

LEGISLATIVE COUNCIL**Tuesday, 28 October 2025**

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

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

*Bills***NORTHERN PARKLANDS BILL***Assent*

Her Excellency the Governor assented to the bill.

*Parliamentary Committees***RESIDENTIAL TENANCIES (MINIMUM STANDARDS) AMENDMENT BILL**

The Hon. R.A. SIMMS (14:20): I bring up the report of the Select Committee on the Residential Tenancies (Minimum Standards) Amendment Bill, together with minutes of proceedings and evidence.

Report received and ordered to be published.

The Hon. R.A. SIMMS: I move:

That the bill be recommitted to a committee of the whole on Wednesday 29 October 2025.

Motion carried.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

By the Deputy Premier (Hon. K.J. Maher)—

Notices under Acts—

Marine Parks Act 2007—Authorised Management Plan Amendment

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

Board of the Australian Criminal Intelligence Commission: Report, 2023-24
Reports, 2024-25—

Administration of the State Records Act 1997

Attorney-General's Department

Equal Opportunity SA

Privacy Committee of South Australia

Return of authorisations issued under section 52C(1) of the Controlled Substances
Act 1984

Return of authorisations issued to enter premises under section 83C of the
Summary Offences Act 1953

Summary Offences Act 1953, Part 16A

Surveillance Devices Act 2016 (SA)

Terrorism (Preventative Detention) Act 2005

By the Minister for Special Minister of State (Hon. K.J. Maher)—

South Australian Parliamentary Superannuation Board: Report, 2024-25

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

South Australian Multicultural Commission: Report, 2024-25

By Laws under Acts—

Yankalilla—No. 8—Miscellaneous Amendment

Regulations under Acts—

Building Work Contractors Act 1995—Limitations on Insurers' Liability

By the Minister for Infrastructure and Transport (Hon. E.S. Bourke)—

Regulations under Acts—

Disability Inclusion Act 2018—Community Visitor Scheme

Disability Services Act 1993—Community Visitor Scheme

Railways (Operations and Access) Act 1997—General

ANSWERS TABLED

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

VISITORS

The PRESIDENT: Just before we go to questions without notice, I would like to welcome officers from the Parliament of New South Wales who are visiting us as part of our exchange program. Welcome.

Question Time

CRIMINAL JUSTICE SYSTEM

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 Attorney-General about the integrity of South Australia's justice system.

Leave granted.

The Hon. N.J. CENTOFANTI: Today's front page of *The Advertiser* carries the headline 'Crims get easy ride' with the subheading 'Faceless bureaucrats let crooks out of jail early'. The article details the ordeal of journalist Ben Hyde, who was seriously injured in a 2021 crash, and reports that the offender responsible has been approved for early release from prison before the expiration of his non-parole period. My questions to the Attorney-General are:

1. How many offenders have been approved for release from prison on home detention prior to the expiration of their non-parole period in each of the past five years?
2. What processes are in place to ensure victims are notified, consulted and their views properly considered before such decisions are made?

The Hon. K.J. MAHER (Deputy Premier, 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. In relation to statistics, I don't have statistics that fall within the Department for Correctional Services with me, but I am happy to go away and see what can be found.

What I will try to do, if it is possible, is go beyond just the last five years and look at the whole of the last term of the Liberal government, because the policy and procedures, as departments apply home detention, is something that the former Liberal government had during the whole time they were in government but saw fit not to change, or saw fit not to have any concerns with.

Again, it is within the Correctional Services Act and the Department for Correctional Services, but my understanding in relation to the one particular part the honourable member is referring to is that no final decision has been made.

CRIMINAL JUSTICE SYSTEM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:30): A supplementary: in regard to that final decision, what processes have been in place to ensure that the victim was notified, consulted and their view properly considered?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:30): I thank the honourable member for her supplementary question. The views and the experience of victims need to be central in our criminal justice system. We have done much over the last three years to take that into account; for example, by changing legislation to make sure that victim impact statements are accepted in the way that the victims wish to put them forward to court, and not edited.

In relation to the processes that are in place in terms of informing victims, I am happy to go away and ask the correctional services department, through their minister, what is in place in relation to how they keep victims informed.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:31): I seek leave to make a brief explanation before asking the Minister for Primary Industries a question on the topic of the government's latest harmful algal bloom announcement.

Leave granted.

The Hon. N.J. CENTOFANTI: As part of the package, the government announced a \$500,000 so-called comprehensive voluntary marine scalefish fishery licence surrender study to examine the long-term sustainability of the fishery, including a buyback analysis. My question to the minister is: can the minister explain why the government has not committed to a voluntary buyback program or alternative structural adjustment measures for the marine scalefish fishery in Spencer Gulf?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:32): The reason for the study is quite simple: so that we don't make the same stupid mistakes that the former government made when they reformed the marine scalefish fishery. They did the reform, and when we came into government and when I became minister—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —if I recall correctly, SACAT determined that the former minister, the minister in the Liberal government, made decisions that had no legislative basis.

We are very keen to support the marine scalefish fishery, as indeed we are very keen to support the sustainability of all our fisheries across the state, and we have been in discussions with the commercial sector now for quite some time in regard to what a potential buyback may look like. It is important to do the work—something those opposite clearly do not understand—because there will be a number of different implications.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: Under the former reform, the then government aimed to remove, if I recall correctly, 150 licences. They managed to do only two-thirds of that. Therefore, there were a number of issues remaining in the marine scalefish fishery before the algal bloom. That is why the work needs to be done, so that we can understand the impact on the economic sustainability of the fishery as well as the impact on the price of seafood, for example, and the impact on the cost-recovery process.

There is a large amount of work to be done. The sector is supportive of working with government to achieve an appropriate and robust investigation into how it can best be done, and we will do that work.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:34): Supplementary: how long does the government expect the voluntary marine scalefish fishery licence surrender study to take, and will its findings be made available to industry and to the public?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:34): We are working very closely with industry, as we have been for some time. It is something that they are supportive of, and I think we have said publicly that we expect to have that complete by June next year.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:34): My question is to the Minister for Primary Industries on the topic of the algal bloom fish recovery plan. When did the government consult RecFish SA and, indeed, the Marine Scalefish Fishery Management Advisory Committee regarding the fishing restrictions announced on 23 October this year?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:35): I find it quite remarkable that those opposite ask a question in regard to RecFish SA, which they removed from being the peak body—removed from being the peak body—when they were in government. They instead set up an alternative, which itself fell apart.

Members interjecting:

The PRESIDENT: Order! The Hon. Ms Girolamo!

The Hon. C.M. SCRIVEN: The Leader of the Opposition in this place is getting confused between the various committees, so she might like to go back and just check her acronyms. They got rid of RecFish SA as the peak body. We have reinstated them and we have had numerous discussions over many, many matters. In regard to the recent changes to the bag and boat limits, we needed to work on the best available science that we had, the best data that we have.

It's clear that that data continues to come in. We have an unprecedented harmful algal bloom here in South Australia. We have been doing rapid stock assessments. That work is continuing, continues to come in, and as I have said in media, as the Premier has said in media and in other forums, we are keen to adapt as we can as new data comes in or as further data becomes available to us. We will continue to do that.

The important part of the reforms that we are discussing here—the temporary restrictions on four species in the Spencer Gulf for recreational fishing, which is a 50 per cent reduction in the bag and boat limits of four species and a 50 per cent reduction in all other species in Gulf St Vincent, as well as the closing of Gulf St Vincent to commercial fishing—is this is all about sustainability of the fisheries going forward. None of this is an exact science, and anyone who pretends it is is not being honest and not being transparent. We are continuing to get new information in. We will work on that information and we will make decisions accordingly.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:37): Supplementary: will fishers be given access to the scientific data that the government used to support fishing restrictions and, if so, when?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:37): In our media release last week, we released details of the depletions in a number of different stocks. We talked about what the reductions were in terms of catch and of course additional information was provided to the task force, all of which we are keen to continue adding to as more data becomes available.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:37): Further supplementary: is it true that your government failed to co-design management through the required Marine Scalefish

Fishery MAC that RecFish SA sits on and implemented a 50 per cent cut to recreational bag limits with less than 14 hours' notice?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:38): What we have done is acted on the data and the advice that we have. What we have is an unprecedented situation. It's fairly remarkable that those opposite are complaining that we haven't gone through particular processes, but if we had not acted once we received the data—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —just imagine what their criticisms would be. Imagine what their criticisms would be then.

Members interjecting:

The PRESIDENT: I was going to stand up so that everyone would be quiet. Continue.

The Hon. C.M. SCRIVEN: Thank you, Mr President. As I have said, we have worked on the principle of sustainability being the number one goal. If those opposite think that sustainability is not important, then they should tell South Australia so.

Members interjecting:

The PRESIDENT: Order! It's not a conversation. It's question time. The Hon. Mr Martin, hopefully you have a question.

VAN DE VELDE, MR S.

The Hon. R.B. MARTIN (14:39): I do have a question, and it is for the Attorney-General. Will the Attorney-General please inform the council about the outcome for the child sex offender from the Dutch volleyball team who wanted to compete in the Beach Volleyball World Championships happening here in Adelaide next month?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:39): I thank the honourable member for his question. As most members in this chamber will be aware, convicted child sex offender Steven van de Velde, who is a member of the Dutch volleyball team, planned to compete in the Beach Volleyball World Championships, which are happening in Adelaide from 14 to 23 November. Whilst I won't repeat all of the details of his horrific offending, members may recall from reporting that it was utterly deplorable conduct, and he is not a person that this government nor I think any reasonably minded South Australian would welcome or indeed want in this country or this state under any circumstances.

The granting of visas is a matter entirely for the federal government, so about a fortnight ago I wrote to the Minister for Home Affairs, the Hon. Tony Burke MP, to convey the South Australian government's very firm view that Mr van de Velde was not welcome in South Australia and to urge consideration be given to not grant the visa application to allow entry to this country and travel to this state. I am pleased to share with the council that today it was announced that Mr van de Velde was denied a visa for entry into South Australia, so he will not be competing here in the Beach Volleyball World Championships.

This is a good outcome not only for the South Australian community as a whole but also for the Beach Volleyball World Championships. The championships are a fantastic event, celebrating the world's best volleyball talent and South Australia's beautiful natural surrounds, and I am pleased that this family event is no longer threatened or overshadowed by the potential presence of a vile child sex offender in the competition.

As a government we have brought in some of the toughest laws against child sex offenders in South Australia in this term. We have legislated to ensure serious repeat child sex offenders are locked up for the rest of their lives until they can prove they are no longer a danger to the community. We have increased penalties for a range of child sex offences, such as increasing the maximum

penalty for gross indecency with or within the presence of a child from five to 15 years. We have passed legislation to allow for a child sex offender register, and we have banned child sex offenders from working in places that also hire children.

To be clear, if this person had come to South Australia and committed the same offences again, there is a very good chance he would be locked away for the rest of his life. This government will continue to do what we can to keep the community safe from child sex offenders, and these laws demonstrate how seriously we take that commitment.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:42): I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries and Regional Development on the topic of transparency and accountability in managing the algal bloom.

Leave granted.

The Hon. T.A. FRANKS: On 3 June in this place, in response to a question about the algal bloom, the minister informed this council that levels of brevetoxin initially detected in Stansbury were 'below the regulatory limits'. She also went on to inform the council that brevetoxins had also been detected in shellfish from harvesting areas of Coobowie, Port Vincent and American River and within the exclusion zone and went on to note the South Australian biotoxin management plan was in place.

As a supplementary, I asked the minister specifically what brevetoxin groups and levels had been detected. That was, now, 147 days ago. I have repeated this question twice since then in this place, and we are still awaiting an answer. My question to the minister is: what specific brevetoxin groups and levels were detected at that time, 147 days after she first spoke to this council about this issue?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:43): I thank the honourable member for her question. My understanding was that questions that had been asked had been responded to. I'm happy to follow that up with my department and bring back a response.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:44): Supplementary: what brevetoxin groups and levels were detected? Does the minister not know the answer to that question? Surely she has had enough time to know the answer to that question and inform the council today?

Members interjecting:

The PRESIDENT: Order! It is not a supplementary question.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:44): Supplementary.

The PRESIDENT: Okay, I will listen to this one.

The Hon. T.A. FRANKS: Has the minister bothered to ask for the answer to that question?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:44): Obviously, yes.

Members interjecting:

The Hon. C.M. SCRIVEN: That's what I'll inquire about. My understanding was the answer had been provided, as I said.

SOUTH EASTERN FREEWAY ROCKFALL RISKS

The Hon. J.S. LEE (14:44): I seek leave to make a brief explanation before asking a question of the Minister for Infrastructure and Transport regarding hazardous rockfall risks on the South Eastern Freeway.

Leave granted.

