

LEGISLATIVE COUNCIL

Wednesday, 29 October 2025

The PRESIDENT (Hon. T.J. Stephens) took the chair at 11:02 and read prayers.

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

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (11:03): I move:

That standing orders be so far suspended as to enable petitions, the tabling of papers, ministerial statements, questions without notice, the giving of notices of motion and matters of interest be taken into consideration at 2.15pm.

Motion carried.

The PRESIDENT: I note the absolute majority.

Bills

CHILD SEX OFFENDERS REGISTRATION (MISCELLANEOUS) AMENDMENT BILL

Introduction and First 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) (11:04): Obtained leave and introduced a bill for an act to amend the Child Sex Offenders Registration Act 2006. Read a first time.

Second 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) (11:05): I move:

That this bill be now read a second time.

Today, I introduce the Child Sex Offenders Registration (Miscellaneous) Amendment Bill 2025. This bill follows the passage of the Child Sex Offenders Registration (Public Register) Amendment Act 2024 (public register amendment act), which gives effect to the government's election commitment to implement a three-tier child public sex offender register based on the model used in Western Australia.

This bill makes a clarifying amendment to the operation of the public register as well as several miscellaneous amendments to the Child Sex Offenders Registration Act, which were suggested by South Australia Police during the course of development of the public register to improve operations of the Child Sex Offenders Registration Act.

I will now briefly outline the amendments included in the bill. One amendment relates to the operation of the government's public child sex offender register, set to commence in the coming months. This amendment clarifies the operation of section 66FA, newly inserted by the Public Register Amendment Act, which relates to the intended operation of tier 2 of the public register—the locality search.

To be eligible for inclusion in tier 2, a registrable offender must have committed a further class 1 or 2 offence after becoming a registrable offender. This amendment clarifies that it is not

relevant whether the further offence was committed before or after commencement of the amendment act.

In relation to the remaining miscellaneous amendments to the Child Sex Offenders Registration Act, an amendment will be made to section 4 to include a single conviction for an offence of sexual abuse of a child under section 50 of the Criminal Law Consolidation Act within the definition of 'repeat registrable offender', and related to this, a consequential amendment will be made to section 34 to provide that an offender convicted of sexual abuse of a child under section 50 will have lifetime reporting obligations.

The elements of the 'sexual abuse of a child' offence in section 50 of the Criminal Law Consolidation Act include two or more unlawful sexual acts committed against a child over any period of time. The horrific nature of this type of offending, which can often comprise ongoing abuse occurring over weeks or months, means that even if the conviction is for a single count of sexual abuse of a child at least two unlawful sexual acts have occurred. The maximum penalty for this offence is life imprisonment, placing it in the very worst category on the statute books.

The government agrees with SAPOL's view that, because multiple unlawful sexual acts are required for conviction for section 50 offences, a single conviction should be treated as though it was multiple offences for the purposes of the Child Sex Offenders Registration Act. This means that an offender convicted under a section 50 offence will be required to comply with lifetime reporting requirements and may also be subject to the additional requirements that can be placed on serious registrable offenders, such as electronic monitoring.

There is also an amendment to section 4 of the Child Sex Offenders Registration Act to define the term 'separate occasion', to aid in the interpretation of when offences are considered to have occurred on separate occasions for the purpose of various operations under the child sex offender registration scheme.

The amendment to the section heading of section 13 to remove the word 'initial' from the heading 'initial report by a registrable offender of personal details' is a minor technical amendment to keep the heading consistent with the body of the section, as section 13 also contains requirements for ongoing reporting. There is a further amendment being made to section 13 to include social media handles to the list of personal details that registrable offenders need to provide to police in their initial report. This is important to ensure SAPOL can check registrable offenders' social media when conducting compliance checks, and to ensure that no prohibited contact with children is being made by a registrable offender via social media.

An amendment will be made to section 16 to provide that offenders exiting custody only need to provide SAPOL with any changes to personal details (rather than a whole new initial report) if they have provided new personal details within the last six months. This amendment will assist in avoiding unnecessary administrative work on the part of SAPOL and allow them to redirect their resources to other things such as monitoring compliance of offenders.

An amendment will be made to section 21 to allow the Commissioner of Police to specify that any report under the Child Sex Offenders Registration Act must be made within a particular time period, such as 'during business hours', in order to assist with staff scheduling at police stations.

An amendment will also be made to section 66M to increase the penalty for failing to provide passwords, codes or information to assist police to gain access to data stored on a computer or other device from two years' imprisonment to \$25,000 or five years' imprisonment. The penalty increase is aimed at providing further deterrence to registrable offenders seeking to avoid providing passwords to access electronic devices or accounts.

SAPOL advised that if a registrable offender knows that the device contains child exploitation material they may choose to commit the offence of failing to provide access to the device, which has a much lower penalty than the penalty for possessing child exploitation material. The penalty increase in the bill closes the gap further between the child exploitation material and the penalty for this event, providing a disincentive for an offender to refuse access to their devices.

The amendment to schedule 2 allows for the disclosure of information to law enforcement or prosecution authorities for the purposes of investigating or prosecuting offences under the Child Sex

Offender Registration Act. Currently, disclosure is permitted to investigate registrable offences but not the offences within the act itself, such as breaching reporting obligations.

The bill also contains an amendment to include the offence of indecent filming where the victim was under 17 years of age as a class 2 offence. This recategorisation was considered appropriate as indecent filming is an offence of a sexual nature and, where the victim is a child, it is the government's view that it is appropriate to list it as a class 2 offence—which would, for example, mean that it can now be a relevant offence to classify a person as a registrable child sex offender if they were in prison for that offence.

Finally, a further amendment will clarify that an order to suspend lifetime reporting requirements under section 38 will cease to operate if the registrable offender is charged with a class 1 or class 2 offence. This is to ensure that there is no gap in reporting requirements once there is sufficient evidence of further offending behaviour such that the police have decided to lay charges against the registrable offender.

The amendments contained in this bill will help ensure that the Child Sex Offender Registration Act is fit for purpose, and that South Australia Police can undertake their vital work in ensuring registrable offenders are complying with their obligations under the act, protecting the children of South Australia. I commend the bill to members, and seek leave to insert the explanation of clauses in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Child Sex Offenders Registration Act 2006*

3—Amendment of section 4—Interpretation

This clause amends the definition of *registrable repeat offender* to include persons who have been convicted of an offence against section 50 of the *Criminal Law Consolidation Act 1935*, and also establishes that for the purposes of the Act, multiple offences which arise from the same incident will not be taken as having occurred on separate occasions.

4—Amendment of section 13—Initial report by registrable offender of personal details

This clause amends section 13(1)(p) of the Act by adding a requirement that a registrable offender must, in addition to providing details of any passwords used by the person, provide details of the accounts to which such passwords relate, as well as the details of any social media accounts used by the person.

5—Amendment of section 16—Registrable offender must report changes to relevant personal details

Section 16(4) of the Act currently provides that a registrable offender in custody for 7 or more consecutive days must report their personal details to the Commissioner within 7 days after ceasing to be in custody or before leaving South Australia, whichever occurs first. This clause amends section 16 of the Act by providing that in circumstances where such a registrable offender has, within the prior 6 month period, reported their personal details to the Commissioner, the registrable offender only needs to report to the Commissioner any changes to those details.

6—Amendment of section 21—Where report is to be made

This clause amends section 21 of the Act such that the Commissioner will be able to specify that reports are to be made on certain days, or between certain times. The heading of the section is also amended to reflect that the section now concerns more than just where a report is to be made.

7—Amendment of section 34—Length of reporting period

This clause amends section 34 of the Act to provide that the reporting period for a person who has been convicted of an offence against section 50 of the *Criminal Law Consolidation Act 1935* is the remainder of the person's life.

8—Amendment of section 42—Cessation of order

Section 42(1) provides for a list of circumstances where an order made under Part 3 Division 6 of the Act will cease to have effect. This clause amends that list to include where a registrable offender is charged with a class 1 or class 2 offence. Section 42(2) is also amended to provide that such an order will be revived if the charge against the registrable offender that caused the order to cease to have effect is withdrawn or otherwise discontinued, or the registrable offender is found not guilty in respect of the charge.

9—Amendment of section 43—Application for new order

This clause make amendments consequential to the amendments to section 42 of the Act made by clause 8.

10—Amendment of section 66FA—Commissioner may provide person with image of certain registrable offenders

This clause amends section 66FA of the Act to clarify the application of the section, making it clear that the section applies in relation to offences committed before or after the commencement of the section.

11—Amendment of section 66M—Powers of entry, search etc

This clause amends the penalty applicable to section 66M(3), increasing it to \$25 000 or 5 years imprisonment.

12—Amendment of section 73—Regulations

This clause amends section 73 of the Act to provide for the making of fee notices under the *Legislation (Fees) Act 2019*. The heading of the section is amended to reflect the new additions.

13—Amendment of Schedule 1—Class 1 and 2 offences

This clause adds to the list of Class 2 offences an offence against section 26D of the *Summary Offences Act 1953* (indecent filming) in circumstances where the person being filmed was under 18 years old.

14—Amendment of Schedule 2—Information disclosure principles

This clause expands the circumstances where personal information about a registrable offender may be disclosed without authorisation to include where the disclosure is made to a law enforcement or prosecution authority of the State or another jurisdiction and is reasonably required for the purpose of investigating a suspected offence against the Act.

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

STATUTES AMENDMENT (RECIDIVIST YOUNG OFFENDERS) BILL

Introduction and First 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) (11:12): Obtained leave and introduced a bill for an act to amend the Bail Act 1985, the Sentencing Act 2017 and the Young Offenders Act 1992. Read a first time.

Second 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) (11:12): I move:

That this bill be now read a second time.

Today, I introduce the Statute Amendments (Recidivist Young Offenders) Bill 2025. On 6 March 2025, the government announced the Young Offenders Plan to crack down on serious repeat young offenders. The plan includes commitments to toughen bail and sentencing laws, including strengthening penalties for young offenders with extensive criminal histories, as well as giving police greater powers to manage street gangs, similar to what is available for outlaw motorcycle gangs. We also committed to investing \$3 million over the next three years from the Justice Rehabilitation Fund for targeted intervention programs to break the cycle of reoffending for young people entrenched in the justice system.

Following the announcement of the Young Offender Plan, the government convened a stakeholder round table with industry and sector leaders to discuss appropriate responses and interventions for serious repeat young offenders. Various aspects of the plan have now been progressed.

The Criminal Law Consolidation (Street Gangs) Amendment Bill 2025 creates a new legislative scheme giving police the tools to target and disrupt the activity of street gangs. This bill

was passed by this house on 16 September this year and is now in the other place. A funding arrangement for the design and delivery of a specialised intensive therapeutic intervention program has also commenced.

The model of care will be developed by the Department of Human Services in partnership with community organisations, including Aboriginal community controlled and the community-led sector, including in regional areas. Subject to co-design, the model of care will be therapeutic and clinically informed to provide individualised responses for each young person, recognising there is a high prevalence of undiagnosed disability in this group of young people. This investment recognises that, if we are to strengthen sentencing and bail laws in regard to young offenders, it is critical that targeted, effective diversionary measures and therapeutic responses are in place to ensure that the detention of young people does not itself contribute to the rate of youth, and eventually adult, offending.

I wish to address a misconception about the intended beneficiaries of this investment, which arose during consultation on the bill. The feedback from stakeholders emphasised that it would be more beneficial to invest in early intervention to address the drivers of offending and prevent escalation, rather than wait until a youth is labelled a recidivist young offender. While the investment in a specialised intervention program is seen as complementary to the bill, it is certainly not necessary in order to be able to participate in the program for the youth to be captured by the amended recidivist young offender scheme or to have received a penalty of detention. The program is to be directed at a small cohort of youths identified by SA Police and the Department of Human Services as being most at need of support to break the cycle of reoffending.

The Statutes Amendment (Recidivist Young Offenders) Bill 2025 implements the remaining aspects of the plan relating to the strengthening of bail and sentencing laws. The bill addresses concerns regarding a small cohort of young offenders who are responsible for a disproportionate number of charges before the Youth Court. We know that in the past financial year, 20 young people were responsible for between 11 and 13 per cent of all charges laid in the Youth Court.

We also know that South Australia continues to maintain one of the lowest young offender rates in the nation, second only to the ACT. Over the past 10 years, there has been a significant and continuing decrease in the youth offender rate. However, this is not the time for complacency. There remains the need to ensure the adequacy of the criminal justice responses to those young people who repeatedly offend, particularly where that offending is serious in nature or results in harm to the community.

Firstly, the bill amends the Young Offenders Act 1993 to clarify the statutory principles that should be applied by the Youth Court in sentencing. Section 3 of the Young Offenders Act prescribes the objects and statutory policies that govern the exercise of sentencing powers conferred on the Youth Court. The overarching object of the act is to secure the care, correction and guidance necessary for the development of young offenders into responsible and useful members of the community, and for the proper realisation of their potential. Section 3 also requires that regard be given to various other statutory policies, such as:

- the need to protect the community against violent and wrongful acts;
- the need to make the youth aware of his or her obligations under the law and of the consequences of breaches of the law; and
- the deterrent effect that any proposed sanction may have on the youth.

The bill introduces an additional statutory policy in section 3 of the Young Offenders Act, which makes clear that, when sentencing a youth who has demonstrated a 'pattern of repeated offending', the court should give substantial weight to the impact of that conduct and the need to protect the safety of the community (whether as individuals or in general).

The amendment is intended to ensure that, where a youth has repeatedly engaged in behaviours that result in harm to others or which jeopardise the safety of the community, the impact of that repeated offending and the need to protect the community from further harm are given adequate regard. It is not expected to necessarily result in harsher sentencing where a youth has

engaged in low-level offending which does not impact community safety, such as repeated breaches of a curfew condition in a bail agreement.

It will be a matter for the court to determine what constitutes a 'pattern of repeated offending' such that the additional statutory policy should be enlivened. However, to avoid discouraging youths from participating in diversionary pathways offered to them, the bill makes clear that charges dealt with by a police officer or family conference are to be disregarded.

Secondly, the bill amends the recidivist young offender scheme in division 4 of part 3 of the Sentencing Act. The scheme currently provides a mechanism for a court to declare that a youth is a recidivist young offender. Pursuant to section 55(1) of the Sentencing Act, a youth is liable to be declared a recidivist young offender if the youth has been convicted of at least three serious offences or at least two serious sexual offences, committed on separate occasions. A youth who is declared as a recidivist young offender is to be sentenced more harshly in respect of the triggering offence and any further serious offences committed as a youth.

It is now apparent that the current scheme has been of little utility. Only four youths have been declared by the court as recidivist young offenders since the scheme came into operation in 2010, the last being in 2017. The bill amends division 4 of part 3 of the Sentencing Act to ensure that the recidivist young offender scheme operates as intended by capturing youths with extensive criminal histories involving serious offending.

Under the bill, a youth is automatically deemed to be a recidivist young offender when the legislative criteria in section 55(1) of the Sentencing Act are met, removing the need for a declaration by a court. The court will retain some discretion and be empowered to refrain from sentencing a recidivist young offender more harshly if the court is satisfied that 'special circumstances' exist and that it is, in all the circumstances, not appropriate that the youth be sentenced as a recidivist young offender.

If special circumstances are established, the harsher sentencing principles in section 55(3) will not apply and that youth may, pursuant to the relevant provisions in the Young Offenders Act, apply to the Training Centre Review Board for conditional release from detention as if they were not a recidivist young offender. The bill also clarifies that, for the purposes of qualifying as a serious repeat young offender or recidivist young offender, a 'conviction' includes a formal finding of guilt by a court or the acceptance of a plea of guilty by a court, whether or not a conviction is recorded.

