

LEGISLATIVE COUNCIL**Tuesday, 1 April 2025**

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

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

*Bills***CLIMATE CHANGE AND GREENHOUSE EMISSIONS REDUCTION (MISCELLANEOUS) AMENDMENT BILL***Assent*

Her Excellency the Governor assented to the bill.

CRIMINAL LAW CONSOLIDATION (MENTAL COMPETENCE) AMENDMENT BILL*Assent*

Her Excellency the Governor assented to the bill.

CRIMINAL ASSETS CONFISCATION (REVIEW RECOMMENDATIONS) AMENDMENT BILL*Assent*

Her Excellency the Governor assented to the bill.

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

Her Excellency the Governor assented to the bill.

SOUTH AUSTRALIAN CIVIL AND ADMINISTRATIVE TRIBUNAL (MISCELLANEOUS) AMENDMENT BILL*Assent*

Her Excellency the Governor assented to the bill.

PASSENGER TRANSPORT (POINT TO POINT TRANSPORT SERVICES) AMENDMENT BILL*Assent*

Her Excellency the Governor assented to the bill.

*Parliamentary Procedure***ANSWERS TABLED**

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

PAPERS

The following papers were laid on the table:

By the President—

The Annual Water Security Update 2025

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

Murray Darling Basin Authority—Report, 2023-24

*Parliamentary Committees***SELECT COMMITTEE ON SUPPORT AND MENTAL HEALTH SERVICES FOR POLICE**

The Hon. L.A. HENDERSON (14:20): I lay on the table the report of the select committee, together with minutes of proceedings and evidence.

Report received and ordered to be published.

*Ministerial Statement***DROUGHT ROUND TABLE**

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:21): I make a ministerial statement, as presented by the Premier in the other place. As we are all aware, significant parts of South Australia are experiencing drought conditions for the 13-month period since February 2024, most of South Australia's agricultural districts are in severe or serious rainfall deficiencies, with many regions experiencing their lowest annual figures on record.

As a result, many agricultural districts are reporting significant impacts to primary production. The current estimated grain production for 2024-25 has been revised to 5.2 million tonnes, which is 43 per cent below the five-year average and the lowest total since 2008-09, which is 4.9 million tonnes. The estimated farmgate value of grain in 2024-25 is estimated to be \$2.1 billion, down from \$3.3 billion last year.

Livestock producers are also being significantly impacted by these drought conditions, with very poor pasture cover due to the rainfall deficit and the high volume and cost of supplementary feeding. Livestock condition remains below average, with producers reducing stock numbers and reporting lower than normal breeding rates. Of course, the impacts are not just being felt by grain and livestock producers but across the board, including wine, fruit, dairy and other primary producers.

Just under two weeks ago, I (of course, this is the Premier speaking) convened a special Emergency Management Council meeting, which focused on the impacts these drought conditions were having on the agricultural sector and the implications around water security for the state. There can be no doubt that the drought is placing enormous pressure on our regional communities and primary producers. More needs to be done and my government is committed to ensuring that our regional communities have the support they need.

Tomorrow, together with the Minister for Primary Industries and Regional Development, I will host a round table with key stakeholders and farmers from across the state. The round table will include key representatives from Primary Producers SA, Grain Producers SA, Livestock SA, SA Dairy Association, Horticulture Coalition of South Australia, SA Fresh Fruit Growers, Wine Grape Council of SA, Rural Business Support, as well as grain and dairy farmers and lamb and beef cattle producers. The round table will focus on what more immediate relief measures the government can deliver, long-term resilience strategies and other collaborative solutions to support farmers, primary producers and our regions.

Drought is not just a rural issue, it affects all South Australians. The resilience of our regional communities is unwavering, but they should not face this challenge alone. My government stands with them and will continue to act decisively. This round table will be integral in building on our already \$18 million drought package we announced late last year and ensure that our regional communities are getting the support they need during this difficult time.

*Question Time***ADELAIDE CITY COUNCIL ELECTIONS**

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:28): I seek leave to make a brief explanation before asking a question of the Leader of the Government regarding the Adelaide City Council elections.

Leave granted.

The Hon. N.J. CENTOFANTI: In the aftermath of the 2022 Adelaide City Council election, the District Court determined that Councillor Mr Jing Li was elected through illegal practices involving ballot harvesting. Mr Li was at the time an immediate prior member of the Labor Party and held a senior role within the Department of State Development.

Freedom of information documents sighted by the opposition have shown Mr Li maintained close relationships with senior figures in the Labor government—including Rik Morris, now the Chief Executive of the Premier's Delivery Unit—and engaged with multiple cabinet ministers during his campaign. My question to the Leader of the Government is: in light of the serious findings surrounding former Labor-aligned councillor Jing Li's election and his close ties to senior members of the Labor Party, will his government call for a full, transparent and independent investigation into this matter?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:29): I thank the honourable member for her question. Noting that this matter is still before the court for a determination and resolution after the findings, I won't comment very specifically—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —but I can say I don't recall ever having met the person in question.

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Hunter, are you okay?

ADELAIDE CITY COUNCIL ELECTIONS

The Hon. R.A. SIMMS (14:30): Supplementary: is the minister aware of the involvement on Adelaide City Council of failed Liberal Party candidate and leader of the Team Adelaide faction, Alex Hyde, and does he have a view on his activities as a city councillor?

The PRESIDENT: The Hon. Mr Simms, that's not even close.

Members interjecting:

The PRESIDENT: Order!

ADELAIDE CITY COUNCIL ELECTIONS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:31): Pursuant to standing order 107, my question is to the Hon. Tung Ngo. Did the honourable member provide any support to councillor Jing Li's campaign during the 2022 local government elections, and if so, what support did he provide?

The PRESIDENT: The Hon. Mr Ngo, you may choose or may not choose to answer that.

DROUGHT ASSISTANCE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:32): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries on the topic of drought.

Leave granted.

The Hon. N.J. CENTOFANTI: Over the last six months, the opposition has continued visiting drought-stricken areas, talking with farmers and listening to the measures that they are calling for to help them get through this once-in-a-generation drought. A group of farmers came to parliament two weeks ago to get their message across to the Premier in person about just how severe this drought is. They have told us that there is an economic cost and a human cost to this drought, that they need real measures that will make a real difference, and that they need them now—in fact, they needed them yesterday.

They have told us loud and clear that the \$8.1 million of new funding that is spruiked as the \$18 million package is a pittance and far from adequate. They are asking why questions about assistance go unanswered for so long when these people have their backs against the wall. They

have asked how the Premier can find time to go to sporting events and travel to Whyalla, but can't find time to travel to drought-affected areas and talk to farmers doing it tough. Now they are asking why the Premier is making farmers cough up time and money and travel to the city to meet with him when it seemed easy for him to travel in person to Whyalla to show support. My questions to the minister are:

1. When will the Malinauskas government announce further drought assistance for our hardworking farmers to help keep their breeding stock alive?
2. What new assistance is the Malinauskas government going to provide to help farming communities get through this drought?
3. When will this assistance reach the farms where it is so desperately needed?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:33): I thank the honourable member for her questions. The state government, as members would recall, has an \$18 million drought package which remains open for applications, and the government is actively working through additional support measures. We have been meeting with farmers across the state to hear directly from primary producers as they experience some of the driest conditions on record. A round table is scheduled for tomorrow afternoon with industry and a range of farmers from across the state, to hear from them and receive input regarding the impacts of the drought and further advice on further proposed support measures.

Through establishing the Drought Advisory Committee and running eight drought round tables in locations including the South-East, the Mid North, Murraylands, Eyre Peninsula, Kangaroo Island, Barossa Valley and the Fleurieu Peninsula, we were able to design a targeted \$18 million drought support package, announced at the end of last year. We look forward to further discussions with primary producers in the coming days as we actively work through additional assistance.

In addition, the commonwealth has extensive supports in place for farmers facing hardship, including the Farm Household Allowance, farm management deposits, taxation measures and low interest loans. Information and assistance in applying for these and other community-based support programs are available via free mentoring and financial counselling programs, jointly funded between the South Australian and federal governments.

As part of our \$18 million support package, the state government allocated \$2 million to assist charities with the freight costs of transporting fodder to assist farmers with feeding livestock. This has seen hundreds of truckloads of hay reach primary producers across the state, providing some immediate relief as we navigate these challenging times. There are still three charities operating hay runs over the coming weeks with state government funding support.

Applications for our current drought support package remain open, including for the On-farm Drought Infrastructure Rebate, and we encourage all primary producers to make contact to learn more about the assistance that is available.

I note that the honourable member refers to the difference between new and existing funding, which I think demonstrates that there has been funding from this government throughout our three years in office so far for drought preparation. Preparedness for drought obviously has been significantly important as we come into these very difficult conditions. In addition, as I have mentioned, we are working through additional support measures. We continue to listen directly to primary producers, as well as to peak bodies, as they provide input into what further assistance will be most beneficial for them.

DROUGHT ASSISTANCE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:36): Supplementary: when will the government act?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:37): The government has already acted and continues to act.

RETURN TO WORK SCHEME

The Hon. R.P. WORTLEY (14:37): My question is to the Minister for Industrial Relations and Public Sector. Will the minister inform the council about the third edition of the Return to Work Impairment Assessment Guidelines?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:37): I thank the honourable for his question and acknowledge his lifelong commitment to working people, his involvement in the trade union movement and his commitment in this area. As members would recall, there was significant public controversy when the former Liberal government announced the second edition of the Return to Work Impairment Assessment Guidelines.

The guidelines play a critical role in South Australia's workers compensation scheme and are applied by accredited medical experts to assess the degree of impairment resulting from workplace injuries. These assessments are then used to determine the worker's entitlement to lump sum compensation and ongoing income support.

When the second edition was announced, there was an outcry from doctors, lawyers and unions about changes being rushed through a phoney consultation process, which would see workers left worse off. I remember the very, very strong advocacy of our former colleague the Hon. Irene Pnevmatikos, who organised a number of meetings for us in opposition to talk to affected stakeholders.

I can remember a particular meeting that the now Premier and I—the then Leader of the Opposition, Peter Malinauskas—were invited to, where Irene started the meeting by telling everyone she was sure that the Labor leadership would do the right thing on this matter. That is Irene's style, and certainly we did do the right thing on this matter. We would have done it anyway, but we had little choice when Irene introduced the meeting to stakeholders in a manner which Irene was very, very well known for: her firm advocacy skills.

That ultimately resulted in this parliament repealing the second edition and amending the act to ensure that future changes would be subject to disallowance by this parliament. Notwithstanding these changes, it was widely agreed by stakeholders that the guidelines needed updating and a new edition was required.

The process this government has undertaken to develop that new, third edition could not be more different from what we observed under the last term of the Liberal government. This government firmly believes that stakeholders affected by our workers compensation scheme should be involved in decision-making about how the scheme operates. That is why the process for the new guidelines has been led from the start by stakeholder representatives.

In October 2022, a dedicated stakeholder representation consultation group, the SRCG, was established to oversee a review of the guidelines and lead consultation and the design of the third edition. The stakeholder representation consultation group included representatives from the medical profession; the legal profession, representing both workers and employers; trade unions; and ReturnToWorkSA. The consultation process has taken place over more than two years and involved 12 specialist medical subcommittees involving 55 doctors and medical professionals.

This was then followed by two rounds of public consultation involving over 500 stakeholders. At the conclusion of the consultation and the codesign process the stakeholder representation consultation group unanimously recommended a third edition, which has now been accepted and published in full by the government. The new edition of the guidelines will commence from 1 October 2025 and is expected to be cost neutral to the scheme.

The third edition has been developed with a strong focus on ensuring that workers receive fair, consistent and objective assessments. These changes support the goal that workers with similar impairments will receive the same assessment outcomes. Expert medical practitioners play a critical role in Australia's workers compensation scheme, and it is appropriate that these new guidelines reflect significant specialist medical input and ensure that assessments are conducted according to the best medical knowledge.

I wish to place on record my sincere thanks to the members of the stakeholder representation consultation group, who have devoted many, many hours to the development of the new guidelines over the past two years, as well as to the hundreds of stakeholders who have contributed to the consultation process and, of course, to our former colleague Irene Pnevmatikos for making Labor the very best it can be in relation to protecting workers.

WORKERS COMPENSATION

The Hon. F. PANGALLO (14:41): Supplementary: can the government indicate when it will get a move on on the PTSD bill passed by this chamber regarding first responders?

The PRESIDENT: The Hon. Mr Pangallo, it is not really a supplementary question arising from—

The Hon. F. PANGALLO: It actually relates to WorkCover.

The PRESIDENT: The Hon. Mr Pangallo, I have just ruled that it is not a supplementary question, because there was nothing about that in the answer. The Hon. Pangallo, you have your question now?

CFMEU

The Hon. F. PANGALLO (14:42): I do, thank you. I seek leave to make a brief explanation before asking the Attorney-General and also the Premier a question about corruption in the CFMEU South Australia branch.

Leave granted.

The Hon. F. PANGALLO: In July last year, after Channel 9 aired explosive allegations of criminal conduct at the CFMEU that ultimately led to the union being put into administration, the Premier publicly asked SA Police to investigate any union criminal behaviour in South Australia. In September, the Premier announced the findings of the review, saying that, and I quote:

Their advice...is—

and that I assume is the police—

that there has been no evidence of criminal behaviour undertaken by South Australian elements of the CFMEU.

You can imagine my disbelief a month ago when the CFMEU administrator Mark Irving KC released a damning report on Marcus Pare, John Setka's handpicked man to lead the South Australian CFMEU. It is shocking reading and makes a mockery of the Premier and the police commissioner's public statements. The report identified that Mr Pare was connected with outlaw motorcycle gangs and organised crime figures including the New Boys, the Finks and the Mongols. Mr Pare was located at a Klemzig address where police seized over 1,600 methamphetamine tablets and 56 ecstasy tablets, cash and lists of names and money.

A search of Mr Pare's phone revealed infamous bkie figures, including Phillip Main from the Mongols, Joel Leavitt from the Rebels, Santo 'Toni Two Guns' Celona and Dylan Jessen, a notorious former member of the Finks. Text messages showed that Mr Pare approached Mr Jessen about a delegate role at the CFMEU. The Victorian CFMEU is notorious for using underworld figures to stand over workers and business owners on construction sites. According to the administrator, and again I quote:

These contacts, and (Mr Pare's) advocacy for Jessen, shows that throughout his time in paid roles in the Union, Pare is willing to maintain contact with known current or former members of [outlaw motorcycle gangs], and in the case of Jessen, attempt to bring him into the Union, or use his Union influence to benefit Jessen and his family.