The Hon. J.S. LEE: The Department for Infrastructure and Transport has identified 14 slopes along the South Eastern Freeway as hazardous, following a risk assessment conducted over a 78-kilometre stretch. Despite all 14 slopes receiving the same risk rating, only three sites—at Leawood Gardens, St Ives and Callington—will receive remediation works due to budget constraints. The remaining 11 hazardous slopes, including two near Summit Road bridge at Mount Barker Summit, will not be treated at this stage. The department has not disclosed the locations of the other nine hazardous sites, and the total budget allocated for the works remains unclear. My questions to the minister are:

1. Why has the department chosen to remediate only three of the 14 hazardous slopes identified, despite them all receiving the same risk rating?
2. What is the total budget allocated for rockfall mitigation works on the South Eastern Freeway, and will additional funding be sought to address the remaining hazardous sites?
3. Can the minister confirm the locations of the remaining nine hazardous slopes, and whether any of those pose a risk to high traffic or residential areas?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:46): I thank the honourable member for her question. I am advised by the Department for Infrastructure and Transport, which undertakes slope stability assessments as part of their routine inspection program and ensures our road networks remain safe for all motorists, that slope remediation works are prioritised using a nationally recognised risk assessment model. I am further advised of 109 rock slopes assessed along the South Eastern Freeway. Three priority slopes between Mount Osmond and about five kilometres east of Callington were identified. I understand remediation works are planned at these three locations as part of the 2025-26 budget.

SOUTH EASTERN FREEWAY ROCKFALL RISKS

The Hon. B.R. HOOD (14:47): Supplementary: how does the government and its department quantify the percentage of risk it is willing to expose freeway motorists to before the other nine locations will be prioritised?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:47): As identified in my answer, three have been seen as a priority. They are sites that are referred to as sites 11, 82 and 100, and are proposed for remediation between 2025 and 2026.

SOUTH EASTERN FREEWAY ROCKFALL RISKS

The Hon. B.R. HOOD (14:47): Supplementary: will the minister reveal the other nine locations for the public to be alert and aware?

The PRESIDENT: Minister, you talked about a number of locations, so you can provide the answer that you want.

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:48): As I have said, there have been three that have been identified that I am advised of as priority, and they will be the ones that will be addressed within this budget period.

ALGAL BLOOM

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:48): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries on the topic of algal bloom.

Leave granted.

The Hon. H.M. GIROLAMO: On 23 October, the government published a media release saying stock assessment of the waters of Gulf St Vincent, Kangaroo Island and Spencer Gulf have shown declines of some species, including calamari, garfish and King George whiting, particularly in Gulf St Vincent. My question to the minister is: when did the government receive stock assessments showing the decline of some fish stocks, and will the government make this data publicly available?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:49): I thank the honourable member for her question. We

commissioned a number of stock assessments. Members may be aware that some of the work in regard to those have been done by commercial fishers who would otherwise not be able to be bringing in an income.

In fact, I was at an algal bloom forum last week, I think it was, at Port Parham. One of the commercial fishers who attended commented very positively on how useful that had been not only in terms of the economic benefit but also in terms of the wellbeing of the fishers, who are obviously severely affected by this harmful algal bloom. The data continues to come in, and we continue to assess that data and make decisions accordingly.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:50): Supplementary: as that data comes in, will it be published?

The PRESIDENT: You mentioned the data, minister.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:50): I did. We will provide the appropriate information.

ALGAL BLOOM

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:50): Supplementary: when will that information be provided?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:50): It is unclear which information the honourable member is referring to.

ALGAL BLOOM

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:50): Supplementary: when will the information relating to calamari, garfish and King George whiting be made available, and will it be tabled in this parliament?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:51): I know that at present that information is cabinet-in-confidence because it has been provided to the Harmful Algal Bloom Taskforce and to the cabinet. I will take it on notice in regard to the member's question.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:51): Supplementary arising from the original answer: when the fishers were contracted to do this work, were they told that the information would be kept secret?

The PRESIDENT: Minister, you did talk about your interaction with the fishers.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:51): I wasn't part of personally engaging those fishers to do the work and doing the contracts. That's not the role of the minister.

GREEN TRIANGLE TIMBER INDUSTRY AWARDS

The Hon. J.E. HANSON (14:51): My question is to the Minister for Forest Industries. Will the minister update the council on the recent Green Triangle Timber Industry Awards night held in Mount Gambier last week?

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. I am delighted to update this place about the Green Triangle Timber Industry Awards night held at The Barn in Mount Gambier last Friday evening. This event is held once every two years and celebrates all parts of the forest industry: plantation, harvesting and haulage, timber processing and manufacturing, training, research, innovation and policy. This year's event was the biggest on record, with 520 people from the forest industry in attendance. 2025 is a particularly important year for the industry as it celebrates 150 years of commercial forestry that was pioneered here in South Australia.

I was proud to be able to present a number of awards and speak about the South Australian government's commitment to the forest industry in our state. I would like to congratulate award winners from the following categories. I was very pleased to announce two Timber Legends: Mr Laurie Hein, who I have had a long association with in the timber industry, and Mr Stephen Van Schaik, who is well known for his circular economy work. For safety excellence, the winner was Steve Allen. The Trainee/Apprentice of the Year was Hayley Grigg. The award for logistics excellence was won by Kessah Moore; for sawmilling and processing excellence, Andrew Hoath and Edwina Vulcz; for harvesting and in-field excellence, Adam Jennings; and for silviculture and plantation management, Noel Bull.

Tara Bonney won the Environment and Sustainability Excellence Award, and LITA Training won the Industry Support Services Award. For safety excellence, the award for less than 30 staff went to Hazelwood Forestry, and the award for safety excellence for more than 30 staff went to Merrett Logging. It was a very popular choice. The three Merrett brothers were certainly entertaining in their discussion with the MC.

I acknowledge the tremendous talent and commitment of everyone who attended this special event who shape the forest industry, as well as other guests, including the Hon. Ben Hood from this place. The South Australian forest industry plays a pivotal role in the state's economy, social fabric and environmental sustainability. From supporting local economies through employment and trade to contributing to the reduction of carbon emissions and enhancing biodiversity, the forest industry provides a range of economic, social and environmental benefits.

The state government is committed to the forest industry and will continue to work in partnership with the industry into the future, as we have done for these past four years. I am proud of the continued investment that the Malinauskas government is providing in the forest sector and the way we have worked in collaboration to deliver a suite of election commitments that will underpin the sector's aspiration to grow and expand the industry's value.

Of course, events like this do not occur without an enormous amount of work behind the scenes: time, energy and preparation. For that, I would like to congratulate and thank the organising committee members: Adrian Flowers, Daniel Rosenthal, Jack Whitehead, Wayne Millard, Sheryl Vickery, Tim Williamson, Courtney Pink, Zach Westwick and Gaylene Newton. Your work has delivered another outstanding event, congratulations.

WEATHER FORECASTING

The Hon. S.L. GAME (14:55): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries and Regional Development regarding the government providing better weather data for South Australian grain farmers.

Leave granted.

The Hon. S.L. GAME: The Bureau of Meteorology's website has undergone a \$4 million revamp that went live last week. In a related report in *The Advertiser* on 25 October, Grain Producers SA Chief Executive, Brad Perry, said his group, which represents four and a half thousand of the state's grain growers, would rather see that investment in accurate weather forecasting than the bureau's website. In its 2025-26 budget submission, Grain Producers SA called for funding for Eyre Peninsula to have its own Doppler radar, a specialised tool which, in addition to giving the location of objects like precipitation, can also calculate the speed and direction of those objects, providing high quality and accurate data.

Earlier this year, RDA Eyre Peninsula reiterated its goal of securing a Doppler radar for the region, rather than rely on information from Adelaide plus a radar in far west Ceduna, while way back in 2020 the then mayor of Port Lincoln also outlined the case for a Doppler radar in the region. My questions to the Minister for Primary Industries and Regional Development are:

1. Given the difficult South Australian farming conditions of the past two years, the fact that the Western Australian government has funded a Doppler radar and ongoing negativity about the presentation and accuracy of the BOM website, will the government commit to funding a Doppler radar for the crucial grain growing region of Eyre Peninsula, which provides nearly 50 per cent of the state's grain output?

2. What message does the continued refusal to fund a Doppler radar send to the Eyre Peninsula community and, more broadly, to South Australian food producers?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:57): I thank the honourable member for her question. I recall being contacted by, I think, the council, but also a number of discussions with Grain Producers SA and others on Eyre Peninsula, including when I visited there probably 18 months ago. If I recall correctly, I wrote to the relevant federal body seeking a Doppler radar to be installed on Eyre Peninsula or, if not, an explanation as to why that was not considered appropriate. I am happy to look back on what that was and continue to advocate on this matter.

FISHING RESTRICTIONS

The Hon. J.M.A. LENSINK (14:57): My question is to the Minister for Primary Industries on the topic of fishing restrictions. What criteria or scientific thresholds need to be met for fishing restrictions to be either lifted earlier or further extended?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:58): There is a provision for exceptional circumstances in fisheries' management and, obviously, the harmful algal bloom is an exceptional circumstance.

FISHING RESTRICTIONS

The Hon. J.M.A. LENSINK (14:58): Supplementary: does this include ensuring that fishing restrictions are proportionate to the actual algal bloom impact on stocks without being unnecessarily prolonged or applied without scientific advice?

The PRESIDENT: Minister, if you can provide information, I guess that would be helpful.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:58): Sure. I thank the honourable member for her supplementary question. I think what she is failing to appreciate is that sustainability needs to be the overriding principle here. We have an unprecedented algal bloom and therefore the impacts on our fish stocks are also unprecedented. The algal bloom continues to be a changing phenomenon, as we have seen over the past six or seven months or so, and so the impacts of the algal bloom are continuing to unfold. Until we know the full impacts we obviously can't have the full picture. What we are doing is attempting to get as much information as possible and as much data as possible, and make decisions accordingly.

TORRENS TO DARLINGTON PROJECT

The Hon. R.P. WORTLEY (14:59): My question is to the Minister for Infrastructure and Transport. Will the minister inform the chamber about the recent Torrens to Darlington milestone?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:59): I thank the honourable member for his question and interest in this particular milestone, which is creating the \$15.4 billion nonstop north-south corridor project. South Australians can see that we are building, and they can see that as a state we are building big. Each tunnel boring machine for this project will be approximately 100 metres in length and 15 metres in diameter, roughly the height of the Thebarton Theatre, or the goalposts at the Adelaide Oval.

The centrepiece of the first TBM cutter head, an enormous structure spanning nine metres in diameter, made its arrival after navigating its way through a coordinated 28-kilometre track to Clovelly Park. Starting from Port Adelaide, the cutter head was carefully transported using a specialised truck and trailer set-up. To make way for the cutter head's sheer size, crews implemented progressive road closures, and nine sets of traffic lights had to be temporarily removed—and then later reinstalled—because the cutter head simply could not fit through these intersections.

It was anticipated that this journey would take about five hours but thanks to weeks of planning and care it arrived within three hours, just after midnight. I felt incredibly lucky to be part of this convoy and watched people who had lined South Road, young and old, some in their pyjamas, some with cameras, some watching in order to say, 'We were there to follow the widest piece of the TBM as it made its way along South Road.'

There were people like Mel and Rick. Mel was from Queensland and joined her brother Rick on the corner of Henley and South roads. Deckchairs were out, a camera was ready and a snack pack was already available for anyone who wanted to drop by. They told me that they wouldn't have missed it for the world. They said, 'This is a moment in South Australia's history and we want to be part of it.' There was also Michael, who had arrived hours and hours earlier, before this incredible piece of machinery arrived. He knew every fun fact about TBMs. He followed the convoy for the last 20 metres, walking frame and all, proudly sharing his knowledge about this incredible machine and what it means for our state.

That is the kind of pride and ownership these projects inspire. It is not just about the concrete and steel; it is about what this project means to so many South Australians. They can see our state growing up and they can see that we are becoming a big state that enables projects like this to be achieved. Now, as the massive cutter head is being assembled, in the next year it will travel back on a very similar route that it travelled on Saturday night, but underground, to help build Australia's largest infrastructure project ever: a project that will complete the north-south corridor, bypass 21 sets of traffic lights, and support 5,500 jobs every year during construction.

South Australians have another chance to be part of that story by helping to name the three tunnel boring machines. We are calling on South Australians to leave their mark on history by nominating proud, trailblazing South Australian women who capture the spirit of our state. Traditionally, these machines receive female names, a naming tradition that dates right back to the 1500s when miners prayed to St Barbara, the patron saint of miners, to protect people underground.

You can enter your name on the T2D website on the name of the tunnel boring machine page, and I encourage everyone in this chamber to participate. It is a chance to leave your mark on a piece of history and to help shape the future of how we move across our state, because South Australia is building and we are building big.

TORRENS TO DARLINGTON PROJECT

The Hon. R.A. SIMMS (15:03): Supplementary?

The PRESIDENT: I am not sure where we get a worthy supplementary question out of that answer because it's probably one of the worst Dorothy's I have heard. Please, minister, don't do that again—people in pyjamas! Give me a break.

The Hon. R.A. SIMMS: How much did the state government pay for the boring machines, and what is the overall state government contribution to the north-south corridor project?

The PRESIDENT: I'm not sure that any of that was in the answer—I heard pyjamas and deckchairs—but, minister, if you want to have a crack.

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:04): I apologise to the President, who is not wanting to hear about the biggest infrastructure project we have ever had in our state.

The PRESIDENT: Okay, sit down. The Hon. Ms Bonaros.

Members interjecting:

The PRESIDENT: No; the Hon. Ms Bonaros. I have had enough of that.

VICTIMS OF CRIME FUND

The Hon. C. BONAROS (15:04): I seek leave to make a brief explanation and welcome a very detailed response from the Attorney-General on an issue regarding the state's Victims of Crime Fund.

Leave granted.

