amendment. It is the government's view that the primary production sector should not be excluded. This, in the government's view, sends a signal that primary production does not need to do anything to contribute to reducing emissions in the state and that the burden of emissions reduction should be borne by other economic sectors.

Rather than seek to exempt primary production, industry organisations and government should do more to encourage the sector to adopt low-emission technologies and practices. This could have the advantage in terms of investors, consumers and markets, particularly export markets that are increasingly seeking low-emission products. Therefore, we will not be supporting the amendment.

**The Hon. T.A. FRANKS:** The Greens oppose this amendment. Farmers across Australia are moving towards emissions efficiencies and climate and environmental responsible farming methods, many of which are actually bringing financial gain to farmers who take a long-term view and are keen to pass on not only the family farm but the lifestyle and opportunities that come with it to the next generation. Emissions reduction is a win-win with financial opportunities, environmental benefits and improved productivity that reduces costs. Opportunities will no doubt emerge for ag industries and producers that can demonstrate emissions efficiencies and reductions or better still carbon neutrality.

The committee divided on the amendment:

Ayes .....4
Noes.....11
Majority .....7

AYES

| | | |
|---|---|---|
| Girolamo, H.M. (teller) | Henderson, L.A. | Hood, B.R. |
| Hood, D.G.E. | | |

NOES

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

PAIRS

| | | |
|---|---|---|
| Centofanti, N.J. | Martin, R.B. | Pangallo, F. |
| Scriven, C.M. | | |

Amendment thus negatived.

**The CHAIR:** Our view is that amendment No.8 [Centofanti-1] is consequential.

**The Hon. H.M. GIROLAMO:** Yes, that is correct.

Clause passed.

Clause 5 passed.

Clause 6.

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

Amendment No 3 [AG–1]—

Page 6, lines 18 and 19 [clause 6(3)]—Delete subclause (3) and substitute:

(3) Section 7(2)(f)(i)—delete 'energy' and substitute:

and non-renewable electricity sources

Every two years, the minister must report on the operation of the act in achieving the emissions reduction and renewable electricity targets set under the act. This amendment makes it clear that the report will include a summary of the levels of use of both renewable and non-renewable electricity sources. The amendment replaces the more general reference to renewable energy. As I said, I propose this amendment as an alternative to the inclusion of the renewable electricity target proposed by the Hon. Tammy Franks MLC.

**The Hon. T.A. FRANKS:** The Greens will be supporting this amendment. It makes it clearer that the two-yearly reporting under section 7 of the act will include information on the use of renewable and non-renewable electricity sources and defines net renewable electricity generation.

Amendment carried.

**The Hon. T.A. FRANKS:** I move:

Amendment No 4 [Franks–2]—

Page 6, after line 19—After subclause (3) insert:

(4) Section 7—after subsection (2) insert:

(2a) For the purposes of subsection (2)(f)(i), information on the levels of greenhouse gas emissions must include—

(a) the level of net greenhouse gas emissions within the State; and

(b) the total amount of greenhouse gas emissions attributable to the State, without taking account of any removals of greenhouse gas emissions from the atmosphere due to activities within the State, or any emissions offsets from outside the State.

This is another amendment that is quite important to the Greens. This requires reporting on real zero to require reporting on total greenhouse gas emissions without any removals of emissions from the atmosphere or offsets from outside the state. Currently, it is possible for bodies to include and exclude the bits they like to make their performance look better. For example, you can include removals from outside the state or avoid mentioning emissions from outside the state. This would address that issue.

**The Hon. K.J. MAHER:** I indicate that the government will be supporting this amendment, which in our view will improve transparency in reporting in line with the new transparency object proposed and accepted by this committee previously through amendment No. 1 [Franks-2].

Amendment carried.

**The Hon. T.A. FRANKS:** I move:

Amendment No 17 [Franks–1]—

Page 6, after line 19—After subclause (3) insert:

(4) Section 7(2)—after paragraph (j) insert:

and

(k) an assessment of the effectiveness of policies, plans and initiatives that are being adopted or developed to manage climate related risks, including those identified in the statewide climate change risk assessment.

I note that the Attorney-General has possibly no support for this amendment, but it requires the minister to report on the effectiveness of the policies, plans and initiatives in place. There is a further amendment, however, that was filed in the second set that does the same thing but probably has looser wording. Our preference would have been this amendment.