So last month, the administrator officially referred a number of matters to the Fair Work Commission for further investigation and prosecution, including that Mr Pare illegally obtained a salary increase, a \$78,000 Ford Ranger and used union funds for overseas holidays and a range of other personal benefits.

SAPOL didn't have to look very far. The rot at the South Australian CFMEU was at the very top and, according to Mr Irving, South Australia Police knew this in giving him sworn evidence. My questions:

1. So how is it that the government and SAPOL's review failed to identify criminal behaviour and bikie links at the CFMEU in South Australia?

2. Will the Premier now ask for an explanation from the commissioner about the extent of their inquiries and also seek another inquiry?

3. Will he acknowledge that both he and the commissioner got it wrong and gave misleading advice, which is clearly in conflict with the findings of the CFMEU administrator, and retract his statements that there was no evidence of criminal behaviour within the South Australian CFMEU?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:46): I won't speak on behalf of the police commissioner or the police in terms of their processes and what they have looked at in terms of coming to views or making statements.

What I can say is, from this government's point of view, we do not tolerate in any way, shape or form any inappropriate behaviour within the union movement or indeed within employers or organisations. We have been very, very firm that we are in full support of the federal Labor government's appointing of an administrator to oversee certain branches of the CFMEU.

As the honourable member pointed out, earlier this year, I think it was on 10 February of this year, the CFMEU administrator, Mark Irving KC, released an investigation report prepared by a barrister into former SA branch assistant secretary, Mr Marcus Pare. Certainly, that report concluded a number of things that are appropriate for further investigation and referral to investigatory or possible prosecution agencies. That is the appropriate thing to do, and I would encourage anyone who has any other concerns to refer them either to the appropriate authorities or to the administrator.

CFMEU

The Hon. F. PANGALLO (14:47): Supplementary: has the Attorney-General read the administrator's report?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:48): Yes, I have read that report. I have read previous reports and I have had a meeting in person with the administrator, Mr Mark Irving KC.

CFMEU

The Hon. F. PANGALLO (14:48): Is he concerned at the findings of the administrator, which contradict what the Premier and the police commissioner told South Australians?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:48): I think it should give everyone a degree of comfort that the administration is being conducted so thoroughly.

BIODIVERSITY LOSS

The Hon. T.A. FRANKS (14:48): 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 biodiversity loss and agriculture.

Leave granted.

The Hon. T.A. FRANKS: The world is at a critical threshold for biodiversity loss. Globally, the average size of monitored wildlife populations have shrunk by 73 per cent in the last 50 years. Freshwater ecosystems have seen a drop of 85 per cent, and while estimates vary this could be as much as a hundred times higher than the natural baseline. It's being driven by anthropogenic overpopulation, climate change, exploitation and habitat destruction. This is a crime scene with the fingerprints of the human species all over it.

Up to 70 per cent of cancer-fighting drugs have their origins in the plant world and at least 10 per cent of the World Health Organization's basic and essential drugs have their origins in flowering plants. Insect pollinators are of critical importance to human life and health, as is the quality

of the biodiversity that we interact with and amidst which agriculture, critical to our human health and the state's economy, occurs.

Scientific evidence shows that the long-term use of pesticides in agriculture has increased resistance and production costs, and also disrupted natural pest control mechanisms and non-target species. Biodiversity stabilises ecosystem productivity and productivity-dependent ecosystem services by increasing resistance to climate events. Regenerative agriculture, organic agriculture and natural farming are all viable alternatives to conventional agricultural practices. Not only do they secure critically important improvements to biodiversity, they also bring economic benefit. All South Australians benefit from those impacts.

My question, therefore, to the minister is: what proportion of South Australian agriculture occurs using these practices, and what is the government doing to support farmers in the transition to such farming, which brings such economic and other benefits, yet come at an initial cost to those farmers?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:50): I thank the honourable member for her question. In terms of the specifics, I am happy to take that on notice and bring back a response. In a general response, certainly there are advantages to having multiple types of production systems, and I think there's a constant effort to be able to improve practices; that means both in terms of yield and productivity but also in terms of avoiding anything that may be detrimental to the environment. It's important that we continue with all of those efforts.

DROUGHT

The Hon. B.R. HOOD (14:51): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries on the topic of drought.

Leave granted.

The Hon. B.R. HOOD: There's a growing outrage across South Australia, even from those who live in Adelaide, about the lack of leadership and support of our farmers in the current drought. A recent issued statement from the Premier said that, and I quote:

In October, the Minister for Primary Industries and I met with cattle, dairy and grain farmers in the state's South East.

My questions to the minister are:

1. Does she think it is acceptable that the Premier hasn't visited a farming community at all this year, in fact, has not visited a farm since October last year in the midst of the worst drought on record here in South Australia?
2. Has the minister invited the Premier to visit drought-stricken farmers across South Australia to listen and speak to them about what they are currently struggling through and have been struggling now for months?
3. On how many occasions has she extended that invitation?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:52): I thank the honourable member for his question. Certainly, the Premier meets constantly with people, including with farmers, at multiple different types of events and forums. Certainly, earlier this year—

Members interjecting:

The Hon. C.M. SCRIVEN: The honourable member is mistaken to suggest that he has not met with farmers this year. That has certainly occurred. One of those meetings that I was with him at was at the Two Wells-Virginia area.

Members interjecting:

The PRESIDENT: Okay, everybody is finished with the chat. Enough!

SEAFOOD ON SPENCER

The Hon. T.T. NGO (14:53): My question is to the Minister for Primary Industries and Regional Development. Can the minister tell the chamber about the Seafood on Spencer festival that was held last weekend in Port Broughton?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:53): I thank the honourable member for his question. It was an absolute pleasure to attend a fantastic celebration of South Australian seafood at Seafood on Spencer over the weekend in Port Broughton. The event bills itself as the ultimate gulf to plate experience, and it more than lived up to that with the fresh Spencer Gulf seafood combined with local beverages and great entertainment.

While fresh seafood is the star of the show, local distilleries and breweries such as Watsacowie and Sunny Hill were front and centre as well at the experience and are of course incredibly popular Yorke Peninsula tourism destinations themselves, alongside several others which are forging a path in this growing sector.

Indeed, I think what makes Seafood on Spencer such a great event is that it showcases Yorke Peninsula's incredible food, wine and spirits, and all in one of the most beautiful parts of our state. Of course, our state has so many beautiful parts. It is a great pleasure to get out into all of our different regions so frequently.

Of course, drawcard events such as this have a great impact on the local community and region, with accommodation often booked out and visitors heading to many other great local attractions on the Yorke Peninsula and beyond. It gives many who may not ordinarily have a direct connection to our state's iconic fisheries and the dedicated people behind them an opportunity to meet with those who provide us with ready access to seafood in our supermarkets, pubs, restaurants, markets and so on.

Saturday kicked off with an opportunity to do just that, with attendees able to meet the local fishermen and view their vessels at the Port Broughton jetty. It continued with the crab picking competition at The Crab Shack—I think the Hon. Connie Bonaros participated in that crab picking competition, although I did not get to see how successful or otherwise she was—and a fantastic cooking demonstration by The Crab Shack's chef, Adam Brooks. It was great to see the kids getting involved in the competition and they certainly knew their stuff. Entertainment was provided by Port Broughton musicians Remfry and Stringer and Adelaide band The Happy Leonards, who kept the music flowing all afternoon.

Congratulations to the Seafood on Spencer team, led by Christy Barnes and the Barnes family, who are one of the state's great fishing families. As a state, we showcase our premium produce so well, and Seafood on Spencer is right up there with the many events which bring a sense of pride and appreciation as well as a lot of fun for locals and visitors alike. Well done.

OFFICE OF HYDROGEN POWER

The Hon. J.S. LEE (14:56): I seek leave to make a brief explanation before asking a question of the minister representing the Minister for Energy and Mining regarding the Office of Hydrogen Power SA.

Leave granted.

The Hon. J.S. LEE: *The Advertiser*, on 26 March, highlighted the abandonment of a proposed \$750 million green hydrogen project by the global commodities giant Trafigura intended for Nyrstar's Port Pirie smelting facility. This cancellation, attributed to high construction costs and insufficient market demand, joins a troubling trend of stalled or deferred hydrogen initiatives, including the state government's \$600 million Whyalla hydrogen plant, the proposed AGL Torrens Island Green Hydrogen Hub and Neoen Australia's Hydrogen Superhub at Crystal Brook.

Additionally, recent concerns raised regarding the effectiveness of the Office of Hydrogen Power SA indicate that over \$130 million of taxpayers' funds have been spent on salaries, consultancies and engineering without substantial progress or successful outcomes. My questions to the minister are:

1. Given these circumstances, can the minister explain what changes will be made to the role and responsibility of the Office of Hydrogen Power SA?

2. Considering the substantial public funds allocated to this office, how does the minister justify its continued operation and the significant executive remuneration, particularly in light of the recent widespread cancellation of hydrogen projects?

3. Can the minister also provide details of any measurable achievements or milestones delivered by the Office of Hydrogen Power SA to date that demonstrate tangible benefits and justify the ongoing taxpayers' investment?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:58): I will refer the question to the minister in the other place and bring back a response.

DROUGHT ASSISTANCE

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:58): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries on the topic of drought.

Leave granted.

The Hon. H.M. GIROLAMO: When asked a question in the chamber during the last sitting week about further drought support in regard to expanding the subsidies for charity hay runs, the minister replied:

The funding for charity hay runs is not yet fully expended, and hay runs are continuing.

My question to the minister is: is there currently an available pool of government funding for charity organisations to apply for freight subsidies for hay runs and, if so, how much is left in this pool of funding?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:59): Hay runs are continuing, as I outlined in my answer earlier.

Members interjecting:

The PRESIDENT: Order!

DROUGHT ASSISTANCE

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:59): Supplementary: will the minister take on notice to indicate to the chamber how much is left in this pool of funding?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:59): I am happy to take that on notice.

The PRESIDENT: I didn't think it was a supplementary question.

SHEFFIELD SHIELD

The Hon. J.E. HANSON (15:00): My question is to the Minister for Recreation, Sport and Racing. Will the minister inform the council about the success of the South Australian men's cricket team on the weekend?

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:00): I thank the honourable member for his question and interest in our sporting success. This week we celebrated a moment that South Australia has waited nearly three decades for: a Sheffield Shield victory. It is more than just a sporting achievement; it is a testament to belief, to perseverance—and a lot of it—and to what can happen when a team, a community and a state come together.

South Australia have not only brought home the Sheffield Shield for the first time since the 1995-96 season but also claimed the one-day cup earlier this month, achieving a rare historic double. It is a season that has lifted the spirit of cricket lovers across the state and showcased the depth and strength of South Australian cricket.

Thanks to the support from the South Australian Cricket Association, the City of Adelaide, and the Malinauskas government, the venue was ready to welcome thousands of fans to be able to celebrate this historic moment. The Karen Rolton Oval underwent a transformation to provide the perfect stage for this moment, with grandstands and tiered viewing areas erected, allowing a doubling of fans to be able to come into this space, from 5,000 to 10,000.

Importantly, access to this event was free. Gates were opened for families, schoolkids, local cricket clubs and many others to be a part of this historic moment. With food trucks, activities and a festival atmosphere, the event went well beyond the boundary.

Members interjecting:

The Hon. E.S. BOURKE: That was good, right?

Members interjecting:

The Hon. E.S. BOURKE: Credit to that person. It became a moment for the whole community to enjoy. What made this achievement so special wasn't just the result; it was how it was achieved. It was an entire squad effort contributing across the season. From Brendan Doggett's outstanding 11 wickets to a century from Jason Sangha and Alex Carey and Jake Lehmann, the performance on the field was nothing short of exceptional. But the real foundation of this season was the unity and belief that ran through this group, from players to coaches, support staff and the SACA team. Everyone involved had faith that this team could accomplish and make history for our state.

To coach Ryan Harris, thank you for guiding this team in your very first year. To captain Nathan McSweeney, your leadership inspired those around you and helped bring out the best in your teammates. I had the pleasure of standing next to Nathan's grandfather when the shield was raised, and it was quite an emotional moment for him as well. The players played a vital role in the season, as did the coach.

The scenes after the match of fans pouring onto the field and the heroes' reception yesterday in Rundle Mall captured just how special this moment was for many South Australians. Cricket came to life, and this team gave all of us something to cheer for in South Australia. Many souvenirs were taken from the day, and I am sure will be remembered for many years and put in people's homes as well. You haven't just won a final; you have created a legacy and inspired the next generation of cricketers.

DROUGHT ASSISTANCE

The Hon. S.L. GAME (15:03): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries about drought support and building dams.

Leave granted.

The Hon. S.L. GAME: It has been well documented that the current drought has left many South Australian farm dams dry or drying up, meaning no feed on the ground for cattle or sheep. Farmers on the eastern side of the Mount Lofty Ranges are required to limit flows into their own dams to allow water to flow into Lake Alexandrina then out to sea. Development approvals and conditions required under the Landscape South Australia Act 2019 have restricted dam development and modification on farms around this state. My question to the minister is: will the government be reviewing its farm dam policy to allow farmers to have up to a four-megalitre dam for every 100 acres of their own land without permit or government charge?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:04): I thank the honourable member for her question. I think she has shown a long-term interest in the issues facing our farmers and, in particular, the issue of drought. The Landscape South Australia Act of course is committed to the Minister for Water in the other place, but I think the matters the honourable member raises are certainly worthy of consideration.

I am happy to have further discussions and see whether there are changes that can be made. Obviously, all of the aspects need to be taken into consideration, including any impacts on others,

apart from those who own the land. I am happy to come back with an answer for the honourable member.