The Hon. C. BONAROS: The Victims of Crime Fund, as we know, provides compensation to victims for medical expenses and economic loss, amongst other forms of compensation. The Auditor-General's Report 8 of 2025, Part C: Agency Audits, indicates that the balance of the fund as at 30 June 2025 is actually \$251.2 million, a \$27.3 million increase from the previous year's balance. The report indicates a total 2024-25 expenditure in victim compensation and legal payments of

\$29.2 million. Based on the advice I have, that is an all-inclusive figure, including financial loss and other forms of compensation payable from the fund.

The amounts recovered directly from offenders in that same period totalled \$1 million. A further \$8.5 million was recovered from offenders under the Criminal Assets Compensation Act 2005, and by way of levies the total Victims of Crime Fund income was a further \$71.1 million and included levies of \$46.3 million and revenues from the SA government of \$10.4 million. Legal commentators and the Law Society have rejected the Attorney's framing of the fund as a scheme of last resort, noting of course that, for many victims who apply under the scheme, it is in fact the only resort.

A 25 per cent increase on the Auditor-General's figures of \$29.2 million paid out in compensation in 2024-25 produces a figure of around \$37 million overall. My questions to the Attorney are:

1. What modelling, if any, has been done to actually quantify the cost to the scheme if the 25 per cent legislative cap that currently applies was removed and legal fees were increased?
2. Does the Attorney accept that the absolute worst-case scenario, based on those figures I have just provided, can't exceed a figure of about \$8 million to \$10 million-odd in terms of payments, and that only a component of that \$8 million to \$10 million will actually go towards financial loss and legal fees?
3. Will the Attorney correct me if I am wrong and undertake to provide an accurate breakdown of expenditure on legal representation and financial loss to quantify the actual costs of removing current legislative barriers that exist on both fronts?

The Hon. K.J. MAHER (Deputy Premier, 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 questions. We don't have a current policy as a government to change the way the payments are disbursed from the fund. I think there are a couple of things that are important to keep in mind.

Yes, the payments from the fund to individuals who are victims of crime is a central component of the purpose of the fund. Considering that victims of crime is something that has been very important work in South Australia and that we have been the world leading jurisdiction in doing so, including with our victims of crime scheme and legislation, there are other things that come out of the fund, such as support for victims in the courts system, forensic and medical services counselling for victims and survivors of rape and sexual assault, amongst other things that the fund pays for.

But, really importantly, moneys have come out of the fund in relation to victims of institutional sexual abuse. The participation in our National Redress Scheme for Survivors of Institutional Child Sexual Abuse is something that the Victims of Crime Fund has been used to pay for. The former government made an initial payment of just under \$150 million from the fund. Around about a year ago, in the last Mid-Year Budget Review, there was a further \$135 million provided from the Victims of Crime Fund for the National Redress Scheme.

I am quite certain that there will be further calls on the Victims of Crime Fund for the National Redress Scheme. The National Redress Scheme is accepting applications up until 30 June 2027. I think there is an acceptance that there will be significant amounts of applications made in the lead-up to the closing of the scheme. It wouldn't be prudent for the government to run down the fund so that the National Redress Scheme couldn't be accounted for.

As I have said, it is in the order of hundreds of millions of dollars that have already been paid from the Victims of Crime Fund over recent years into the National Redress Scheme. I am certain we are going to have to put in more and I don't want to see a situation where we don't have the ability to do that.

VICTIMS OF CRIME FUND

The Hon. C. BONAROS (15:10): Supplementary: will the Attorney undertake to provide an accurate breakdown of expenditure from the fund for all forms of compensation that have been paid out from it?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:10): I am happy to take that on notice and see what can be provided.

ALGAL BLOOM

The Hon. B.R. HOOD (15:10): I seek leave before asking a question of the Minister for Primary Industries on the topic of the algal bloom.

Leave granted.

The Hon. B.R. HOOD: Given the decision to invest \$4 million in saltwater fish restocking and \$3 million in threatened species breeding, is the minister confident that these breeding and restocking programs will be successful, given the previous mass mortalities of oyster spat and snapper fingerlings at SARDI's South Australian Aquatic Sciences Centre in West Beach?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:11): I thank the honourable member for his question. The saltwater breeding programs are an important part of the commitments that our government has made, in partnership with the federal government, to support industries and to support our communities and our environment through this harmful algal bloom. SARDI has a strong track record in breeding programs for things such as snapper. We have released, I think from memory, more than 450,000 snapper fingerlings into the two gulfs previously, and obviously the breeding program going forward for that is incredibly important.

There are other species where it is far more difficult to have a successful breeding program based on the experience not only here in South Australia but in other jurisdictions around the country. However, we are obviously investing in two specific species that are likely to have the best outcomes and we will continue to draw on the wealth of expertise to help in addressing this harmful algal bloom.

ALGAL BLOOM

The Hon. B.R. HOOD (15:12): Supplementary:

1. Can the minister advise how the mortalities at the SARDI West Beach facility have impacted the snapper breeding restocking program?

2. Is it true that there are current spawning issues with that snapper program?

The Hon. C.M. SCRIVEN: What was the first part of the question?

The PRESIDENT: The Hon. Ben Hood, repeat your question, please.

The Hon. B.R. HOOD: Can the minister advise how the mortalities at the SARDI West Beach facility have impacted the snapper restocking program?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:13): I thank the honourable member for his supplementary question; however, I think it is a previous question. If I recall correctly, he asked me the last sitting week, or perhaps the one before, or someone from the opposition did, in regard to that and I agreed to take that on notice.

I think it is important, though, to be conscious of the different conditions that are necessary; for example, in terms of the snapper breeding program, fingerlings will only be released into certain environmental conditions and in certain seasons. Therefore, that breeding continues and we look forward to being able to assist—particularly once the harmful algal bloom has passed, as we certainly all hope it will sooner rather than later—in continuing those stocking programs.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (15:14): Supplementary: has the minister bothered to ask her department whether there are current spawning issues with the snapper program?

The Hon. I.K. Hunter: Wasn't part of the original.

The PRESIDENT: No. You can answer it if you want.

FIRST NATIONS BUSINESS SHOWCASE

The Hon. T.T. NGO (15:14): My question is to the Minister for Aboriginal Affairs. Can the minister tell the council about the First Nations Business Showcase event?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:14): I thank the member for his very concise question, and am pleased to update the council on The Circle First Nations Business Showcase. This showcase, now in its fourth year, is the largest event of its kind for First Nations businesses in South Australia.

The showcase, organised by The Circle, offers a platform to highlight the many opportunities for collaboration not only amongst First Nations businesses but also between government, non-government, industry and First Nations entrepreneurs and businesses. Over the last few years, the event has provided an opportunity to strengthen networks, build visibility, and help First Nations entrepreneurs grow and thrive. This was my fourth year attending the event, and it was particularly poignant to do so during National Indigenous Business Month, a national initiative held every October to promote the role of First Nations businesses in driving economic empowerment.

This year's Indigenous Business Month theme is 'Strength through Collaboration'. The theme resonated throughout the showcase, with in excess of 100 First Nations businesses participating across the state. I was incredibly proud of the business owners and the achievements they have made and continue to make. It was inspiring to see a wide range of Aboriginal businesses across a very wide range of sectors, including health, tourism, native produce, creative industries, financial services and many more.

I extend my congratulations to all the entrepreneurs who took part, and to the event organisers for their commitment to a vision where economic empowerment is central to progress. It is reported that not only is it important for First Nations owned and controlled businesses to succeed, but a First Nation owned and controlled business is approximately 100 times more likely to employ First Nations people within its business, thus creating further opportunity.

HISTORICAL FORCED ADOPTION PRACTICES

The Hon. R.A. SIMMS (15:16): I seek leave to make a brief explanation before addressing a question without notice to the Attorney-General on the topic of historical forced adoption practices.

Leave granted.

The Hon. R.A. SIMMS: The National Archives of Australia estimates that around 150,000 adoptions took place in Australia between 1951 and 1975, a significant number of which were forced adoptions. Just last week, the Tasmanian state government announced that they were establishing a redress scheme to provide a trauma-informed avenue for redress payments for mothers who were subject to historic forced adoption practices. Tasmania will now become the second jurisdiction to adopt a redress scheme, following Victoria in 2024.

My question to the Attorney-General therefore is: will the Malinauskas government commit to establishing a historical forced adoption redress scheme for the South Australian mothers who were subject to forced adoption practices so that they can finally have justice?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:17): I thank the honourable member for his question. I think this falls into the ministerial area of my colleague the Hon. Katrine Hildyard, the member for Reynell. I am happy to have some discussions with my ministerial colleague. I am not aware of a program in South Australia, but I am happy to discuss what future plans there could possibly be.

ALGAL BLOOM

The Hon. F. PANGALLO (15:18): My question is to the Minister for Primary Industries on the topic of the algal bloom. Has the government assessed the potential economic and social impacts that a 50 per cent reduction in bag limits for key species may have on regional tourism and related

industries, including charter boat operators and accommodation providers? Specifically, has any modelling been undertaken to anticipate potential cancellations or declines in bookings?

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. The impacts on coastal communities are a key part of our government's response to the algal bloom. In terms of the specific arrangements in regard to fishing, both commercial fishing and recreational fishing, we have very much been conscious of how to continue to allow recreational fishing at appropriate levels so that regional communities, particularly those coastal communities that rely on fishing in a significant way for their tourism, can continue.

In terms of the 50 per cent reduction to four species in the Spencer Gulf, we have enabled recreational fishing to continue. Of course those who like to fish for those particular four species are disappointed. I have also seen on social media recreational fishers who have said that their experience is about the experience on the water, going out for a day's fishing, and that they personally, those individuals, won't be impacted by the reductions in the bag and boat limits.

Those individuals say that it is about the experience of being on the water and that they very rarely catch their bag limit. I certainly know that there are a lot of recreational fishers—perhaps some in this chamber—who are very unlikely to catch a fish, however hard they try, and therefore that they won't be affected. On the other hand, of course, there are avid fishers who will very frequently reach their bag or boat limit, and they are understandably very disappointed.

We need to try to get the balance right, and I have said in many public forums and media that it's not an easy balance to achieve. We want to have sustainable fisheries, and that is one thing that all the fishers across the state, whether they are recreational, commercial, charter boat or traditional, are keen to see, that we have sustainable fisheries going forward. The harmful algal bloom is unprecedented. We are still understanding its impacts, which are changing all the time, and so therefore we will make the best decisions we can based on the data that we have.

It's also an interesting question in terms of its implications from those opposite, given that last Friday the Leader of the Opposition in this place said that this all should have been done sooner. 'It should have been done sooner,' they said. I would ask, 'What modelling did they do?'

The Hon. N.J. Centofanti interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: What modelling had those opposite done to say that this all should have been done sooner? What stock assessments?

The Hon. N.J. Centofanti interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: What evidence? What data were they relying on? It would appear they were relying on none. They were putting their finger in the air, feeling the wind and making their decisions.

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: Now, on the one hand they claim we should not have made any decisions without going through the MSFMAC or without doing modelling. On the other hand, they are saying, 'No, you should have done this a long time ago.' They can't have it both ways. They can't have it both ways. They are showing their insincerity—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —and their attempt to politicise what is a devastating impact of the algal bloom across our state.

MOUNT GAMBIER SHOW

The Hon. R.B. MARTIN (15:23): My question is to the Minister for Primary Industries and Regional Development. Will the minister please provide the council with an update on her recent visit to the 2025 Mount Gambier Show?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:23): I thank the honourable member for his question. Over the weekend, on Friday and Saturday, I was delighted to be able to attend the Mount Gambier Show, which also happens to be my local show and is one of a number of regional agricultural shows that I attend each year. The Mount Gambier Show is a great example of the community spirit of our agricultural communities across South Australia. It was established back in 1860.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Attorney!

The Hon. C.M. SCRIVEN: The Mount Gambier Agricultural and Horticultural Society held the very first Mount Gambier Show back in 1861—

The Hon. R.B. Martin interjecting:

The PRESIDENT: The Hon. Mr Martin!

The Hon. C.M. SCRIVEN: —making it one of the longest running regional shows in South Australia. I am told, however, that apparently the very first Mount Gambier Show was disastrous, nearly preventing the annual show from getting off the ground. Heavy rain in spring in 1861 prevented the festive mood, with the show held in a muddy paddock and having low attendance numbers, but the Mount Gambier Agricultural and Horticultural Society persevered and, critically, made some location changes, which helped attendance numbers.

Before long, the show became a large affair, with locals and residents of surrounding areas, including Millicent and Beachport, flocking to Mount Gambier to attend the show, back in those days, of course, all wearing their Sunday best. Originally there were two shows, held in spring and autumn, but with the spring show being more popular, the autumn show was eventually phased out.

I would like to acknowledge everyone who has contributed to the Mount Gambier Show over the years for it to become the successful and much-loved event that it is today. Friday's weather was quite fine and, despite the rain and chilly weather somewhat on Saturday, the show was an enormous success. Usually around 10,000 people attend the show from South Australia and across the border in Victoria. The main features include the trade exhibits, beef and dairy cattle, horses, sheep, yard dog trials, wood chopping, budgerigars and the poultry show. The show is continually evolving and adding new features and entertainment.