**The Hon. K.J. MAHER:** I indicate the Hon. Tammy Franks is correct: we will not be supporting this amendment, but we will be supporting an alternative amendment instead, which I think is amendment No. 9 [Franks-2]. So we will not be supporting this, but I indicate support for when we get to amendment No. 9 [Franks-2].

Amendment negatived.

**The Hon. T.A. FRANKS:** I move:

Amendment No 18 [Franks–1]—

Page 6, after line 19—After subclause (3) insert:

(4) Section 7—after subsection (2) insert:

(2a) For the purposes of a report under this section, without limiting the manner in which levels of greenhouse gas emissions or renewable electricity generation or use may be expressed, the report must, in providing information in relation to those matters, where relevant, express the information using an appropriate unit of measurement (and not just express the relevant information by reference to a percentage).

This requires the reporting of hard data rather than merely reporting in percentages. For those of us who prefer hard data than just percentages, this will come as something welcome. I note also that the former Leader of the Government in this place will welcome this, no doubt, because in debating the original bill, the Hon. Rob Lucas then stated on the importance of numbers:

> If you are talking about reductions, you have to know from what. Is it 32.4 megatonnes, which is the Australian Greenhouse Office figure for 1990, or is it some new state-adjusted figure? As one of the members of the committee highlighted, the minister can change these figures. We need to know what the figure is. If you are going to talk about staying at the same level or reducing by 20, 25 or 30 per cent, what number are you starting from? What is the number?

A broken clock can be right twice a day, and the Hon. Rob Lucas was right.

**The Hon. K.J. MAHER:** I rise to indicate that the government will be supporting this amendment at the grave risk of being on a unity ticket with to the left of me and to the very, very far right of me. I find myself agreeing with both the Greens and the ghost of the Hon. Rob Lucas.

Amendment carried; clause as amended passed.

New clause 6A.

**The CHAIR:** There are proposals for new clause 6A. I am advised that both the amendments basically came at the same time. I will go with the Hon. Ms Franks first.

**The Hon. T.A. FRANKS:** I move:

Amendment No 19 [Franks–1]—

Page 6, after line 19—After clause 6 insert:

6A—Amendment of section 9—Premier's Climate Change Council

Section 9—after subsection (3) insert:

(3a) The Council must include—

(a) at least 1 person who has knowledge of, and experience in, the calculation, assessment, measurement or reporting of greenhouse gas emissions; and

(b) at least 1 person who has knowledge of, and experience in relation to, climate science; and

(c) at least 1 person who has practical knowledge of, and experience relevant to, ruminant livestock.

(3b) If the requirements referred to in subsection (3a) are not fulfilled by those persons who make up the membership of the Council immediately before that subsection comes into operation, those requirements do not apply until the first appointment made by the Minister required to fill a vacancy in the office of a member of the Council that occurs after that subsection comes into operation, and, to the extent that more than 1 appointment is required to fulfil those requirements, the second appointment, or, if required, the third appointment, made by the Minister after the subsection comes into operation.

The alternative amendment does not mention ruminant livestock, so I would ask the Libs to make their position clear on this as I move this amendment. This brings expertise on carbon accounting, climate science and ruminant livestock into the PCCC. Contrary to the view of the department, climate science is the study of regional and global science as a system and is of critical importance. The addition of ruminant livestock expertise to the PCCC acknowledges the importance of reducing the methane emissions from this sector as well as the importance attached by many farmers right now across our state, and elsewhere and beyond, to address their sector's emissions with a view to that sector's longevity. With that, I commend the amendment.

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

Amendment No 4 [AG–1]—

Page 6, after line 19—After clause 6 insert:

6A—Amendment of section 9—Premier's Climate Change Council

Section 9—after subsection (3) insert:

(3a) In making an appointment under this section (being an appointment required to fill a vacancy in the office of a member of the Council that occurs after the commencement of this subsection), the Minister must have regard to the desirability of including, within the expertise of the Council's membership, a person or persons who have an understanding of—

(a) the calculation, assessment, measurement or reporting of greenhouse gas emissions; and

(b) science related to climate change.

The government will not be supporting Ms Franks' amendment and instead proposes this amendment of our own. It is the government's concern that the amendment reduces flexibility and that we need to ensure a membership that is responsive to changing issues and priorities for addressing climate change over time. The government is also concerned that this amendment would

narrow the scope of the Premier's Climate Change Council with more focus on one specific issue, such as ruminant livestock emissions. In the government's view, this begs the question of why focus on this particular issue and no other specific issues such as building emissions or mining and industrial processing emissions.