DROUGHT ASSISTANCE

The Hon. J.M.A. LENSINK (15:05): My question is to the Minister for Primary Industries. Given that part of the \$80 million drought support package announced by the Labor government included \$5.5 million funding from the Future Drought Fund, how much of that \$5.5 million has been provided directly to farmers and in what types of support?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:06): The Future Drought Fund is jointly funded by the federal and state government. I would hope that members opposite would be familiar with the sort of assistance that is provided. If they are not, they may wish to avail themselves of Google to be able to see the sorts of things that the Future Drought Fund assists with. I think preparedness for drought—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: I think preparedness for drought is something that many farmers have indicated they have very much appreciated over recent years. Doing things such as the regional drought resilience plans and ag resilience programs run by industry—bodies such as Livestock SA—are all valuable.

I hope those opposite are not suggesting that farmers have not been looking at preparations for drought. I know that those opposite are always looking for political points rather than constructive assistance for farmers, as well as other members of the South Australian community. The drought hubs are also part of what is funded through the Future Drought Fund, and I suggest that those opposite inform themselves.

DROUGHT ASSISTANCE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:07): Supplementary: why is the government focused on preparedness when emergency support is what our farming communities currently need?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:07): I think preparedness really speaks for itself, and the question is quite remarkable and I can't say that is a positive thing. To hear those opposite asking why are we talking about preparedness now—well, the question from the Hon. Ms Lensink asked the specific question about the Future Drought Fund, so I answered the question about the Future Drought Fund. If the honourable member doesn't want to hear about the Future Drought Fund, she shouldn't ask a question about it.

CONVERSION PRACTICES

The Hon. M. EL DANNAWI (15:08): My question is to the Attorney-General.

Members interjecting:

The PRESIDENT: Order! I would like to hear the Hon. Ms El Dannawi.

The Hon. M. EL DANNAWI: Will the Attorney-General inform the council about the government's ban on conversion practices, which commences today?

The Hon. R.A. Simms: Hear, hear!

The PRESIDENT: I call the Attorney-General. I thought the Hon. Mr Simms was going to answer the question.

The Hon. R.A. Simms: I was supporting it, Mr President.

The PRESIDENT: The Hon. Mr Simms, it is not a conversation.

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:08): I thank the honourable member for her question and I thank members of this chamber who were instrumental and supportive of the legislation passing this chamber and those who were strong advocates in the lower house chamber. It is with a great deal of pride that I inform the council about the very important laws that commenced today, banning harmful conversion practices in South Australia.

Members will recall the day in this place in September last year when the parliament passed these laws that banned conversion practices. As many know, conversion practices are insidious and hurtful practices that target members of the LGBTIQ+ community and are employed by individuals or groups seeking either to change or suppress a person's sexual orientation or gender identity.

Under the new laws, perpetrators convicted of causing serious harm through the performance of conversion practices will face up to five years in jail, with people convicted of taking or arranging to have someone taken interstate or engaging a person from outside of the state to provide conversion practices facing up to three years in jail, a fine of up to \$15,000, or both.

The laws have been modelled on those that passed last year in New South Wales and make clear that discussions between children and their parents, as well as the general expressions of religious belief and religious teaching, do not constitute conversion practices. As many would recall, the path to these reforms isn't always an easy one, and I am proud to say that this government's election commitment has now come to fruition.

In the lead-up to the passing of these laws, there were many remarkable, brave and fierce advocates and victim survivors who played a pivotal role, but today I would like to make mention of one person in particular who has been a long-time advocate for these changes. Jace Reh spent six years at a religious school where he was forced into activities that tried to change his sexuality and shamed for being transgender and queer. Speaking of his experience of conversion practices, Jace has said:

Still to this day those voices run around in my head, and they tell me that what I'm choosing to do is wrong and a crime to God. If I could have prayed it away, it would have happened—it's a long time of telling myself, 'Stop thinking your gay thoughts and God will forgive you,' and yet I am still here today, trans and queer.

Since that harrowing experience nearly a decade ago, Jace continues to be a powerful advocate for the rights of the LGBTIQ+ community, and his voice during the conversion practices legislation here was central to helping these changes being ushered through. I would personally like to thank Jace and all the other victim survivors for their strength and advocacy and for turning what is a traumatic life-altering experience of harm into good, ensuring others don't have to experience the same thing.

It was with great pleasure that last week I spent some time with Jace on the corner of Light Square where the Rainbow Walk immortalises historic policy and legal reforms in this area and we looked on at the latest edition, 2024, where it recognises the passing of these laws by this parliament. I would also like to thank, in particular, the South Australian Rainbow Advocacy Alliance (SARAA), and Equality Australia for their invaluable work in helping shape this legislation and making it a reality that comes into effect today.

I recall the words that the New South Wales Labor Attorney General said after these similar laws passed in New South Wales parliament last year. Michael Daley is an old-school New South Wales Labor-right Catholic Attorney-General, but I distinctly remember, when these laws passed New South Wales, he was quoted on national radio as saying what these laws do is say to everyone, 'We love you just the way you are.' While I hope that these new laws don't need to be used, I truly hope that they send a very, very loud and clear message to our entire community to say, 'You are loved and perfect exactly the way you are.'

ENVIRONMENT AND FOOD PRODUCTION AREAS

The Hon. R.A. SIMMS (15:12): I congratulate the Attorney-General on delivering those historic reforms. 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 wheat production.

Leave granted.

The Hon. R.A. SIMMS: Last month, I asked the minister whether she could outline the impact losing 1 per cent of the state's prime food production area would have on gross state product. In her response she stated that, and I quote from the *Hansard*:

...in terms of the impact, until we know which landowners will take up the opportunity to have their land changed in use and sold, we can't guess at what the impacts in terms of value will be.

Independent analysis released yesterday by Grain Producers SA shows that the areas proposed by the government produce nearly 23,000 metric tonnes of grain annually, enough to bake over 57 million loaves of bread. The report claims that this equates to \$8 million in annual production value. The report further states that the government's proposed changes to the environment and food production areas will affect areas that are 33 per cent more productive than the state average. My questions to the Minister for Primary Industries and Regional Development, therefore, are:

1. Is the minister adequately protecting food production areas in her capacity as Minister for Primary Industries?
2. Does the minister believe that the state should be reducing its annual yield of wheat in high-yield areas while we are in the middle of a drought?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:14): I thank the honourable member for his question. As I mentioned in my previous answer several weeks ago, the proposed changes to the environmental and food production areas represent less than 1 per cent of the agricultural land within the Greater Adelaide area.

The housing crisis is well documented and, I would hope, well understood by those of us here in this chamber. We are seeing fewer people able to purchase their own homes. We are seeing a rental crisis. The Malinauskas Labor government has taken a wide variety of actions to assist with this, but one of the most important is to provide additional supply. That is something that needs, obviously, things such as changes to planning regulations or laws, it can require code amendments and it requires infrastructure.

The Malinauskas Labor government is keen to ensure that there is a choice of housing styles. In the city, certain types of housing will be different, perhaps, to those who have young families and want space and a yard for their kids to play. This is something that is incredibly important to many South Australians. It is also, of course, very important to maintain our food supplies and food security—after all, we export many tonnes of grain around the world, and we often talk in a very positive way about how we are feeding the state, feeding the nation and feeding the world.

There are difficult decisions to be made to find the right balance between providing housing—which is so important to the people of South Australia—and maintaining our agricultural industries. This government will continue to try to find that balance.

ENVIRONMENT AND FOOD PRODUCTION AREAS

The Hon. R.A. SIMMS (15:16): Supplementary: the minister referenced the importance of providing food security. Does she believe that the state should be reducing its annual yield of wheat in high yield areas while we are in the middle of a drought?

The PRESIDENT: Minister, you did mention yield, I think, so you can answer it if you wish; you don't have to.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:17): In the most recent trade statistics, I think the total value of grains that South Australian farmers exported overseas was about \$3.28 billion in the 12 months to this January. Obviously, we want to continue to have exports as an important part of our economy. We need to balance, at all times, all the competing demands within our economy and within our community.

WHYALLA DRY ZONE

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (15:17): I seek leave to make a brief explanation before asking the Leader of the Government in this place questions on community safety in Whyalla.

Leave granted.

The Hon. H.M. GIROLAMO: On 23 March, the *Sunday Mail* reported that the Whyalla dry zone, an area which includes Civic Park and the Westland Shopping Centre precinct, was 'out of control' with fights, shoplifting and verbal abuse. Due to a lack of police presence, young locals have formed a vigilante group to patrol the streets. The *Sunday Mail* reported:

One woman said her daughter was driving home from a shift at Dominos, stopped at traffic lights, when three men opened her car door, got in and robbed and assaulted her.

My questions to the minister are:

1. What is the government doing to address community safety in Whyalla?
2. What is the government doing to ensure appropriate safety resourcing within this town?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:18): I thank the honourable member for her question. Firstly, I know that the South Australian police, led by police commissioner Grant Stevens, are always conscious of community safety right around South Australia, including in our regional centres like Whyalla, and focus their attention when matters are brought to their attention in terms of community safety.

In terms of Whyalla specifically, I am aware that the commissioner and SAPOL are turning their attention to whether a declared public precinct is applied for, if the evidence is there to support that, but I am also aware that the commissioner at CBS who is responsible for liquor licensing would also consider any applications in terms of liquor licensing laws that apply in some other regional centres.

DOG FENCE

The Hon. R.P. WORTLEY (15:19): My question is for the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about the ongoing work to rebuild the dog fence in regional South Australia?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:19): I thank the honourable member for his question. Wild dogs, including dingoes, cost Australian agriculture roughly \$90 million per year. In 2018-19, wild dogs injured or killed at least 20,000 sheep in South Australia, costing the livestock industry \$4 million. Because of their impact, all wild dogs are declared for destruction inside the South Australian dog fence. The 2,150-kilometre long South Australian dog fence is the single biggest asset protecting the South Australian sheep industry from wild dogs. The sheep industry alone employs 15,000 people and has a value chain of \$1.5 billion.

On 26 May 2020, the SA dog fence rebuild commenced, with the completion date for this project expected to be June 2026. In December last year, the state government committed an additional \$1.4 million, with Livestock SA and the SA Dog Fence Board also contributing an additional \$100,000, to ensure the project to rebuild 1,600 kilometres of fence could continue to proceed. This brings the total value of the project to \$29 million, of which \$13 million, or 45 per cent, has come from the state government. This is a significant investment that will continue to have benefits to regional South Australia for many years to come.

I understand that to date 1,055 kilometres of fence have been rebuilt. Roughly 55 kilometres of rebuild is currently underway, with contractors on site at two locations, namely, Lake Frome and Mulgathing. The rebuild of the 1,600 kilometres will be completed in 14 stages. Ten stages have been completed, one stage is almost complete, one stage is 40 per cent complete and the final two stages will commence shortly. Contracts have been awarded for all stages, meaning procurement is

now complete. I am advised the stage at Lake Frome will be completed this month, and the work at Mulgathing is expected to be complete by the middle of this year.

I have previously had the opportunity to visit the dog fence north of Roxby Downs with the Dog Fence Board. This was a wonderful opportunity to better understand the challenges of the work that is being undertaken all across the dog fence. Some of the challenges include the distance to Adelaide and the difficulty in transporting the required supplies to each stage of the project, the constant challenge to secure labour to undertake the work and, of course, the unpredictability of the weather.

I understand the stage that requires electric fencing at Mobella, Commonwealth Hill, Mabel Creek and Mount Clarence is scheduled to commence within the next month and will be completed by the end of the year. This represents a total of 369 kilometres. The final stage of works will be done in Mulgaria and Witchelina, with a total of 122 kilometres being replaced. I understand the final delivery of material is ready and awaiting availability of staff at the pastoral station to assist with unloading.

A total of 45 South Australian based businesses have been engaged in the rebuild project, and this includes more than \$17 million for materials and fencing services. I would like to place on the record my sincere thanks and appreciation to the Dog Fence Board, and in particular to the chair, Geoff Power, along with all members of the board, for their continued dedication towards this very significant piece of infrastructure. I look forward to once again being able to update the chamber further on the completion of the dog fence over the next 12 months.

RANGELEA COURT JUDGEMENT

The Hon. F. PANGALLO (15:23): I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs a question about the Rangelea court judgement.

Leave granted.

The Hon. F. PANGALLO: Native title holders in South Australia's Flinders Ranges should soon have clarity on how tens of millions of dollars in uranium royalties have been allocated over many years, following a ruling of the Full Court of the Supreme Court last Friday. The Adnyamathanha Traditional Lands Association (ATLA) has been locked in a years-long legal battle with three of its members for access to the financial statements of a master trust used to distribute uranium mining royalties.

The master trust has been controlled by a company called Rangelea Holdings, which is run by former ATLA chief executive Vince Coulthard, who is very well known to the minister. In 2023, the Supreme Court ruled that ATLA members could access the trust's financial documents and, further, that an inspector be appointed to report on the activities of Rangelea.

Rangelea quickly lodged an appeal, which was dismissed last Friday, with the court finding the native title holders were beneficiaries of the trust and had statutory rights to access documents and records. It also found there was proper basis for the appointment of an inspector. The legal case is widely seen as a national bellwether concerning Aboriginal trustee companies, where hundreds of millions of dollars are held in account without proper disclosure, transparency or any real benefit to the ostensible beneficiaries. My questions to the minister are:

1. What is the government's view of the adverse judgement in the Court of Appeal concerning Mr Coulthard?
2. On the back of this judgement, will the government now support one of the key recommendations of the Aboriginal Lands Parliamentary Standing Committee's final report into Aboriginal governance for South Australia's Trustee Act to be amended in a manner similar to what has taken place in Western Australia to provide greater transparency and disclosure to beneficiaries?
3. In rejecting the standing committee's recommendations you said at the time:

The Attorney-General's Department is not aware of concerns with the management of trusts, generally, within this category so as to suggest a need for broadly applicable legislative change at this time.

Have you now changed your view on the back of the Ranglelea judgement?

4. How do you respond to accusations from various Indigenous groups and elders that reluctance to amend this legislation is protecting certain individuals?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:26): I thank the honourable member for his question. I will point out, though, if the honourable member thinks that anything that is done in the state affects prescribed body corporates under the Native Title Act it is a mistaken belief.

Prescribed body corporates under the Native Title Act which are required to be registered under the CATSIA legislation, the Corporations (Aboriginal and Torres Strait Islander) Act 2006, are not governed by state law. The whole native title scheme, in fact, is not governed by state law. It is a creature of post Mabo—I think 1993 the initial native title laws passed in the federal parliament, with subsequent amendments by the federal parliament. Wholly and entirely the regulation of native title is a matter for commonwealth law.