This year, there were 38 free activities included in the ticket to the show, enabling a fun day out for families. Importantly, the Agricultural Learning Centre program, run by local high school students, offered a hands-on farming, animal and agricultural experience, helping children learn about agriculture through both static and interactive exhibits, presentations and activities. I think getting young people interested and involved in farming and food production is key to ensuring the future success of agriculture in South Australia.

Shows such as the Mount Gambier Show play a key role in engaging people in agriculture and help people to reflect on where our food and fibre come from. The Mount Gambier Show provides a reminder of how important agriculture is to South Australia and that South Australian farmers produce the high-quality food and fibre that our state is world renowned for. In addition, country shows bring the community together, strengthen local pride and provide an opportunity for regional residents to enjoy the creativity and talent of the people in their local community.

The Limestone Coast is home to a diverse agricultural industry, supported by usually high rainfall and fertile soils along with underground water resources. Our key products include premium wines from many local regions, with Coonawarra, Padthaway and Wrattontully being particularly well known, as well as beef and grains. We are also home to a large percentage of the state's dairy cattle.

Of course, the state's forest and timber industry in the Limestone Coast is Australia's leading producer of wood products for domestic use.

Mount Gambier and the Limestone Coast have a lot to be proud of, and the show is a perfect way to put our incredible products on display. Congratulations to everyone who helped to put together this year's Mount Gambier Show, making it a fantastic weekend for all.

VETERINARY SERVICES LEGISLATION

The Hon. T.A. FRANKS (15:27): I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries and Regional Development on the topic of the Veterinary Services Act 2023.

Leave granted.

The Hon. T.A. FRANKS: Recently in this place, I tabled two documents about complaints made about the Angle Park Veterinary Clinic, which has some connection with greyhound racing in this state but also treats a variety of animals and certainly not just greyhounds. There were serious allegations made by former staff of Greyhound Racing SA in those documents, and I have forwarded the documents that I tabled in this place to the South Australian veterinary board. The workers who had made these complaints had previously forwarded their complaints to the South Australian veterinary board. Indeed, my office is now actually being inundated with owners and former owners of animals, including service dogs and other animals—not just greyhounds—complaining about the operations and particular vets at this clinic.

In 2023, this council passed the Veterinary Services Act. It was assented to by the Governor in 2023. More than 22 months later, it has yet to be enacted. That act, as you well know, provides for complaints, investigations and proceedings to be better handled and particularly for the composition of the South Australian veterinary board to be modernised. It would replace an act from 2003 and regulations from 2017. Therefore, my question to the minister is: when will we see the new Veterinary Services Act actually enacted by this government to do the job that we need it to do to protect the animals of this state?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:29): I thank the honourable member for her question. In answer to the final part of the question, it will be coming to fruition as soon as the regulations are complete. My advice is, including from the veterinary services board, that there is a lot of work to be done in regard to those regulations because there are significant changes.

In terms of the matter of the greyhounds, my advice is that the Registrar of the Veterinary Surgeons Board of South Australia was contacted by Angle Park Veterinary Clinic on 17 October 2025 to provide the board with notice that they had been contacted by George Yankovich, an ABC reporter, who had emailed them in relation to documentation tabled in parliament on 16 October by the Hon. Ms Franks titled, 'Further reported concerns and the Angle Park Veterinary Clinic'.

I am advised that the Angle Park Veterinary Clinic provided the registrar with a copy of the email and the documentation which had been tabled on the same day. The registrar reviewed the documentation which had been tabled, noting it was the same report which had been provided to the board as evidence as a notification from July 2024. I am advised the board commenced an investigation. I am further advised that the Hon. Tammy Franks has forwarded the report directly to the board, which responded directly on 24 October 2025.

Bills

HIGHWAYS (WORKS FOR RESIDENTIAL DEVELOPMENTS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 16 October 2025.)

The Hon. S.L. GAME (15:30): I rise to speak briefly in support of the Highways (Works for Residential Developments) Amendment Bill. This proposal is largely in response to the liquidation of Felmeri Builders and Developers in July 2023 at O'Halloran Hill, where 20 families were unable to occupy their homes due to the failure of Felmeri to construct appropriate road access and install related services. Fortunately, the government stepped in to ensure the homes could be completed; however, this bill is designed to introduce further measures to allow the Commissioner of Highways to undertake prescribed work without council approval.

While this measure is designed to provide the commissioner with the power to step in and complete infrastructure works when a building development fails, there has been considerable opposition from some councils and the Local Government Association regarding the bypassing of council approval, as well as the capacity for the commissioner to recover any expenses incurred in carrying out prescribed works from either the council or the developer. In the end, the paramount concern must always be the provision of fully completed homes with full access to relevant services and infrastructure for consumers who have been significantly disadvantaged through no fault of their own.

When councils approve construction work before appropriate infrastructure has been completed, situations like the Felmeri disaster can happen, leaving consumers in a very volatile financial position. If the government steps in to complete the works with taxpayer dollars, it is both fair and reasonable that councils or developers should foot the bill. It is also appropriate to prevent councils from passing on any of these costs to ratepayers. It is my understanding that the state government and the Local Government Association have reached an appropriate compromise regarding this issue of debt recovery, and amendments have been filed which will allow for councils to recover the cost of any required works in circumstances where there has been an error or omission in the advice given to council.

These amendments are appropriate and supported by the LGA, and will encourage councils to implement strategies and systems to ensure that any future development approvals are thoroughly examined before being given the green light. It also strikes the right balance between fairness and accountability, as well as upholding the rights of consumers, taxpayers and ratepayers. With that, I offer my support for the bill and the proposed government amendments.

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:33): I thank the honourable members who have spoken on this bill. As we know, this is a significant bill that has come through the parliament to provide an extra level of protection and a framework, as the Hon. Ms Game has just highlighted, to protect our ratepayers and also to protect our taxpayers as well.

We know of the Felmeri example that happened some years ago, where taxpayers had to come in to help support this project that needed to be completed. This framework needs to be put in place so that we do not see examples of this again. Over the last weeks, I have taken on the feedback from the chamber and worked with the LGA to come to a position today where we have been able to introduce the amendments that are before the council. I want to thank everyone for their time and feedback.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. B.R. HOOD: I rise to speak to a couple of things at clause 1. I also reflect on the fact that this bill passed the other place back in October last year. It is now here in the Legislative Council, yet we are receiving amendments filed at 12.30 today, so there was a little bit of a rush for us get our heads around them. As I stated in my second reading, the opposition were opposing this bill because it was a bit of a dog of a bill, and we knew that the LGA thought that as well. From consultation with the LGA after we saw these amendments filed, we believe that they are now broadly in support of these amendments. They sort of stitched up a few of the issues that were there, so the opposition will ultimately support this amendment bill and the amendments that were filed today.

However, I will still just ask these questions of the minister, which were formed prior to receiving these amendments after lunch today. In the House of Assembly, the former minister, Minister Koutsantonis, agreed to consult with the Local Government Association, which was ultimately opposed to this bill, and file appropriate amendments. When did these negotiations occur, seeing that we do have amendments filed? When was that consultation done with the LGA, either between the previous minister or the new minister?

The Hon. E.S. BOURKE: I appreciate your feedback in regard to the amendments being received today. We have put in a lot of work over the last week and taken on the feedback of the chamber, and I appreciate the chamber's feedback. We have consulted and engaged in a constructive manner with the LGA over that period of time to get to a point today where we have amendments that are being supported not only by the LGA but, I am hoping, by other members as well.

The Hon. B.R. HOOD: How does the government intend to handle the potential political and financial fallout from councils if this bill does exacerbate tensions between state and local governments over planning authority?

The Hon. E.S. BOURKE: This bill is an additional framework. It is there, but hopefully it will never need to be used. As we have seen, the LGA have made commentary about the fact that having a framework like this sort of enforces them to put frameworks in place to make sure that nothing can happen. As far as I am aware, the council will only be held responsible if they have reported incorrect information to the State Planning Commission. If they do the right things and if they have legislation like what we are putting through today that reinforces why they need to put those protections in place, they should never find themselves in trouble.

The Hon. B.R. HOOD: I thank the minister for her response. I will have some questions at clause 3 which go to the substance of her answer. I have one more question at clause 1 before I will move on to clause 3 at the appropriate time. Can the minister advise the chamber: before arriving at this legislative solution for the bill and the amendments that were filed today, did the state government consider amending consumer protection, building insurance arrangements, indemnity bonds and guarantees, amendments of the Community Titles Act 1996, the Building Work Contractors Act 1995 or any other solutions and, if so, what were they and why were these ultimately rejected? I can give some examples if the minister needs.

The Hon. E.S. BOURKE: I thank the member. As I highlighted before, this bill and this framework build on things that we have already sought and are seeking to achieve. The bill supports the work of the state government in better protection for consumers who are involved in such important milestones as building their first home. We know building your first home is a pretty significant moment for anyone. It is your biggest financial asset, and we need to make sure that people are protected when doing so.

On 11 July 2025, I am advised, the government announced that maximum insurance payments will increase to \$250,000 if a builder fails to deliver a finished home. The 66 per cent increase will see home builders receive up to \$100,000 more in the event their home is not completed. I am also advised that the introduction of the State Planning Commissioner's direction on 12 June 2024 also enforces these.

The Hon. R.A. SIMMS: I thought it might be worthwhile, just to save time during the debate, if I clarify my position as well, given things have changed somewhat between the second reading and the third reading stage of the bill. When I had an opportunity to make my second reading contribution, I admonished the government for the way they had approached this. It seems the minister has taken on board the feedback and I do appreciate that, so I do want to commend her for listening to the feedback of stakeholders. I think it is an example of what this chamber does well: members of parliament expressing concerns, raising issues and the government going away and actioning that. So I do thank the minister for taking on board those concerns.

I had understood initially that the LGA were opposed to this proposal, but similarly I have been advised that they are now no longer opposed to the government's proposal. On that basis, I will certainly be supporting the amendments the government has put forward and I will reserve my right on the legislation overall, but I recognise that, with the Liberal Party in support, my vote is no

longer critical in any case. I will closely listen to the debate, but, nonetheless, I will certainly be supporting the amendments and I thank the government for taking up those issues.

Clause passed.

Clause 2 passed.

Clause 3.

The Hon. E.S. BOURKE: This amendment is very similar to a lot of the other amendments. It is there to increase the reporting requirements. This amendment incorporates feedback from the LGA to ensure that the minister's approval is required when recovering expenses incurred by the Commissioner of Highways from either the relevant developer or council. I move all the amendments in my name:

Amendment No 1 [InfraTransport–1]—

Page 3, line 14 [clause 3(4), inserted subsection (9a)]—After 'may' insert ', with the approval of the Minister,'

Amendment No 2 [InfraTransport–1]—

Page 3, line 16 [clause 3(4), inserted subsection (9a)(a)]—Before 'the council' insert 'in the circumstances referred to in subsection (9ab)—'

Amendment No 3 [InfraTransport–1]—

Page 3, line 17 [clause 3(4), inserted subsection (9a)(b)]—Delete 'with the approval of the Minister—'

Amendment No 4 [InfraTransport–1]—

Page 3, after line 18 [clause 3(4), after inserted subsection (9a)]—Insert:

(9ab) For the purposes of subsection (9a)(a), the circumstances are where—

- (a) the State Planning Commission issued a certificate for the division of land under section 138 of the *Planning, Development and Infrastructure Act 2016* in relation to development in the designated residential development area approved under that Act; and
- (b) in connection with the issuing of the certificate, the council advised the State Planning Commission that—
 - (i) any common driveway or private road (including all access points to and from the common driveway or private road) set out in the approved plans for the development had been constructed; or
 - (ii) the applicant for the development had entered into a binding arrangement, supported by adequate security, with the council for the satisfaction of (among other things) the requirement to construct the common driveway or private road; and
- (c) the advice referred to in paragraph (b) was incorrect.

(9ac) Before giving an approval under subsection (9a)(a), the Minister must—

- (a) give notice to the council for the district in which the area is located of the proposed approval (which must set out details of the circumstances referred to in subsection (9ab) in relation to the development to which the proposed approval relates) inviting the council to comment on the proposed approval within a period of not less than 30 days from receipt of the notice specified by the Minister; and
- (b) take into account any response received from the council.

Amendment No 5 [InfraTransport–1]—

Page 3, after line 31 [clause 3(4), after inserted subsection (9e)]—Insert:

- (9f) Any expenses and interest recovered or recoverable by the Commissioner under subsection (9a) in the circumstances referred to in subsection (9ab) may, if the relevant council considers that any error or omission in advice referred to in that subsection occurred as a result of an act or omission of the relevant developer or another person, be recovered by the council from that relevant developer or other person.

Amendment No 6 [InfraTransport–1]—

Page 4, after line 3 [clause 3(5), after inserted subsection (15)]—Insert:

- (15a) If the Commissioner varies a plan to open or close a road in connection with prescribed works carried out by the Commissioner for a development in a designated residential development area, the Commissioner must, as soon as reasonably practicable after completion of the prescribed works, vary the plan so that it is in accordance with the plans and specifications for the road approved in the development authorisation.

Amendment No 7 [InfraTransport–1]—

Page 4, line 31 [clause 3(4), inserted subsection (19)(c)]—Delete 'appropriate' and substitute 'reasonably necessary'

This reflects the LGA's desire for there to be consistency in the decision-making process, which I think was highlighted throughout the second reading speech, as we heard earlier. Prior to this, it was only the developer that had to seek approval. The amendments are now being made consistent throughout the language so it is not only the developer but the council that will need to seek approval.