It is the government's view that the act already requires the minister to consider membership from a wide range of sectors, including the scientific community. This can already cover agricultural expertise, including ruminant livestock, as well as science and emission measurements, so the government will not be supporting this member but propose our alternative.

The Hon. T.A. Franks' new clause negatived; the Hon. K.J. Maher's new clause inserted.

Clause 7.

**The Hon. T.A. FRANKS:** I move:

Amendment No 20 [Franks–1]—

Page 6, after line 29—After subclause (3) insert:

(4) Section 11—after subsection (4) insert:

(5) The Department of Premier and Cabinet must ensure that adequate resources are allocated to the Council to enable the Council to perform its functions under this Act.

I think we are very close now. This amendment ensures that the PCCC is well enough resourced without bringing in the need for funding into the legislation. It simply seeks to make sure that we have an effective body.

**The Hon. K.J. MAHER:** The government will not be supporting the amendment. The government considers matters of resourcing should be addressed through administrative not legislative means. It is our view that a minister's responsibility is to ensure proper administration and legislation, including appropriate resourcing for their departments and associated boards and committees rather than through legislative means.

Amendment negatived; clause passed.

Clause 8 passed.

Clause 9.

**The Hon. T.A. FRANKS:** Amendments Nos 21, 22 and 23 [Franks-1] are consequential. I move:

Amendment No 5 [Franks–2]—

Page 8, after line 3—After subclause (4) insert:

(4a) Section 14(2)(b)—after 'emissions,' insert:

which may include consideration of a greenhouse gas emissions reduction target or targets,

This amendment requires government entities to consider emissions reductions in their operations. I commend it to the council.

**The Hon. K.J. MAHER:** The government will be supporting the amendment. It clarifies what the minister may include for consideration.

Amendment carried; clause as amended passed.

Clause 10.

**The Hon. T.A. FRANKS:** I move:

Amendment No 24 [Franks–1]—

Page 8, after line 33 [clause 10, inserted section 14A(2)]—After paragraph (a) insert:

(ab) without limiting paragraph (a), must include an assessment of the following:

(i) the impact of climate change on the State's biodiversity and ecological communities;

(ii) the impact of pollution as a contributor to climate related risk in the State;

(iii) the impact of climate change in relation to water management in the State, including risks of flooding and rising sea levels,

and must take account of—

(iv) the State's progress towards a circular economy as a means of mitigating the impacts of climate change; and

(v) the transition to lower levels of greenhouse gas emissions in a just and equitable manner; and

(vi) the importance of preventing or minimising reasonably foreseeable significant harm to the environment and to future generations in the State; and

This amendment strengthens the requirements of the statewide climate change risk assessment; adds biodiversity and ecological communities into considerations of climate change risk assessment; adds pollution as a consideration; brings water management, flood risk and rising sea levels into consideration; and causes consideration of progress on circular economy as well as requiring consideration of a just transition. Finally, it brings into consideration duty of care to both the environment and to future generations. With that, I commend it.

**The CHAIR:** Before the Attorney responds, the advice, the Hon. Ms Franks, is that you should move amendment No. 6 [Franks-2] instead.

**The Hon. T.A. FRANKS:** It goes to the same issues.

**The CHAIR:** You cannot really have a fallback, so our advice is that you are probably better to move amendment No. 6 [Franks-2].

**The Hon. T.A. FRANKS:** Procedurally, I will take your very considered advice and thank the clerks for that direction. Therefore, I move:

Amendment No 6 [Franks–2]—

Page 8, after line 33 [clause 10, inserted section 14A(2)]—After paragraph (a) insert:

(ab) without limiting any other matters that may be taken into consideration, should be prepared having regard to—

(i) the impacts of climate change on biodiversity; and

(ii) the impacts of climate change on water management; and

(iii) measures mitigating the effects of climate change, including measures to progress towards a circular economy; and

(iv) the impacts of the transition to lower greenhouse gas emissions; and

I will not proceed with amendment No. 24 [Franks-1]. It goes to the same issues; it is just not as strong.