In relation to corporations established under native title, prescribed body corporates under the Native Title Act once again are required under commonwealth law to be governed by that Corporations (Aboriginal and Torres Strait Islander) Act, which is overseen by ORIC, the Office of the Registrar of Indigenous Corporations. So anything that the state might or could amend has no effect on native title. They are wholly governed by federal laws.

TRUSTS

The Hon. F. PANGALLO (15:27): Supplementary: do you stand by your comment that you are not aware of any concerns with the management of trusts generally in this category after this judgement was delivered?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:27): Once again, this isn't governed by state law. If anyone has any concerns about the way things are managed by things that are governed by state law, I would be most happy if they want to pass it on to the authorities.

TRUSTS

The Hon. T.A. FRANKS (15:28): Supplementary: is the minister considering changes to the Associations Incorporation Act, which is a state law that would govern some of these concerns?

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:28): I thank the honourable member for her question. That act is committed to my colleague the Minister for Consumer and Business Affairs, the Hon. Andrea Michaels. I am not aware of any changes that are afoot at the moment specifically in relation to these issues.

WILMINGTON FIRE

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:28): I seek leave to make a brief explanation prior to addressing a question to the Minister for Emergency Services regarding fire management.

Leave granted.

The Hon. N.J. CENTOFANTI: The opposition has been advised that throughout the Wilmington fire, shift changes occurred at the staging area rather than on the fire ground, leaving sections of the fire unattended without replacement crews, sometimes for up to 1.5 hours. On 8 February a back-burn was lit by DEW staff near Battery Ridge within Mount Remarkable National Park. This was done approximately 100 metres from Mr Modystach's property, which borders Battery Ridge. Mr Modystach was not notified or consulted. This back-burn was then left unattended for a period of time, which significantly extended the fire front, burnt into Mr Modystach's property and damaged his fences. My questions to the Minister for Emergency Services are:

1. Are CFS and DEW crews required to continue maintaining a fire while a shift change occurs?

2. Will neighbouring landowners be compensated for damage to their properties caused by unattended back-burns lit by DEW departmental staff?

The Hon. E.S. BOURKE (Minister for Emergency Services and Correctional Services, Minister for Autism, Minister for Recreation, Sport and Racing) (15:29): I thank the honourable member for her question. I believe last night there was a community forum where I extended an invitation to a number of people who wrote a letter regarding the matter that you have raised today, and I have spoken directly with a number of them as well about the importance of having a review and looking into an incident like the Wilmington fire, which was quite a significant fire in South Australia.

I really appreciate the feedback that they did provide. There are always learnings, but as we have discussed, whilst we are doing that independent after-action review of the Wilmington bushfires, we can also learn from those experiences, but a lot had happened during that fire. The CFS do come into control when there is a fire incident. We know that our farm fire units provide a significant amount of support, but we also know that we need to get those voices into one document, and that's what this process is all about.

Bills

CHILDREN AND YOUNG PEOPLE (SAFETY AND SUPPORT) BILL

Committee Stage

In committee.

(Continued from 18 March 2025.)

Clause 1.

The Hon. T.A. FRANKS: Today, by email, I received some answers from the minister's office to my questions that I asked not last sitting week but the sitting week before. Could they please be put on the record?

The Hon. C.M. SCRIVEN: I am advised the questions to which the honourable member refers are those here, and I am happy to table them.

The Hon. T.A. FRANKS: Could they please be put on the record? She did not seek leave and leave was not granted, as far as I am concerned.

The CHAIR: I think we are looking for you to read those answers into *Hansard*, please, minister.

The Hon. C.M. SCRIVEN: Regarding the rationale in relation to the definition of 'parent' at clause 85 of the bill, I am advised:

Clauses 85 to 90 provide for a scheme relating to the assumption of guardianship of children and young people where a parent is found guilty of certain offences, known as qualifying offences. The qualifying offences scheme was inserted into the Children's Protection Act 1993 (CPA) as a consequence of a recommendation made by the State Coroner following an inquest.

Specifically, recommendation 22.2 recommended an amendment to the CPA to quote 'provide that a child born to a person who has a conviction in respect of a child born to them for manslaughter by criminal neglect, manslaughter or murder will, be placed from birth under custody of the Minister'.

On 28 April 2016, the CPA was amended to require the Chief Executive to take action in relation to parents convicted of particular offences (qualifying offences). The qualifying offences provisions were subsequently replicated in the CYPS Act—sections 44-48.

Under the CYPS Act, a parent who commits an offence of criminal neglect, endangering life, causing or creating risk of serious harm, manslaughter or murder (and the attempted forms of these offences) against their child is guilty of a qualifying offence. The range of qualifying offences captured in the CYPS Act is broader than the recommendation of the Coroner (murder and manslaughter). In both the CPA and the CYPS Act the definition of parent in the qualifying offences scheme excludes a step-parent.

The recommendations of Coroner Johns with regards to qualifying offences were limited to children born (i.e. the biological children) of persons who have a conviction of a child previously born to them for manslaughter by criminal neglect, manslaughter or murder). The recommendation did not extend to stepparents or persons standing in loco parentis. Of course, this does not preclude the Chief Executive from taking action to protect children or young people from adults who have convictions for serious offences against other children (not their own) or indeed adults.

Clause 99 enables the Chief Executive to apply to the Youth Court to seek a guardianship order or refraining order (or any other order under clause 112) if the Chief Executive reasonably suspects a child or young person is at risk of harm and the making of orders is necessary or appropriate to protect them from harm or allow the performance of functions under the Act.

While the Bill largely replicates the existing scheme, it proposes to further expand the category of qualifying offences to include persons who are convicted of domestic choking/strangulation and serious sexual offences against their own child. These additions represent an expansion of Coroner Johns' recommendations. It is noted that persons who are convicted of certain sexual offences against children will also be subject to the requirements of the Child Sex Offenders Registration Act 2006.

In relation to the ATSICPP reporting:

The proportion of Aboriginal children and young people with an approved Case Plan (including compulsory cultural elements), is reported in the department's Annual Report.

C3MS's reporting functions have been enhanced over the past three years, however the State Government ultimately determined that the system needs to be replaced, and since coming to Government, funding has been allocated for this purpose.

Any remaining reporting limitations will be addressed as C3MS is gradually replaced.

The department makes every effort to support the cultural needs of Aboriginal children and young people in care through the Case Plan process. Case planning includes cultural components of care previously captured by Cultural Maintenance Plans, as well as the Aboriginal Cultural Identity Support Tool (ACIST). The cultural aspects of case planning are foundational for the department's casework and detailed records are maintained for individual children and young people; system limitations currently prevent aggregated reporting.

Clause 23 of the Bill currently before the Legislative Council sets out the requirements with regards to the Minister's annual reporting, including reporting relating to Aboriginal Children and young people. Clause 23(1)(d) requires the inclusion of a part setting out the operation of Part 4 of the Bill during the reporting year, which must, in accordance with any requirements set out in the regulations, be prepared in consultation with Aboriginal and Torres Strait Islander persons or bodies and must include the information required by the regulations. This enables the reporting obligations to be developed with Aboriginal people, reflecting the State's commitment to recognising data sovereignty, and ensures that reporting measures capture the right information. Practically, there will be a significant number of reporting obligations, however some of these require further consideration and community input before being finalised. The C3MS replacement system will be designed to ensure compliance with these reporting requirements.

It should be noted that despite being aware of the C3MS limitations, the previous Government did not allocate any funding for its replacement.

The Hon. T.A. FRANKS: What proportion of Aboriginal and Torres Strait Islander children who were placed in care were placed in care according to the Aboriginal and Torres Strait Islander Child Placement Principle in 2024?

The Hon. C.M. SCRIVEN: I am advised that the figures are available for the 12 months ending 30 June 2024 and that the percentage was 61.5 per cent.

The Hon. T.A. FRANKS: Given that almost four in 10 Aboriginal children who were placed in care were not placed in care according to the Aboriginal and Torres Strait Islander Child Placement Principle, how will this bill improve those outcomes?

The Hon. C.M. SCRIVEN: I am advised that part 4 of this bill is dedicated to improving those matters, in particular embedding the Aboriginal placement principle to include active efforts and expanding family group conferencing. Whilst obviously not part of the bill, it is also worth mentioning that the peak body has now been established which will also assist in these matters, and that was an investment of \$3.2 million.

The Hon. T.A. FRANKS: Can the minister please explain how that Aboriginal child placement principle, which is aspirational in this bill rather than enforceable, can be guaranteed to improve these terrible outcomes of just over 60 per cent of Aboriginal children who are placed in care in this state actually being placed under the expected Aboriginal child placement principles?

The Hon. C.M. SCRIVEN: Clause 44(3) of the bill states:

Without limiting any other provision of this Act, each person or body engaged in the administration, operation or enforcement of this Act must—

noting the word 'must'—

in making a decision under this Act relating to an Aboriginal or Torres Strait Islander child or young person, implement each of the elements of the Aboriginal and Torres Strait Islander Child Placement Principle that are relevant to the decision to the standard of active efforts.

Further, in clause 56 is a provision that states:

Without limiting any other provision of this Act, or any other power the Court may have, the Court must—

again noting the word 'must'—

before making an order, be satisfied that the Aboriginal and Torres Strait Islander Child Placement Principle has, so far as is practicable in the circumstances, been implemented to the standard of active efforts in relation to the Aboriginal or Torres Strait Islander child or young person who is the subject of the order.

The Hon. T.A. FRANKS: Why does the Aboriginal child placement principle language in this bill remain aspirational rather than mandatory?

The Hon. C.M. SCRIVEN: I think I have just outlined two provisions where it refers to 'must'. That is of direct relevance to this particular matter.

The Hon. T.A. FRANKS: I will break it down. In the provisions around the Aboriginal child placement principle, the bill has lots of shoulds and mayas and mights. The courts are directed with a 'must'. If something should have, could have, would have happened but not 'must have happened', the courts' hands are then tied. Does the minister have concerns that the Aboriginal child placement principles are not necessarily as enforceable as the courts would find useful?

The Hon. C.M. SCRIVEN: I note that the provision that I just read out had language 'as far as practicable'. I think that provides the explanation.

The Hon. T.A. FRANKS: It might provide an explanation, but it certainly does not provide an excuse. I turn to clause 78—Direction that person undergo certain assessments, which provides that the chief executive may in certain circumstance direct a certain person to undergo an assessment relating to drug and alcohol use. It goes on to include parenting capacity or mental health. Given the recommendations of the Coroner, Mark Johns, why are we still not seeing, where the chief executive has formed a reasonable suspicion that harm has been caused to a child due to alcohol or drug use, drug and alcohol assessment being implemented as mandatory?

The Hon. C.M. SCRIVEN: I am advised that some parents will engage voluntarily in drug and alcohol treatment programs, in which case it would not be necessary for it to be enforced because it is already happening. The language in the bill makes provision for those types of circumstances.

The Hon. T.A. FRANKS: Well, that is a new one. On how many occasions has drug and alcohol testing been refused when requested, upon reasonable suspicion that a person who has care of a child as their parent or guardian is abusing drugs or alcohol to the point that that child is in harm and has been identified as such?

The Hon. C.M. SCRIVEN: The bill provides that:

The chief executive may, by notice in writing and in accordance with the scheme set out in regulations, require a person to whom this section applies to take part in random drug and alcohol testing and, for that purpose, to take the action, and within the period, specified in the notice.

There is the ability for it to be mandatory for the parent in question. My understanding of the original question was why it says the chief executive may issue such a declaration. If I misunderstood the nature of the question, my apologies.

The Hon. T.A. FRANKS: I will rephrase the question. Does the current legislation and the proposed bill require that, should a suspicion be formed by the chief executive that drug and alcohol

abuse is placing the child in harm's way, that drug and alcohol testing shall occur, regardless of whether or not the parent or guardian complies?

The Hon. C.M. SCRIVEN: I am advised that, as stated, it says the chief executive 'may require a person', etc. As mentioned earlier, there may be instances—and one example given was where the parent is willing to participate voluntarily—where it will not be required to issue such a notice because the desired action is already occurring.

The Hon. T.A. FRANKS: I am advised from stakeholders that requests for drug and alcohol testing have been refused by particular regions on the grounds of lack of budget. Can the minister please clarify whether lack of budget has hampered the ability to administer drug and alcohol testing where it has been defined to be necessary?

The Hon. C.M. SCRIVEN: I am advised that it is important to note that drug and alcohol testing is but one of a suite of potential interventions that can include counselling, parenting psychology, mental health, and so on. So that is an important point to make. We are not aware of any situations that were referred to by the member, if I have interpreted my advice correctly, but I am happy to take it on notice and bring back additional information should there be a need.

The Hon. T.A. FRANKS: It is your amendment.

The Hon. C. BONAROS: Section 37(5) of the current act actually provides that a person must not 'without reasonable excuse, refuse or fail to comply with a requirement' in relation to that random drug testing, and there is a maximum penalty of six months' imprisonment. How many prosecutions have there been for people who have not complied with the requirement to undergo a drug test?

The Hon. C.M. SCRIVEN: I am advised that, whilst there have not been any prosecutions to the knowledge of those who have given me the advice, noncompliance would of course affect custody arrangements, given that safety is the concern of those who are seeking to assist the child or young person.

The Hon. C. BONAROS: If we can just elaborate on that answer a little. Is the response that, to the minister's knowledge, there have been no prosecutions because nobody has ever refused to undergo a request for a random drug test, because the provision is quite clear in terms of what is required?

The Hon. C.M. SCRIVEN: I am advised that it is worth noting, to start with, that no offence requires a prosecution; a prosecution must always be considered to be in the public interest. I am further advised that the consequence of not complying will mean that measures around the parent's ability to keep a child safe will, of course, be influenced by the fact that the parent has not complied. The department will then determine what action is needed to keep the child or young person safe, and that of course can include control orders, including a court order for drug testing.

The Hon. T.A. FRANKS: When the minister responded before to the Hon. Connie Bonaros, she said she was advised that that would affect custody. What did the adviser mean by 'custody'?

The Hon. C.M. SCRIVEN: I may have used the wrong terminology; I think what I was referring to was care arrangements.

The Hon. C. BONAROS: I may have missed this, and I apologise if I did, but can the minister also elaborate on the scheme that is set out in the regulations when it comes to the application of section 37—Random drug and alcohol testing?