The Youth Court has previously exercised its discretion not to record a conviction against a youth, even in respect of a serious offence where a penalty of detention was imposed. While the meaning of 'conviction' has been interpreted broadly in some statutory contexts to include a finding of guilt where no conviction is recorded, there may be ambiguity as to its interpretation for the purposes of division 4 of part 3 of the Sentencing Act. The bill puts beyond doubt its intended meaning in this context. It will not affect the exercise of judicial discretion to refrain from recording a conviction when sentencing a youth. It simply ensures that such a decision does not circumvent the intended operation of division 4 of part 3 of the Sentencing Act.

There was some apprehension expressed by stakeholders during consultation on the bill that these changes would bring a large proportion of young offenders within the recidivist young offender scheme, including those who had committed only minor offences considered to be at the lower end. The serious offences listed in section 52 of the Sentencing Act include serious offences like firearms, commercial drug offences, arson, robbery, serious criminal trespass in a place of residence, and offences against a person which carry a maximum penalty of at least five years. It does not capture lower end offences such as property damage, theft or basic assaults.

Further, in order for a conviction to qualify as a serious offence or serious sexual offence for the purposes of the recidivist young offender scheme, the conviction must have resulted in a sentence of detention or imprisonment, which does not include a wholly suspended sentence or a community-based custodial sentence, such as home detention.

Once deemed a recidivist young offender, the person must complete four-fifths of their sentence in detention and not in the community. Section 23(4) of the Young Offenders Act makes clear that a sentence of detention is an option of last resort and may only be utilised where no other

penalty would be adequate. For that reason, only young offenders with a history of repeat offending will meet the criteria set out in section 55(1).

The bill also makes related amendments to sections 53(2) and 55(2) of the Sentencing Act to clarify the interaction between the serious repeat young offender and recidivist young offender schemes in certain circumstances, including where a youth has been treated as an adult. A transitional provision in clause 7 of the bill makes clear that the amendments to the Sentencing Act will apply in relation to the sentencing of a youth who is convicted of an offence after the commencement of the bill, regardless of whether the offence was committed before or after that commencement.

Finally, the bill amends the Bail Act to introduce a presumption against bail in circumstances where:

- (a) the applicant is a youth who is a recidivist young offender as defined in part 3, division 4 of the Sentencing Act; and
- (b) the applicant is taken into custody in relation to a serious offence.

The presumption against bail will apply to youths who are of or above the age of 14 years on the day on which the serious offence was allegedly committed. Consistent with the existing test in section 10A of the Bail Act, the presumption of bail is displaced if the youth establishes the existence of 'special circumstances' justifying their release on bail. A broader review of the Bail Act has been referred to the South Australian Law Reform Institute and will include consideration of whether the Bail Act appropriately deals with young offenders. I commend the bill to members and seek leave to insert the explanation of clauses in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Bail Act 1985*

3—Amendment of section 10A—Presumption against bail in certain cases

Subclause (1) amends the definition of *prescribed applicant* in relation to presumption against bail in certain cases to include an applicant taken into custody in relation to a serious offence if the applicant is a youth who is a recidivist young offender.

Subclause (2) inserts definitions of *recidivist young offender*, *serious offence* and *youth* for the purposes of the section.

Part 3—Amendment of *Sentencing Act 2017*

4—Amendment of section 52—Interpretation

This clause inserts a definition of *conviction* for the purposes of the Division.

5—Amendment of section 53—Serious repeat offenders

This clause amends section 53 to make it clear that:

- the section applies to a youth who is being dealt with as an adult; and
- when determining the number of occasions on which a person has committed a particular kind of offence, offences committed by the person as a youth are not to be included unless the youth was dealt with as an adult.

6—Amendment of section 55—Declaration that youth is recidivist young offender

This clause makes amendments to section 55 of the Act to remove the need for a court to declare a youth to be a recidivist young offender and instead make it automatic in certain circumstances (subject to the discretion in subclause (5)).

7—Transitional provision

This clause makes transitional provisions in relation to the amendments in this Part.

Part 4—Amendment of Young Offenders Act 1993

8—Amendment of section 3—Objects and statutory policies

This clause amends section 3 of the Act to provide that, in imposing sanctions on a youth for offending, regard should be had to the deterrent effect any proposed sanction may have on the youth and if the youth has demonstrated a pattern of repeated offending, substantial weight should be given to the impact of that offending and the need to protect the safety of the community (whether as individuals or in general).

9—Amendment of section 4—Interpretation

This clause makes a consequential amendment.

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

LOCAL NUISANCE AND LITTER CONTROL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 28 October 2025.)

The PRESIDENT: Attorney, you are going to conclude the debate?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (11:24): Sir, I choose to conclude the debate, and I want to thank honourable members for their contributions during the second reading stage. I look forward to consideration of the bill and amendments during the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. C. BONAROS: I thank the Deputy Premier for his summation, but he did not answer any of the questions I raised during the second reading contribution. If we go back to those questions the first was in relation to consultation. Can we confirm who we consulted with in relation to the provisions around shopping trolleys in most recent times and in terms of the amendments that were passed? Can the minister also confirm, perhaps as a follow-up, who we consulted with in relation to the proposed section that deals with installation of designated devices?

The Hon. K.J. MAHER: I might take a little bit of time to talk about the consultation process broadly and specifically to hopefully cover off most of the questions the honourable member may have, particularly in relation to the development of the shopping trolley collection requirements in the bill.

I am advised the consultation process for the bill and amendments was conducted in two phases: an initial discussion paper back in 2018 followed by a four-month public consultation period on the bill and regulations, from October 2022 to February 2023. This later stage, I am advised, attracted 38 submissions, with most respondents supportive of the proposed reforms.

Shopping trolley reforms were particularly well received, securing broad backing from both community members and councils. An amendment was added, after consulting with the Small Business Commissioner, exempting small retailers—that is, those with fewer than 20 trolleys, I am advised—from shopping trolley management plan requirements. I am advised all members of parliament received consultation materials, and at least one MP, the member for Narungga, Fraser Ellis MP, attended the public meeting online. Councils and the Local Government Association remained actively involved throughout all stages of the process.

With specific reference to consultation on the bill amendments, I am advised these were developed in consultation with the Local Government Association and in particular Foodland, which

took part, and aimed to balance the need for councils to have an effective way to address abandoned trolleys while ensuring retailers are not burdened with unreasonable responsibilities to collect trolleys.

In relation to the specifics of this consultation, I am advised that on 6 September 2024 the EPA emailed the Local Government Association and retailers, including the South Australian Independent Retailers and Foodland, advising that the bill had passed the House of Assembly and providing proposed draft amendments for feedback. I am advised that initially there was feedback from the LGA without a lot of input from retailers. However, I am advised that Foodland in particular actively engaged in the later stages of the bill amendment discussion, including through face-to-face meetings, telephone discussions, written submissions and emails. I am advised that those responsible for the development of the bill are very grateful for the constructive and helpful engagement with this process of Foodland in particular.

The EPA advised all stakeholders on the amendments as filed on 24 October 2025. I am advised that the EPA has since spoken and provided further information to the SA Independent Retailers association and reached out directly to Foodland on the amendments. I am advised that the government has not received explicit support or objection to the amendments from retailers.

In summary, I am advised that the shopping trolley provisions include the addition of shopping trolleys in the definition of general litter, a requirement for retailers to identify shopping trolleys with their trading name and the contact information of a person to report abandoned trolleys for collection, set timeframes for the collection of shopping trolleys, and an ability for councils to issue litter abatement notices to retailers with shopping trolley management requirements.

During debate in the lower house, questions were raised about the reasonableness of the shopping trolley requirements, with reference to an example of the significant trolley abandonment in Port Augusta where approximately 500 trolleys were found submerged off the wharf. Questions were raised about how the new trolley collection requirements in offence provisions in the Local Nuisance and Litter Control Act would apply to this situation and whether there is an implied defence of reasonableness.

I am advised the former Minister for Climate Change, Environment and Water undertook to consider whether reasonableness existed within the bill or whether one required drafting between the houses. Government amendments to the bill have been filed to ensure reasonableness is applied to shopping trolley collection requirements. It is important to highlight that during the discussions regarding the bill amendments, particular attention was given to assessing the effects of the trolley identification collection requirements on small and independent retailers. I am happy to discuss some of these further amendments in the committee stage of the debate if needed.

I note the reference from the Hon. Connie Bonaros to the City of Marion by-laws that were disallowed in this place way back in February 2021. The local nuisance and litter control bill was drafted in consideration of members' comments on by-laws and the need for consistent trolley regulation across the state rather than individual councils passing their own by-laws on the issue in the absence of state legislation.

Councils use a proportional approach when applying legislation and will use their own discretion when choosing how to respond to a retailer who does not collect trolleys within the time stated in the proposed new section 24B of the act. This proportional response means councils' actions will be scaled to the seriousness of the breach. The EPA, I am advised, has committed to providing councils with information and guidance on when expiation or seeking penalties would be appropriate.

I note the comments from the Hon. Nicola Centofanti to make sure that we monitor the implementation of the proposed new shopping trolley provisions. I am advised that the government will monitor it closely and has undertaken to delay commencement of the shopping trolley provisions until a year after the rest of the bill has commenced, to allow time to work with retailers to support compliance with the identification requirements and the collection requirements.

I also want to provide the following advice in response to the Hon. Connie Bonaros' questions regarding clause 7 of the bill and the proposed offence provision for the installation of a designated device, air conditioner or external light in a location that does cause local nuisance. I am advised the

purpose of this clause is to ensure that appropriate consideration is given when installing these type of devices that are known to cause nuisance. The person installing the device has the knowledge and experience to know that these devices can cause nuisance and can make appropriate recommendations on them.

The following stakeholders will provide the draft bill and explanatory report and be asked to provide feedback regarding clause 7: the Master Builders Association; the Housing Industry Association; the National Electrical and Communications Association; Master Electricians Australia; and the Australian Planning and Land Use Services. A representative from the HIA attended this public meeting, however did not raise any concerns, I am advised, regarding clause 7. A submission was subsequently received from the HIA but, again, no views were raised regarding clause 7.

I am advised that the government is committed to supporting industry through the implementation of this clause. This will include providing information and guidance documents and hosting information sessions for both industry and councils on how this clause will be applied. In addition, the government has committed to a delayed commencement of clause 7 for 12 months to allow for such an education program to be run.

I note clause 7 does not replace existing provisions in the Local Nuisance and Litter Control Act for the management of nuisance from air conditioners. Management of existing air conditioners can be costly for both the owner of the air conditioner and the neighbour who is experiencing the nuisance. The purpose of this clause is to ensure that appropriate consideration has been taken to the location of an air conditioner before it becomes a nuisance requiring that mitigation.

I might just briefly, for the benefit of the committee, speak to the amendment filed by the Hon. Nicola Centofanti while I am going through the bill in general. I am advised that the government will not be supporting the amendments as these would require considerable consultation with primary production stakeholders, the community and local councils to fully understand the amendments before proceeding.

Amendments to schedule 1 of the Local Nuisance and Litter Control Act can be made through the making of regulations if needed. These are associated administrative regulations required to support the commencement of the amendment act. Consultations on the proposed amendments may be conducted if deemed appropriate and endorsed by the government following an assessment of potential impacts, and the amendment then could be incorporated into the supporting regulations.

I thank honourable members for some of the questions raised. I am pleased to be able to give some reports about the matters that have been raised in the second reading and I can expand on some of this if needed.

The Hon. C. BONAROS: I might go back to clause 7 of the bill in relation to the installation of designated devices. The Deputy Premier mentioned NECA as one of the bodies that was consulted with. What was their position in relation to this particular aspect of the bill?

The Hon. K.J. MAHER: My advice is that no response was received.

The Hon. C. BONAROS: Can the Deputy Premier also confirm regarding the questions that I asked yesterday in relation to the breadth of this amendment applying to installers themselves as opposed to the home owners? So if I provide the advice and recommendations to an individual saying, 'Look, this might be a bit big for this house and really this is what you should be installing,' but a home owner insists, 'That is the unit I want, and that is the one you are installing,' and the installer then goes ahead with that work, having provided the advice and the owner chooses to ignore it, is the installer still liable to a penalty under this bill?

The Hon. K.J. MAHER: My advice is in that circumstance it would fall on the home owner.

The Hon. C. BONAROS: It will fall on the home owner as well, but the bill is broad enough to cover the person who installs it or the person who causes the device to be installed. So it is not limited to the home owner; it could potentially apply to both?

The Hon. K.J. MAHER: My advice is, yes, it could apply to either one, but in the end it can only apply to one of them, so my advice is that in the circumstances the honourable member mentioned it would be the home owner it would apply to.

The Hon. C. BONAROS: On that basis, then, why is it that the installers have actually been included?

The Hon. K.J. MAHER: My advice is to ensure that they are taking into account, for example, the location of where something like that might be and giving that advice to the home owner.

The Hon. C. BONAROS: If I go back to the example: so we send someone out, we tell them, 'This is probably not the best place to put it. Here are the best practice guidelines you should follow,' but the home owner insists, then they could potentially, under these changes, still be liable if they undertake the work. So they have two choices: they either say, 'Well, we are not doing this job,' or they potentially expose themselves to liability if they go ahead with it.

The Hon. K.J. MAHER: I am advised there is a defence for the installer if they have provided that advice but the home owner has insisted, as outlined by the member.

The Hon. C. BONAROS: Sorry, can you just repeat that?

The Hon. K.J. MAHER: I am advised there is a defence for the installer in the circumstances which the Hon. Connie Bonaros has outlined.

The Hon. C. BONAROS: That defence is that the installer themselves did not foresee, or could not reasonably be expected to have foreseen, that the installation would result in a local nuisance, and that is what the provision goes on to say. That is very different to the scenario I have just highlighted where the installer has, to the best of their ability, provided that advice to the home owner and the home owner has chosen to ignore the advice of the installer and said, 'Thanks for your advice. I still want that air conditioner unit installed there,' and if they do install it there then they are still exposing themselves to liability by undertaking the work.

The Hon. K.J. MAHER: My advice is that it is not just part A that needs to be read, but part B of 19A(2). Part B states:

- (b) the person who installed the designated device, or caused the designated device to be installed, did not determine the position in which the device was installed;

My advice is that, in that case, if it is the home owner who determined it then that is the defence that can be raised.

The Hon. C. BONAROS: To be clear then, if I call somebody out to install an air conditioner at my property and they come out and they tell me that this is not the best place for it and for some reason—I do not know why we would not go after the home owner—we target the installer, the installer can say, 'Well, I tried my best to convince them, but they did not take that advice and I just did my job.'

The Hon. K.J. MAHER: As usual with how circumstances might find their way, if it ever was litigated in court—I will not give specific legal advice—for the circumstances the honourable member raises, very broadly speaking, I advise that is correct.

The Hon. C. BONAROS: Can we just provide some clarification as to why we actually chose to include installers? Causing a device to be installed would certainly capture the home owner, unless the home owner is qualified to install an air-con unit, but they should not be doing that anyway, so why did we actually go as far as capturing the people who do the installations?

The Hon. K.J. MAHER: My advice is because installers, in most circumstances, are better placed to know the nature and effect of what may be the outcome of that installation.

The Hon. N.J. CENTOFANTI: It is my understanding that this was a question that was asked by the opposition in the other place and was taken on notice by the then minister and I am seeking an answer to this question: how many expiations have been issued in the last 12 months to shoppers who have littered a trolley?

The Hon. K.J. MAHER: My advice is that we are not aware of any.

The Hon. N.J. CENTOFANTI: Thank you for that answer and, just to be clear, that has been investigated and you are saying that there have not been?

The Hon. K.J. MAHER: My advice is that is correct.

The Hon. N.J. CENTOFANTI: Just staying on the theme of trolleys, can I ask the Attorney why it is that the government is making it a defence against prosecution for trolleys that are too dangerous to collect or require certain special equipment or I think the other one is anything defined by the regulations rather than in those obvious circumstances allowing a notice to be withdrawn? Sorry, I am not articulating this very well. Why is the onus on those being prosecuted?