**The Hon. K.J. MAHER:** I rise to indicate that the government would not have supported amendment No. 24 [Franks-1], but will support what is in effect the alternative amendment No. 6 [Franks-2]. We will support the amendment before the committee.

Amendment carried; clause as amended passed.

Clause 11.

**The Hon. T.A. FRANKS:** I move:

Amendment No 7 [Franks–2]—

Page 11, after line 29—After subclause (3) insert:

(4) Section 16—after subsection (6) insert:

(7) A register of sector agreements under subsection (6)(a) must be kept available for public inspection, without fee, on the Department's website.

This requires sector agreements to be publicly available and goes to transparency and community confidence in government.

**The Hon. K.J. MAHER:** We are big on transparency. We will support the amendment.

Amendment carried; clause as amended passed.

Clauses 12 and 13 passed.

Clause 14.

**The Hon. T.A. FRANKS:** I have notes that amendment No. 8 [Franks-2] will not be required if amendment No. 25 [Franks-1] has been successful.

**The CHAIR:** Again, we cannot really have a fallback position.

**The Hon. K.J. MAHER:** The government would not support amendment No. 25 [Franks-1] if it were moved, but will support amendment No. 8 [Franks-2].

**The Hon. T.A. FRANKS:** On that note, I move:

Amendment No 8 [Franks–2]—

Page 12, line 17 [clause 14, inserted section 20A(3)(a)]—After 'section' insert:

including in relation to the reporting of the level of greenhouse gas emissions resulting from the operations or activities of the agency

This requires reporting from government departments and agencies on their greenhouse gas emissions.

Amendment carried; clause as amended passed.

New clause 14A.

**The Hon. T.A. FRANKS:** I move:

Amendment No 9 [Franks–2]—

Page 12, after line 25—After clause 14 insert:

14A—Amendment of section 21—Review of Act

Section 21(2)—after paragraph (a) insert:

(ab) insofar as is reasonably practicable, the extent to which measures adopted by the State Government to facilitate climate change adaptation have been implemented; and

This is somewhat consequential. We will progress with it because amendment No. 17 [Franks-1] failed, so I am trying it a different way. At section 21(2) after paragraph (a) it inserts:

(ab) insofar as is reasonably practicable, the extent to which measures adopted by the State Government to facilitate climate change adaptation have been implemented; and

**The Hon. K.J. MAHER:** I rise to indicate that this alternative to amendment No. 17 [Franks-1] finds favour with the government and we will be supporting it.

New clause inserted.

Remaining clause (15) 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) (17:55):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

## STATUTES AMENDMENT (HERITAGE) BILL

*Introduction and First Reading*

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

## SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (MISCELLANEOUS) AMENDMENT BILL

*Final Stages*

The House of Assembly agreed to the bill without any amendment.

## CRIMINAL LAW CONSOLIDATION (MENTAL COMPETENCE) AMENDMENT BILL

*Final Stages*

The House of Assembly agreed to the bill without any amendment.

At 17:58 the council adjourned until Wednesday 19 March 2025 at 14:15.

*Answers to Questions*

**TRANSGENDER TREATMENTS**

In reply to **the Hon. F. PANGALLO** (10 April 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:

Any new evidence, including interstate reviews, are continuously considered by SA Health.

The federal government has announced a comprehensive review of the Australian Standards of Care and Treatment Guidelines to be conducted by the National Health and Medical Research Council (NHMRC), with new national guidelines to be developed.

The NHMRC is the national expert body in health and medical research, with responsibility for developing clinical practice guidelines.

WCHN does not provide surgical treatment.

**SKYCITY ADELAIDE**

In reply to **the Hon. C. BONAROS** (16 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 Consumer and Business Affairs has advised:

The amount paid into the Gambler's Rehabilitation Fund (GRF) by SkyCity Adelaide is set out in the Approved Licensing Agreement (ALA) under clause 13A. The casino licensee must pay to the minister, within seven days after the start of each financial year, the prescribed contribution for that financial year as a contribution to the GRF. The formula used to calculate the prescribed contribution is:

$$PC = \$300{,}000 \times \frac{A}{B}$$

Where:

- PC is the prescribed contribution;
- A is the CPI for the quarter ending on 31 March preceding the financial year; and
- B is the CPI for the quarter ending on 31 March 2013.

This arrangement is in place until 2085.

The amount payable to the GRF under clause 13A is in addition to any casino duty payable. The casino duty paid by SkyCity does not contribute to the GRF.