The Hon. B.R. HOOD: Just to get your advice, Chair, can I ask all questions of clause 3 here?

The CHAIR: We are basically putting all the amendments, so ask your questions and then we will put the question when we have answers.

The Hon. B.R. HOOD: That is good because I will be speaking to the amendments as well. On clause 3, amendment No. 2, the amendment to section 26, given the potential of conflict between local councils and the commissioner, how does the government intend to mediate any disputes, especially in cases where the commissioner's decisions contradict local planning objectives?

The Hon. E.S. BOURKE: Ultimately, it will need to be the minister's decision, as I am advised.

The Hon. B.R. HOOD: How will the government ensure that the commissioner does not overstep these powers, particularly in developments where infrastructure has unique local requirements, such as heritage or environmental concerns?

The Hon. E.S. BOURKE: I am advised that if it comes to certain aspects of approvals that are required, there will be particular acts that will need to be considered, and the state development approval process would be one of those.

The Hon. B.R. HOOD: In carrying out any prescribed works under this section, will there be a statutory obligation for the commissioner to consider the following issues: roadside drainage, stormwater run-off capacity, the ability for waste collection trucks to navigate the road, access for emergency vehicles, kerbside trees and other vegetation, footpaths, on-street parking, the overall amenity and liveability of the street and adhering to the infrastructure standards currently under discussion?

The Hon. E.S. BOURKE: I thank the member for his question. I guess going back to the intent of this bill, which is that there are prescribed works that will include: what makes a good community? At the very beginning, the plans that need to be put in place are what needs to be delivered, but also the plans need to be inclusive of the appropriate items that you need in infrastructure, from stormwater, wastewater, sewerage management and other facilities that make a community function. The intent of this bill is that those items are delivered. A developer cannot just walk off and not put in the required infrastructure that they committed to doing. As well as that, the council will have to make sure that they put that in that plan at the beginning and they approve the plan through the appropriate mechanisms.

The Hon. B.R. HOOD: I thank the minister for her response. Ultimately, I guess, it speaks to amendment No. 4 in the minister's name, which is essentially saying that there is a possibility that councils could stuff that up, because if they do not actually have adequate security and binding arrangements with the developer and all things in place, the commissioner is going to be able to find the council to be responsible for having to pay that money back.

I guess with regard to that question then, should it be the council's fault that they have not done the work, that they have not followed the obligations of ensuring all of those things I listed off

are going to be done correctly, the commissioner will do them and who, ultimately, would do the work for the commissioner to ensure that those things are done if council has not actually done its job?

The Hon. E.S. BOURKE: As I highlighted earlier, even the LGA themselves have highlighted that having a framework like this will make sure that they put mechanisms in place to protect them but, ultimately, protect their ratepayers. They are going to be more diligent, they will be doing their homework when they should be doing their homework, and that is the significance of the framework we are providing today. It is a reminder of how important homework is.

The Hon. B.R. HOOD: With regard to clause 3(4)(9a), when the commissioner performs or undertakes prescribed works on private land does the relevant council receive any benefit or service from that work? My question is aimed at getting the minister's advice on whether the council is paying a fee for a service.

The Hon. E.S. BOURKE: I am advised there would be no fee. It will just be a recovery of costs.

The Hon. B.R. HOOD: If not a fee for service, is the charge levied on the council in proposed section 26(9a) a new tax on councils or developers? How does the government explain the breach—I will not be asking that question. Is it essentially a new tax on councils or developers?

The Hon. E.S. BOURKE: I am advised it is not.

The Hon. B.R. HOOD: Still on 26(9a), to pay these costs, if a council cannot raise the money by way of rates, charges, levies or fees then can the minister explain how they can raise the funds? Is this clause almost a legal impossibility for a council to comply with, most especially if we think about small regional councils with a very small rateable base?

The Hon. E.S. BOURKE: As I have highlighted a couple of times now, the bill has been put in place to ensure that it is really a protection for councils just as much as it is for ratepayers. This framework needs to be put in place and they need to make sure the mechanisms are there so they do not find themselves having to step in and provide these services and be on the wrong side of the story, essentially.

We know that it is important that these charges are not passed on to ratepayers. As the Hon. Sarah Game has highlighted today, ratepayers would not be expecting that because that homework was not done earlier they would have to pick up the tab and pay for it. It is really making sure that the developer is held accountable if they are in the wrong. If council do not do their homework, which I dare say would be very rare, this reinforces the need for them to do it and putting that framework in place.

Councils play a significant role in our community: they are at the forefront, they are the closest to the community, they play a really big role and, as you have highlighted, we have big councils, we have small councils, but having frameworks like these are really important to remind them to do the work early, protect the community early and they will not need to worry.

The Hon. B.R. HOOD: I thank the minister for the response, but I cannot help feeling that this is a bit like parliament making laws simply saying, 'Crime is illegal. Don't do crime', and we will just assume that no-one is ever going to do a crime. Sometimes things go wrong. Sometimes, for whatever reason, councils may have not done their proper due diligence—changes of CEOs, changes of general managers, something might fall over, and ultimately it will. I guess the question still stands: can the minister clarify what will happen in circumstances where councils are required to go into debt—significant debt in some cases—to meet the costs payable under this bill? Will the council be required to take on the debt if ultimately that debt can never be paid?

The Hon. E.S. BOURKE: I think a few layers are involved. The minister has to provide final approval and would be able to work with the council along the way as well. So it is not just that it has happened and that is that—there would be time to work through that process, which is why that ministerial approval is also important.

The Hon. B.R. HOOD: Ultimately it will be a decision of the minister in discussion with the council. Let us say the council has a ratable base of \$10 million and a development essentially falls over, it is found to be the fault of the council, and that development is worth some \$40 million, four

times their ratable base, will the minister then just say, 'Oh, okay, you guys just can't handle it so we are going to lump the money on the rest of the South Australian taxpayers'? Is that essentially the answer to that question?

The Hon. E.S. BOURKE: I feel, in regard to this issue, that we can keep trying to skirt around the edges about who is paying or who is not paying, but I think ratepayers rightfully need levels of protection put in place when they are investing in the largest piece of infrastructure they have, that being their home. It is their biggest asset and they would anticipate that, when a council is signing off on a plan and when a developer is putting in a plan, they are including the appropriate infrastructure that makes that community function. If that is not happening, that is the only time a council is going to have to worry.

Councils of themselves, through the LGA, acknowledge that this is an important framework, one that will encourage them to be thinking about what mechanisms need to be put in place to ensure those protective frameworks are available. This is an opportunity for them to think about how to best protect their ratepayers, but how to also protect the individual councils, as it is for the developer. Developers will also need to make sure that the infrastructure they say is going to be there is there.

Without these protections, without these frameworks, we are leaving ourselves open. That is something that, as a government, we are not willing to do. That is why we have introduced this framework, that is why we have introduced those previous initiatives that I mentioned earlier, because we want to make sure that, at the end of the day, when a South Australian builds a home they are protected.

The Hon. B.R. HOOD: I thank the minister for the response. I certainly agree that we want to ensure that councils are doing the right thing, and we acknowledge that these amendments do really improve what is ultimately not a great bill in the first instance. I guess in terms of having to recover that cost, there are still some questions there which are a little bit fuzzy. If council simply cannot do it by raising rates or any other way, there could be a situation in which we find a council is essentially having to go into administration if they have not done their due diligence for whatever reason.

Moving on to (9ab), which is under amendment No. 4 in the minister's name, what examples can the minister give of examples of binding arrangements and adequate security that would satisfy the commission that the council was not liable for expenses under proposed subsection (9a)?

The Hon. E.S. BOURKE: An example I have been advised of could be the use of a bond, so that a bond could be held onto and that could be a way of creating a bit more security as well.

The Hon. B.R. HOOD: I thank the minister for the response. Proposed subsection (9f), under clause 3 in amendment No. 5 from the minister, states:

Any expenses and interest recovered or recoverable by the Commissioner under subsection (9a) in the circumstances referred to in subsection (9ab) may, if the relevant council considers that any error or omission in advice referred to in that subsection occurred as a result of an act or omission of the relevant developer or another person, be recovered by the council from that relevant developer or other person.

Can the minister confirm that the proposed subsection (9f) is not just a catch-all to allow the commissioner to recover expenses incurred from council, regardless of whether they have provided sufficient evidence to the existence of a binding arrangement under (9ab)?

The Hon. E.S. BOURKE: I am advised that this amendment enables the council to pursue someone if they have been provided the incorrect advice. This has been included in consultation with the LGA and came about because previously there was no mention of this in the bill. The amendment seeks to clarify the council's ability to take civil action against the relevant developer or another person who they consider to be responsible for the incorrect advice being given to the State Planning Commission.

The Hon. B.R. HOOD: If the developer provides advice and proof of a binding arrangement that the work of a, say, common driveway, etc., will be completed, if not already, but the developer is found to have provided that in error or omission, can the commissioner still seek to recover that from the council and, if not, how will the commissioner recover it?

The Hon. E.S. BOURKE: I am advised the government would always go to the developer first, unless the council themselves have incorrectly advised the State Planning Commission.

The Hon. B.R. HOOD: So if the government goes directly to the developer, what happens if the developer has already gone under?

The Hon. E.S. BOURKE: We would have to check to see if the council had incorrectly advised the SA Planning Commission but, obviously, in the circumstances where a company goes bust it is not a nice situation for anyone involved at that point.

The Hon. B.R. HOOD: So if the council is not at fault but the developer is, and the developer is in administration with no way for the commissioner to cover the debt, that then ultimately rests with the state government?

The Hon. E.S. BOURKE: That would be a process that would be worked through. Again, it would come back to the beginning of this process and the council and also the developer doing their homework. The council needs to be looking into the viability of the developer taking on a significant project in their community, or just a project that is there to build homes. As much work as can be done as early as possible is going to put those protections in place, trying to avoid the circumstances you are highlighting.

The Hon. B.R. HOOD: But the minister would acknowledge that, ultimately, those circumstances could happen, where a council has done everything in its power to ensure they have ticked every box, that they have a security—and let's say that security is a \$1 million bond, or even a \$5 million bond—but the developer, for whatever reason, goes into administration and falls over and the works that are needed to complete that development are in excess of \$10 million to \$20 million. Where is that liability going to sit if the council is not at fault but the commissioner still needs to actually finish the work?

The Hon. E.S. BOURKE: This bill is there for the circumstances of a developer walking away without completing the job they should have completed. That is the protection this bill is seeking to achieve. It is there to make sure that if you made a commitment at the beginning that you were going to put stormwater in as well as other basic infrastructure that enables you to turn on your taps, to have a functioning household, that is upheld.

This framework we are putting forward today is there to achieve the same things. That is the focus of the bill before the chamber today: making sure that there is a framework available, a framework that is there to protect the ratepayers and enable them to have a little bit more confidence when they are building a home that the infrastructure they have seen on the plan is there at the end of the project.

The Hon. B.R. HOOD: I acknowledge what the minister is saying there, but I am just trying to understand what is within the intent of the bill. We have a situation—especially with the amendments that have now been filed—where as long as the applicant for the development, as stated in (9ab)(b)(ii), has entered into a binding arrangement supported by adequate security, if that developer then falls over, by virtue of the legislation, which will ultimately be passed today, if the council has done everything right there is still a case in which the state government is ultimately going to be holding the bag on finishing a development—should the council have ticked every box legislatively but the developer has still fallen over.

The Hon. E.S. BOURKE: I am advised, and as we talked through before, it is really upon both those parties, the developer and the council, to put that rigour around the approval at the beginning. So that is having a bond in place, as you have also highlighted, but also making sure that the appropriate infrastructure can be put in place as per the plan.

We can talk round and round in circles, and I appreciate what you are saying from the other side, but at the end of the day this bill that is before the chamber is about putting a layer of framework in place that will hopefully, as has rightfully been highlighted by the LGA, make councils think a little bit harder and start putting that rigour in really early about what an appropriate development looks like and what is a home need, as will the developer.

They now know that they will be held accountable, and that is really important here. I know you agree with this. Being held accountable is an important aspect of this bill, and that is why it is being introduced. It is just another level, another layer in the frame that ensures that a home can be built and have the appropriate infrastructure that goes with it.

The Hon. B.R. HOOD: I thank the minister for her response. We certainly do want to see that accountability there. There just still exist those sorts of rough edges. I think this bill can and may cause us to see, I suppose, unintended consequences with regard to councils and developers wishing to work with councils, most especially when we do have the sort of language within the bill which talks about 'adequate security'. We are not legislating what that security might be. I am assuming that it is not going to be in the regulations in terms of what that security should be either.

Should security be 50 per cent of a project? Should it only be 10 per cent? Does that then leave council open to this issue again, should that developer fall over? I think these issues existed with the bill prior to these amendments, and again I acknowledge that these amendments are going some way to taking those rough edges off, but probably not all the way. Did the LGA still give their concerns to the minister, or has anyone else or any other body given concerns to the minister that requiring words to the effect of 'adequate security' could cause developers to think twice about developing with local councils?

The Hon. E.S. BOURKE: I am not aware of receiving any requests in regard to that particular matter. I am advised that it has been modelled on the State Planning Commission's practice. I do not know the complete name, but it is being modelled on another complementary piece of legislation.