The Hon. K.J. MAHER: My advice is that there is nothing prohibiting the notice being withdrawn, but it is that failsafe at the end as well.

The Hon. N.J. CENTOFANTI: Just to be clear, if there is an authorised officer from the local council who has authorised a notice or who has given a notice and then it is brought to their attention that actually there are these special circumstances in which it is difficult to retrieve that trolley then they can withdraw that notice.

The Hon. K.J. MAHER: My advice is that situation is correct.

The Hon. C. BONAROS: Was consideration given to limiting the scope, in terms of the size of supermarkets in question?

The Hon. K.J. MAHER: The number of trolleys?

The Hon. C. BONAROS: No, the size of the actual supermarket. You have small operators, and then you have your large operators. You have your Woolworths and Coles versus your small IGA. Was any consideration given to applying this to large operators over small operators?

The Hon. K.J. MAHER: I am advised that the relative size of the shopping centre operations is taken into account with the number of shopping trolleys. The shopping trolley ID requirement applies regardless of how many trolleys there are and that is, I am advised, on the basis that a member of the public should be able to know where the shopping trolley is from and have an ability to return it regardless of how big it is. But the shopping trolley management requirements only apply to 20 or more shopping trolleys.

The Hon. N.J. CENTOFANTI: Just a supplementary on that: could we see—and I am not suggesting that this will be the case because I know that our supermarkets absolutely want to provide the best service possible—a perverse outcome where if they do have 25 trolleys they might reduce that to 20?

The Hon. K.J. MAHER: I understand the question but, in my experience, if a supermarket does something like this to get around one very small aspect, I suspect they would find if their customers did not have access to the trolleys that they had become used to, they may end up losing much more business than they would risk by falling into this scheme.

The Hon. C. BONAROS: Can we just clarify those provisions? I am thinking now outside the normal scope of perhaps who we would think of in terms of the coverage. In relation to small supermarkets in our metropolitan suburbs, there is plenty of them on Prospect Road—well, they are everywhere, really. They are small supermarkets usually. There are Indian ones, Afghani ones, Greek ones, Italian ones. They all have a niche market.

I know the one that I frequent probably has about double the minimum number that we have just outlined. Are they captured by the need to have their trolleys coded? These are supermarkets that probably have gathered trolleys second hand, in terms of what they provide at their outlets. Are they actually covered by the requirements and, if so, what kind of education campaign is going to be done amongst them—and there are lots of them across the state—to let them know that if they have more than 20 they will be subject to these changes?

The Hon. K.J. MAHER: I am happy to reiterate the advice that I got before and shared. In terms of the ID requirements, they apply to everyone: the under or over 20 trolleys. The ID requirements apply on the basis that, regardless of the number of shopping trolleys a retail outlet has, a member of the public should have an idea of where to return them to. In relation to education requirements, I am advised that there will be education that is rolled out, working with industry associations and particularly local councils.

The Hon. C. BONAROS: Who is going to be responsible for going out to all these little supermarkets and fruit stores and whatever they may be to let them know that they will be subject to this, that these will be the things that you have to have on your trolleys, and you will also be responsible for ensuring that they are collected if you do not want to find yourself prosecuted under these provisions?

The Hon. K.J. MAHER: My advice is we are already extending the introduction of this element of it by 12 months to allow exactly that information to happen. I am advised that there are a variety of ways through the Small Business Commissioner or the EPA. Certainly, regulators very often inform those in the sector of changes. For example, the EPA informs of changes to container deposit scheme requirements. Certainly, in my portfolio areas I know when there are changes to areas of work health and safety, SafeWork SA conduct extensive education regimes to businesses that may be affected.

The Hon. C. BONAROS: Can I take it from that response then that the Deputy Premier is giving an undertaking to this place that that education campaign will be conducted through the responsible government agencies to ensure that those little operators do know what their responsibilities are in relation to trolleys?

The Hon. K.J. MAHER: My advice is there will be an education campaign conducted. I cannot stand here and say I can absolutely assure you that that will reach every single person who has a shopping trolley, but, as I have said, very regularly as a parliament we decide to change laws and rules that apply generally, and particularly government regulators are very used to letting people subject to them know what the changes are.

The Hon. C. BONAROS: Yesterday, I asked some questions during my second reading contribution about bad behaviour by people who choose to ignore the law and continue to do the wrong thing. What are the differences in penalties that apply to the retailers versus the individuals? Trolleys have been captured under the definition of litter. If I go and deliberately take my trolley and leave it in my street, and I do that three days a week and end up with five trolleys outside my house, what are the differences between the penalties that apply to me versus the retailer?

The Hon. K.J. MAHER: My advice is for the individual who, in the circumstance outlined by the honourable member, is constantly leaving trolleys outside their place, the general litter expiation fee would apply. That is an expiation fee of \$210. For a business who has trolleys there, and they are given notice and they go and collect them, it is zero because they have complied with the collection notice. If they do not, I am advised there is an expiation fee of \$500.

The Hon. C. BONAROS: An expiation fee of \$500. Just to clarify, is there a maximum penalty that can be applied? Is there also a penalty of up to \$5,000 or \$10,000 that could apply equally?

The Hon. K.J. MAHER: I thought the honourable member asked about the expiation fees. There is, as there is in many circumstances, a penalty that is not an expiation fee, that is up to \$5,000. I think it is important to reiterate that if they had been given a notice and complied with it there is zero penalty.

The Hon. N.J. CENTOFANTI: I just want to clarify some of the statements that the Attorney made in his answer to consultation. He spoke about my amendment to schedule 1, part 3. Is the Attorney suggesting that the addition of primary producers or primary production in schedule 1, part 3 certainly could be included in the drafting of the regulations and consulted upon throughout that process?

The Hon. K.J. MAHER: My advice is, yes, that is possible. That could be done by way of regulation.

The Hon. N.J. CENTOFANTI: If that is the case—and I appreciate that the Attorney is not the minister—is that something the Attorney is aware that the minister is actively considering?

The Hon. K.J. MAHER: Again, I am not the minister and do not have responsibility for this policy area, but I am advised that is something the minister is considering, whether or not that consultation would occur, and it be looked at by regulation.

The Hon. N.J. CENTOFANTI: Perhaps then I might just ask the direct question: why is mining currently exempt from the Local Nuisance and Litter Control Act under schedule 1, part 3, yet primary production is not?

The Hon. K.J. MAHER: In terms of why an element is in the bill and another one is not, I do not have the answer to that, but I will take that on notice for the honourable member.

The Hon. N.J. CENTOFANTI: I appreciate the Attorney taking that on notice, and I will just finally state that I think that is a good question for the minister to ask in terms of then going forward with that consultation process.

The Hon. K.J. MAHER: I appreciate that and, by asking the question, it may inform a couple of questions before that the honourable member has asked.

Clause passed.

Clauses 2 to 13 passed.

Clause 14.

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

Amendment No 1 [AG-1]—

Page 10, line 22 [clause 14, inserted section 24A(b)]—Delete 'or QR code' and substitute:

, QR code or other means of communication prescribed by the regulations

This is a simple technical amendment to make sure that we can not just have a QR but, as technology changes, look for other ways.

The Hon. N.J. CENTOFANTI: As I indicated in my second reading contribution, the opposition will be supporting all the government's amendments.

The Hon. C. BONAROS: I indicate that I too will be supporting all the amendments which, as the Deputy Premier has explained, are effectively the middle ground between local government and those sectors that were consulted in relation to some of the issues we have outlined.

If perhaps the Deputy Premier can clarify that there is one amendment—and I am hoping I am right—that has been included which ensures that doing what this requires you to do has to be consistent with, or cannot override, any other legislative requirements in terms of health and safety. If collecting the trolleys means you are doing something that puts a worker at risk, then that will be a reasonable excuse not to collect those trolleys—jumping into a wharf, for instance, to collect 500 trolleys.

The Hon. K.J. MAHER: Yes; amendment No. 2 [AG-1] does exactly what the honourable member has outlined.

Amendment carried.

The CHAIR: You will have to move these amendments separately, Deputy Premier, but there has been an indication that everyone is supporting your amendments.

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

Amendment No 2 [AG-1]—

Page 11, lines 1 to 3 [clause 14, inserted section 24B(1)]—

Delete 'immediately after receiving that notification or becoming so aware, ensure that the trolley is collected from that place.' and substitute:

subject to any other law of the State, ensure that the trolley is collected from that place as soon as reasonably practicable (but in any event no later than the end of the next day of trading of the business) after receiving that notification or becoming so aware.

We have just traversed this with the Hon. Connie Bonaros, what the amendment is, what it does and the reasons for it.

Amendment carried.

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

Amendment No 3 [AG-1]—

Page 11, line 15 [clause 14, inserted section 24B(3)]—After 'applies,' insert:

and subject to any other law of the State,

This is subject to any old laws of the state, as we have just traversed.

Amendment carried.

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

Amendment No 4 [AG-1]—

Page 11, after line 22 [clause 14, inserted section 24B]—After subsection (3) insert:

- (4) In any proceedings where it is alleged that a person contravened subsection (3) it will be a defence if it is proved that—
 - (a) the collection of the trolley posed an unacceptable risk to the health or safety of a person collecting the trolley; or
 - (b) the trolley was not reasonably able to be collected using standard means, equipment or machinery; or
 - (c) the trolley was not able to be collected on grounds, or in circumstances, prescribed by the regulations.
- (5) A person who would, but for the defence provided by subsection (4), have contravened subsection (3) is, despite that defence, to be taken to have contravened that subsection for the purposes of the issuing or enforcement of a litter abatement notice in respect of the contravention.

Again, it is about a reasonable defence for shop trolleys that are not causing a hazard. I am happy to answer questions, but it is self-explanatory.

Amendment carried; clause as amended passed.

Clause 15.

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

Amendment No 5 [AG-1]—

Page 13, after line 22—After subclause (3) insert:

- (3a) Section 30(8)—delete subsection (8) and substitute:
 - (8) The Minister or a council may, by written notice served on a person to whom a notice under this section has been issued by the Minister or council, vary or revoke the notice—
 - (a) in the case of a litter abatement notice that contains a requirement to prepare a plan of action that includes shopping trolley management requirements—on the application of the person to whom the notice was issued, if the Minister or council is satisfied that it is appropriate in the circumstances; and
 - (b) in any case—on their own initiative.
- (8a) An application under subsection (8)(a)—
 - (a) may not be made within the period of 12 months immediately following the issue of the litter abatement notice to the person; and
 - (b) must be made in the manner and form, and include the information, required by the Minister or the council (as the case requires).

This amendment has been drafted in response to feedback received from a retailer during consultation on the bill passed in another place. The retailer raised it in the current act. A litter abatement notice with a plan of action does not have an end date or review period, meaning that those plans may, effectively, be in place indefinitely, although the proposed amendment allows the person who has been issued a litter abatement notice that contains a requirement for a plan of action

to include a shopping trolley after 12 months may apply to the council to have the notice varied or revoked.

Amendment carried; clause as amended passed.

Clauses 16 and 17 passed.

Clause 18.

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

Amendment No 1 [Centofanti-2]—

Page 15, after line 34—Before subclause (1) insert:

(a1) Schedule 1, Part 1, clause 1—after the definition of *bird scaring device* insert:

business of primary production means the business of agriculture, pasturage, horticulture, commercial forestry, viticulture, apiculture, poultry farming, dairy farming, wool farming, or any other business consisting of the cultivation of soils, the gathering in of crops, the rearing of livestock or the propagation and harvesting of fish or other aquatic organisms;

I might speak to both amendments Nos 1 and 2, given they are consequential. Obviously, if amendment No. 1 fails, I suspect amendment No. 2 will also fail.

This amendment seeks to include primary production in schedule 1, part 3 of the Local Nuisance and Litter Control Act 2016, the section that lists activities that are not considered a local nuisance under the act. Currently, as we have outlined in the committee stage, mining operations are included in this schedule, yet farming and other primary production activities, which are essential to our state's economy and food security, are not. This creates an unfair imbalance where farmers can face local nuisance complaints for activities that are entirely legitimate and necessary to their operations, such as the movement of machinery or dust from harvests.

It is important to note that, with increasing urban sprawl and more non-farming residents living alongside productive land, farmers are becoming increasingly vulnerable to complaints under this act. I stress that this amendment does not give anyone a free pass to do the wrong thing, environmental and planning laws will still apply, but it provides some certainty and protection for legitimate farming practices. Put simply, farming is not a nuisance. It is the backbone of our state's food and fibre production and it deserves to be recognised and protected as such.

I indicate that I will divide on this amendment because it is something that I and the opposition feel strongly about, but I appreciate the Attorney's comments that these changes can be made via regulation and I would strongly counsel the government to do just that.

The Hon. K.J. MAHER: I thank the honourable member for the amendments she is putting forward. As I have stated, we will not be supporting the amendments, but I have said in relation to the question I have taken on notice that it is a good thought starter. As I have said, although it is not my direct area of policy as the minister responsible I am advised that the minister is happy to consider the ability to do what the honourable member suggested when consultation happens for the regulations.

The Hon. R.A. SIMMS: I have had a discussion with the relevant minister about this. I know that the amendment has come in fairly late. That is not a criticism, as I understand the honourable member was getting that drafted, but it has meant that I have not really had sufficient time to get my head around the implications of this or to seek advice. On that basis, I will not be supporting the amendment, but I note the comments of the Attorney that the government will be taking this into consideration. I hope that they do so and come up with something that will address the issue the opposition has raised.

The Hon. T.A. FRANKS: I understand where the opposition is coming from with this amendment. I have great sympathy for it. I did raise it in my briefing with the government and I was given an assurance that there would be assurances given to properly consult on it and so to do it right, and I am glad that that has been put on the public record. I will not be supporting the substance of this amendment today, but I do support the spirit of it.

The Hon. C. BONAROS: I indicate that I will be supporting the amendment, and I agree wholeheartedly with the distinction that is being made between mining and primary production. You can ask any individual who is living in one of those regions that is already impacted by mining activity—the red dust at Port Augusta, the mining quarry up at Skye—about these sorts of examples where locals are constantly complaining about the lack of action taken when their rights to their properties, their enjoyment of their property, is impacted by mining activity, with very little action taken in response. It makes sense that if it is good enough for mining, it is good enough for primary production. It is on that basis that I will be supporting this amendment.

The committee divided on the amendment:

Ayes7
Noes8
Majority1

AYES

Bonaros, C.
Hood, B.R.
Pangallo, F.

Centofanti, N.J. (teller)
Lee, J.S.

Girolamo, H.M.
Lensink, J.M.A.

NOES

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

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

Hunter, I.K.
Ngo, T.T.

PAIRS

Hood, D.G.E.
Henderson, L.A.
Game, S.L.

El Dannawi, M.
Scriven, C.M.
Bourke, E.S.

Amendment thus negated.

The CHAIR: The Hon. Ms Centofanti, I take it you are not going to move your next amendment?

The Hon. N.J. CENTOFANTI: Given the fact that amendment No. 2 [Centofanti-2] is consequential, I will not be moving it.

Clause passed.

Schedule and title passed.

Bill reported with 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) (12:12): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Motions

SHELLFISH REEF RESTORATION

The Hon. T.A. FRANKS (12:13): I move:

That this council—

1. Acknowledges the urgent and ongoing threats to South Australia's marine environment and economy;
2. Recognises the critical role of large-scale shellfish reef restoration in improving water quality and system resilience;
3. Commits the state government to the development of a five-year 'South Australian shellfish reef acceleration plan', focused on expanding reef restoration to priority geographies—particularly the Gulf St Vincent region, Spencer Gulf and metropolitan coastal waters—and linked with localised monitoring, nutrient-reduction strategies and stakeholder partnerships;
4. Tasks the relevant minister to report back to the council within six months on the progress of reef restoration efforts, including area restored, intended to be restored, partners engaged, budget profile and measurable ecosystem outcomes; and
5. Actively encourages collaborative investment from the commonwealth, philanthropic and private sectors to scale reef restoration in South Australia, leveraging the national Reef Builder model and local partnerships.