The Hon. C.M. SCRIVEN: Just to clarify, is the honourable member referring to the current act, or the bill that is before us?

The Hon. C. BONAROS: Section 37 of the current act is the subject of amendments under the current bill. The minister in her responses alluded to the regulations that exist around random drug and alcohol testing, and I am asking her to elaborate on that scheme in relation to random drug and alcohol testing as it relates to the amendments that are being moved.

The Hon. T.A. FRANKS: To clarify, there is an amendment filed on this issue that is in the name of the Hon. Connie Bonaros.

The Hon. C.M. SCRIVEN: I think we need further clarification as to what exactly the honourable member is asking in her question. It is not clear to either myself or the advisers who are present here.

The Hon. C. BONAROS: I will come back to that one with some further clarity. In the meantime, can the minister advise what, if any, data is kept with respect to the number of random drug or alcohol tests that have been undertaken since these provisions came into effect?

The Hon. C.M. SCRIVEN: I am advised that we do not have that data available today.

The Hon. C. BONAROS: Can the minister make that data available to the chamber, please?

The Hon. C.M. SCRIVEN: I am happy to take that on notice, yes.

The Hon. T.A. FRANKS: On that particular topic, in consultations I have been advised by stakeholders who have a particular interest in this area that they were told that the topic of random drug and alcohol testing was not under consideration as part of the government's consultation process and that the enforcement of lax rules and application of what no doubt Coroner Johns thought he was going to see the department change their behaviours on was not something that was a topic of interest in the consultations. Can the government clarify whether or not they are open to further strengthening random drug and alcohol testing as a child protection measure?

The Hon. C.M. SCRIVEN: I am advised that it is considered that the provisions within the bill mean that tests can be mandated where required and therefore meet any concerns to which I believe the honourable member might be referring.

The Hon. T.A. FRANKS: Then I repeat my question: is the minister aware of cases where alcohol and drug testing has not been undertaken due to cost prohibitions, in that the department has said that they cannot afford it?

The Hon. C.M. SCRIVEN: I did answer that earlier. My advice is no, not to the knowledge of anyone here.

The Hon. T.A. FRANKS: Turning to harm and significant harm, there are some amendments in the name of the Hon. Connie Bonaros before this chamber on that topic, and also this particular bill before us does seek to have definitions of 'harm' and 'significant harm'. I am interested in why the government has claimed that the CARL system is being overwhelmed by unnecessary reports from mandatory notifiers.

Can the government clarify how many reports from mandatory notifiers would fall into the definition of harm and how many would fall into the definition of significant harm? I will leave the minister to take whatever quantum her advisers can provide her with, whether it is a financial year or a calendar year—certainly recent years.

The Hon. C.M. SCRIVEN: I have some information that may be helpful in terms of answering the question. I am advised that in the 2023-24 financial year there were total notifications of 98,931. Of those, 39,957 were screened-in notifications, resulting in 12,242 investigations. So that would indicate the level at which they were considered to be reaching that threshold that is under consideration.

However, it is also important to note that the current act is setting mandatory reporting requirements for that lower threshold. The bill that is before us is simply saying that those lower levels are not mandatory to be reported, but of course it does not prevent anyone reporting any level of harm, and that is an important distinction to make.

The Hon. T.A. FRANKS: My question was: how many of those reports were by mandatory notifiers and at what levels of harm? That was not answered in those statistics, but I appreciate there are some statistics. We have heard these statistics before. In terms of mandatory notifiers, they have access to eCARL and they have access to eCARL because we did not want nurses and teachers sitting on phone lines for hours trying to make a report. How many notifications to eCARL can come in at a level of just harm rather than significant harm currently?

The Hon. C.M. SCRIVEN: I am advised that retrospective analysis has not been undertaken to apply the proposed test going forward to the past situations. I trust I have understood that correctly

from my advisers. eCARL was upgraded and an investment made to eCARL to enable timely responses and for those reports to be made in as timely a way as possible. That is also an important addition to note.

The Hon. T.A. FRANKS: Is it possible for a mandatory notifier to make a notification of significant harm through the eCARL service that was indeed designed to be fit for purpose—to stop nurses and doctors and teachers and other professionals from sitting on a phone line for literally hours and hours, should they be able to get through at all? So is it possible for those mandatory notifiers that we told, 'We are not going to have you sitting on a phone line rather than doing your job, tending to your patients, teaching your students,' to actually report significant harm through the eCARL system?

The Hon. C.M. SCRIVEN: I trust I have understood the question correctly. The short answer is yes. The professionals being referred to can make a mandatory report through eCARL through the email provisions. In addition to that, in terms of phone notifications, wait times are monitored. Callback provisions are also part of that particular system.

The Hon. T.A. FRANKS: Is it possible for a mandatory notifier to report significant harm through the eCARL system?

The Hon. C.M. SCRIVEN: I believe I did just answer that, but the answer is yes, according to my advice.

The Hon. T.A. FRANKS: Is the minister confident of her advice, and has she looked at the eCARL system to try to make such a report and followed that process?

The Hon. C.M. SCRIVEN: I have not been a mandatory reporter in terms of having a need to report significant harm.

The Hon. T.A. FRANKS: What are the wait times currently and what are the number of calls not picked up for the eCARL reporting phone line?

The Hon. C.M. SCRIVEN: I am advised that we have the wait times for January 2025. The average wait time, according to my advice, was 10 minutes and four seconds.

The Hon. T.A. FRANKS: What was the longest wait time?

The Hon. C.M. SCRIVEN: I am sorry, I do not have that information available.

The Hon. T.A. FRANKS: So you have the average but not the shortest and the longest? Also, at the beginning I asked how many calls were not picked up at all.

The Hon. C.M. SCRIVEN: The specific information that the honourable member is asking for, according to my advice, is not available here. We can certainly take that on notice and also it is emphasised that there are additional measures available, such as the callback provisions.

The Hon. T.A. FRANKS: Thank you to the minister for taking those things on notice. I look forward to those responses. My question is: how does somebody who does not get through make themselves able to take advantage of a callback process if the phone is not picked up in the first place?

The Hon. C.M. Scriven interjecting:

The Hon. T.A. FRANKS: Well, I have asked now how many calls have gone unanswered, and you have not given an answer. How many calls have gone unanswered like this question so far?

The Hon. C.M. SCRIVEN: My previous answer, where I said I am advised that we do not have that information available to hand today but I will take it on notice, was intended to cover that exact question.

The Hon. C. BONAROS: Just one supplementary in relation to the Hon. Tammy Franks' questions: does the department have a way of identifying the wait times of somebody who does not get through at all; that is, there is no call back, they simply have not got through? Do we keep track of, or a log of, the wait times that are applied to those individuals?

The Hon. C.M. SCRIVEN: If I could clarify the question: the honourable member is asking how long would the phone ring for before it would cut out and then not be answered; is that a correct understanding of the question?

The Hon. C. BONAROS: You call and you are waiting on hold. Do we keep records of how long people wait for before those calls are terminated? Do we keep any stats on that or do we just take stats on the average number of average wait time once those calls are responded to?

The Hon. C.M. SCRIVEN: We will take that on notice and see if that specific information is available and, if so, bring it back to the chamber.

The Hon. C. BONAROS: Finally, if I could go back to the issue of drug and alcohol testing, the minister undertook to provide some data to the chamber. Could she also provide data on the number of removals that have occurred specifically related to drug or alcohol use identified and substantiated via random drug testing, and how many of those removals apply to Indigenous child removal specifically?

The Hon. C.M. SCRIVEN: If that information is available and can be provided I will certainly bring that back to the chamber.

The Hon. B.R. HOOD: It has been reported that the Minister for Child Protection has issued directives to the department's chief executive. What are those directives?

The Hon. C.M. SCRIVEN: I am advised that directives issued to the minister's chief executive were regarding policy positions of the government. These included:

- elevating 'best interests' as a new guiding principle in all procedures, manuals of practice, training materials and professional development assessment processes, whilst always retaining 'safety' as the primary, prevailing and foundational principle for protecting children;
- privileging the voices of children and young people so that they are more meaningfully and appropriately involved when decisions are made about their care;
- working with the relevant peak bodies, to inform implementation of the full Aboriginal child placement principle to the standard of 'active efforts';
- expanding family group conferencing, with the intention that, as planned increases in capacity allow, they will be convened for all Aboriginal families;
- ensuring carers are offered the opportunity to attend the annual reviews of children in their care and requiring case plans to be considered at the review;
- introducing specific quality of care guidelines for replacing care concerns and assessing reports of harm to children;
- developing complaint guidelines for children, carers and birth families to respond within 60 days to feedback on DCP services and decisions;
- developing a new statement of commitment for children and birth families;
- providing a copy of the charter of rights to all children in care; and
- commencing development of a state strategy for children and young people.

I am advised these policy directions do align very closely to elements in this bill. The minister issued this direction, as we know that many elements of this bill are strongly supported by the sector and are elements that we should be able to get on with. It is very much the position of the government that all of this should be in legislation; however, there is nothing stopping us from ensuring we are moving on with this important work. I would assume that everything the minister has outlined in the media are reforms that we can all agree on and that all would be glad to see them progress in policy.

The Hon. T.A. FRANKS: In the elevation of the best interests principle, what is the wording that has been used?

The Hon. C.M. SCRIVEN: The information I have is that it has elevated best interests as a new guiding principle in all procedures, manuals of practice, training materials and professional development assessment processes.

The Hon. T.A. FRANKS: How has 'best interests of the child' been defined?

The Hon. C.M. SCRIVEN: The information I have outlined is the information that I have available.

The Hon. T.A. FRANKS: Could the minister please provide the wording with the definition of how 'best interest' has been defined in the minister's decree?

The Hon. C.M. SCRIVEN: I will certainly take on notice the question in regard to the direction that the minister has issued.

The Hon. B.R. HOOD: Regarding the directives the minister has just read out from the Minister for Child Protection, is that the full instruction that was given to the chief executive and, if not, can they be brought to the chamber?

The Hon. C.M. SCRIVEN: I will take that on notice. The information I have is that these are the directions that were specifically in relation to obviously what we are talking about today. Clearly, at any time a minister has various discussions, so I am assuming that is not what the honourable member is referring to.

The Hon. T.A. FRANKS: Can the minister please outline why the rate of Aboriginal and Torres Strait Islander children and young people in care per thousand in South Australia is 83 yet the national average is 50.3 per thousand? Why is there such a discrepancy? To clarify, that is from the 2025 Productivity Commission Report on Government Services, so I think it is a reasonably authoritative source.

The Hon. C.M. SCRIVEN: I am advised, and of course I know also, that the government is committed to closing the gap to attempt to meet the targets and has been doing a lot of work to be able to improve the numbers that have been referred to.

The Hon. T.A. FRANKS: Supplementary: why are other states doing so much better in closing the gap than South Australia is then? Our numbers in South Australia are 83 per thousand, compared to a national average of 50.3 per thousand. That is an extraordinary figure that is hardly closing the gap.

The Hon. C.M. SCRIVEN: I am advised that South Australia has slowed the growth of Aboriginal children in care to 0.4 per cent. If I recall correctly, that was something that was discussed in earlier sitting weeks in regard to this bill.

The Hon. T.A. FRANKS: When the minister says 'slowed the growth', is that a six-child decrease on the previous year? Can she give the numbers for this year and the previous year, when she says that we have slowed the growth?

The Hon. C.M. SCRIVEN: I am advised that in the year ending 30 June 2020 the growth was 13.1 per cent. In the year ending 30 June 2021, it was 8.5 per cent. In the year ending 30 June 2022, it was 4.8 per cent. In the year ending 30 June 2023, it was 3.5 per cent. From 30 June 2024 to 31 January 2025, it was either zero or close to zero.

The Hon. T.A. FRANKS: So we went up by over 13 per cent, increased by 8.5 per cent on top of that 13 per cent, then increased by another 4.5 per cent on top of that 13 per cent and 8.5 per cent, then we increased by 3.5 per cent on top of that over 13 per cent, 8.5 per cent and 4.5 per cent. What are those numbers for those years, so we can actually see why and what this really looks like, when we have 83 per 1,000 Aboriginal and Torres Strait Islander children going into care in this state, compared to the national average of 50.3 per 1,000 children?

The Hon. C.M. SCRIVEN: I am advised that I do not have those specific numbers here at the moment. What I would point out is that obviously we acknowledge the over-representation. That is something that the minister and this government are keen to address. Actions to address this issue have included establishing the peak body.

Also, of course, the Voice to Parliament plays a part in that. I think it is worth noting that since 30 June 2022 the growth has slowed significantly. As I said, from 30 June 2024 to 31 January 2025 it is zero or almost zero. Obviously, there is more work to be done, and that is what this government is committed to doing.

The Hon. T.A. FRANKS: I will resist the temptation to ask if we have run out of Aboriginal children to remove. I note that, if you are walking up a hill and you stop at the top, then the rate of your elevation does hit a plateau or slightly decreases as you start to come down, but you have still gone up Mount Everest, in this case, in the meantime. Why is the rate of children in care less than 12 months who have had three or more placements some 18.3 per cent in South Australia, compared to 12.4 per cent in the rest of Australia as an average?

The Hon. C.M. SCRIVEN: I am advised that the reasons there might be differences are multifaceted. The government and the minister are focused on trying to improve those numbers. Departmental focus on retaining placements and achieving stability in care through additional supports, respite options and payments for carers, as well as the offer of increased therapeutic supports, has aided in improvements so far.

Specific efforts to improve placement stability have included new flexible respite support payments to family-based carers of \$800 per year to assist with the costs of caring for a child or young person in care, with payments under this \$2.15 million per annum initiative commencing in January 2024.

The Stability in Family-Based Care Program is providing carer payments to carers of more than 160 young people over 18 years where the young person continues to live with their carer and does not receive wages in excess of the carer payment. The over-18 education initiative is providing carer payments to carers of more than 100 young people over 18 years where the young person up to age 25 continues to live with their carer and is engaged in full-time education or training.

The DCP specialist therapeutic carer support team provides short-term, in-home support to family-based carers to assist with the understanding of children's development, strengthening relationships and building capacity for continued care. I am further advised that there may be additional placements, following or during a temporary placement, because a longer term placement is identified and established, so that can also be one of the factors.