Amendments carried; clause as amended passed.

Remaining clauses (4 and 5) and title passed.

Bill reported with amendment.

Third Reading

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism)
(16:08): I move:

That this bill be now read a third time.

Bill read a third time and passed.

NURSE AND MIDWIFE TO PATIENT RATIOS BILL

Second Reading

Adjourned debate on second reading.

(Continued from 14 October 2025.)

The Hon. J.M.A. LENSINK (16:09): I rise to make some comments in favour of this piece of legislation. There is no question that nurses and midwives are the backbone of our health system, and we are all grateful for the support, kindness, care and professionalism that we have received from nurses and midwives when we and our family members have needed their help. I think we all have personal experience in that regard, whether it is in our emergency departments or in maternity wards. Mr President, I think it is probably appropriate for us to pause and acknowledge.

The PRESIDENT: The Hon. Mrs Henderson is on the floor with a guest. Nice to see you, the Hon. Mrs Henderson.

The Hon. J.M.A. LENSINK: I was just saying, as I was talking about nurses and midwives, how we all have a range of personal experiences where we are just so grateful for everything they do. Nurses and midwives provide care in every part of South Australia, from our tertiary hospitals to small regional facilities and in the community sector as well, and they do so with professionalism, skill and compassion. Their work is vital, and their voices are rightly heard in shaping the future of health care in this state.

This bill enshrines nurse and midwife to patient ratios in law, which aligns South Australia with Victoria and Queensland, where similar legislation has been in place for some time. It sets minimum staffing requirements across different types of care and categories of hospitals. The ratios are detailed in schedule 1 of the bill and vary according to the shift and clinical setting. The legislation also includes a two-year implementation period, after which hospitals can face civil penalties of up to \$10,000 for noncompliance.

The Liberal Party supports this bill. Safe staffing levels are essential to patient safety, clinical quality and the wellbeing of our nursing and midwifery workforce. But, as my colleagues in the other place have said and I will repeat here today, ratios alone are not enough. Just having this bill legislate a ratio does not actually directly translate to new nurses or midwives, nor does it fill rosters or solve the workforce shortages that continue to affect hospitals across South Australia, particularly in our regional and rural areas. The challenge for this government is not just to legislate but to deliver and to ensure that the workforce is there to meet targets without compromising services or closing beds.

We know how stretched our system already is, and we know that a lot of nurses and midwives are really feeling the strain. In many metro and regional hospitals, wards are operating under significant strain. Some sites have been forced to temporarily close emergency departments or reduce capacity simply because they cannot recruit staff. In my own discussions with country members and local health networks, this story is repeated again and again. The ratios in this bill must not come at the expense of accessibility for regional patients.

The minister has assured members that it is not the government's intent for any wards or beds to close as a result of the bill, which we welcome, but we will be holding the government accountable for it. The bill demands a serious and coordinated workforce plan, one that includes meaningful incentives for nurses and midwives to work in regional communities and support them to stay. That means relocation assistance, career development opportunities and proper support for experienced staff to mentor the next generation.

We are also concerned that penalties under this bill will be paid directly to Treasury rather than being ring-fenced for reinvestment back into health. If fines are to exist they should go back into supporting the nursing workforce, not disappear to the Treasurer. We believe that is a missed opportunity to strengthen the sector in a constructive way.

I note that the government has allowed a two-year phase-in period, which is sensible but it must be used wisely and cannot be used as just a waiting period. Those two years require action behind the scenes to recruit and to train and to plan. They will determine whether this reform is symbolic or not. I reiterate that we support this bill because safe staffing is good for patients and it is good for staff. Every South Australian, regardless of where they live, deserves access to high-quality care, and we long to see long-term investment in our workforce. I commend the bill.

The Hon. C. BONAROS (16:14): I rise to speak in support of the bill before us, which deals with nurse to patient and midwife to patient ratios. It is somewhat of a no-brainer in the sense that we know these things provide safe outcomes for patients and their carers, reduce nurse and midwife fatigue and enhance nurse and midwife wellbeing. We know that these sorts of measures improve efficiency of care and make nursing and midwifery, which are really the heartbeat of our hospital systems, a more attractive career option.

There is strong evidence that the number of patients allocated to a nurse or midwife directly relates to patient safety and, indeed, mortality rates. New South Wales' ratios have been modelled on those of Victoria. The Victorian branch of the ANMF says that since the implementation of nurse and midwife to patient ratios in 2000 that the health outcomes for the state's patients have radically improved and thousands of registered nurses and midwives have returned to work in the public health system.

Of course, the situation in Victoria is one that this legislation is modelled on. It says one of the immediate outcomes for the public healthcare system were reduced waiting times in Victoria's 87 public hospitals; improved recruitment and retention of nurses and midwives as a result of better, safer working environments; capability to meet demands on hospitals; and improved economic performance of public hospitals. All these things are quite logical. They also cited evidence in support

of ratios from studies primarily by world ratios authority Professor Linda Aiken, from the University of Pennsylvania, who has led ratio studies in 30 countries. The findings of Professor Aiken include:

- every extra patient per nurse over four patients is linked with a 7 per cent increase in the likelihood of that patient dying within 30 days of admission;
- each additional patient per nurse over four patients is associated with a 7 per cent increase in likelihood of failure to rescue. Failure to rescue means death from complications such as pneumonia, shock or cardiac arrest, upper gastrointestinal bleeding, sepsis, or even deep vein thrombosis;
- each additional patient per nurse over four patients was also directly linked to a 23 per cent increase in the likelihood of the nurse burning out; and
- every extra patient added to a nurse's workload increases a medically admitted child's chance of being readmitted within 15 to 30 days by 11 per cent.

In July 2016, Queensland Health enacted legislation for nurse to patient ratios in public facilities—at the time only the fourth government in the world to make those ratios law. The *Australian Nursing and Midwifery Journal* stated that a subsequent study in Queensland found legislated nurse to patient ratios had positive effects on nurse staffing and patient outcomes, including mortality, readmissions and length of stay. As we have heard and as we know, when we talk about ratios, we are inevitably talking about safety. We are talking about dignity. We are talking about the difference between a nurse having time to comfort a patient in pain, look out for warning signs, and a nurse rushing between six beds hoping not to miss a critical patient, a critical change in someone's condition.

I say that, acknowledging the sentiments that have just been expressed by the Hon. Michelle Lensink, which I agree with overwhelmingly. Patient to nurse ratios, in and of themselves, do not fix the problem. Legislating ratios does not fix the problem, especially in our rural and regional communities. This has been an ongoing issue for some time now in this jurisdiction and across other jurisdictions. As alluded to by the honourable member, the proof will really be in the pudding in terms of whether this succeeds in South Australia, because above all else we need some real political will here to make this work. A piece of legislation enshrining those ratios, in and of itself, will not do the hard yards in terms of what needs to be done to get the outcomes we need.

I want to end by asking the Attorney one question. I am trying very hard to figure out where this question or concern was raised and whether it was during processes which we cannot talk about here in committee or whether it was in discussions. I have racked my brain and I cannot remember. What I do know everyone in this place will remember is the passage of Gayle's Law and the subsequent bunfight that occurred in this place about ratios in our rural and remote communities.

For those of us who were not here at the time, we know that Gayle Woodford died in the most tragic circumstances, having worked as a nurse in remote areas of the state, ultimately resulting in her rape and murder. We know that as a result of those laws and the regulations and the bunfight that resulted from those regulations in this place under the former government, it is an absolute requirement under law that there be a second responder when attending an out-of-hours or unscheduled call-out in those communities.

The question that I have for the Attorney is: has there been discussion of moves to change regulation or consideration of exemptions from those requirements? That is a suggestion that has been put to me. Given that we are dealing with this issue here today, I would like some clarity on that to rule out, I am hoping, the prospect of having exemptions where the legislative requirement to have a second nurse responder is potentially being undermined by some move that would, I imagine in very difficult circumstances, allow a nurse to go into those workplaces alone.

Certainly, the legislation and regulations are quite clear around what is required in those sorts of scenarios, but if there is any such move afoot or if there have been discussions that have taken place around that, I would care to know before voting on this bill.

The Hon. T.A. FRANKS (16:23): I rise with great pleasure to support the Nurse and Midwife to Patient Ratios Bill 2025. This bill has been a long time in the making and certainly the result of a

lot of years of work by many, particularly within the Australian Nursing and Midwifery Federation. I want to thank in particular Jackie Wood and Elizabeth Dabars for their briefing on this bill.

This bill will establish minimum nurse and midwife to patient ratios per shift across key clinical areas, including general medical and surgical, coronary care, high dependency, oncology, stroke, rehabilitation, birthing and labour, neonatal intensive care and palliative care wards. It will ensure that the appropriate minimum number of nurses and midwives are available on a shift-by-shift basis, enabling staff to meet patient care needs in a working environment that supports our dedicated nurses and midwives.

Many times in this place we have extolled the virtues of our nurses and midwives and how important they are to our health system and to our community and society. It is almost a no-brainer that we would ensure they have the best workplace possible to provide us with the best care possible. I will have a few questions at the clause 1 stage, and I will flag those in just a second.

This bill will have a great outcome of better patient safety, increased quality of care, better nurse workload and job satisfaction, a reduction in adverse events and consistency across the various workplaces and facilities. While many may be concerned that perhaps we are enabling a layer of bureaucracy, I would say that, in fact, this does change the current nursing midwifery hours per patient day, the very sexily titled NMHPPD. 'Nurse to patient ratios' certainly rolls off the tongue a little easier and I think it will be much easier for workplaces and those who are doing the rosters and providing that care to be able to manage the best environment.

I would say, in particular, of course, that this does not apply to mental health nurses and private hospitals. One of my questions is about how smaller hospitals will be reviewed and what the process is for that in coming years and months and I am hoping that is more about a six-month review, rather than something that drags out to years.

Given the Hon. Laura Henderson was just in the chamber with a young stranger, I was hoping to also raise a question while she was here but did not quite get there. I am interested to know how this legislation currently treats babies in those maternity wards and whether or not they are included in the nurse to patient ratio and whether there are plans to include them in the future if they are not.

With regard to my briefing, they were two of the issues that we did particularly discuss, if the government would be able to provide further information on what their future plans are with this legislation. I know that it is also timely in terms of the enterprise bargaining situations and negotiations, and that that will be part of this process. With that, I commend the bill to the chamber and look forward to its speedy passage.

The Hon. T.T. NGO (16:26): In September 2025, the state government introduced the Nurse and Midwife to Patient Ratios Bill to parliament. The bill marks an important milestone for South Australia's health system and for every nurse, midwife and patient who depends on it. The legislation is designed to ensure that our hospitals are staffed safely, fairly and sustainably.

For the first time in history, minimum nurse and midwife to patient ratios will be set in law across all public hospitals in South Australia. These ratios will apply on every shift and in every ward so we can have the right level of care for patients as well as the right level of support for staff. This reform recognises a simple truth: safe staffing saves lives. We know that when nurses and midwives have manageable workloads patients recover faster, safety improves and the quality of care rises.

Under the new legislation, ratios will vary according to hospital size and clinical area. In our busiest metropolitan hospitals, the Royal Adelaide, Flinders, Lyell McEwin and the Women's and Children's, there will be one nurse for every four patients by day and one for every eight at night. In the regional hospitals at Mount Gambier, Port Augusta, Port Pirie, the Riverland, Murray Bridge and others, staffing levels will reflect local needs but still ensure safety and fairness. For critical areas like neonatal care, stroke and maternity, ratios will be even safer, with one midwife for every woman in labour and one nurse for every two babies in intensive care.

An important fact about this legislation is that it not only protects patients but also strengthens our nursing and midwifery workforce. Recognising their workload and giving certainty that every shift will be safely staffed will enable the continued delivery of the compassionate and professional care South Australians have come to rely on.

Planning for implementation is already underway. SA Health is working closely with the Australian Nursing and Midwifery Federation (SA Branch) and hospital networks to make the transition as smooth as possible. If passed, the new laws will come into effect from early 2026 with a two-year rollout period to allow for recruitment and adjustments. During that time there will be a moratorium on noncompliance; however, hospitals will begin to comply with the new legislation as soon as it is practical to do so.

Over the past three years, South Australia has already recruited more than 1,460 additional nurses and midwives. This has strengthened our workforce and put us in a good position where we are ready for this transition. Importantly, the reforms in this bill are modelled on proven systems in Victoria and other jurisdictions, but tailored to South Australia's unique needs. The proposed improvements demonstrate this government's absolute commitment to patient safety, staff wellbeing and the long-term sustainability of our public health system.

The Malinauskas government is very aware that our nurses and midwives are not just the backbone of our health system, they are its heart. To every nurse and midwife across the state, we thank you. This legislation is about you and for you. It recognises the extraordinary care you provide, the pressures you face and the difference you make in people's lives every single day.

This bill will help to ensure that the South Australia public health system remains one of the safest, most trusted and most compassionate in the nation. To members in this chamber, I hope you give this bill your full support.

The Hon. J.S. LEE (16:32): I rise today to speak in support of the Nurse and Midwife to Patient Ratios Bill. The bill introduces mandated minimum staffing ratios for nurses and midwives across South Australia's public hospital system with the goal of improving patient care and supporting the wellbeing of our dedicated healthcare workforce.