I move this motion in the wake of the algal bloom, an extraordinary event and challenge facing our state and our environment, so I rise today to speak about a really critical and timely matter: the restoration of our shellfish and oyster reef ecosystems and how investing in this natural solution directly supports our state response to the devastating and harmful algal bloom that we are currently seeing in our waters.

Members in this place and the other place who attended the forum I hosted recently called 'Pearls of Wisdom' or the oyster forum, as it was commonly known, which featured ecologist Faith Coleman, marine biologist Anita Thomas, and marine ecologist Dr Dominic McAfee, will be aware of The Nature Conservancy—I can never say it; I always get it wrong so we will call it TNC to save my stumbling over the words—that has done some extraordinary work over recent years, leading national-scale efforts to rebuild shellfish reefs in our littoral zones.

Since 2015, TNC has partnered with the Australian government and state agencies to restore what was once a 'near extinct reef habitat', including more than 40 hectares across 13 projects between 2021 and 2023, under what is called the national Reef Builder program. We know that the government more recently, with the federal partnership, has announced further reef restoration programs, but when you discover that we pretty much have 1 per cent of the reefs that we had precolonisation, you realise that we have a significant challenge ahead of us to restore those reefs.

The goal that has been stated to me is if we could do somewhere between 30 per cent to 40 per cent of what we once had we would be a long way to not just cleaning our seas but cooling our planet, creating a habitat that will keep sand on our shores, restore the seagrasses and filter the seas. In South Australia we do have a challenge before us but we also have a really good reason to be optimistic.

That partnership between The Nature Conservancy (TNC) and the South Australian Department for Environment and Water has already delivered low-profile reef modules at Glenelg, covering 2.1 hectares of shore from our metro coast. Anyone who has seen the underwater photography of what that has done to restore our marine environment will be inspired and hopeful in the face of what is an ecological crisis.

Why is this ecosystem restoration so important? It hardly needs asking, but I will answer it. Oyster and shellfish reefs provide multiple benefits. Firstly, they function as living filtration systems. Oysters and their reef communities remove particles and excess nutrients, and improve water clarity. Secondly, they create a three-dimensional structure on the sea floor offering habitat for fish, invertebrates, and supporting fisheries. Thirdly, they contribute to coastal resilience and help stabilise our shorelines. It is here that we can really clearly see the link to our present emergency.

Many, of course, are really horrified—not just in this parliament but in our community—about the unfolding environmental crisis. A large-scale, harmful algal bloom, dominated by the dinoflagellate *Karenia mikimotoi*, has been affecting South Australia's coastline since March 2025. The bloom has been attributed to a complex set of drivers but I particularly want to point to the marine heatwave in South Australian waters since September 2024, rising sea surface temperatures and elevated nutrient loads in our coastal waters.

The impacts are severe. Marine wildlife across many species, including fish, rays and invertebrates, have suffered mass mortalities. Water quality has degraded and our fisheries and coastal communities are facing major disruption. In this context, restoring our reefs offers more than just a conservation project; it has to become part of our blueprint for marine recovery and climate resilience.

These reefs can offer us much in regard to harmful algal blooms. By filtering the water and removing the nutrients from the water column and sediments, they will reduce the local nutrient availability that helps fuel algal proliferation. By improving water clarity and depth penetration of light, they support adjacent ecosystems such as seagrass beds, which are themselves critical to ecosystem health.

By enhancing biodiversity and ecosystem complexity, they build resistance into our coastal marine systems so that when events such as the harmful algal bloom do occur, our system has stronger recovery capacity. This is not to suggest that this is the sole solution. Of course, it is not. The primary drivers—nutrient runoff from catchments, warming ocean temperatures and altered hydrology—must also be addressed in parallel, but restoration of oyster reefs is a strategic, tangible and proven part of the solution mix.

Therefore, I have moved a motion today that I hope this parliament will see fit to support. I am certainly open to amendments from opposition, government or crossbenchers that they think might make it more effective, but I think this is one area of addressing the harmful algal bloom that I would hope we could all agree on. At that 'Pearls of Wisdom' forum, we certainly enjoyed eating the oysters, which were incredibly fat and juicy because of the nutrients that they had been consuming, and then put them into a little basket in a bucket which literally will go off to be sanitised, dried out for six months or so, and then, usually with the support of community in particular, end up back on our seabeds, restoring our reefs, providing that habitat, and eventually cleaning and filtering our seas.

I cannot think of a more positive way for the community to come together and for parliament to show leadership than to actually commit to this five-year plan and for all sides of parliament, regardless of their position on the harmful algal bloom causes, to see that this is indeed one of the key solutions. With that, I commend the motion to the council.

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

SOCIAL WORKERS

The Hon. C. BONAROS (12:22): I move:

That this council acknowledges the critical role social workers play in supporting and protecting vulnerable South Australians.

In 2015, the then Coroner, Mark Johns, published his report and recommendations in respect of the heartbreaking death of four-year-old Chloe Lee Valentine. The story of Chloe's consistent neglect from birth and ultimate death is one that will live in the consciousness and nightmares of many South Australians. She and her family were undoubtedly let down by the state in myriad ways and continue to be let down in myriad ways.

The Coroner's report was extensive and harrowing, and his 22 recommendations were thoughtful. The government of the day fully accepted 19 of those recommendations and gave in-principle support to another. One recommendation that was aimed at the parliament was for the establishment of a scheme for the registration of social workers. Almost everyone I have spoken to before and since have been shocked to learn that such a scheme for the registration and regulation of social workers was not already in place—in fact, not in place anywhere in this country.

But the people in this place took action and, in September 2018, thanks to the Hon. Tammy Franks, the Social Workers Registration Bill 2018 was introduced into the Legislative Council. The bill made provisions for the registration of social workers and for the establishment of a Social Workers Registration Board which would perform a regulatory role. Although other states were now looking to establish their own regulatory schemes, South Australia was proudly leading the way.

In November of that year, the bill was referred to a joint committee for further examination. That committee, which I sat on, made 20 recommendations for considerations and amendments to

the bill. The amended bill passed into law in December 2021 and a date for the scheme to commence was set for July this year, a reasonable and, some might say, generous amount of time to get this up and running.

The office of the Social Workers Registration Board was established in mid-2023, including the appointment of its director, Professor Sarah Wendt, in September to prepare the scheme for its go-live date. As I understand it, a staff of approximately 12 to 14 people had been engaged and were busily preparing communications and the policies and procedures that would govern the work of the body. A seven-person board was publicly announced in March 2024 and since then four people have been appointed to their Aboriginal and Torres Strait Islander People's Committee to assist and collaborate with the board in the performance of its functions. In March of this year, Professor Wendt told the Budget and Finance Committee that the commencement date of 1 July was achievable and on track.

This is where the story starts to get intriguing. In June this year, I was paid a visit by the Minister for Child Protection, the Hon. Katrine Hildyard. The minister told me the office was not quite ready and there was a need to postpone the commencement date. I am not an unreasonable person. If you need more time to ensure everything operates at an optimal level, I can understand and support that. So how much time did the minister need? It turns out she needed an indefinite amount of time to implement a piece of legislation that was passed four years ago.

In mid-June, an amendment bill was introduced in this place to postpone the commencement of this scheme indefinitely. I spoke about my frustration at the time and declared that I would be supporting a further amendment by the original mover of this bill, the Hon. Tammy Franks, that would in fact require the scheme to go live on 1 December this year. We were not successful in those efforts to amend the bill.

The government's efforts to indefinitely mothball the scheme were successful, interestingly enough with the full support of the opposition, and let me remind you that the Liberal Party had as part of its 2018 election policy platform the establishment of a scheme such as this. The Liberal minister at the time broke protocol in this place and actually served as a member of that committee because she wanted to ensure that we landed on a model that could be supported across the political divide. But the Liberal Party have obviously moved on from this to other priorities, which they might one day tell us about.

So here we are, almost 14 years after Chloe's death, 10 years after the Coroner made recommendations for such a scheme to be implemented, seven years after the bill was introduced into the parliament and four years after it was passed into law and millions of dollars of public money has been spent on the establishment of an office, the engagement of staff and the appointment of the board and committee for the largest professional group of workers in this state who remain unregistered and unregulated.

You could just dismiss this as wheels of government turning slowly, and earlier today was certainly a reflection of that, but we know that the wheels of government can turn very quickly when it is a priority for government. We know that the wheels turned very quickly when we gutted ICAC within 24 hours and when Gather Round in South Australia took no time at all to get up and running. What an insult to the memory and family of Chloe Valentine and other children and families who have been thoroughly let down by the state.

How is it possible that I could be given assurances in March that everything was on track and by June be told that an indefinite amount of time, additional time, was required? Either Professor Wendt—and I am not suggesting this—gave false assurances of the office's preparedness, which again I am in no way suggesting, or the government is up to something in its usual backroom deal kind of way. I do not know what it is, but I just wish, I really wish we could be honest for once. What is actually going on here? Do we have something else planned? Does the government have something else planned or have they simply lost interest?

Of course, the most important and pressing issue at play here is that children, who are at the heart of everything that this board stands for, remain vulnerable, and the government seems content to roll the dice on that whilst the opposition remains silent.

Members interjecting:

The PRESIDENT: Order!

The Hon. C. BONAROS: Let's all hope and pray that no child is let down by the state in a way that could have been avoided. If there are any children who are let down, then I sincerely hope you all enjoy the insomnia that will no doubt haunt you. I only need to mention one name in terms of the harrowing and unimaginable outcomes, and that is Chloe Valentine. We all know Chloe's story in this place. We just had a child protection debate that spanned over six months where we spoke about Chloe Valentine and the things that we needed to do to ensure that no other child ends up having the same fate as Chloe Valentine.

This recommendation came directly from the Coroner's inquest into Chloe's death. From a public administration perspective, it does feel like complete incompetence, if not maladministration. In the 2022-23 state budget papers \$4.7 million was allocated to establish the board and its office over four years. It was always intended that from its go-live date the board would be self-funded from registration fees. I can only assume now that that has not happened, that the government is continuing to fund this non-operational board, and it intends to do so for the period of what can only be described as indefinite delay.

What might the cost be to the public purse? The seven-person board is entitled to remuneration, allowances, expenses and the office remains tenanted in a city building. The website is hosted and live. A skeleton staff, including Professor Wendt, remain employed, and I assume they continue to have access to necessary licensed systems. Surely just that cannot be less than about \$60,000 a month. So \$4.7 million to get to 1 July, an estimated \$60,000 a month for a non-operational scheme, a scheme which we have no idea or assurances as to whether it will ever go live.

Let me be very clear, again, none of what I am saying is pointing the finger at, or a reflection on, the Social Workers Registration Board, Professor Wendt or her staff. I have nothing before me to suggest that they have been anything but diligent, and perhaps patient, and perhaps are, I am sure, as confused as the rest of us as to when it is that they will finally become operational in full.

The frustrating thing is that, even if the government had an epiphany on this today and decided to get the scheme operational before the end of the year, that would now be near impossible given the office had to let go almost three-quarters of its staff when the rug was pulled from under them. The time and money that will need to be invested to re-recruit staff, get them up to speed in a very important and complex policy area, as was provided in evidence by Professor Wendt before the Budget and Finance Committee, will be significant. I think they are scratching their heads as much as I and others in this place are as to why and how this has come to be.

This government has form in establishing public authorities that never become fully operational. Right now, I am asking the government for some transparency and honesty about their intentions with regard to the Social Workers Registration Board. Do you intend to become operational and, if you do, when? It is a simple question: when? If you do not, for how long are you prepared to waste public money in funding this charade? For how long are you prepared to keep social workers waiting for a scheme that they thought by now would be up and running? For how long are you willing to ignore the will of this parliament, the findings of the inquiry into the Social Workers Registration Board and the Coroner's recommendations into the death of Chloe Valentine?

If another child—and we know it is never a question of 'if' but 'when'—dies in this state because we do not have systems in place to ensure that they are looked after, that is entirely on the government and nobody else. The least this government can do on this issue is be truthful for once. Be truthful to social workers, be truthful to vulnerable families and be truthful to the public about what it is you actually intend to do.

If I am wrong in any of the information that has been given to me—including the fact that we now have a skeleton staff at the board, including the fact that they had to let go a number of people because they were not doing anything—if this has not been put on ice by the government then come in here and tell us. Tell us when it is that we can expect that the board can go out and rehire staff and get on with the job that they thought they were signing up for when that office was established.

Explain to me, if that is the case, why when you go to the website of the board and you click on 'About us', you get a nice message about what they do—fantastic—and you can see all the work that has gone into this area by the board. The contact information is there; everything is there. On the face of it, it looks like it is a scheme that is operating. Then you click on 'Registration', and do you know what you get? You get a blank screen. That is all that is there.

This government owes it to this parliament, but more importantly it owes it to the public and to Chloe Valentine's family, to be truthful and honest and tell us what their agenda is when it comes to the establishment of the Social Workers Registration Board in this state.

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

LONELINESS

The Hon. C. BONAROS (12:39): I move:

That the Social Development Committee inquire into and report on the impact of loneliness on the South Australian community, with particular reference to:

1. The prevalence and causes of loneliness within the South Australian community;
2. The effectiveness of current programs to improve social connection;
3. Opportunities for new local community groups which bring people together;
4. Opportunities for new programs and initiatives to address loneliness;
5. Cross-government and community coordination within outcomes framework to address loneliness; and
6. Any other relevant matters.

Given what I have just said, I could say that this is another example of government ignoring the will of this place. Members will recall that there was a motion that passed this place, with every expectation that there would now be an inquiry, an independent inquiry, into this issue of the prevalence of loneliness in South Australia. I have been involved in discussions with the government for I do not know how many months now, trying to land on how they will fulfil the will of this parliament in undertaking this inquiry.

I have been assured, on several occasions, of all the different things that we are looking at in terms of getting this off the board, and I am going to give a thanks to the Hon. Nat Cook, the minister responsible for this particular area, for working with me to try to ensure that. Sadly, it seems that the government does not think putting money behind an independent inquiry that they have no interest in, despite the implications it has on our health system, is a good use of public money.

I acknowledge that there is always more than one way to skin a cat, and I do thank the minister for her engagement with me on this issue and for trying to find another way to elevate this and perhaps actually provide some meat to the bone in terms of why another inquiry and body of work should be done post this inquiry. The position I have come to, which I have agreed to with the minister, is to not kick this down the road indefinitely—as we tend to do in here after giving commitments and then stepping away from them—but to ensure that something actually happens.

It is on that basis that we have collaboratively worked on an approach that would see this matter referred to the Social Development Committee. Let that committee do the initial body of work, be convinced by the evidence that is going to be provided by people who submit and provide that evidence to the committee and, hopefully, then get some more traction on what we know is an issue that has huge consequences in our community.

When I spoke to my original motion—and I am not going to do the same; I will refer members back to the original speech I gave—I spoke about the hard data and stats that indicate the impact of loneliness on our health system and on our budget overall is in the billions, that the impact on a person is the equivalent to smoking 17 cigarettes a day or of being over 50 or 60 per cent more likely to have a heart attack, and so forth. They are already there and validated.

There is very good reason and logic to take on board the impact that loneliness, and the severity of it, has on individuals in the community, has on their mental health and, by extension, then

has on our mental health and health crisis. From a purely financial perspective, it makes no sense to me that we would not want to look into this issue just because of the cost savings that could be made.

I know there are agencies out there doing their level best, and I know that the minister responsible in this particular area is doing her level best to support and promote projects that deal with loneliness. The point of this is to not continue to have a minister begging Treasury for funds to be able to fulfil those projects, certainly not in the piecemeal approach we have done so to date.