The question of what services, if any, the additional casino duty arising from this decision will contribute to does not fall within the portfolio of the Minister for Consumer and Business Affairs.

Section 19 of the Gambling Administration Act 2019 prohibits me from disclosing what discussions, if any, have taken place with the operators of SkyCity regarding any change to the contribution of funding the GRF.

**ILLEGAL TOBACCO SALES**

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (16 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 Consumer and Business Affairs has advised:

As of 7 February 2025, Consumer and Business Services (CBS) has undertaken 64 inspections in regional and remote areas, which is approximately 20 per cent of the total number of tobacco and vaping inspections conducted by CBS to date.

**SPORTSBET**

In reply to **the Hon. T.A. FRANKS** (16 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 Consumer and Business Affairs has advised:

CBS' inquiries into bets offered by Sportsbet to South Australian customers are underway. Inquiries specifically into UFC and MMA commenced in September 2024.

**DISTRICT POLICING MODEL**

In reply to **the Hon. F. PANGALLO** (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 Police has advised:

South Australia Police (SAPOL) is currently investigating alleged breaches of code of conduct by SAPOL members working in the Police Association of South Australia. The investigation is ongoing and as such it would be inappropriate to make further comment.

**TRANSGENDER HEALTH CARE**

In reply to **the Hon. T.A. FRANKS** (28 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:

SA Health gender diversity health services are currently available at the Women's and Children's Hospital Gender Service and the adult Transgender Service at Modbury Hospital. These services include access to medical gender affirming care.

SA Health clinicians and staff are involved in both informal and formal networks that aim to support better access to health care, including gender health care.

The WCHN Gender Diversity Service will continue to provide services following the opening of the new Women's and Children's Hospital.

**GAMBLING REFORM**

In reply to **the Hon. C. BONAROS** (28 November 2024). The Minister for Consumer and Business Affairs has advised:

Reforms introduced into South Australia in late 2019 have provided increased protections for South Australians affected by gambling harm, whilst also striking an important balance by ensuring a well-regulated and economically viable gambling industry.

While the decision to allow new technology to be introduced on gaming machines in South Australia received bipartisan support, significant amendments moved by the Labor party whilst in opposition and subsequently passed by the parliament ensure that players are not allowed to insert more than $100 into a gaming machine at a time and a prohibition on the use of $100 banknotes.

Additional measures that have already been implemented in South Australia to minimise the potential for gambling-related harm as a result of the introduction of current technology gaming machines, include:

- a restriction on EFTPOS cash withdrawals to $250 per card over 24 hours
- a restriction on the use of banknotes of any value at a gaming machine if there is already $100 or more on the machine
- a requirement for gaming venues to offer the payment of winnings of $500 or more by cheque or EFT.

The government is currently reviewing the proposed changes to the Victorian legislation and will consider the outcomes of the carded play trial set to run in a limited number of Victorian venues mid 2025 for a period of three months.

It is noted that bill proposed the Victorian government:

- has not yet passed through parliament in that state;
- is subject to a trial in mid 2025;
- will allow 'casual cards' that do not require patrons to provide identification or set loss limits until 2026;
- will be subject to further evaluation at the end of 2026;
- has indicated that additional requirements will not be considered, including changes to the current non-binding precommitment limits, until the next monitoring licence agreements are considered in late 2027.

The proposal in the bill to reduce load-up limits on gaming machines replicates requirements already in place in South Australia and we commend the Victorian government for following suit.

**SWASTIKA TATTOOS**

In reply to **the Hon. T.A. FRANKS** (4 February 2025).

**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:

The Summary Offences Act 1953 prohibits the public display of Nazi symbols, which would a Nazi symbol tattoo on public display.

Section 32B(3) of the act provides defences for the lawful use of a Nazi symbol for a legitimate public purpose, including whether displayed for a genuine academic, artistic, religious, scientific, or cultural purpose.

**CHILD PROTECTION, BABY REMOVALS**

In reply to **the Hon. L.A. HENDERSON** (5 February 2025).

**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 Child Protection has advised:

It is my expectation that removals of children are undertaken in a way that is compassionate and affords dignity and respect. The government is constantly working to help ensure the best possible processes and practice are undertaken as we continue our comprehensive work to improve the child protection and family support system. In a Budget and Finance Committee hearing the chief executive addressed this matter. I support the chief executive's position.