The proposed legislation would see a transition from the current nursing hours per patient day model to specific minimum staffing numbers required for each shift. Currently, SA Health operates under a minimum staffing framework that is set out in the Nursing and Midwifery Enterprise Agreement. The bill will enshrine in legislation minimum staffing numbers for each shift in certain patient care areas in all public hospitals. These care areas include general, medical and surgical, coronary care, high dependency, oncology, stroke, rehabilitation, birthing and labour, neonatal intensive care, and palliative care wards. I note that emergency departments and intensive care units are not included in the proposed legislation, with private hospitals and aged-care facilities also excluded.

Hospitals will be categorised according to size and complexity, from category 1, including the Royal Adelaide Hospital, Women and Children's Hospital, Lyell McEwin and Flinders, down to category 4, Naracoorte and Wallaroo, and then all other small hospitals. The bill ensures that ratios meet the requirements of different wards and patient care areas based on hospital category while preserving any pre-existing higher staffing levels set out in the enterprise agreement.

This model is based on the Victorian legislation, I understand, which has been in effect for more than a decade, and evidence shows that legislated nurse and midwife to patient ratios enable greater transparency and accountability. Local health networks found to be deliberately or systematically in breach of the legislation by the South Australian Employment Tribunal could face civil penalties of up to \$10,000 per breach. I note that transitional provisions, including a two-year moratorium on noncompliance penalties, allow for local health networks to plan recruitment and staffing reconfigurations to implement the bill.

Nurses and midwives are truly the backbone of our health system, making up 50 per cent of South Australia's healthcare workers. I have family members and good friends working in the health sector, so I have a deep appreciation of their compassion, care and professionalism. Safeguarding minimum staffing numbers on a shift-by-shift basis will help improve quality of care and patient outcomes, reduce staff burnout and improve job satisfaction and retention.

I understand that the South Australian branch of the Australian Nursing and Midwifery Foundation (ANMF) has been instrumental in drafting this bill and is a staunch advocate for the proposed changes. I also understand the ANMF has asked the government to assess how small

hospitals are categorised under this new model. The minister has indicated that the government is undertaking work in this area, which is a welcome step.

Under the proposed legislation, small hospitals are required to be staffed with at least one registered nurse and one other nurse or midwife on all shifts. Concerns have been raised regarding the potential impact the bill may have on small country hospitals across South Australia, which are already struggling to attract and retain nursing staff and GPs. Reports suggest that the Tanunda War Memorial Hospital has had to reduce bed capacity due to ongoing nursing staff shortage, and the Angaston District Hospital often relies on locum doctors and has turned away patients from its emergency department on 23 occasions over the last two years due to staffing issues.

While the bill sets minimum staffing levels, it does not solve the underlying workforce challenges faced by regional health networks. Without sufficient staff to meet the mandated ratios, there is a risk that services may be scaled back or suspended. The prospect of their local hospitals facing fines or reductions in services or bed capacity is understandably of great concern to residents in regional communities. We must ensure that we are doing everything we can to attract and retain healthcare workers in our regional communities so that all South Australians have access to high-quality care, no matter where they live.

Overall, I support the intention of the bill and am pleased to see minimum staffing numbers enshrined in legislation to support better health services for patients and better workplace conditions for our incredible nurses and midwives. We ought to give them our special attention and appreciation.

The Hon. S.L. GAME (16:37): I rise to speak briefly in support of the Nurse and Midwife to Patient Ratios Bill 2025. The stated aim of this bill is to enshrine minimum nurse and midwife to patient ratios in legislation. The bill will only apply to South Australia's public hospitals in certain patient care areas and a very small number of state-funded aged-care beds across the system. While minimum patient to staff ratios in our public hospitals is a measure worthy of support, it is doubtful whether this bill alone will deliver the high-quality hospital care and best patient outcomes this government has been spruiking.

Much needs to be done to improve the quality of patient care in our hospitals, and to be fair this bill largely duplicates the patient to staff ratios that already exist under enterprise agreements in commonwealth legislation. The new penalty to be imposed against hospitals for breaching these ratios is only \$10,000, which is unlikely to offer any further deterrence to hospitals already struggling to meet staffing requirements. There is also a two-year moratorium on the application of these penalties. We should provide hospitals with enough time to meet the new ratios before facing the possibility of a \$10,000 fine.

This scheme is almost identical to the Victorian model, which has been in place for several years without any hospital receiving a penalty for breaching nurse to patient ratios. Improving health care in this state should always be at the forefront of any new policy or legislation in this area, and the government's commitment to these ratios is welcome and should be supported. However, at the same time, we should not pretend that this bill will achieve anything beyond the codification of standards of care that should already exist. With that, I offer my support of the bill.

The Hon. R.A. SIMMS (16:39): I also rise to indicate my support for this bill on behalf of the Greens. Isn't it nice when we all agree. It is good to hear everybody in this chamber indicating their support for this reform, which I think is an important step forward for our hospitals.

The legislation before us today will provide the minimum safe number of nurses and midwives required to care for patients across key clinical areas in our public hospital system, ensuring safe workloads and quality patient care. We know that understaffing is dangerous for patients and dangerous for nurses and for midwives. When each nurse or midwife has too many patients, they cannot monitor each one closely. This increases the risk of complications, missed signs of deterioration, medical errors, falls, infections and even death.

One review by the Royal College of Nursing found that increasing a registered nurse's workload by one additional patient raised the odds of a patient dying by about 7 per cent—7 per cent. When staffing levels are poor and there are too many patients per nurse and midwife, it not only reduces safety for patients but also leads to high workload, stress, fatigue and burnout for nurses

and midwives. High turnover further contributes to staffing shortfalls, something that our health system simply cannot afford. Better ratios help retention and lead to a healthier workforce.

In recent years, other jurisdictions around Australia have moved to implement nurse and midwife ratios, including Queensland and Victoria. I note that the model outlined in this bill is based on the model that has been successfully implemented in Victoria. The results interstate speak for themselves. In Queensland, the establishment of nurse and midwife to patient ratios has not only saved lives but also reduced costs, with patients receiving better care and being less likely to be readmitted.

A study by *The Lancet* found that, with the introduction of nurse to patient ratios in Queensland between 2016 and 2018, ratios had saved \$69 million in two years, more than twice the cost of hiring new staff. They had reduced 30-day mortality rates by 7 per cent. They had reduced readmissions within seven days by 7 per cent and they had seen patients leave hospitals 3 per cent faster, so pretty strong results. Lower patient ratios also allow for more individualised care, including through thorough assessment, rapport, education and emotional support. This improved patient satisfaction allowed for better continuity of care and has resulted in better outcomes for patients.

I also note that the state government has collaborated closely with the Australian Nursing and Midwifery Federation to develop this legislation. I commend the union for their advocacy and might I also commend the health minister, Chris Picton, for his leadership on this issue. I also acknowledge the ANMF's persistent advocacy over many years, which I think has been critical to achieving this outcome.

Appropriate nurse and midwife to patient ratios lead to safer care, faster recovery times and improved job satisfaction for frontline staff. It is also an important recognition of the vital role nurses and midwives play in safeguarding the health of South Australians, and it is vital that South Australian governments continue to improve their pay and conditions. I see this as being a significant step in the right direction. I believe it was part of an election commitment that the Malinauskas government made. Indeed, it was something the Greens also committed to during the last election, and so I am very pleased to see that being implemented during this term of parliament. With that, I conclude my remarks.

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (16:43):

I thank all members for their contribution. I think I can respond to the Hon. Connie Bonaros's question that she raised during the second reading debate by saying I am advised that the scheme and regime around Gayle's Law is separate from what is being considered here, but there is no intention from the government to change the scheme that is set up under the regime that has Gayle's Law. I am happy to put that on the record for the Hon. Connie Bonaros to make that as clear as I can, and I look forward to the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. K.J. MAHER: At clause 1, having received some advice in relation to something the Hon. Tammy Franks raised, I might respond in relation to babies and how that interacts with ratios. The issue of counting babies always and automatically in patient ratios is not something this piece of legislation does; I am advised, though, that it is something that has been raised, and it is in discussion with the Australian Nursing and Midwifery Federation of South Australia.

The Hon. T.A. FRANKS: Thank you. I also had a question in regard to the review for small hospitals.

The Hon. K.J. MAHER: I am advised that there is a commitment to review small hospitals within six months to see if their categorisation is correct or whether they should move into another category.

The Hon. T.A. FRANKS: My final question was: at what point will mental health be considered for patient to nurse ratios?

The Hon. K.J. MAHER: My advice is that the South Australian model is based on the Victorian model, which does not include mental health. However, it is something we are not opposed to considering in the future.

Clause passed.

Remaining clauses (2 to 21), schedules (1 and 2) and title passed.

Bill reported without amendment.

Third Reading

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (16:48): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LOCAL NUISANCE AND LITTER CONTROL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 August 2024.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (16:49): I rise to make a contribution on the Local Nuisance and Litter Control (Miscellaneous) Amendment Bill 2024 and the latest amendments now before the council. This bill has been in development for a number of years. The consultation process commenced under the former Liberal government in 2019, when the Environment Protection Authority undertook a broad review of the Local Nuisance and Litter Control Act 2016 to identify opportunities for improvement. That process involved local government and key industry stakeholders, and it is pleasing to see many of those discussions now reflected in the bill before us.

While much of the legislation is administrative in nature, there are a few key areas that have attracted concern and discussion, most notably the provisions dealing with the management of shopping trolleys and the obligation placed upon small retailers. The bill, as originally introduced, created a framework that classifies shopping trolleys as litter and imposes obligation on retailers to identify, monitor and retrieve them once they are reported as being off site. It also sets timeframes for collection.

There were amendments for immediate retrieval where a trolley posed a hazard or within three business days where it did not. The most recent set of amendments represents a modest improvement, which has been welcomed by those industry representatives we have spoken to. They extend the allowable timeframe for collection, introduce clearer and more reasonable defences for noncompliance, and provide flexibility for councils and the minister to vary or revoke notices where appropriate.

Under the amended provisions, a retailer will not be in breach if it is too dangerous to retrieve a trolley, if the trolley cannot be collected using standard equipment, or if retrieval would contravene regulatory requirements. The changes recognise the realities of operating a small business and the practical challenges faced when dealing with trolleys that have been dumped or abandoned in public areas.

The Liberal Party acknowledges these refinements as a step in the right direction. However, we maintain that the underlying principle remains problematic. Through consultation with, for example, the South Australian Independent Retailers association, it is clear that many independent supermarket owners continue to view the approach as unfair. Their position is simple and it is logical: a shopping trolley that has been stolen or unlawfully removed from business premises should not be

defined as litter, and the owner of that stolen property should not be penalised for the unlawful actions of other persons.

These are small business owners who already invest significantly in security and collection systems to deter theft and to maintain the amenity of their local communities. To impose additional fines or compliance burdens on those same businesses risks punishing the very people already working to address the problem. We understand and share the communities' frustration of abandoned trolleys, but the issue at its core is not littering, it is theft. An approach that recognises this distinction and encourages cooperation between retailers, local government and enforcement we believe is better placed.

The Liberal Party will not oppose the passage of this bill. However, we will continue to monitor its practical implementation closely. We remain concerned, and we will remain open to further reform should these measures prove ineffective or unfair in their operation, because while these amendments provide greater flexibility and a measure of fairness the test will ultimately be whether this legislation change keeps our streets cleaner without unfairly penalising South Australian small business owners.

I want to speak briefly to my amendment to schedule 1, part 3 of the Local Nuisance and Litter Control Act to introduce primary production within the list of activities that are not considered a local nuisance under this legislation. Under the current schedule 1, part 3 of the act, 'Things that are not local nuisance', I think it is important to note that mining operations are specifically exempt and have been for quite some time, yet primary production—that is, growing the food and fibre that sustains our state and our nation—is notably absent under this schedule, in particular part 3 of this schedule.

This is a gap that we certainly believe needs to be addressed. If we can recognise the importance of mining in this way, then surely we can and must do the same for our farmers and farming. This amendment is about protecting the rights of our farmers to farm, and it is about ensuring that people who are growing our food, producing our wine, tending to livestock, managing orchards and crops, and who are involved in our commercial forestry can continue to do so without being shut down through the back door of nuisance complaints.

I think it is worth noting that this amendment is directly in line with key policy platforms from industry. Certainly, we have consulted with Primary Producers SA, the umbrella body that represents multiple primary production associations across this state. This is a serious issue they have identified across their membership. We have also consulted and spoken with AUSVEG SA, which sits outside of that PPSA umbrella, and they too have acknowledged this is a significant issue for their membership as well.

We are increasingly seeing the encroachment of urban sprawl on productive agricultural land. More and more new residents are moving into what were once rural or peri-urban farming zones. While coexistence is absolutely possible it cannot come at the cost of making it impossible for farmers to do their job.

The act as it stands allows complaints to be made about noise, odour, dust and other by-products of normal primary production activities. These are often inevitable—the sound of the tractor at dawn, the dust of harvest—and they do not constitute unreasonable or negligent behaviour by our farmers, but without clear legislative protection they can be weaponised. We cannot have a situation where the very people producing our state's food are forced to significantly change how they operate or, worse, be forced to shut down altogether because of nuisance actions brought under this act. It is not fair to farmers and it is not in the public interest.