The Social Development Committee would be a good starting point so that, as I said, we can actually substantiate some of the facts and figures and be convinced of the need to do further work in this, rather than kick this can down the road indefinitely and wait until—I do not know, wait until when—for the government actually to put some money behind an inquiry that they said they would support and would ensure happens. This is an alternative that will get things cracking straightaway, and it is on that basis that I ask honourable members to support it.

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

The Hon. T.A. FRANKS: Mr President, I draw your attention to the state of the council.

A quorum having been formed:

WILKINS, SIR H.

The Hon. F. PANGALLO (12:45): I move:

That this council—

1. Congratulates the Wilkins Foundation on its establishment;
2. Recognises the efforts of the Wilkins Foundation to have Sir Hubert Wilkins properly acknowledged and respected as a great South Australian and Australian legend and hero;
3. Acknowledges the extraordinary feats undertaken by Sir Hubert Wilkins across a range of fields including aviation, exploration (including polar expeditions), war photographer, engineer and scientist;
4. Notes that this year will be the 67th anniversary of his death; and
5. Calls on the South Australian government to honour Sir Hubert Wilkins legacy by seeking and funding the return of his possessions from Arizona in the United States to be housed and displayed at the South Australian Museum.

I rise to speak on my motion that honours probably South Australia's, even Australia's, greatest unheralded and forgotten hero. It is time we rectified that. Sir Hubert Wilkins might well draw a blank among many Australians. Ironically, he was more feted in the United States, where he lived for most of his adult life, after leaving Adelaide in 1909.

Take a stroll along North Terrace next to Government House and you will see a plaque bearing his name, placed there in 2008. I will admit, as a lover of history and Australian history, I knew very little about the extraordinary exploits of Wilkins until I came across an engrossing book by Peter FitzSimons, *The Incredible Life of Hubert Wilkins*, published in 2021.

I am about to outline his incredible story, which is so deserving of a legacy here in our city and fabulous South Australian Museum. A plaque on a footpath, a road named after him at the Airport, a portrait that hangs there in the men's bathroom, the Wilkins Highway in the Mid North, his restored birthplace cottage at Netfield in Mount Bryan East, paid for by entrepreneur and philanthropist Dick Smith, a visitor centre named after him in Jamestown, and a bronze bust in the State Library sum up what his home state has done to remember and honour him.

It does no justice at all. If anything, it undervalues his contributions to world history. There have been calls to name Adelaide Airport the Sir Hubert Wilkins Airport in his honour. I could not agree more, and I will write to the management there to consider it. Am I guiding the lily? Far from it. We need to heap a mountain of praise on the man Australia should not forget. Dick Smith describes him as our greatest adventurer and says that South Australia should take Sir Hubert to heart.

Reading what he did in his lifetime simply blew me away. Wilkins was a fascinating, enthralling, exciting, courageous and intrepid adventurer whose life could have been ripped straight

out of the pages of a *Boy's Own* book: World War 1 hero; a spy; a POW who miraculously avoided a firing squad three times; an Antarctic and polar submariner explorer; daredevil, pioneering aviator; wartime filmmaker; and a climate scientist and meteorologist ahead of his time.

He lived a nomadic life, hunting with Ngadjuri Aborigines to learn their culture. He interviewed Russian revolutionary Vladimir Lenin. He rubbed shoulders with royalty, generals, media magnates, explorers, world leaders and shakers of the time—as I mentioned, Lenin, General Sir John Monash, William Randolph Hearst, Sir Charles Kingsford Smith, Sir Ernest Shackleton and Roald Amundsen. There is a movie or TV series in this bloke, and there would not be a better actor to play Hubert Wilkins than Chris Hemsworth, our modern version of that other famous swashbuckling Tasmanian action man, Errol Flynn.

The Hon. R.B. Martin: You could star in it.

The Hon. F. PANGALLO: They can have an AI version, perhaps.

Members interjecting:

The Hon. F. PANGALLO: Well, I generated a laugh on the other side. Anyway, getting back to Sir Hubert Wilkins.

The PRESIDENT: That would be good.

The Hon. F. PANGALLO: Peter FitzSimons drew a rather odd analogy, because unlike the fictional character Forrest Gump, Wilkins was no simpleton. This is what FitzSimons said:

He really was the Forrest Gump of his era, the man in the middle of so many extraordinary historical moments. FitzSimons eulogised:

This guy did everything, went everywhere. Sir John Monash called him the bravest man in his command. He had more credentials than anyone else to elevate himself.

Another admirer, Dr Stephen Carthew, describes Wilkins as 'a Renaissance man, polymath and possibilian'. Dr Carthew goes on:

He was a possibilian in that he doesn't ever become a true believer in any one thing, but remains open to everything. He's a true believer. Wilkins was prepared to think about hard things.

In his book, *The Last Explorer*, author Simon Nasht writes of Wilkins' interactions with the Aboriginal people:

Almost unheard of for a white boy, he would camp out and hunt with his Aboriginal friends and became fascinated by their intimate understanding of the natural world and connection with the spiritual realm beyond.

Hubert Wilkins was born on 31 October 1888 at Mount Bryan, the youngest of 13 children. He studied engineering at Adelaide University. His wanderlust saw him travel to Europe during the Greco-Turkish War of 1912, where he became the first aerial war photographer, hanging from flimsy biplanes to shoot what was thought to be the first moving images of a battle. He was captured by the Turks on suspicion of being a Belgian spy and faced a firing squad not once but three times, avoiding certain execution because they could not extract a confession from him.

When World War I broke out, Wilkins became a war correspondent, where his gallantry shone in horrific theatres of war like Ypres. Shot several times, he often carried the wounded to safety between enemy lines. This bravery earned him a military medal. He was there when the Red Baron, German fighter pilot ace Manfred von Richthofen, was killed in a dogfight over Australian lines in France on 18 April 1918.

He took a plane across the top of the world in 1928 when they said it could not be done. He was knighted later that year for his services to aviation and exploration. There is an enthralling short Pathe interview with him as he prepared to go under the polar ice cap at the North Pole in a submarine, the *Nautilus*. It was not entirely successful, but proved that submarines could travel under ice.

The UK Secret Service Bureau, later MI6, enlisted Wilkins to travel to Russia to film life under the Bolsheviks and interview their revolutionary leader, Vladimir Lenin. He was shocked at the poverty and despair of what he saw, including learning of a gang of cannibals plotting the murder of

people they could eat. Even he was targeted by ravenous peasants, but escaped after they took his bags of flour and meat. He met Lenin, who told him that while he had no regrets about the revolution he did admit it was a mistake to think rapid development was possible within the Soviet Union. In 1921, he took part in Sir Ernest Shackleton's exploration of the Antarctic.

Wilkins was married to Australian actress Suzanne Bennett, and they lived in the United States. They did not have children. He died on his farm in Pennsylvania in 1958, leaving behind a historic treasure trove of artefacts, photographs, journals and other memorabilia collected on his adventures. His ashes were taken to the North Pole by a US nuclear submarine and scattered there, such was the reverence and respect for him in the United States.

The collection is now stored in boxes in an Arizona garage owned by Darren Shofner, but there are fears it is deteriorating and in danger of being thrown away or sold off to collectors around the world. Mr Shofner is offering to sell the collection for about \$150,000. Historian Jeff Maynard has viewed some of the contents and is now seeking a generous benefactor in Australia to bring them home to South Australia. Mr Maynard said the History Trust of South Australia, the South Australian Museum and the State Library were excited about the prospect of the collection returning to Adelaide but fears bureaucratic red tape stands in the way.

I would like to thank Eric Ford, who lives in Hawthorndene in the Waite electorate, for bringing this matter to my attention. He says he has contacted the Premier—whose office then passed it on to the arts minister—urging the government to buy the collection but is yet to receive a response. He wrote:

Surely it behoves the Premier of our State to eulogise a great South Australian and perhaps institute steps to have a fitting memorial to Sir Hubert?

I could not agree more. I am asking the South Australian government to buy the collection for the South Australian Museum or the History Trust before this priceless slice of history, belonging to one of our greatest sons, is lost forever. It is such a small price to pay for something so important as South Australia approaches its bicentenary in 2036. I commend the motion.

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

Sitting suspended from 12:56 to 14:16.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. R.B. MARTIN (14:16): I bring up the 72nd report of the committee, 2022-25.

Report received.

The Hon. R.B. MARTIN: I bring up the 73rd report of the committee, 2022-25.

Report received and read.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

South Australian-Victorian Border Groundwaters Agreement Review Committee:
Report, 2023-24

Determination of the Remuneration Tribunal No. 6 of 2025—Overseas Accommodation
and Daily Allowance International Association for

Court Administration Conference—Chief Justice Kourakis
Determination of the Remuneration Tribunal No. 7 of 2025—2025 Review of Remuneration
for Official Visitors of Correctional Institutions

Report of the Remuneration Tribunal No. 6 of 2025—Overseas Accommodation and Daily
Allowance International Association for
Court Administration Conference—Chief Justice Kourakis

Report of the Remuneration Tribunal No. 7 of 2025—2025 Review of Remuneration for
Official Visitors of Correctional Institutions

Question Time

CFMEU

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:22): I seek leave to make a brief explanation before asking questions of the Minister for Infrastructure and Transport regarding the CFMEU and its impact on South Australian projects.

Leave granted.

The Hon. N.J. CENTOFANTI: According to an *Australian Financial Review* report on 8 October 2025, the CFMEU ordered its members to stop work on several Victorian project sites managed by John Holland, including the multibillion-dollar West Gate Tunnel and Metro Tunnel projects. The report stated that these stoppages were ordered to pressure John Holland into withdrawing from a project agreement in South Australia with the rival Australian Workers Union on the \$15 billion Torrens to Darlington tunnel, the largest infrastructure project in our state's history. This type of industrial muscle flexing has led to significant project delays and blowouts interstate and raises serious concerns for South Australian taxpayers, subcontractors and workers. My questions to the minister are:

1. Can the minister advise whether any key South Australian infrastructure projects have been delayed, disrupted or threatened as a result of CFMEU industrial action, and what the estimated cost to taxpayers might be?

2. What assurances can the minister provide that major transport and hospital projects, such as the Torrens to Darlington tunnel and the new Women's and Children's Hospital, will not be derailed by union disputes?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:23): I thank the honourable member for her question. I understand this matter is currently before the Fair Work Commission. While we cannot predict the outcome of what the findings may be, I am advised that the Australian Workers Union is considered the primary union for tunnelling and tunnel segment manufacturing, which is part of the tunnel project. I am further advised that no stoppages have occurred on the River Torrens to Darlington project.

The Department for Infrastructure and Transport has recently implemented updated terms and conditions across all contracts to strengthen and provide protections in relation to the selection and engagement of subcontractors, suppliers and consultants. I am advised these changes include the introduction of increased audit rights and measures to protect against collusion and other behaviours that are determined to be unfavourable to the proper delivery of our projects and set expectations for respectful behaviour.

The state government has zero tolerance for criminal activity, especially on government-funded projects, and we will take whatever action is necessary to strengthen the policies to ensure what has been occurring interstate does not happen here in South Australia.

CFMEU

The Hon. B.R. HOOD (14:25): Supplementary: can the minister advise if the updates and changes that she speaks of from the department are public and, if they are not, could she provide the chamber with a copy?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:25): I am happy to look into that further.

CFMEU

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:25): Supplementary: how will the minister ensure zero tolerance to bad behaviour on sites, as she mentioned in her answer?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:25): If you were listening to my answer, I talked about how we have introduced new terms and conditions that are being worked through with the department.

KANGAROO ISLAND FERRY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:25): I seek leave to make a brief explanation before asking questions of the Minister for Infrastructure and Transport regarding the Kangaroo Island SeaLink ferry vessel.

Leave granted.

The Hon. N.J. CENTOFANTI: The government confirmed on 3 October this year that there is a delay in the delivery of SeaLink's two new ferries. As a result, the new service start date has been pushed back to 1 June 2026. Despite repeated calls for updates, this latest announcement has caused further frustration, uncertainty and economic pain for Kangaroo Island residents, particularly for local businesses, farmers, residents and tourists who rely heavily on the ferry service for freight and also transport.

While it is noted an announcement has been made regarding support for Kangaroo Island residents, including the Resident Vehicle Saver Fare and a reduced rate for livestock freight until the end of 2026, the government's oversight of this project requires transparency. So my questions to the minister are:

1. When did the government first become aware that the delivery of the new SeaLink ferries would be delayed?
2. Did the government or the department request an update from SeaLink on the vessel delivery schedule and, if so, when was this requested?
3. What is the total cost overrun associated with the supply and delivery of these new vessels, including the cost of the Resident Vehicle Saver Fare and the reduced rate for livestock freight until the end of 2026?
4. Why are the saver fares for residents only available on specific trips? Why is it not available on all trips?
5. Why will the government not commit to extending the reduced cost for farmers needing to transport stock permanently instead of only up until December 2026?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:28): When I came into this role, I think I met with SeaLink very early in those days of taking on the role and we were able to work together pretty quickly to be able to make sure that we could provide some certainty to the community.

In regard to what would be happening, as a state government we have completed our port. That is done. Our component has been completed: a \$70 million upgrade has been delivered. It is disappointing that those ferries that were due to be available are not here. Because of that inconvenience, we were able to work with SeaLink and come up with a compromise on how to best support those who have been patient, and that is the community of Kangaroo Island.

This was a contract that was signed under the previous government, and as the minister I feel I have acted pretty quickly in giving some certainty back to that community. As has been agreed and has been highlighted previously, we have been able to bring the Resident Vehicle Saver Fare in earlier, as would have been anticipated if the new boats were arriving. That fare will be made available to KI residents, which is \$30.35, which is a saving of \$48.55.

The reason why we have dedicated that—it comes in from 1 November—to the two earlier trips in the morning, and I believe from memory the two later trips in the evening, is because we wanted to provide the right balance for residents. That is the ferry link that they use the most, is what I have been advised, in the morning because they are going over to the mainland; it is two trips then. This cheaper fare will be available on two morning departures (5.30am and 7.30am) from Penneshaw and two evening departures (6pm and 7pm) from Cape Jervis as they were determined as the busiest ones used by residents.

The reason why we didn't do it across the entirety of the day, which we spoke with stakeholders about as well, is if we did it across the entirety of the day it would impact the tourism opportunities. We wanted to give a saver back to the residents, whilst also giving the opportunity to give space on the ferry for the tourists. That is why those four schedules, I guess, were given to the discounted fare, which I think is being received well by both stakeholders and residents as well. This is a project, as I said, that the government has delivered on its \$70 million port. We will continue to work with the local community and any other residents as well.

KANGAROO ISLAND FERRY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:31): Supplementary: when did the government first become aware that the delivery of the new SeaLink ferries would be delayed, given the minister is suggesting her government have acted quickly? I am not talking about you, but the government.

The PRESIDENT: Order!

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:31): As I highlighted in my response, when I became the minister I sat down with the department and SeaLink, and I had discussions with residents, including the livestock industry.

KANGAROO ISLAND FERRY

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:31): Supplementary: when did the minister's predecessor first become aware that the delivery of the new SeaLink ferries would be delayed?

The PRESIDENT: Well, I am not sure that the minister talked about her predecessor.

KANGAROO ISLAND FERRY

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:31): Supplementary: is the minister aware that fares are close to \$900 for a family to travel to KI over the Christmas period, and should the saver fares be more accessible over this key tourism time?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:32): As I said earlier, it was those opposite when you were in government that signed the contract.

Members interjecting:

The Hon. E.S. BOURKE: You signed a contract so that a company called SeaLink—

Members interjecting:

The PRESIDENT: Order!

The Hon. E.S. BOURKE: —could run a service. Back in 2021, you said to them, 'We will sign a contract with these prices in it.' So they have gone off, they have built their boats with the understanding that that's the contract that's in front of them.

Members interjecting:

The Hon. E.S. BOURKE: Well, you wrote the contract. We have been able to provide the cheaper service.