The Hon. T.A. FRANKS: Again, referring to a comparison of child protection performance under the Productivity Commission Report on Government Services 2025, comparing South Australia to the rest of the nation on averages, why is the rate of children in care who have had 11 or more placements 8.1 per cent in South Australia compared to the 3.3 per cent average across the country?

The Hon. C.M. SCRIVEN: I am advised that there are a range of factors in terms of complexity, disability and so forth. Of course, we are pleased that some positive changes have resulted in some improvements. We also acknowledge that there is still more to be done with families facing ongoing and complex challenges, which of course will take time and collective effort to address. These challenges highlight just how important our programs of far-reaching reform for the child protection and family support system are in addressing the underlying drivers of contact with the system.

The Hon. T.A. FRANKS: According to that same document, the proportion of child protection expenditure on family and intensive family support services in South Australia is 12 per cent as a proportion of that budget, and yet across the country the average in Australia is 15.6 per cent. Why is South Australia's proportion of child protection expenditure on family and intensive family support services so low?

The Hon. C.M. SCRIVEN: According to my advice, an additional \$129.1 million was provided to the Department for Child Protection in the last Mid-Year Budget Review, bringing the total new investment to \$580 million since coming to government. The investments that our government is making into the sector are aimed to ensure that vulnerable children and young people, including their families, have the best system possible.

Under our government, as I have mentioned, I think on previous occasions we have seen a reduction in the rate of children coming into care from 7.9 per cent in 2018-19 to 2.5 per cent in 2022-23, and in 2023-24 the rate of children and young people in care has been a low 0.64 per cent. Remember that obviously there is a suite of measures. No-one, I am sure, is suggesting that there should be one simple measure; there is a suite of measures that the government is investing in.

Family group conferencing, which has proven to be very effective in supporting vulnerable children and families to remain together, has received additional funding of \$13.4 million as part of the 2023-24 budget process to expand the program. The year 2023-24 saw success rates of 91½ per cent and 90.4 per cent achieved for the 538 children and 241 Aboriginal children who remained in the care of their families after family group conferencing.

There was \$3 million in new funding to extend the Next Steps program for another three years as part of the 2024-25 Mid-Year Budget Review to support young people with complex needs to age 21 who are transitioning from residential care. There was continued support of the Child and Young Person's Visitor program, originally funded as part of the 2022-23 budget, for \$1.87 million over four years, providing an additional safeguard for children and young people in residential care.

There was ongoing support of \$723,000 per annum indexed for the independent Aboriginal community controlled peak body designed to empower the Aboriginal community to ensure measures are in place to improve care and protection outcomes for Aboriginal children and young people. There was \$997,000 per annum indexed from 2024-25 to fund an additional seven full-time equivalent staff to undertake additional kinship care assessments. This is helping to ensure kinship placements are explored for children and young people to support them in keeping strong connections with family, community and culture.

We have also seen a 17.2 per cent increase in the number of children commencing intensive family support services, representing—according to my advice—services for 542 more children from 2022-23, and an increase of 43.2 per cent for Aboriginal and Torres Strait Islander children, representing 495 more than last year. I am advised that, overall, 5,876 children were reported as receiving intensive family support services, which was an increase of 8.3 per cent from 2022-23. We are aiming for a holistic approach that involves many different measures that, collectively, we are keen to see result in significant improvements.

The Hon. T.A. FRANKS: In the minister's response, I am not sure if she mentioned the number of children in residential non-family-based care and the costs associated with that, rather than other alternatives. I have a couple more questions; I am almost finished. Is the minister concerned that there is 17.3 per cent of children in residential non-family-based care in South Australia compared to the 10.5 per cent average under the RoGS report of 2025? Is that in any way being addressed in terms of the moneys being targeted towards that proportion of expenditure going more so to the intensive family support services, rather than putting kids in residential care?

The Hon. C.M. SCRIVEN: I am advised that the government has established a program called Finding Families, which is a family scoping team that has resulted in 110 children being able to exit non-family-based care into care that is appropriate in terms of their family or kinship connections.

The Hon. T.A. FRANKS: What is the future of the Finding Families program? How long has it been funded for and how many children is it expected to find connections and homes for outside of the care system in the near future?

The Hon. C.M. SCRIVEN: I am advised that it is a partnership with KWW. There was an initial 12-month pilot program and that has now been extended for a further two years.

The Hon. T.A. FRANKS: When does that two years expire?

The Hon. C.M. SCRIVEN: I will need to take that on notice.

The Hon. T.A. FRANKS: I am looking forward to receiving the responses taken on notice. I have one more to add, which is a supplementary to the Hon. Ben Hood's. With regard to the minister's directives to the chief executive officer, what was the date of those directives and did they come before or after the chief executive appeared before the Budget and Finance Committee?

The Hon. C.M. SCRIVEN: I will take that question on notice.

The Hon. B.R. HOOD: Is the government's decision to retain the existing 2017 legislation, should this bill be amended to reflect best interest principles, a result of advice received by the chief executive?

The Hon. C.M. SCRIVEN: I have referred previously in this place to the reasoning around why the government is elevating the principle of best interests while retaining safety as the top objective, if you like. I think it has been answered multiple times in this chamber on this bill, and I would refer the honourable member back to *Hansard* where it has been answered.

The Hon. T.A. FRANKS: Is the minister aware that the top objective of best interests actually is to protect the child from harm?

The Hon. C.M. SCRIVEN: Exactly. It is as set out in the bill.

The Hon. B.R. HOOD: To go back to that question, though, was the government's decision to revert to the existing legislation, should they not get their way, a result of the advice received by the chief executive of the department?

The Hon. C.M. SCRIVEN: I do not have advice to that effect.

The Hon. B.R. HOOD: So your government is saying that you will retain the current existing legislation, yet you cannot say on what advice those decisions have been made. Is that simply just the decision of the minister to retain the 2017 legislation?

The Hon. C.M. SCRIVEN: If legislation is not amended, then of course the existing legislation continues.

The Hon. T.A. FRANKS: Quite a few of the questions that we have asked today have been taken on notice, so I move to report progress.

Progress reported; committee to sit again.

STATUTES AMENDMENT (TOBACCO AND E-CIGARETTE PRODUCTS - CLOSURE ORDERS AND OFFENCES) BILL

Second Reading

The Hon. K.J. MAHER (Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (16:53): I move:

That this bill be now read a second time.

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

Leave granted.

I rise today to introduce the Statutes Amendment (Tobacco and E-Cigarette Products – Closure Orders and Offences) Bill 2025.

This Government has demonstrated its strong commitment to tackling illicit tobacco and e-cigarette sales in South Australia. Through recent amendments to the *Tobacco and E-Cigarette Products Act 1997*, the Government introduced nation-leading powers and penalties in 2024, to make a big impact on this illegal industry.

These include increasing the penalty levels from an upper limit of \$75,000 previously, to now up to \$1.5 million. In addition, these new laws allow the issuing of a closure order on a premises so that Authorised Officers, and the courts, can immediately close down this form of unlawful activity.

The new powers and penalties ensure that there are very significant implications for selling these products, and that the fine levels are no longer 'just the cost of doing business'.

These new measures have already been used by both Consumer and Business Services and South Australia Police to seize illicit products across the State. As at 13 February 2025, approximately \$12.5 million worth of illicit products had been seized by our enforcement teams. This includes more than 10 million cigarettes, more than 4 tonnes of tobacco, more than 400kg of shisha and more than 55,000 vapes. These seizures have occurred between July and February 2025—less than an eight-month period.

Since new laws started on 13 December 2024 to 6 March 2025 the Minister for Consumer and Business Affairs has issued 9 interim closure orders and successfully applied to the courts for one long-term closure order.

As part of Operation Eclipse, South Australia Police is sharing intelligence with Consumer and Business Services to assist them with their enforcement work, as well as liaising with Victoria Police and other law enforcement agencies.

Shared intelligence between law enforcement agencies has identified that up to 75 per cent of the illicit trade of tobacco and e-cigarette products in Australia is being controlled by organised crime groups.

As a result, the Commissioner for Police has requested additional powers to tackle this issue in South Australia and this Government is willing and prepared to provide our enforcement agencies with the tools they need to disrupt and end illicit tobacco trade in this state.

The Statutes Amendment (Tobacco and E-Cigarette Products—Closure Orders and Offences) Bill 2025 seeks to amend both the *Tobacco and E-Cigarette Products Act 1997* and the *Retail and Commercial Leases Act 1995*.

The amendments to the Tobacco and E-Cigarette Products Act 1997 will:

- Provide additional powers for police, similar to those in the *Tattooing Industry Control Act 2005*, that provide police the power to undertake additional searches in premises suspected of selling illicit products, to include searches for drugs, weapons and explosives.
- Introduce greater penalties for those in possession of, or supplying, commercial quantities of illicit tobacco and e-cigarette products, with fines up to \$6.6 million.
- Create a provision for information relating to the closure of unlicensed premises to be made publicly available.
- Provide greater clarification for information-sharing between our enforcement agencies, as well as their ability to disclose information relating to illicit activity to interested parties such as the owner of a premises or their agent.

The Bill will also create an offence for a person, who being the owner or having the control or management of a premises, causes or permits another to engage in prohibited conduct, such as the sale of illicit products, on that premises. An example of this might be a situation where a premises is leased by a criminal enterprise to tenants as part of an illicit activity.

It is important to note that in this context causing or permitting an offence must be a positive act and would not apply in instances where landlords only become aware of such conduct. It would clearly need to be a situation where this person knowingly causes or permits another to engage in prohibited conduct on the premises. This provision is not targeting innocent 'mum and dad' lessors, property managers or real estate agents; the intent is to focus on disrupting organised crime operations.

To support these new provisions, amendments to the *Retail and Commercial Leases Act 1995* are also included in this Bill, which will allow a lessor to terminate a retail shop leases if a long-term closure order under section 69CC (Long-term closure order) of the *Tobacco and E-Cigarette Products Act 1997* is in effect.

A provision has also been included to allow for the parties of a lease to apply to the Magistrates Court to do anything necessary or desirable (as the Court thinks fit) to resolve disputes which arise from a long-term closure order. For example, as some lessors may find themselves 'out-of-pocket' because of a long-term closure order, this provision will allow for them to apply for compensation including (but not limited to) for the loss of rent, costs associated with potential failure to 'make good' on the requirements of a lease and the 'clawing back' of incentives of long-term lease arrangements.

Despite the declining rates of smoking, tobacco remains a leading cause of death and disease in Australia, and it is estimated to cost the South Australian economy over \$2 billion each year.

Australia has some of the toughest requirements for tobacco products in the world—including plain packaging, health warnings, restrictions on flavours, and pricing. These measures have played a big part in driving down smoking rates and preventing the uptake of smoking by non-smokers, particularly younger people.

In recent years, our attention has also turned to e-cigarettes, or vapes, which had rapidly increased in South Australia and across the country, especially among children and young people.

The South Australian Government was an active player in the national vaping reforms as well as taking other strong actions against this serious health problem, including:

- running hard-hitting media advertising campaigns about vaping, across radio, outdoor and digital platforms, including Instagram, TikTok and YouTube;
- supporting schools with an education campaign, resources and staff training aimed at preventing children taking up vaping and helping those who want to quit;

- introducing new vape and smoke free areas that commenced on 1 March 2024—banning vaping and smoking in a variety of public outdoor areas including at our schools and childcare settings, and under 18 sporting events; and
- imposing tougher licence conditions on retailers to reduce the illegal sales of tobacco and vapes.

Pleasingly recently released research from the South Australian Health and Medical Research Institute (SAHMRI) showed vape use among young South Australians has significantly reduced thanks to Australia's world leading vaping laws.

The research found 2024 vaping rates among 15 to 29-year-olds reduced by around a third to 10.8%, when compared to 2023 (15.1%).

Vaping rates among the 30 to 59 age group also dropped by around half from 6.7% in 2023 to 3.6% in 2024, while overall, vaping rates for people aged 15 and above were reduced by more than a third, 6.7% in 2023 to 4.3% in 2024.

This comes as the Minister for Education has reported that suspensions relating to vaping at South Australian schools has dropped by a staggering 50%. In Term 1 of 2023 there were 388 suspensions compared to 186 in Term 1 of 2024. A trend of greater than 50% has continued throughout terms 2 and 3 of 2024 compared to 2023.

This latest data shows the Federal and State Government's vaping reforms are working to prevent a new generation from becoming addicted to nicotine.

However, the illicit tobacco and vaping products currently available in our community have the potential to reverse these successes.

Therefore, this illicit tobacco trade is not only a law enforcement and compliance issue but also a public health issue.

These measures support the Government's investment in evidence-based initiatives such as public health campaigns, delivery of quitting services and reducing the community's exposure to second hand smoke, including through recent smoke-free and vape-free laws introduced in early 2024.

The Government remains committed to achieving the ambitious target of achieving a daily smoking prevalence of 6% by 2027 and this Bill is another step to support our work in meeting this target.

The sale of illicit tobacco and e-cigarettes products is not a 'victimless crime'. Smoking and vaping causes harm to the whole community, not just the individuals who choose to smoke or vape. This includes the reports of firebombing we have seen, that have spread from interstate into South Australia.

Additionally, there are very real harms associated with using these products—particularly through the development of high levels of nicotine dependence by young South Australians, and the very serious associated health risks.

I would like to thank the Commissioner for Police for his ongoing support and the suggested amendments which have initiated the development of this Bill, further disrupting the trade of illicit tobacco and e-cigarette products for the benefit of all South Australians.

I would also like to thank Preventive Health SA for their work in preparing this bill along with Consumer and Business Services and SA Police.

I commend this Bill to the chamber.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Retail and Commercial Leases Act 1995*

3—Insertion of section 47

This clause inserts a new section as follows:

47—Long term closure order

The proposed section provides inserts the following provisions to be taken to form part of a retail shop lease if a long term closure order under section 69CC of the *Tobacco and E-Cigarette Products Act 1997* is in effect in relation to the premises to which the lease applies:

- the lessor or the lessee may terminate the lease because of the long term closure order by giving not less than 28 days written notice to the other (or such shorter period as agreed between the parties);
- if a dispute arises between the parties to the retail shop lease as a consequence of the long term closure order, the Magistrates Court may, on application by a party to the lease, make such orders (including orders for the payment of compensation) or do anything necessary or desirable as the Court thinks fit to resolve the dispute.