**POLICE RAMPING**

In reply to **the Hon. J.S. LEE** (6 February 2025).

**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 Police has been advised:

1. The primary response for the treatment of mental illness rests with SA Health. Police officers have a role when there is an element of violence or criminality. SAPOL continually monitors resource use and develops strategies to enhance efficiency and deploy resources effectively.

2. SAPOL has developed a Mental Health Co-Response Unit in consultation with both Northern and Central Adelaide Local Health Networks. The co-response units combine a police officer with a mental health clinician who respond to mental health related events both within the community and police custodial facilities.

- Significant expansion of the resources and role of Police Security Services Branch (PSSB) provides SAPOL with support by way of its District Support Section (DSS). DSS is a centralised resource that accepts policing demand and supports frontline police allowing for flexible deployment across the Greater Adelaide metropolitan area.

Police security officers (PSO) attached to the DSS, are available to conduct hospital guard duties of detainees in police custody requiring medical treatment and detainees awaiting a mental health assessment.

This alleviates the requirement for frontline police to transport and guard detainees or person/s awaiting a mental health assessment.

**ANTISOCIAL BEHAVIOUR**

In reply to **the Hon. J.M.A. LENSINK** (18 February 2025).

**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 Human Services has advised:

Remote Aboriginal visitors currently in Adelaide are predominantly from the Alice Springs region in the Northern Territory, and Anangu from the APY lands in South Australia.

A range of support services are provided to remote visitors, particularly through the Department of Human Services (DHS) as the chair of the multiagency Safety and Wellbeing Taskforce, as well as by SAPOL and DASSA. These include:

- a remote visitor outreach team (RVOT) comprising of cultural advisors, outreach staff, clinical staff and social workers to support visitors with ID, housing, transport, Return to Country, booking appointments, accessing health care, diversionary activities, and referrals to appropriate services. The RVOT also works closely with SA Housing Trust's Wali Wiru team and other housing bodies to support overcrowded tenancies.

- the Safer Place to Gather (SPTG) at Edwards Park: a temporary, culturally inclusive space, where remote Aboriginal visitors can seek shelter and access support services in a safe setting. The SPTG is serviced by a multi-agency, integrated outreach model, with the RVOT, SAPOL and other service providers attending the site daily.

- a Return to Country (RtC) program, with transport options to support remote visitors in Adelaide wishing to return to their home communities

- daily transport options out of the CBD, such as a safety and wellbeing transport service operating between 6pm and 3am and a mobile assistance patrol (MAP) bus that operates 4pm – 12am.

- DHS, SAPOL and DASSA attending a community safety meeting held by the City of Adelaide (CoA) in January 2025 to discuss community concerns regarding Whitmore Square.
- the RVOT attending Whitmore Square on weekday mornings to engage with people who are sleeping rough or congregating in the area. CoA is also attending daily to undertake general maintenance and cleaning.
- DASSA providing outreach at the SPTG, along with other locations including Whitmore Square, through its mobile alcohol and other drugs (AOD) clinic and assertive outreach program. These services complement the SPTG by delivering health care that aligns with the DHS RVOT and RtC programs, providing an important entry point for individuals to engage with AOD treatment options. By offering early interventions and ongoing support, they also play a key role in hospital avoidance, helping to reduce preventable emergency department presentations and ensuring individuals receive appropriate care in community-based settings.
- SAPOL's Operation Paragon in the Adelaide CBD, which is focused on addressing alcohol related antisocial behaviour in the CBD and facilitating access to support services that address the health and welfare needs of at-risk individuals in the community.
- In addition to Operation Paragon, SAPOL's Operation Focus commenced 23 January 2025 in response to an increase in antisocial and criminal behaviour in and around the North Terrace precinct largely associated with the remote visitor groups within the CBD. Operation Focus provides a highly visible policing response resourced by operational police from Eastern District supported by the other three metropolitan districts. Operation Focus works in conjunction with DHS and DASSA support services and will operate until 3 April 2025 or until such time as there is a significant reduction in the incidents of antisocial behaviour amongst the remote visitor groups.

With regard to your comments on the accessibility of alcohol in the CBD, I can advise that in November 2024, the SA Liquor Licensing Authority, Adelaide CBD bottle shops, SAPOL and the CoA entered into a liquor accord to help address antisocial behaviour associated with takeaway liquor in the CBD.