Members interjecting:

The PRESIDENT: Order!

The Hon. E.S. BOURKE: It has been made available to support residents while we wait for these ferries to arrive.

CONSTRUCTION MATERIALS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:33): I seek leave to make a brief explanation before asking the Minister for Infrastructure and Transport a question regarding the anticipated concrete and aggregate shortages in South Australia.

Leave granted.

The Hon. N.J. CENTOFANTI: Stakeholders in the construction industry advise that there will be a concrete and aggregate shortage, which is expected to significantly impact critical projects. Industry expects shortages to become evident early in 2026 just as the Torrens to Darlington project ramps up its progress. My questions to the minister are:

1. Is the minister aware of concerns raised by industry around an anticipated concrete and aggregate shortage?
2. What are the minister and the department doing to ensure any shortage will not impact major projects?
3. Will the minister develop a heavy construction materials plan and, if not, why not?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:34): Aggregate obviously plays a fundamental role in a lot of our projects. As I have said previously, the Master Builders Association has very much highlighted that we are building, and we are building more than ever before in record amounts, particularly in our public transport construction: 28 per cent growth year on year. It highlights that, yes, we are building.

Aggregate plays an essential part in that, and a lot of it comes locally. I highlighted this also previously with Majors Road. We know that we were able to get aggregate from the Boral quarry just across the road. We are lucky in South Australia that we have a very good industry where we can all work together and make sure that we can get aggregate from around the state to support these projects. I will continue to work with those industries to make sure that these projects can be supported, and I am more than happy to sit down with them and have further conversations.

CONSTRUCTION MATERIALS

The Hon. B.R. HOOD (14:35): Supplementary: will the minister work with industry to develop a heavy construction materials plan?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:35): As I have said, I am happy to sit down and talk to the industry to see what they want and work through what their needs are. I am sure we have pretty well laid out as a government that there is a pipeline of work available. We have big projects happening in South Australia. That is making our industries have a little bit more confidence about the fact that they will have the workforce but also that the demand is there for them to make sure that they can continue to supply to these projects.

When you travel down the T2D project, that aggregate will be coming from South Australia predominantly. That is a good thing. That means that quarries around our state are benefiting. It is not just about the businesses in Adelaide itself; it is supporting the businesses across our state.

CONSTRUCTION MATERIALS

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:36): Supplementary: is the minister concerned that housing construction will be impacted during the next phase of the Torrens to Darlington?

The PRESIDENT: I didn't hear anything about housing construction. I might have to go back—

Members interjecting:

The PRESIDENT: I didn't hear anything about housing construction. If I missed it, I apologise.

The Hon. K.J. Maher interjecting:

The PRESIDENT: Deputy Premier, you don't have to keep commenting on what's happening.

The Hon. K.J. Maher: I am trying to help, sir.

The PRESIDENT: I don't need the help.

ALGAL BLOOM

The Hon. R.B. MARTIN (14:36): My question is to the Minister for Primary Industries and Regional Development. Will the minister please update the chamber on the recent algal bloom forums?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:37): I thank the honourable member for his question. I am pleased to provide an update on the algal bloom forums held across our state so far. The fora have provided part of the state and federal governments' \$28 million crisis response package to address the algal bloom impacting the South Australian coastline.

To date, we have held 20 community forums that have been a crucial point of engagement with stakeholders and community members to ensure our response is informed by those who are there experiencing it, seeing it, giving us their perspectives, and therefore targeted to where it is needed the most. The forums have provided updates on the response and recovery efforts, including the latest science, public health advice and support measures for affected communities and industries.

They provide an opportunity to hear from government leaders, including ministers, and expert insights from Professor Mike Steer and the scientific team involved. Presentations are provided as a trusted single point of information, and the expert panel conduct question and answer sessions at each forum, listening to each and every one and providing active engagement with the communities.

I most recently attended the forum held in Port Parham near Dublin. The region is home to a number of commercial fishers who operate out of the area. I would like to thank the Port Parham and Dublin communities as well as Tony Piccolo MP, member for Light, for attending this event, and also Penny Pratt, the member for Frome, was in attendance. We were able to listen to the information provided and, in turn, analyse some of the positive and constructive feedback and ideas.

The state government is assisting commercial fishers through the algal bloom through offering fisheries and aquaculture assistance grants of up to \$100,000; small business grants of \$10,000; Algal Bloom Resilience Grants of up to \$150,000; fee relief extended until at least the end of June 2026; business support through the Rural Financial Counselling Service and Family and Business Mentors program; and mental health support through additional funding for the Stay Afloat program. We will continue to work with relevant industry associations representing the fisheries and aquaculture sectors to monitor the rollout of assistance and ensure the support is reaching where it is most needed.

I was also pleased to recently attend the Normanville forum to inform the Normanville and Fleurieu communities about the state government's \$102.5 million Algal Bloom Summer Plan, which will assist communities and industries as we continue to manage the impacts of not only the bloom but also the perception of the bloom. Many communities where the bloom has not been detected, or it has moved away from, are also impacted.

It is another reason why the forums and the algal bloom website are so important in getting the most up-to-date and accurate information so that people can make informed choices this summer. The beautiful Fleurieu Peninsula and coast, along with many other spectacular coastal destinations across our state, offers so much to see and do, and I encourage all South Australians to get behind them and support our regional communities.

The next algal bloom forum is scheduled to be held on 14 November in Mount Gambier. All forums are free to attend, and I look forward to another well-attended event. We are keen to listen to our community members and stakeholders during this engagement opportunity.

ALGAL BLOOM

The Hon. R.A. SIMMS (14:40): Supplementary: as part of these forums, is the government discouraging the use of the word 'toxic', and is its reason for doing so to preserve the reputation of the Malinauskas government?

The PRESIDENT: You can answer it, minister, but I didn't see any supplementary question arising from the answer.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:40): We are not influencing what people ask or how they ask it. One of the points of the algal bloom forums—

Members interjecting:

The PRESIDENT: Order!

The Hon. C.M. SCRIVEN: —is so that people can ask their questions. They may well be able to ask questions about topics such as the one the honourable member has raised.

I think the important point here is the message that is being sent to tourists, whether that is tourists within South Australia or more broadly. We want people to understand that the algal bloom is obviously having a significant effect, but there are many parts of our coast that are unaffected. The health advice is there to be followed in terms of any of the health impacts—which, as we know, are short-lived for the majority of people.

It is important that we do not get the type of information or perception there—to put it more precisely, perhaps—that you cannot come to South Australia and you cannot walk on our beaches. That is incredibly devastating and harmful to our South Australian businesses, and that is what we are trying to address.

The PRESIDENT: The Hon. Ms Bonaros, I will listen to your supplementary question arising from the original answer.

ALGAL BLOOM

The Hon. C. BONAROS (14:41): Given what the minister has said in her original answer, is she concerned about the impacts that language is having on our international seafood trade in South Australia?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:42): I would like to answer, but it was not actually part of the original answer.

The PRESIDENT: No.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:42): Supplementary: when will the Office for Algal Bloom Research be operational as part of the summer plan? Where will it be based, and what resources will be provided to the office?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:42): In the near future, and that information will become available.

Members interjecting:

The PRESIDENT: Is everybody right? Okay. The Hon. Mr Simms, we will listen to your question.

SARDI FUNDING

The Hon. R.A. SIMMS (14:42): I seek leave to make a brief explanation before addressing a question without notice to the Minister for Primary Industries and Regional Development on funding for the SA Research and Development Institute.

Leave granted.

The Hon. R.A. SIMMS: Budget papers handed down in June show that the state government has this year allocated just \$12.3 million in net cost of subprogram funding for SARDI. Prior budget papers show that SARDI's net cost of subprogram funding contributions have reduced since the early 2010s, when successive budgets allocated more than \$30 million. Indeed, I

understand that this year's allocation of just \$12.3 million is the lowest allocation made to SARDI in 15 years.

Is the minister concerned that cuts to SARDI have reduced the capacity of the organisation to respond to the algal bloom, and will the government commit to restore the funding that has been cut from SARDI so that it can do its vital work?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:43): I thank the honourable member for his question. I would want to specifically look at the lines he has referred to, but what I can say more broadly is that we have been very supportive of the funding for SARDI.

What is often not well understood is that the way SARDI often gains its funding is from co-funding and from project-based funding. For example, there have been a number of projects where SARDI has been provided funding from the state government, which they have been able to leverage with tertiary institutions, with private organisations, and so on. There has been that opportunity and that of course does change from year to year. There has been also the opportunity, I think, to continue to enable SARDI to leverage those opportunities. There is a lot of expertise in SARDI that is well recognised around the country and around the world, so there are often opportunities for those co-funding projects.

SARDI FUNDING

The Hon. R.A. SIMMS (14:45): Supplementary: is slashing funding from \$33 million in 2010 to just \$12.3 million in 2025 the way the government demonstrates its support for an organisation? And what does it do to organisations it does not value?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:45): I don't accept the basis of the question. As I mentioned, I would need to look particularly at the line that he is referring to, but certainly since we came to government 3½ years ago we have been very conscious of maintaining the funding to SARDI.

ROSEWATER LOOP

The Hon. T.A. FRANKS (14:45): I seek leave to make a brief explanation before addressing a question on the topic of the Rosewater Loop to the Minister for Infrastructure and Transport.

Leave granted.

The Hon. T.A. FRANKS: Residents along the length of the Rosewater Loop have been actively engaged on the issue of that Rosewater Loop since the early 2000s. At the last state election they were successful in securing candidate support and ultimately funding to enable work on the area to begin, with the first vital tranche of that work including a site contamination report.

Given the industrial nature of the area, the report is, of course, of significant interest to the group and the local residents. I understand that work has been completed, but the report not released. Since then, the group has removed countless bags of rubbish from the site and planted more than 1,500 native tube stock plants. The Rosewater Loop Stakeholder Reference Group meets with DIT on a regular basis and values the good working relationship they have with them, and in good faith they have asked for a copy of the contamination report, but it has not been forthcoming, nor seemingly is DIT prepared to make it available under FOI, because my office has been waiting somewhere close to a year for that to be complied with.

The Stakeholder Reference Group has been unable to secure even a summary of the report; they have not been able to find out whether the contamination study examined the area in its entirety or only the area where the path is to be sited. But they have been told that the report is 400 pages long and that there is 'nothing to worry about'. That is hardly reassuring. They believe that if there really is nothing to worry about then it should not be problematic to release the report.

My question to the minister therefore is: when will the minister ensure that this report is released so that community members can be confident that, as they and their children clean up rubbish on this site and continue to plant it out with native plants, they are not unwittingly risking their health?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism)

(14:47): I thank the member for her question and appreciate her interest in this particular matter. As she has highlighted, the Malinauskas Labor government did commit \$1.5 million towards converting the Rosewater railway and previously discussed converting a space between Rosewater and Ottoway into a vibrant community space. I am advised the project aims to better connect Rosewater, Ottoway and Gillman with the Outer Harbour Greenway and Port Adelaide Centre.

I understand this includes planting quite a number—about 1,200—of native species, and this project has been a popular one, with lots of volunteers wanting to participate, as the honourable member highlighted. In addition to planting, I am advised the community is very involved in this project and has had opportunity to learn more about it along the way. I understand a newsletter was sent out to the community on Friday to provide them an update in regard to where it is progressing and where it is at at this very point in time.

I am also aware that DIT will be undertaking a meeting with the group on site tomorrow. I am happy to send the details to the member so that she can also attend or, if it is during parliament, maybe send someone along to that meeting to seek further advice. I am happy to try to organise further opportunities for the member to get updates.

CROSS ROAD STOP BAR

The Hon. B.R. HOOD (14:49): My questions are to the Minister for Infrastructure and Transport on the Cross Road stop bar relocation. Can the minister advise the council how much money has been expended by the department on this now-shelved project? Will the government now consider funding a third arrester bed on the down track of the South Eastern Freeway to ensure the safety of motorists?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism)

(14:49): I thank the honourable member for his question. The state government remains committed to improving safety on the South Eastern Freeway down track to minimise the risk of heavy vehicle crashes. The issue of out-of-control heavy vehicles is complex and there is no single solution that will prevent all incidents from happening on all occasions.

By improving signage and pavement marking, we are working to make it clearer and to help raise awareness of the steep descent and actions that drivers can take if they get into difficulties. We have reiterated that there is no fee to remove vehicles from the arrester beds. We have completed the \$150 million Heysen Tunnel safety upgrades. In relation to the round table that was mentioned particularly this morning by Steve Shearer, who was one of the people who helped bring industry and government together at this round table, I am advised that the government has actioned all small to medium recommendations from that round table.

I am further advised that detailed traffic investigations and modelling to the impacted area show that removing that stoppage could have actually had an increased risk. We heard Steve Shearer himself say on radio this morning that it seemed like a good concept at the beginning. He himself thought it was going to be the winning solution until modelling was done. I think he highlighted that DIT do modelling well, that when you do your homework and you find out maybe it is not the best plan it could result in greater risk for the community. That is why it was important, I guess, as a round table and as the industry and government coming together, to have that conversation.

SENSORY BUS

The Hon. T.T. NGO (14:51): My question is to the Minister for Autism. Can the minister tell the council about the recent launch of South Australia's sensory bus?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism)

(14:52): I thank the member for his question and interest in the launch of South Australia's new sensory bus and inclusion, which is an initiative that is being led here in South Australia. It has been several years in the making and one that we are incredibly proud of. The Malinauskas government is committed to making South Australia a leader when it comes to autism inclusion, including at our state's most popular festivals and major events. Our government is helping make this a reality by listening to and actioning nation-leading ideas directly from the South Australian autistic and autism communities.

The launch of South Australia's new sensory bus is just one of the many innovative ideas that have come directly from the community. In November 2023, I was approached by Nathan Hull at our Christmas carols with the idea of a sensory bus that could serve as a mobile space for people to regulate and rest at different events at our festivals. Nathan's idea was designed to help reduce barriers to inclusion and create a supportive space for autistic children, young people and adults.

I am glad to share that what started as an idea from Nathan and the Hull family nearly two years ago is now a reality, with the launch of a real-life mobile sensory bus that took place just across the bank from the Christmas carols at Pinky Flat on Friday 24 October at the OzAsia Festival Moon Lantern Trail.

A retired bus has been designed and has had an incredible facelift, and is looking better than ever before. In partnership with Autism SA, we have been able to create a space for people to be able to go to and know what to expect when they get there, if it is going to events like the Adelaide 500, the Tour Down Under or our Multicultural Festival. The sensory bus will also be available to book, for organisations interested in providing inclusive therapeutic spaces at their events, through Autism SA.

The launch event was an opportunity to celebrate and highlight the talented members of the South Australian autistic and autism communities, which have been integral to the development and the design of the sensory bus. The State Autism Strategy Advisory Committee, comprising of autistic South Australians, handpicked the designs of the interior and also the exterior. The advisory group chose the underwater theme for the interior of the bus, which provides light and dark spaces to cater for different sensory preferences.

The group also had hand selected vibrant artworks by autistic artists to wrap the bus exterior from a series of talented finalists in the Sensory Bus Art Competition, held earlier this year. An artwork by high school student Lilli wraps one side of the bus; it captures a classroom experience of students using different tools to regulate themselves. This was an incredible moment for Lilli to see this artwork on the side of a bus, and it also was for Amanda, whose artwork wraps the other side of the bus. They were overwhelmed when they arrived to see how big it was. They couldn't believe their artwork would be on display for all in South Australia to see at our major events.

There are so many talented autistic South Australians who have contributed to this latest autism inclusive initiative, something that was an idea only two years ago. Having a mobile sensory bus means that autistic people and their families now have a dedicated space they can go to at our popular festivals to reset, regulate and stay, instead of leaving.

HOUSING TRUST PROPERTIES

The Hon. J.S. LEE (14:55): I seek leave to make a brief explanation before asking a question of the Minister for Infrastructure and Transport, representing the Minister for Housing, regarding Housing Trust homes.