4—Saving and transitional provisions

This clause provides saving and transitional provisions to allow amendments in this Part to apply in relation to—

- retail shop leases irrespective of when the lease was entered into; and
- long term closure orders irrespective of whether the order was made before or after the commencement of the amendments.

Part 3—Amendment of *Tobacco and E-Cigarette Products Act 1997*

5—Amendment of section 33—Possession of certain tobacco products

This amendment makes a technical amendment to the wording of the provision for consistency with other offence provisions in the Act.

6—Amendment of section 39B—Offence relating to possession of e-cigarette products

This amendment makes a technical amendment to the wording of the provision for consistency with other offence provisions in the Act.

7—Insertion of Part 3 Division 6

This clause inserts a new Part 3 Division 6 as follows:

Division 6—Miscellaneous

45A—Possession and supply of certain quantities of prescribed product

The proposed section sets out 2 new offences if a person who, without lawful excuse:

- has possession of a commercial quantity or a large commercial quantity of a prescribed product; or
- supplies to another person a commercial quantity or a large commercial quantity of a prescribed product.

Higher penalties apply for the offence in relation to possession or supply of a large commercial quantity as opposed to possession or supply of a commercial quantity. Differing penalties apply for each offence depending on whether the offence is committed by a body corporate or an individual, with higher penalties applying if a second or subsequent offence is committed.

The quantity of a product that constitutes a commercial quantity or a large commercial quantity is to be prescribed in the regulations.

A prescribed product is defined as—

- an e-cigarette product; or
- a prescribed tobacco product within the meaning of section 33(2) of the Act; or
- a prohibited product within the meaning of section 39C of the Act.

45B—Offence related to engaging in prohibited conduct on premises

The proposed section creates a new offence if a person who, being the owner of premises or having the management or control of premises, knowingly causes or permits another to engage in prohibited conduct on the premises.

Differing penalties apply for each offence depending on whether the offence is committed by a body corporate or an individual, with higher penalties applying if a second or subsequent offence is committed.

Prohibited conduct is defined as conduct constituting an offence against certain provisions of the Act listed in the proposed Schedule A1.

8—Insertion of section 66AA

This clause inserts a new section as follows:

66AA—Further powers of police officers

The proposed section sets out a number of additional powers that may be exercised by police officers in relation to premises that an officer reasonably suspects are being used for the purposes of, or in connection with, the unlawful sale of tobacco products or e-cigarette products. These include the power to carry out general drug detection under the *Controlled Substances Act 1984* and random weapon and explosive searches.

9—Amendment of section 69—Powers in relation to seized records or things

This amendment inserts a new paragraph into the section to provide a power to take and test a sample of any thing seized in accordance with Part 5 of the Act.

10—Amendment of section 69CC—Long term closure order

Subclauses (1) and (2) make a number of technical amendments to insert references to the Magistrates Court consistent with other references in the section.

Subclause (2) amends section 69CC(3) to allow the owner of premises in relation to which an application for long term closure order has been made to apply to the Court to be a party to proceedings in relation to the application.

Subclause (4) inserts a new subsection which gives power to the Court, on application by the owner of premises in relation to which a long term closure order is in effect, to make an order amending or revoking the long term closure order, with the Minister being a party to the proceedings in relation to such an application.

11—Insertion of section 69CE and 69CF

This clause inserts new sections as follows:

69CE—Certain information relating to closure orders may be made publicly available

The proposed section allows the Minister to make certain information in relation to a closure order publicly available in the manner determined by the Minister.

69CF—Protection from liability

The proposed provision provides that despite section 86A of the Act, the Crown incurs no liability for a decision of the Minister, or by any person acting on behalf of the Minister, to exercise or not to exercise powers under Part 6A.

12—Amendment of section 78—Disclosure of information

This clause inserts 2 new subsections. Proposed subsection (2a) authorises the disclosure of information by an authorised officer in relation to premises in respect of which a closure order is in effect or that the authorised person reasonably suspects are being used in connection with the offence against the Act to—

- the owner or occupier of the premises; or
- an agent of the owner or occupier of the premises; or
- another prescribed person.

Proposed subsection (2b) provides that despite section 86A of the Act, the Crown incurs no liability for a decision of the Minister, or by any person acting on behalf of the Minister, to disclose information of a kind authorised under proposed subsection (2a).

13—Insertion of section 78A

This clause inserts a new section as follows:

78A—Commissioner of Police may provide information to Minister

The proposed section provides that, without limiting any other Act or law that requires or authorises the Commissioner of Police to disclose information, the Commissioner of Police may disclose to the Minister any information on any matter relevant to the operation or enforcement of this Act.

14—Insertion of Schedule A1

This clause inserts a new Schedule as follows:

Schedule A1—Prohibited conduct

The proposed schedule lists the offences constituting prohibited conduct for the purposes of the offence provision in proposed section 45B.

15—Transitional provisions

This clause makes transitional provisions consequent on amendments in the measure.

Debate adjourned on motion of Hon. B.R. Hood.

PASSENGER TRANSPORT (POINT TO POINT TRANSPORT SERVICES) AMENDMENT BILL

Final Stages

The House of Assembly agreed to the amendments made by the Legislative Council without any amendment; and agreed to the suggested amendment without any amendment and amended the bill accordingly.

At 16:55 the council adjourned until Wednesday 2 April 2025 at 14:15.

*Answers to Questions***REGIONAL PUBLIC TRANSPORT**

398 The Hon. B.R. HOOD (16 October 2024). Can the Minister for Infrastructure and Transport advise:

1. When will the review into regional public transport services commence, and when will it be completed by?
2. What was the cause of the delay to commencing the review?

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

The regional review commenced in January 2025 and will be completed this year. Since 2022, the Malinauskas government has increased funding for regional public transport by approximately \$7 million per year. In contrast, the previous Marshall Liberal government, which purported to support regional communities failed to conduct a review into regional public transport and only extended existing contracts without going to tender.

REGIONAL PUBLIC TRANSPORT

399 The Hon. B.R. HOOD (16 October 2024). Can the Minister for Infrastructure and Transport advise—

1. What advice did the minister receive from the department on the inequity of public transport services between regional and metropolitan communities, as suggested in response to the member for Mount Gambier on 28 September 2023?
2. Has the minister or his department investigated establishing a Keoride on-demand public transport service in Mount Gambier?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Department for Infrastructure and Transport advises:

The department acknowledges that it is challenging to deliver cost-effective services in regional areas, given the considerable travel distances that services are required to travel combined with the low population densities and low patronage demand.

Nonetheless, as you would be aware, the department is currently considering a review into regional public transport which includes Mount Gambier and will be completed by the end of the year. Since 2022, the Malinauskas government has increased funding for regional public transport by approximately \$7 million per year. In contrast, the previous Marshall Liberal government, which purported to support regional communities failed to conduct a review into regional public transport and only extended existing contracts without going to tender.

PORT AUGUSTA WHARF

422 The Hon. B.R. HOOD (5 February 2025). Can the Minister for Infrastructure and Transport advise—

1. Has the business case for the Port Augusta wharf been finalised and, if not, when will it be?
2. Will the Port Augusta wharf business case be made public and may I request a copy?
3. What is the government's intentions for the future of the Port Augusta wharf?
4. When will works progress on the Port Augusta wharf, and when will they be finalised by?

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

On 12 March 2025 the Australian and South Australian governments jointly announced an investment of \$15 million to ensure the historic Port Augusta wharf continues to deliver the infrastructure locals need to support our regions to prosper.

The project will refurbish the heritage-listed Port Augusta wharf, reinvigorating the historic waterfront and securing its position as the gateway to the Flinders Ranges and Spencer Gulf.

Once refurbished, the wharf will be reopened to pedestrians improving accessibility and safety.

The refurbishment will also provide easier access for boats and other watercraft, boosting recreation and tourism.

The refurbishment will involve installing new decking, girders, cross heads, cross bracing and some new steel piles. It is expected to start in the third quarter of 2025, and be completed in late 2026.

OUTPATIENT SERVICES

426 The Hon. B.R. HOOD (19 February 2025). Can the Minister for Health and Wellbeing advise:

1. Does the minister acknowledge the benefits of a consultant-led model for outpatients in public hospitals and, if so, what does he consider the advantages to be?

2. Is the minister supportive of a consultant-led outpatient model?

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 been advised:

1. A consultant-led model supports patients who require specialised attention from experienced consultants and supports the professional development of junior healthcare staff. Consultant-led clinics, in collaboration with a multidisciplinary team, work to enhance overall patient outcomes while maintaining the efficiency of our healthcare system.

There are benefits of a consultant-led model for many outpatients in public hospitals, while acknowledging there is opportunity for alternative models of care dependent on the specialist clinic, service demand, and consumer needs. This approach supports sustainable, effective, and high-quality care within our public hospitals.

2. The multidisciplinary approach supports the delivery of the right care, in the right place, at the right time. Access to the right clinician and service type, be it a consultant-led clinic or other highly skilled healthcare professionals and clinic models, such as nurse-led clinics, allied health clinics, and multidisciplinary clinics, is also an important strategy in delivering the right care, in the right place, at the right time.

Consultant-led outpatient models are supported across SA Health, whilst also acknowledging the benefits of a multidisciplinary approach, involving various healthcare professionals working together to provide comprehensive and coordinated care. By integrating the expertise of different specialists, a multidisciplinary team can work to address all aspects of a patient's health care, leading to more holistic and effective care.

These clinic models offer a different range of expertise where patients can access efficient, effective, and holistic care. They provide benefits such as supporting early intervention, coordination of care, and optimising the use of resources to effectively respond to demand and deliver best practice at the right point in a patient's journey. Through providing opportunities for education, learning, and collaboration, utilising the skills of a multidisciplinary teams can create greater capacity in services. Incorporating consultant-led clinics along with other clinic models will support access to clinicians with the right skill set to respond to each patient's healthcare needs.

PETERBOROUGH WASTEWATER MANAGEMENT SYSTEM

428 The Hon. T.A. FRANKS (20 February 2025). Can the Minister for Climate, Environment and Water advise—

With regard to the Peterborough Community Wastewater Management System, can the minister advise:

What assurance can be given to the ratepayers of the District Council of Peterborough that they will not be detrimentally impacted by having to bear the \$4.5 million costs of remediating construction failures in their Community Wastewater Management System (CWMS), commissioned in 2018 and failing at the ponds and at several locations in the piping and trenchwork across the town?

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 Climate, Environment and Water has advised:

The Peterborough Community Wastewater Management System (CWMS) is the responsibility of the local council.

Further information on the CWMS can be found via <https://www.lga.sa.gov.au/about/what-we-do/community-wastewater-management-systems/overview-of-cwms> or by contacting the Peterborough council in this instance or the relevant CWMS operator in other areas.

REGIONAL TRANSPORT

In reply to **the Hon. R.A. SIMMS** (7 February 2024).

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): The Minister for Infrastructure and Transport has advised he has received the report and remains committed to improving public transport in South Australia's regions.

I understand that the minister has since written to you regarding the Select Committee on Public and Active Transport.

I remain focused on improving regional development throughout South Australia and continue to be a strong advocate for ongoing investment across regional South Australia.

WHYALLA STEELWORKS

In reply to **the Hon. F. PANGALLO** (28 August 2024).

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

On 19 February 2025, the state government took decisive action to place OneSteel Manufacturing—the owner of the steelworks—into administration. This has provided certainty of payment going forward to goods and service providers that are critical to keep the steelworks operating.

The administrator will now seek to stabilise the operations of the steelworks, and secure its long-term future. We consider this will need to involve selling it to a new owner who will have the means to invest in the transformation of the steelworks.

The Malinauskas Labor government has partnered with the Albanese Labor government to support a new owner to make long-term investments necessary to secure the future of Whyalla and Australian steelmaking.

Together, our governments will invest \$2.4 billion to secure the future of the Whyalla Steelworks. This investment will include:

- \$100 million for immediate support for businesses, workers and the community.
- \$384 million to stabilise the steelworks by funding operations during administration.
- \$1.9 billion to invest in the steelworks' future, for upgrades and new infrastructure vital to ensuring the steelworks has a sustainable, long-term future.

Importantly, this does not just support the steelworks—it supports a vast number of local suppliers, small businesses owned and operated by South Australians, who rely on the future of the Whyalla Steelworks.

Our actions demonstrate the Malinauskas Labor government's prioritisation of sovereign steel manufacturing in South Australia and the town of Whyalla, now and into the future.

WHYALLA STEELWORKS

In reply to **the Hon. F. PANGALLO** (10 September 2024).

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

On 19 February 2025, the state government took decisive action to place OneSteel Manufacturing—the owner of the steelworks—into administration. This has provided certainty of payment going forward to goods and service providers that are critical to keep the steelworks operating.

The administrator will now seek to stabilise the operations of the steelworks, and secure its long-term future. We consider this will need to involve selling it to a new owner who will have the means to invest in the transformation of the steelworks.

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WHYALLA STEELWORKS

In reply to **the Hon. F. PANGALLO** (11 September 2024).

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

On 19 February 2025, the state government took decisive action to place OneSteel Manufacturing—the owner of the steelworks—into administration. This has provided certainty of payment going forward to goods and service providers that are critical to keep the steelworks operating.

The administrator will now seek to stabilise the operations of the steelworks, and secure its long-term future. We consider this will need to involve selling it to a new owner who will have the means to invest in the transformation of the steelworks.

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WHYALLA ECONOMY

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

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

On 19 February 2025, the state government took decisive action to place OneSteel Manufacturing—the owner of the steelworks—into administration. This has provided certainty of payment going forward to goods and service providers that are critical to keep the steelworks operating.

The administrator will now seek to stabilise the operations of the steelworks, and secure its long-term future. We consider this will need to involve selling it to a new owner who will have the means to invest in the transformation of the steelworks.

The Malinauskas Labor government has partnered with the Albanese Labor government to support a new owner to make long-term investments necessary to secure the future of Whyalla and Australian steelmaking.

Together, our governments will invest \$2.4 billion to secure the future of the Whyalla Steelworks. This investment will include:

- \$100 million for immediate support for businesses, workers and the community.
- \$384 million to stabilise the steelworks by funding operations during administration.
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Importantly, this does not just support the steelworks—it supports a vast number of local suppliers, small businesses owned and operated by South Australians, who rely on the future of the Whyalla Steelworks.