By including primary production in schedule 1, part 3, we are providing certainty and protection, not to allow bad practice but to acknowledge that farming is not a nuisance. It is an essential activity, it is a way of life and it is the pillar of South Australia's economy and our food security.

I also note that the act already provides for compliance with other environmental and planning laws, and this amendment certainly does not override those protections. I want to make that clear. It simply ensures that legitimate, responsible farming practices cannot be undermined by

inappropriate nuisance complaints, because primary producers deserve the same level of legislative recognition and certainty as other major industries in our state. This amendment is a practical, sensible step to back our farmers and to ensure they can keep feeding South Australia without fear of being litigated off their land. With that, I conclude my remarks on the bill.

The Hon. J.S. LEE (16:58): I rise today to speak in support of the Local Nuisance and Litter Control (Miscellaneous) Amendment Bill 2024. When this bill passed the lower house last year it was clear that there needed to be further consultation and acknowledgement of the impacts of these changes on stakeholders. Thank you to the EPA for taking the time to ensure these changes are practical and aligned with community expectations. This bill follows years of consultation, beginning in 2019 and continuing through formal engagement with councils, industry and the public. Targeted consultation with the Local Government Association and retailers after the bill passed the lower house further strengthened the amendments.

These changes ensure our legislation remains relevant, fit for purpose and responsive to community needs. They also reinforce protections for the environment and help keep our neighbourhoods clean, safe and welcoming. Importantly, the bill empowers local councils to manage nuisance and litter issues more effectively and responds to the disallowance of the City of Marion's shopping trolley by-laws in 2021, which highlighted the need for consistent statewide tools to address trolley abandonment. Key reforms include:

- shopping trolley management: mandatory identification and timely collection of abandoned trolleys, with enforcement via litter abatement notices;
- business responsibilities: a general duty of businesses to prevent or minimise litter, including from stormwater systems;
- new offences: penalties for installing air conditioners or external lights that cause nuisance;
- enhanced enforcement tools: registration of abatement notices on land titles, differentiated penalties for individuals and corporations, and cost recovery for urgent clean-ups;
- council flexibility: allowing councils to waive site nuisance management plans where impacts are limited and unavoidable; and
- licensing clarity: clearer delineation of nuisance regulation on premises licensed under the Liquor Licensing Act 1997.

Together, these reforms offer a more practical and proportionate approach to regulation while protecting community amenity. They respond to real issues, such as the hundreds of trolleys found submerged in the Port Augusta wharf, and address longstanding concerns such as litter escaping into stormwater systems and nuisance from improperly installed devices.

The amendments also clarify that retailers are not expected to breach other laws, such as trespass, when retrieving trolleys. Councils retain the ability to issue litter abatement notices even when a defence applies, ensuring accountability remains in place. This bill promotes a shared responsibility between government, business and community, essential for sustainable and effective environmental management. It is not just about enforcement; it is about fostering a culture of stewardship and collaboration. The EPA will continue working with the councils and retailers to develop supporting regulations, ensuring these reforms are implemented effectively.

I see this bill as a logical, balanced and forward-thinking reform that protects our environment that we live in. I will be supporting the bill, along with the government's amendments. I will also be considering the amendments proposed by the Hon. Nicola Centofanti regarding exemption for farming communities and the business of primary production. With those words, I commend the bill.

The Hon. C. BONAROS (17:02): I rise to speak on the Local Nuisance and Litter Control (Miscellaneous) Amendment Bill 2024. In so doing, and at the outset, I thank the minister's staff for the briefing paper provided to us to bring us up to speed on what has been a law six years in the making.

I will not lie, you could have knocked me over with a feather when I saw this listed as a priority for today. It certainly made it difficult to establish whether the amendments that have been filed are an agreed compromise, and what concerns remain outstanding for those groups that this impacts, particularly when it comes to the issue of shopping trolleys, something which we have debated to death in this place previously and has just sat lingering around only to be brought back today. It has made it difficult.

The last submission that I have in front of me from the South Australian Independent Retailers certainly pre-dates the debate that took place in this place, and whilst there have been discussions since then, I think it is fair to say that our Foodlands and our Independent Retailers association have been vocal in terms of their concerns about this bill with members of this place, particularly as it relates to those sorts of smaller operators that were referred to by the honourable Leader of the Opposition. I still do not know and cannot establish whether this is a compromise, in that everybody has agreed. I suspect, reading between the lines and what I have discussed, that there are remaining concerns and outstanding concerns, but effectively here we are.

I think it is worth reminding honourable members that we had regulations passed in this place that were subject to a disallowance motion when the City of Marion council tried to take on this issue itself by introducing by-laws to address the issue. That happened post the review starting into the issue of shopping trolleys. That disallowance motion ultimately passed this place with support and effectively meant that we had to think of an approach that incorporated the views not just of the City of Marion council in their by-laws but of every council across the state, and that also took into account the position of our smaller players in the retail space. As the Leader of the Opposition has indicated, smaller retailers have been quite vocal on this front because of the additional cost burdens it will have on them.

For the record, from my perspective, the concerns of those small retailers and the impacts that a bill like this will have on them are not just that they are footing the bill for this but that they are footing the bill for what can only be described as persistent and bad behaviour by people who dump trolleys. There is nothing in this bill—even the change to incorporate a trolley as litter under this bill—that will convince me that this bill will change that behaviour by those individuals. We have heard the references to the 500 trolleys that were dumped and submerged off the wharf at Port Augusta. That is not the only example of bad behaviour. We see it everywhere. We also have instances where stores cannot really do anything about the fact that people have taken their trolleys and are using them for whatever purposes.

What I am concerned about is that small businesses, which in today's economic climate are struggling already, are now having this additional layer added on top of them where they will be responsible for the bad behaviour and persistent bad behaviour of individuals who choose to do the wrong thing. Fundamentally, that is an issue that I do not think is addressed by this bill. I do remain concerned, though, that this bill punishes those individuals from the retail sector who can least afford it on the part of those individuals who partake in unruly behaviour with shopping trolleys.

There is another element of this bill that concerns me. At this point in time, my position is actually to oppose the insertion of new section 19A unless I can be convinced otherwise. I understand from the briefing that I had that air-conditioning units, for instance, are probably the single biggest cause of complaints in terms of nuisance or noise complaints, but I think it points to much bigger issues that we have, particularly in building the concentration of houses onto allotments, something that we need in terms of housing all the people who are trying desperately to get into a home.

The one example that springs to mind for me—and it sprung to mind for me straightaway when I was querying this particular provision—is I live in a house. If someone next door to me decides that they are going to sell their allotment and, in place of their one house, four or five or six are going to be built, and every one of those new townhouses has an air conditioner, inevitably those air conditioners are interrupting my enjoyment of my property, from my front fence right to my back fence.

This is a real-life example, and one that I have an objection to, where from your front lounge to the end of your backyard you have six air-conditioning units and the noise that comes from those interferes with your enjoyment of your property. I then get to the point where I want to replace my

air-conditioning unit in my single-dwelling home on my block and I do that and I put in an air-conditioning unit appropriate to cool or heat my home only for the person in unit 1 or 2, or whatever it is, to complain and say that that particular air-conditioning unit is creating too much noise. So I have to put up with six next door, but on this side of the fence if I go and install one this opens the way for somebody to be subject to a penalty.

To make things even worse, it is not necessarily the owner of the property but potentially the installer of the air-conditioning unit. How we can attribute that level of blame to somebody who is responsible for installing is beyond me. We go to professionals. We buy an air-conditioning unit. You go to Harvey Norman. You buy your air-conditioning unit. You bring the people out to install it at your house. They do not care what you have bought. They are doing their job. They are installing an air conditioner on your property. They are doing it according to code and guidelines and whatever else, but all of a sudden they could find themselves liable to penalties proposed under this bill because there is too much noise or nuisance coming from that air-conditioning unit. Unless I have completely read this wrong, that makes absolutely no sense to me.

I do not know that this is the appropriate way to deal with the complaints that the government says overwhelmingly attribute to the number of complaints that are made each year about air-conditioning units or lights. The same can be said for the electrician you call to come and install a light at your property. Is it the owner of the property or is it the person who installed the light who can be held liable for that? Under this bill, it appears on the face of it and on first reading that it is actually both.

So the electrician who came and did that work at your property and installed the light, a person who installs a designated device—a light or an air-conditioning unit as two examples—or causes those to be installed, so the owner for instance, can be found guilty of an offence and there are of course quite significant penalties at the upper end. The expiation fees might be low, \$500 in the case of a corporation and \$210 in the case of an individual, but maximum penalties are \$5,000 in the case of an individual and \$10,000 in the case of a body corporate.

I do not know what level of education has been undertaken by the government in relation to how this will apply to those industries that might be impacted by the installation of these sorts of devices at properties, but it certainly raised alarm bells with me. So either the government clarifies that everything I have just said is wrong on the basis that I was not as prepared as the government to be in here debating this today or it clarifies how it is justifiable that we can hold those individuals responsible for installing these devices and make them subject to criminal penalties.

Overwhelmingly, this bill does not overwhelm me, particularly in relation to where we have landed on shopping trolleys and particularly in relation to where we have landed on the installation of devices.

I note that the remainder of the bill has not been subject to the same level of controversy and I am supportive of those other elements of this bill that are not. But I do think that, at the very least, it would be helpful if the minister indicated for the record what the position of stakeholders was with respect to consultation that occurred in relation to shopping trolleys and who were the compromises reached with. Is it a matter of: this is the best outcome we can get between local government and the Foodlands and the Independent Retailers? And who did we consult with over the installation provisions? Did we consult with the peak bodies about the potential impact that these provisions would have on them, if indeed I have interpreted this correctly?

The Hon. J.E. HANSON (17:14): The purpose of the bill that we have in front of us I think has been gone into at some length by other speakers so I will probably leave that out. The direction that this bill has taken has also been the subject of some discussion by the speakers, so I can probably get everyone home sooner without having to go to that. An additional stage of targeted consultation—I believe the Hon. Ms Lee spoke to that, and certainly the aims of the important reforms and the nature of trolleys somewhat taking over as the primary reform which caused some discussion has been ventilated by many speakers.

An ability for councils to issue litter abatement notices to retailers with shopping trolley management requirements has somewhat, as I said, become the basis of discussion. As was outlined by the Hon. Ms Lee, during the lower house debate questions were raised about what

appears to be something of a car crash of shopping trolleys off the wharf in Port Augusta—500 of them. That seems like a lot but you never know, there might be more.

The former Minister for Climate, Environment and Water undertook to consider whether a reasonableness existed within the bill or whether one was required in drafting between the houses. The government has subsequently filed amendments to ensure a certain amount of responsibility is applied to shopping trolley collection requirements. In preparing these amendments the EPA was engaged in targeted consultation with retailers and the LGA, and I am reliably informed that we have struck a balance between what is reasonable for retailers and local government and I commend the bill.

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

STATUTES AMENDMENT (LOCAL GOVERNMENT ELECTIONS REVIEW) BILL

Introduction and First Reading

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

NATIONAL ENERGY RETAIL LAW (RETAILER OF LAST RESORT) AMENDMENT BILL

Introduction and First Reading

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

STATUTES AMENDMENT (PLANNING, INFRASTRUCTURE AND OTHER MATTERS) BILL

Introduction and First Reading

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

At 17:20 the council adjourned until Wednesday 29 October 2025 at 11:00.

*Answers to Questions***MEDICINAL CANNABIS**

In reply to **the Hon. T.A. FRANKS** (5 March 2025).

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

The government has received the Interim Report of Joint Committee on the Legalisation of Medicinal Cannabis. The interim report contains recommendations which are the responsibility of different ministers and agencies across government. The government will look at the recommendations and await the findings of a final report before providing a formal response to the joint committee.

ADELAIDE COP31

In reply to **the Hon. T.A. FRANKS** (19 August 2025). I have been advised:

The annual Conference of the Parties (COP) of the United Nations Framework Convention on Climate Change (UNFCCC) is held in November annually and Australia is bidding to host COP31 (2026) in Adelaide.

The United Nations has not settled its decision as to where COP31 will be held, however due to the scale and complexity of the event South Australia Police (SAPOL) has commenced planning in anticipation.

The last COP held in a similar setting to Australia was Glasgow, Scotland in 2021 (COP26). SAPOL is reviewing the Police Scotland COP26 experience.

The Commissioner of Police has secured the support of all Australian police jurisdictions and New Zealand Police to provide additional police resources.

ADELAIDE BEACH MANAGEMENT REVIEW

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (2 September 2025).

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

During the dredging operation water quality monitoring was undertaken in accordance with the dredge management plan, as per EPA licence conditions. At no time during the dredge operation did this monitoring identify any breaches of the water quality criteria.

ADELAIDE BEACH MANAGEMENT REVIEW

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (2 September 2025).

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

The dredging trial as part of the Adelaide Beach Management Review concluded on 30 November 2024.

Separately, the longstanding routine maintenance dredging of West Beach Boat Harbour has occurred since the trial to maintain navigability for boating.

JOINT COMMITTEE ON THE LEGALISATION OF MEDICINAL CANNABIS

In reply to **the Hon. T.A. FRANKS** (17 September 2025).

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

The government has received the Interim Report of Joint Committee on the Legalisation of Medicinal Cannabis. The interim report contains recommendations which are the responsibility of different ministers and agencies across government. The government will look at the recommendations and await the findings of a final report before providing a formal response to the joint committee.