Leave granted.

The Hon. J.S. LEE: An Adelaide mother recently reported health issues after moving into a Housing Trust property at West Beach, later discovering it had been used to manufacture methamphetamine. She states she was not informed of the property's history and experienced symptoms consistent with chemical exposure.

In a separate case a 74-year-old woman was placed in a similarly contaminated Housing Trust home despite an independent report warning of danger to occupants. She remained in the property for months without relocation or support and only after media involvement were options discussed.

These cases raise serious concerns about Housing Trust processes for remediation, disclosure and tenant safety. My questions to the minister are:

1. What is the current process for identifying and remediating Housing Trust properties previously used for illicit drug manufacturing before they are reallocated?

2. Are prospective tenants informed of a property's contamination history and the results of any decontamination efforts?

3. What mechanisms are in place to ensure that concerns raised directly by Housing Trust tenants about unsafe or unsuitable housing are addressed promptly, without the need for media intervention?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:57): I thank the member for her question and am happy to get a response from the minister in the other place.

TAXI LICENCE BUYBACK SCHEME

The Hon. F. PANGALLO (14:58): I seek leave to make a brief explanation before asking the Minister for Infrastructure and Transport a question about the taxi licence buyback scheme.

Leave granted.

The Hon. F. PANGALLO: On 1 July 2025, a taxi licence buyback scheme commenced in our state under the Passenger Transport (Point To Point Transport Services) Amendment Bill 2025. That law left many taxi licence operators seriously shortchanged, with government compensation being far less than what the operators had originally paid for their licences. Further, the extended period for payout means that some operators will take up to eight to 10 years to receive the full amount owing to them.

I have been contacted by a number of desperate licence plate owners, including many struggling seniors in retirement, to say they have not heard a word from the government about accessing these payments and how they will be paid. My questions to the Minister for Infrastructure and Transport are:

1. How many taxi licence holders have received compensation payments to date under the buyback scheme?
2. What is delaying the buyback payments?
3. When can licence plate owners expect to receive payments?
4. Is the government accumulating funds first from the levy before making any payments available?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:59): I thank the honourable member for his question. In the first few weeks of being minister in this role, I met with the Taxi Council. I think it was on my second day that I went to their council meeting and had the opportunity to hear directly from them, and I have continued to have multiple meetings with them since that point. This is a lot for this industry. This is a really important industry for our state as well, and I want to thank John and Cheryl and the other council members for sharing their knowledge and experience with me, not only at this meeting but at the meetings that followed.

As many members may recall, obviously we have gone through a process and, as I am advised, the Passenger Transport Act Review was released on 30 August 2024 and outlined the outcomes of the route and branch review of the current passenger transport legislation, both in practice and in law. I am advised the outcomes of the review were informed by feedback from industry, customers and key stakeholders, along with ongoing engagement with the sector. We continue to work through the buyback scheme with the industry. I have made a commitment to them that I will continue to work with them and provide any information that I can along the way.

TAXI LICENCE BUYBACK SCHEME

The Hon. F. PANGALLO (15:00): Supplementary: the question was when can they expect to see payments begin?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:01): As I said, I will continue to work with the industry.

TAXI LICENCE BUYBACK SCHEME

The Hon. B.R. HOOD (15:01): Supplementary.

Members interjecting:

The PRESIDENT: Order! The Hon. Ben Hood, I will listen to your supplementary question.

The Hon. B.R. HOOD: Can the minister advise the chamber if any payments have been made?

The PRESIDENT: I am not sure the minister actually mentioned anything about payments.

Members interjecting:

The PRESIDENT: I have made my ruling, so talk to the hand.

Members interjecting:

The PRESIDENT: Talk to the hand. The Hon. Mr Hunter, enough!

KNIFE LAWS

The Hon. J.E. HANSON (15:01): My question is to the Attorney-General. Will the Attorney-General update the council on the latest results of the government's nation-leading knife reforms?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:02): I thank the honourable member for his interest and his question. I am very pleased that we have by far and away the most strict and toughest knife laws anywhere in the country. This stands in stark contrast to the ambition the opposition has had in relation to this important community safety area—stark ambition. We all have put forward extensive—

Members interjecting:

The PRESIDENT: Sit down. I would actually like to hear the answer, and I can't with the noise coming from this side of the chamber.

The Hon. H.M. Girolamo interjecting:

The PRESIDENT: The Hon. Ms Girolamo, I just asked for a bit of silence from you.

The Hon. K.J. MAHER: Thank you, sir, and I appreciate the protection which you afford me in this chamber. As I was saying, we passed the toughest knife laws in the country and, by way of comparison, it stands in stark contrast to what we have heard from the opposition in the past. The opposition, after the government put out a discussion paper, took one small part of it to put forward the sum total of their ambition in this area, which was to raise the age for buying knives from 16 to 18, but including that many exemptions you could drive a truck through it. That is all the opposition thought was worthy to do.

As a government, we are more ambitious for South Australia than that. We want to see South Australia better protected than that—much, much better protected than what the member for Bragg, Jack Berry, came up with. We are much more interested in protecting South Australians than—

The PRESIDENT: Just sit down. Rewind and refer to the member for Bragg as Jack Batty, not Jack Berry. Come on!

The Hon. K.J. MAHER: Sorry, sir. I am pleased to provide the council, as the honourable member asked, with an update on the latest success of this government's nation-leading knife law reform. As the honourable member who asked the question will know, earlier this year we introduced and passed nation-leading reform that saw a sensible, holistic approach to cracking down on knife crime and intervening before we saw some of the excesses of knife laws in the Eastern States.

Extensive new search powers have been given to South Australia Police through these laws and the police commissioner has now declared 11 locations as declared shopping precincts for the

purposes of their new wandering search powers. SAPOL's operations in declared shopping precincts have already proven effective with, I understand to date, nine knives already being found. These same powers also allow SAPOL to declare any public transport hub or public transport vehicle in order to conduct metal detector wand searches as well as an ability to order a person or group posing a risk to public safety to leave that declared precinct for 24 hours.

If the person re-enters or attempts to re-enter, there is a penalty of up to \$1,250. Further to the new search powers and declared places, these nation-leading knife reforms have banned machetes and swords, and, under the three-month surrender period that ended recently, proved incredibly effective.

I am pleased to report that 3,508 weapons were handed back across South Australia at police stations between 1 July and 30 September, an average of some 38 weapons every day, and 1,653 machetes and 1,170 swords were surrendered to police totalling, in just swords and machetes, 2,823 weapons that have been in the community that have now been surrendered. As well as swords and machetes, surrendered weapons also include batons, bayonets, nunchakus, star knives, ninja stars and even a morning star, a medieval weapon that I didn't know existed before the hand back, consisting of a shaft with a spiked ball.

I would like to thank all South Australians who have handed in these dangerous weapons to their local police station and heeded the message, and have done the right thing to keep the community safe. The final stages of these nation-leading reforms commence next year when retailers selling any potentially dangerous knives will be preparing for securely storing or tethering those knives so they cannot be taken off the shelf and used by those who seek to do harm. As I have said, we thank the South Australian community for backing up these important legal changes during the surrender period, and handing in so many weapons.

MAYORAL TRAVEL ALLOWANCE

The Hon. S.L. GAME (15:06): I seek leave to make a brief explanation before directing a question to the Minister for Primary Industries and Regional Development, representing the Minister for Local Government, about ratepayers funding mayoral trips to Rio de Janeiro.

Leave granted.

The Hon. S.L. GAME: Adelaide Lord Mayor, Jane Lomax-Smith, Onkaparinga Mayor, Moira Were, and Mitcham Mayor, Heather Holmes-Ross, will travel to Rio de Janeiro, Brazil, in early November for a three-day climate change conference. As reported in *The Advertiser*, Adelaide City Council will fund Mayor Lomax-Smith's trip at a cost of \$3,946, while the Local Government Association will pay for the plane tickets and accommodation for Mayor Holmes-Ross and Mayor Were at a combined cost of \$8,344.

In addition, any incidental costs incurred on the trip by Mayor Were will be reimbursed by her council. It was subsequently reported in *The Advertiser* that an Onkaparinga councillor said that, 'Many residents have called for the council to rescind its approval and return its focus to local matters.' My questions to the Minister for Primary Industries and Regional Development, representing the Minister for Local Government, are:

1. Can the government and its local government minister explain to the ratepayers, who are funding these trips to Rio de Janeiro, what direct benefit they can expect as a result?
2. If the government fails to commit to investigate this use of ratepayer money, can it explain what would prompt its local government minister to take action?
3. Will the minister demand to see a post-trip report, along with any tangible outcomes?
4. Can the government and its minister advise the LGA's member councils that high-quality videoconferencing is now available and that using such facilities leaves a far smaller carbon footprint than return flights overseas?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:08): I thank the honourable member for her question. I will refer it to the relevant minister in the other place and bring back a response.

ADELAIDE AQUATIC CENTRE

The Hon. J.M.A. LENSINK (15:09): I seek leave to make a brief explanation before asking a question of the Minister for Infrastructure and Transport regarding the Adelaide Aquatic Centre.

Leave granted.

The Hon. J.M.A. LENSINK: On ABC radio on 6 October, the minister was unable to answer questions regarding the opening date for the Aquatic Centre and later the same day at a press conference she also failed to answer questions in relation to this matter. My question for the minister is: does she now have a opening date for the Adelaide Aquatic Centre?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:09): I appreciate there is a lot of excitement around this project. It is an incredible project that is a commitment by the Labor government. It was a commitment we made coming in to the last election and obviously we were successful and it is a project that we are delivering. Our commitment was to open it in the summer of 2025-26 and I am really proud to say that that is exactly what we will be doing.

This is a commitment that we will deliver on. It is a project that is a substantial improvement on what was there: an aquatic area that was built piece by piece. It was originally started as an outdoor aquatic centre and now will be a purpose-built aquatic centre, there to support many, many people for generations to come.

FOREST INDUSTRY

The Hon. R.P. WORTLEY (15:10): My question is to the Minister—

Members interjecting:

The Hon. R.P. WORTLEY: Who has the floor, Mr President?

The PRESIDENT: The Hon. Mr Wortley, you have the floor.

The Hon. R.P. WORTLEY: Thank you, Mr President. My question is to the Minister for Forest Industries. Will the minister update the council about the recent appointment of a workforce development manager for the forest industry?

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 South Australian forest industry is a key source of employment for many South Australians, including in the South-East of our state. In total, the industry employs 21,000 South Australians, including direct and indirect employees, and contributes around \$3 billion to our economy each year.

It is for these reasons that I am delighted to update this place about the recent joint announcement between the Green Triangle Forest Industries Hub and the state government about the appointment of a dedicated workforce development manager. I was pleased to be able to announce last week the appointment of Lara Kroeger as the new Workforce Development Manager, a role that will be based out of the Green Triangle Forest Industries Hub in Mount Gambier.

This appointment was made possible through a state government grant worth \$300,000 over two years, funded through the South Australian Wood Fibre and Timber Industry Master Plan. A key element of the master plan is its commitment to growing and sustaining a skilled, future-focused forestry workforce. Ms Kroeger's position is crucial in delivering the next phase of the region's Forestry Workforce Development Strategy. The Forestry Workforce Development Strategy focuses on strengthening career pathways, building skills capability and promoting forestry as a modern, innovative and safe industry of choice. The strategy's implementation includes partnerships with schools, vocational training providers and the Forestry Centre of Excellence, connecting education and training with real industry opportunities.

Ms Kroeger brings valuable international and regional experience in project management, stakeholder engagement and strategic communication, together with direct experience in timber and fibre processing through her previous role with Polytec, a leader in timber manufacturing and wood processing innovation. She holds a Bachelor of International Business and is completing a Master of

Management, with studies focused on project and change management, qualifications that will strengthen the Green Triangle Forest Industries Hub's ability to connect workforce strategy with education and industry delivery

I was pleased to have the opportunity to meet with Ms Kroeger on Friday and it was particularly pleasing to hear her passion for the Limestone Coast after moving here from Europe. The workforce development manager will play a vital role in boosting recruitment into South Australia's forest industry through strengthening relationships with schools and education providers to engage with the future workforce.

Forestry is not just about trees in the ground; it is about people, skills and communities. This partnership with the hub will ensure we continue to connect industry, education and government to build a resilient and skilled regional workforce now and into the future. The opportunities for employment throughout the forest industry in our state are many, from plantation establishment, harvesting and haulage and forest management to timber processing, fire management and research and development. The industry is diverse and sustains many regional communities.

I also want to thank Tony Wright, Executive General Manager of the Green Triangle Forest Industries Hub, for the continued collaboration between the hub and the state government. I look forward to seeing firsthand the outcomes of Lara's work in developing a pathway for regional residents to employment within the forest industry in South Australia.

CHILD EXPLOITATION MATERIAL

The Hon. C. BONAROS (15:14): I seek leave to make a brief explanation before asking the Deputy Premier a question in relation to child exploitation material.

Leave granted.

The Hon. C. BONAROS: ABC has reported on concerns that child sex abuse doll torsos and disembodied heads are being offered for sale on sites like Temu and Shein in what has been described as a loophole to get around laws that criminalise accessing child-like sex dolls. As we know, Australian laws make it illegal to possess, advertise or post, or import child sex abuse dolls. In SA, they are subject to hefty criminal penalties and explicitly listed in our legislation as child exploitation material.

Currently manufactured in overseas markets, we know, as has been reported, that these dolls are designed with vaginas, anuses and mouths that fit an adult penis. The dolls themselves are being taken apart and sold in bits and not together. According to advocates and campaigners like Caitlin Roper, she says you can buy the dolls in parts, and buy a child head separately, so they can then claim it wasn't supposed to be a child sex abuse doll.

In some extreme cases, a manufacturer has gone as far as saying, 'I'll run a tutorial for anyone who is interested, I'll send you out a doll or parts and then I'll teach you how to make the penetrable orifices yourself.' Concerns have also been raised that these doll parts now are being promoted by companies like Temu and Shein on Instagram and X, amongst other global platforms.

I think we all agree that there's no place for this in South Australia, but my question to the Deputy Premier, given that we have some of the most stringent and toughest child exploitation laws in the nation, is: will he commit to reviewing our current child exploitation material definitions and provisions to ensure that any such loophole that allows disembodied torsos to be subject to some sort of legal loophole that may exist is addressed as a matter of urgency?

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 her question. There are a number of parts that need to be considered in that question. Part of it is the definition within our criminal law but also how it's enforced and how it's advertised. Certainly, I know the federal police and the South Australian police are constantly looking to make sure that they are updating what they do, how they observe things, to look at ways things are being sold or differences of technology.

I will have a look at it, but I think our laws are pretty thorough and wideranging. I think it's section 62(a)(ii) of the Criminal Law Consolidation Act. When it defines child-like sex dolls it doesn't

just include the whole doll, it is pretty prescriptive, and I think the wording is 'part of such a sex doll'. So if you attempt to sell in parts to try to get around the law, it is covered already in our definition. I am happy to go away and have a look at that, but I think if you are trying to get around our laws by selling, as you have said, in parts it's covered under section 62(a)(ii), but I will double-check that.

TRANSPORT STRATEGY

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (15:18): I seek leave to make a brief explanation before asking the Minister for Infrastructure and Transport questions about the implementation of South Australia's Transport Strategy.

Leave granted.