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WHYALLA STEELWORKS

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

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

Public calls for administration championed by Mr Rex Patrick based on a whim were not helpful. They only stood to jeopardise the government's ability to impose an administration on OneSteel Manufacturing, the owner of the steelworks.

A decision to place OneSteel into administration had to have been accompanied by a robust plan to get the Whyalla Steelworks out of administration—which represented a significant and detailed body of work.

On 19 February 2025, the state government took decisive action to place OneSteel into administration. In partnership with the Albanese Labor government, the administration is fully funded which has provided certainty of payment going forward to goods and service providers that are critical to keep the steelworks operating.

The administrator will now seek to stabilise the operations of the steelworks, and secure its long-term future. We consider this will need to involve selling it to a new owner who will have the means to invest in the transformation of the steelworks.

The Malinauskas Labor government has also partnered with the Albanese Labor government to support a new owner to make long-term investments necessary to secure the future of Whyalla and Australian steelmaking.

Together, our governments will invest \$2.4 billion to secure the future of the Whyalla Steelworks. This investment will include:

- \$100 million for immediate support for businesses, workers and the community.
- \$384 million to stabilise the steelworks by funding operations during administration.
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Importantly, this doesn't just support the steelworks—it supports a vast number of local suppliers, small businesses owned and operated by South Australians, who rely on the future of the Whyalla Steelworks.

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RARE EARTH MINING

In reply to **the Hon. B.R. HOOD** (13 November 2024).

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

All mining applications are subject to comprehensive and transparent environmental and social impact assessment processes. This process includes opportunities for stakeholders to share their views of the project at both the development and assessment stages.

The Department for Energy and Mining (DEM) website contains substantial guidance on the process delivered via a range of information and technical documents.

Given the expertise and involvement of DEM's staff in relation to this matter, relevant DEM staff are continuing to meet with the association and other stakeholders.

FERAL DEER

In reply to **the Hon. C. BONAROS** (4 February 2025).

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

1.

- The general manager of the Limestone Coast Landscape Board met with the CEO of Kingston District Council on 26 June 2024 to discuss the possibility of feral deer culling on roadsides in the Kingston DC area.
- The operations manager for the Limestone Coast Landscape Board consulted SAPOL to discuss rules associated with shooting on roadsides.
- A ground shooting operations plan (GSOP) was prepared and signed by both parties 24 November 2024.
- Letters were sent to neighbouring properties prior to Christmas 2024 to advise of the program.
- Following calls from landholders in the Kingston District Council area requesting more information, an additional letter was sent to landholders in the priority areas in mid-January to provide further information about the ground shooting operation.
- The start of the operation was delayed by 10 days until 1 February 2025 to ensure all landholders had the opportunity to receive the additional information and to request a text message notification 72 hours prior to the start of any 10-day period near their property if they so wished.
- The mobile number is a Limestone Coast Landscape Board number.

2.

- The contractor is familiar with the area having undertaken ground shooting operations for more than five years with the Limestone Coast Landscape Board.
- The contractor uses a georeferenced operational map of the target area, allowing the contractor to view live his exact location, buffer zones, dwellings and hazards, and plan accordingly at daily briefings as well as discuss areas with relevant land managers as required.
- A buffer or no shoot zones were identified along with any hazards. A 500-metre buffer is established around houses and residential areas to prevent residents from being disturbed by firearm discharge late at night.

3.

- SAPOL is made aware of all feral deer culling operations undertaken by landscape boards.
- Rifles are fitted with suppressors and contractors are required to advise SAPOL when they are being used.
- The contractor advised local SAPOL on 1 February 2025 that he was commencing operations.
- The Limestone Coast Landscape Board sent an email to Mount Gambier headquarters on 1 February 2025, for distribution to all SAPOL officers in the upper Limestone Coast, as per the Feral Deer Eradication Program's established arrangements.

4.

- All animals will be shot in accordance with the National Standard Operating Procedure: Ground Shooting for Feral and Wild Deer.
- Shooting of feral deer must be carried out as humanely as possible, in a manner which causes rapid death. This requires the use of appropriate shot placement, correct calibre firearms and ammunition. Any animal will only be shot when:
 - The animal can be clearly seen and identified.
 - It is within the effective range of the firearm and ammunition being used.
 - The vehicle and animal are stationary.
 - A humane kill is probable.
 - It is safe to do so, considering the foreground and background environment and other shooters' locations.
- Shooting does not occur across the roadway
- Shooting is undertaken at night when traffic is very low to non-existent. Ground shooting operations will occur between 5pm (sundown) and 4am (sunup).
- Signage is being placed on roadsides around the operational area to alert anyone entering the area that the operation is in progress and include a contact number.
- Landholders who have requested a text message notification and provided their mobile numbers will receive this message 72 hours prior to the start of a 10-day period that is near or adjacent to their property.

5.

- Section 192 (8) of the Landscape SA Act requires that 'All regional landscape boards must carry out proper measures for the destruction of all animals or plants of a class to which subsection (1) applies and for the control of all animals or plants of a class to which subsection (2) applies on road reserves situated within both a declared area for that class of animals or plants and the region of the board.'
- The contractor is engaged by the Limestone Coast Landscape Board to undertake this activity.
- The contractor has all relevant firearms licences, accreditations, safe work practices in place.
- The contractor follows the National Standard Operating Procedure: Ground Shooting for Feral and Wild Deer and ground shooting operations plan approved by LCLB and KDC.
- Firearms and ammunition associated with the shooting operation are handled, stored, transported and used in accordance with the Firearms Act (2015) and firearms regulations (2017).

- This roadside culling of feral deer in accordance with legislation and approved procedures is not a criminal activity.
- 6.
- The Limestone Coast Landscape Board would like to clarify the roadside shooting is not undertaken by snipers, the single accredited contractor is acting in accordance with the National Standard Operating Procedure: Ground Shooting for Feral and Wild Deer.
 - Furthermore, signage is placed on roadsides around the operational area to alert anyone entering the area that the operation is in progress and neighbouring landholders notified by letter of upcoming shoot operations. These neighbouring landholders had the opportunity to request a text message notification 72 hours prior to the start of any 10-day period near their property if they so wish.
 - The Limestone Coast Landscape Board has responded to concerns raised by three local landholders who contacted the office.
 - The Limestone Coast Landscape Board met with the executive of the Australian Deer Association (ADA) SE Branch on Friday 31 January 2025 to outline the roadside ground shoot program and addressed all concerns raised.
 - In response to additional information provided by the SE ADA, the GSOP was updated and the contractor advised of SE ADA hunting areas.
 - The Australian Deer Association rules prevent the hunting of deer at night by their members hence there is no chance of a direct encounter.

FERAL DEER

In reply to **the Hon. C. BONAROS** (4 February 2025).

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

The operations manager for the Limestone Coast Landscape Board consulted SAPOL on ground shooting from roadsides in rural areas. Ground shooting operations of feral deer by the Limestone Coast Landscape Board have only been developed for roadsides in remote, rural areas with clear safeguards put in place and 500 metre buffers of farmhouses. As no plans are in place to ground shoot in residential areas there has been no conversations with SAPOL specific to ground shooting in residential areas.

SAND DREDGING

In reply to **the Hon. T.A. FRANKS** (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): I have been advised:

The Environment Protection Authority (EPA) received and reviewed weekly water quality technical memos during the operational phase of the project. The data raised no concerns regarding water quality as a result of dredging operations. The suite of water quality data will be provided to the EPA as a component of the completion of works report. The completion of works report will be made available to the public via the EPA website once received.

FRUIT FLY

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (19 February 2025).

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

Under Australia's National Fruit Fly Management Protocol:

Upon the declaration of an outbreak, the movement of all host produce sourced from within the controlled movement zone (the entire 15km area) under pest free area (PFA) conditions must be suspended until reinstatement. However, domestic produce may be permitted to move into, through, and out of a fruit fly pest free area (FF-PFA) under conditions approved by a state or territory government, provided it does not compromise the integrity of an export pathway.

The national protocol does not differentiate between commercial and home-grown fruit, nor does it distinguish between movement by sale or gift.

This requirement is reinforced by the Plant Health Act 2009, which:

- Protects plants from pests,
- Regulates the movement of plants into, within, and out of the state, and

- Provides for the control, destruction, and suppression of pests.

Additionally, South Australia's Plant Quarantine Standards, section 2.2(1), states:

The movement of host fruit from or within the red (outbreak) area is prohibited unless managed under approved conditions and accompanied by the appropriate approvals or certificates. This applies to all host fruit and does not differentiate between commercial and home-grown produce or movement by sale or gift.

Under section 2.2(3):

Host fruits within the yellow (15km suspension) area may move freely within this zone. However, movement must comply with approved conditions and be accompanied by the necessary approvals or certificates.

For host fruits grown within the suspension area:

Unless otherwise approved by the chief inspector, they must not be removed from the suspension area or sold for the first time within the affected area unless they meet one of the following conditions:

Treated using an approved disinfestation method, or processed (e.g., freezing, drying, cooking, preserving, or canning). Additionally, treated fruit must be managed under secure conditions to:

- Prevent reinfestation in areas where fruit fly is known to exist, and
- Prevent untreated fruit from being exposed in areas where fruit fly is not known to exist.

SARDI FISH DEATHS

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (19 February 2025).

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

1. That the damage to the inlet pipe is that the intake lid has been displaced and is laying on the sea floor.
2. That the inlet structure was last assessed by the department as part of maintenance undertaken in the period 29 January to 2 February 2024.

ANIMAL WELFARE BILL

In reply to **the Hon. T.A. FRANKS** (19 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 Climate, Environment and Water has advised:

In the drafting of the Animal Welfare Bill 2025, all views, including those of the public and the various impacted industries were taken into account. The full consultation reports can be found on the Department for Environment and Water's website.

KANGAROO ISLAND KOALAS

In reply to **the Hon. S.L. GAME** (19 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 Climate, Environment and Water has advised:

The adverse impacts associated with unsustainably high densities of koalas in parts of Kangaroo Island are well recognised. Those impacts affect the island's native vegetation and the wildlife that depend on those plants, including koalas themselves.

Between 1997 and 2019, the Department for Environment and Water successfully managed koala density on Kangaroo Island using sterilisation and, for a period, translocation to the mainland.

The Kangaroo Island koala population then experienced a significant decline due to the 2019-20 bushfires.

The department is currently considering how best to manage koalas on the island and has started developing a koala management plan for Kangaroo Island. It is expected that fertility control would form the basis of any future population management. Euthanasia would be considered on a case-by-case basis to address animal welfare concerns where necessary, but not as a population management tool.

It is the longstanding policy position of both the South Australian and Australian governments that culling koalas is not a means of managing koala populations.

GAMBLING ADVERTISING

In reply to **the Hon. C. BONAROS** (20 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 Consumer and Business Affairs has advised:

The prohibition that the honourable member refers to relates to a ban on betting advertising during live sporting events that are broadcast on television between 5am and 8.30pm. This ban falls under the jurisdiction of the federal regulator, the Australian Communications and Media Authority (ACMA).

I am advised that information on any similar findings in relation to breaches of the national federal Commercial Television Industry Code of Practice (television code) by betting operators in South Australia is a matter for ACMA.

I note that this prohibition does not prohibit gambling advertising entirely and gambling providers are still permitted to advertise their products in G rated television programs during certain hours under the television code. The South Australian Authorised Betting Gambling Code of Practice goes beyond the federal requirement by prohibiting advertising on radio between 6am and 8.30am and on television between 4pm and 7.30pm, regardless of the rating of the program.

The Liquor and Gambling Commissioner considers all complaints made by members of the public regarding gambling advertising and has a range of disciplinary measures available to ensure enforcement. These include the issuing of an expiation notice, compliance notice, written direction or monetary fine.

Information regarding allegations of breaches by a gambling provider that have not resulted in prosecution is unable to be disclosed in accordance with section 19 of the Gambling Administration Act 2019.

CITY OF ADELAIDE EXPIATION FEES

In reply to **the Hon. S.L. GAME** (20 February 2025).

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

Councils, including the City of Adelaide, are responsible for determining the parking controls that apply on their roads, and are authorised to issue expiation notices for parking infringements on these roads.

Any person with concerns about the parking controls put in place by the City of Adelaide should engage with the council, including the council's elected members, to put their views forward.

GRAPE PRICES

In reply to **the Hon. R.A. SIMMS** (4 March 2025).

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

The government is broadly supportive of industry codes of conduct to achieve beneficial commercial outcomes within a specific commodity sector.

I note there is currently other important work being done in this space which should inform any proposed changes to the code of conduct. In August 2024, the federal government announced Dr Craig Emerson would undertake independent impact analysis of the grape and wine sector's current rules concerning fair trading, competitive relationships, contracting practices and risk allocation. I understand that Dr Emerson's report is due for publication shortly.

I am supportive that further investigation is undertaken to determine the optimal model for a national wine code of conduct to provide greater certainty in the sector.

The Department of Primary Industries and Regions (PIRSA) has been fulfilling a key role on National Viticulture and Wine Sector Working Group which has undertaken extensive industry consultation and is addressing a multitude of issues as our wine sector nationwide experiences significant hardship.

RABBIT NUMBERS

In reply to **the Hon. J.S. LEE** (4 March 2025).

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

European rabbits are a declared animal in South Australia and pose a serious threat to landholders and biodiversity. While it is the legal responsibility of the landholder to control rabbits on their property under the Landscape South Australia Act 2019, the various landscape boards have many resources available to assist landholders reduce populations. Landholders can seek assistance from their regional landscape board, which may include accessing control mechanisms or advice on management techniques that can be used.

The State Landscapes Strategy sets a goal for pest plant and animal management.

Individual landscape boards have plans that set priorities for pest animal control in each region. Each landscape board assists individuals/communities to manage localised impacts of rabbits. Individuals should refer to their local landscape board for resources and support programs that are available to control, track or manage rabbits. There are a range of online materials already available including videos and factsheets and a number of boards host public information sessions to provide the most up to date information on rabbit management to landholders. Landholders are encouraged to get in touch with their local stewardship officer for further local wild rabbit management advice.

SOCIAL WORKERS REGISTRATION SCHEME

In reply to **the Hon. T.A. FRANKS** (18 March 2025).

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

I am advised the sessions were postponed not cancelled.