The Hon. H.M. GIROLAMO: The Transport Strategy sets out the 30-year vision for a safe, efficient and sustainable transport system in South Australia; however, the document lacks clear detail regarding funding allocations, performance targets, measurable outcomes and delivery timelines. Industry stakeholders, including the Transport Australia Society, have raised concerns about the lack of transparency and accountability, recommending the inclusion of a clear performance matrix to track progress and ensure effective implementation. My questions to the minister are:

1. Given the absence of specific targets for on-time performance for trains and buses in the Transport Strategy, how does the minister intend to measure and ensure the reliability of public transport services?
2. What steps will the minister take to develop and publish performance indicators for public transport?
3. When can South Australians expect these matrixes to be introduced?
4. What steps has the minister personally taken to ensure that recommendations and objectives outlined in the strategy are being actively implemented?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:19): I thank the honourable member for her question. It is really important that we have a close look at our strategies, because if we don't do a holistic approach to looking at our transport and how it works—what's working, what's not working—we can't provide better outcomes. As you have said, as a government we have been able to do a transport study. There are quite a number of studies that we have undertaken—ones that I have read. There are quite a number of them, including this one. As I have come into this role I have been working through with the department where we are up to and what we need to be doing next, and that is what I will continue to do.

TRANSPORT STRATEGY

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (15:20): Supplementary: how many studies have you read, and when will these studies be actioned as well?

Members interjecting:

The PRESIDENT: Excuse me—calm down. Minister, I am sorry. I didn't hear that answer. Can you just give it again, please?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:20): Lots.

TRAM GRADE SEPARATION PROJECT

The Hon. R.B. MARTIN (15:21): My question is to the Minister for Infrastructure and Transport. Will the minister please provide an update on the tram grade separation project?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:21): I thank the member for his question and interest in this transformative project. Recently, I visited the site and was amazed to see the progress that had been made. If you drive down South Road you may have seen the new South Road tram overpass bridge has been moved into position.

This bridge, as many have said, resembles Sydney Harbour Bridge. Particularly the local member, Jayne Stinson, has been very active in advocating for this project.

It is a 95-metre long arch bridge that is 16 metres high and weighs about 1,200 tonnes. It is the largest single-span bridge that we have in South Australia. Between the two supports, no beams are underneath to support this single-span bridge. It was constructed next to South Road and was moved into place by transporters, which is a unique thing to be able to do for this project, to have the space to build next to the construction site. To see this in motion was quite remarkable. Over 400 people registered to go and watch this incredible piece of infrastructure be moved into place.

The bridge has now been secured and it forms part of the 250-metre long overpass, which also includes 12 beams, each around 30 metres long and weighing up to 60 tonnes. This major milestone follows recent beam lifts at the other overpass sites at Cross Road, Marion Road and Morphett Road and the removal of the boom gates, that have now been taken out and replaced by these overpasses. The community is certainly celebrating not having to hear the chimes of the boom gates going down at the moment—or ever again.

At Morphett Road, the new overpass, once fully installed, will be made up of 34 beams, which all up will reach about 380 metres in length. Across Marion Road and Cross Road, the new overpass will comprise 52 beams. The bridge section itself is made up of 13 spans, each around 35 metres long, giving it a length of about 460 metres. The approach ramps, including the whole overpass, reach about 750 metres.

This is an \$870 million project jointly funded by the Albanese and Malinauskas Labor governments. This project is supporting more than a thousand jobs throughout construction. As we have said earlier today, it is building on those record amounts we have seen in construction in South Australia.

Matters of Interest

PRIDE MARCH

The Hon. R.P. WORTLEY (15:24): 'Pride' is the key word. In November, as the Pride March makes its way through the streets of Adelaide, we can absolutely be proud that this annual event has been running for more than 50 years; proud because the walk has become more of a celebration than a statement, and proud that members of the LGBTQ+ community are in a better place than they have been. Unfortunately, the LGBTQ+ community still has a long way to march before they are accepted by everyone and before they no longer have to lobby for understanding. That means we all have a long way to go.

Despite that, the Pride March shows how far we have come since the dark days when members of the gay community were persecuted, condemned and fired just for being themselves. We only need to look back beyond the 52 years this march has been held for, back to the death of Professor George Duncan. This was a man drowned in the River Torrens for daring to identify as homosexual.

That the killing went unpunished in a state that was ahead of all other states in social advancement is jarring, and still hard to believe. It is made even harder to accept by evidence that three vice squad detectives were believed to have been responsible. At least South Australia, partly in response to that tragic crime, was the first state in Australia to decriminalise homosexuality. The legislation was introduced as a private members' bill by the Hon. Peter Duncan, the member for Elizabeth, a newly elected member of the parliament at the time.

While this was a dark day in our history, the subsequent efforts of the Labor Party in this state ensured that Professor Duncan did not die in vain. The South Australian Premier of the day, Don Dunstan, offered government protection for witnesses to come forward, and in 1975 the same Dunstan government fully decriminalised homosexuality. In the great Labor tradition of fairness for all and protection for those who cannot protect themselves, this legislation made South Australia the national leader for gay rights.

If this march were held 60 years ago anywhere in Australia there would almost certainly have been turmoil. The ratbag element, masquerading as people with so-called old-fashioned values,

would have almost certainly resorted to violence. Based on what we know about the death of Professor Duncan, the police of the time may not have been there to protect the innocent in the same way they would be now. In the past, members of the community who marched in the Gay Pride March could well have been beaten, abused or even arrested.

Now, members of the police force openly march with pride in that Pride March. Times have changed and, for all the progress we still need to make, this simple street march is a wonderful way to record that change. The gay and lesbian community has been more broadly accepted for the better part of a generation, but others are not. The transgender community still experiences prejudice on a daily basis, often through nothing more than ignorance.

If you are a member of the LGBTQ+ community, or you know someone in that community, I encourage you to walk in this march. If you do not know any gay or trans people, I still encourage you to walk. This is a celebration of diversity, of love and of acceptance. You do not need to have any affiliation with the LGBTQ+ community to know that when we can celebrate, rather than begrudgingly tolerate, someone's harmless lifestyle beliefs and orientations, we live in a better world.

Of course, being begrudgingly tolerant is not even the worst it gets. There are still too many people in the community who despise members of the LGBTQ+ community for no greater reason than ignorance. Their outdated sensibilities are offended, and they take it out on people who have done nothing to them. These are the dangerous few who make for a very unsafe community, not just for the LGBTQ+ community but for anyone who stands up for them.

I am proud of South Australia's ability to overcome a history that, as in many parts of the world, turned a blind eye to such heinous crimes. This state overcame that past at a far greater rate than most other jurisdictions, and we have now become an international leader in recognising the rights of the LGBTQ+ community. The Pride March celebrates that turnaround while striving to make sure the progress continues. Every step we take in the march is a step in the right direction.

HOUSING CRISIS

The Hon. R.A. SIMMS (15:29): I rise to speak on an issue that will be of great importance to many South Australians as we approach Halloween, and that is the horror housing crisis under Labor. We have seen for years the housing crisis continuing to get worse and worse under the Malinauskas Labor government and indeed it is a horror story that is confronting many South Australians. People talk about the Australian dream of being able to get into the housing market, but it has become a nightmare and the reality is that it is very clear from recent events that the Malinauskas government does not have a plan to get this crisis under control.

Just last week we saw as the centrepiece of their housing election pitch a new plan, a code amendment that waters down the requirement for new developments to have some of those basic amenities like a private bathroom, a private kitchen or a private balcony. It is a really sad indictment on the Malinauskas government that the extent of their vision to get people into the housing market is sacrificing some of these basic amenities. South Australians should not have to give up private bathrooms and private kitchens just so that they can afford to get a house.

The other thing we saw was the government announcing that it will relax the height limits for new developments in the CBD. I am not against the idea of more skyscrapers in the CBD; however, how many of these new builds will be affordable for ordinary South Australians? How many South Australians will be able to afford to purchase these apartments? More luxury apartments are not the answer to the housing crisis. To add insult to injury, the Malinauskas government has pledged \$500 million to a guarantor fund to support some of these developments. Where is the investment in public housing?

I recognise that the Malinauskas government has broken with type in that, I think, it is the first Labor government in many years not to sell off our public housing stock. I recognise, under the Rann government, the huge amount of public housing stock that was sold off and we are dealing with the ruinous consequences of that now. But, the government needs to step up and actually put some money on the table. Where is the significant investment in public housing? It is not enough for the Malinauskas government to say they are going to do land releases. It is not enough for the

Malinauskas government to say they are going to do code amendments that relax some of the requirements for developments.

This is a government that is also suggesting that the way forward in terms of our housing supply is mandating double garages. Under their proposal you do not even have to have a front door, but you need to have a double garage. This is the extent of the lack of vision from SA Labor as we head towards the state election. That is why the Greens were very proud to announce the first part of our housing policy last week: a plan to restore the mission of the South Australian Housing Trust. Labor has brought back the name. We want to bring back the mission and charge them with building 20,000 new public homes over four years.

The government will say that they cannot possibly do that, but we have heard the transport minister this week bragging about the success of the north-south corridor project, a project that we know has cost South Australian and Australian taxpayers \$15 billion in total. Do not tell me we cannot find the billions of dollars necessary to build the housing we need.

It is outrageous that we see so much government funding, so much public money, being funnelled into a project like this when we have people sleeping on the street, desperate for a roof over their head. This is the epitome of tunnel vision from the Labor Party, and it is very clear as we hurtle towards the state election that they do not have the policies or the programs to get this housing horror story under control. Make no mistake, we, the Greens, will be doing everything we can to advocate for sensible housing policy in the lead-up to the next election, and no matter who is in government I will be holding their feet to the fire to make sure they deliver the housing we desperately need.

NORTH-SOUTH CORRIDOR

The Hon. F. PANGALLO (15:34): This is a David and Goliath battle, but unlike the biblical epic outcome this is one in which the underdogs are not likely to win against the weight of the state government and their impenetrable laws. Allegro Music, near the corner of Anzac Highway and South Road, is the music school run by Koula and Mary Raptis for 37 years. They love what they do in their quaint but delightful period house they bought when their previous two properties were compulsorily acquired for the Gallipoli underpass.

Any thoughts the sisters had that they would see out their retirement there were cruelly dashed in March, when the government told them they were seizing it for a loopy redesign of the Torrens to Darlington upgrade. The government wants to remove a right-hand turn lane from Anzac Highway onto South Road and replace it with a series of loops, adding at least an extra \$8 million to the cost of the massive \$15 billion north-south corridor project. I cannot imagine how ugly this is going to look, but former minister Tom Koutsantonis has promised they will save motorists two minutes.

According to Koula and Mary, there was very little consultation or community engagement done. The decision has broken their hearts, especially after the department promised in 2007 that they would not take their new property. As we know, governments like this one break promises. Koula and Mary also claim they have been misled, first by the Rann government in 2007 and then again by this government, which had claimed it had multiple meetings with them when there was only one. This has caused them enormous emotional stress and health issues.

To their credit, Mary and Koula have refused to surrender, against insurmountable odds. They have been pleading with the government to spare their property, but nobody wants to know them. They have until 2027 to find a new place, and in the meantime they will have to pay rent on their property once it is taken. As Minister Koutsantonis pointed out, there are no guarantees that homes near intersections of major arterial roads will not be compulsorily acquired as our population and suburbs expand. Nevertheless, Koula and Mary wrote an impassioned letter to meet with the Premier and Mr Koutsantonis, but like the proverbial annoying mosquitoes buzzing around your ear Koula and Mary were brushed aside. I seek leave to table that letter.

Leave granted.

The Hon. F. PANGALLO: The sisters also did their own research. They filmed the intersection at peak times of the day, which showed a low volume of traffic and vehicles unimpeded

by the single turning manoeuvre at the lights. They doorknocked hundreds of homes in surrounding suburbs for a survey. Of those surveyed, 96 per cent wanted the right-hand turn to stay and 94 per cent said they had not been consulted on the redesign. They have collected 3,251 signatures supporting their Say No to the Loops campaign. They have not been able to view modelling the former minister had claimed was carried out.

They sought legal and professional advice to support their case. Former DIT senior engineer Luigi Rossi, who was involved in many other major government road projects, said the redesign was not necessary and a waste of taxpayers' money, as any time saved was inconsequential. Koula and Mary took their fight to SACAT last week. Think of the lone man clutching the plastic bag standing in defiance in front of a tank in Tiananmen Square and you will get the symbolic picture of what sisters Mary and Koula Raptis were up against: a lawyered-up government with a rock-solid piece of legislation in their corner against a couple of hopeful individuals with everything to lose.

Their footage and survey were ruled inadmissible, because Koula and Mary were not professional camera operators nor qualified to do surveys. What did emerge under questioning from Koula is that making a right-hand turn onto South Road using the proposed loops would be more complicated and take longer. So what about the two-minute saving the former minister claimed? The process has soured Koula and Mary's perception of government. As they state in their letter:

This is so very disappointing and cruel coming from a house of democracy. How can politicians simply sit on their hands and do nothing to help us?

MUTUAL AND COOPERATIVE SECTOR

The Hon. T.T. NGO (15:39): I rise to speak in support of a financial system that recognises the value of cooperatives and mutuals, sometimes referred to as community banks, and that removes regulatory barriers that prevent them from reaching their full potential.

Last week, I attended the annual conference dinner of the Business Council of Co-operatives and Mutuals (BCCM), with a few of my colleagues in this house also attending. The BCCM is the national peak body for cooperatives and mutuals, including 99 of them based in South Australia, which are worth more than \$40 billion. These include leading national and South Australian cooperatives and mutuals industries that play a vital role in the economy, including agriculture, financial services, motoring, manufacturing, retail, health, aged and disability care, and housing.

These organisations are reinvesting in our communities, serving more than 80 per cent of South Australians looking for finance, yet despite their strong credit metrics and lower conduct risk they are burdened with federal regulations that favour major banks. For example, some of the key disadvantages include higher capital requirements, because mutuals are required to hold more regulatory capital than major banks even when the underlying lending risk is identical. This structural penalty for being customer owned restricts their ability to lend, grow and invest in the communities they serve. Unlike the big banks, mutuals rely heavily on customer deposits and have limited access to low-cost wholesale funding. This makes their operations more expensive and less flexible, especially during economic downturns.

Complex and costly merger pathways are another disadvantage. When mutuals seek to merge for member benefit rather than for market dominance, they face lengthy and expensive processes. This discourages strategic consolidation and limits their ability to scale in responsible ways. Current frameworks treat mutuals and major banks alike, ignoring the differences in structure, purpose and risk profile. This one-size-fits-all regulation leads to unfair compliance costs that strain smaller institutions and divert resources from service delivery.

In countries like Canada and the United States, governments actively support mutuals through tax exemptions and funding programs. Despite the proven track record of stability and community impact that mutuals have demonstrated in Australia, we have much more limited policy recognition that has not yet caught up with what is happening in other nations.

During past financial crises government interventions favoured major banks, giving them competitive advantages in funding and stability. Mutuals, despite their prudence, were left with higher relative costs and reduced competitiveness. These disadvantages are real barriers that prevent

mutuals from opening new branches, investing in technology and serving regional and suburban communities.

As major banks continue to close branches and cut staff, they leave behind an unmet need in many communities, which mutuals could step in and meet. What is missing is the incentive for mutuals to fill the empty spaces the disappearing banks on our streets are creating. Mutuals offer an alternative model of banking. They prioritise long-term outcomes, operate without conflict between shareholder returns and customer service and reinvest in the communities they serve. Most importantly, by supporting mutuals we protect competition. In doing so we prevent monopolies and give Australians real choice.

I want to take this opportunity to call on my federal colleagues to review some of the regulatory disadvantages mutuals face. If considered reforms are implemented, it would allow mutuals to offer more affordable housing finance and investment in regional communities and to compete fairly without compromising financial stability.

BIO GRO

The Hon. B.R. HOOD (15:44): I rise today to recognise a remarkable South Australian success story, and that is Bio Gro, and to congratulate its managing director, Stephen Van Schaik, on being named one of this year's Timber Legends at the Green Triangle Timber Industry Awards held in Mount Gambier last Friday night.

This honour was well deserved. It recognises not only Stephen's leadership but the enduring vision of the Van Schaik family, a family that has shaped the forestry and organics industry across our state for nearly 50 years. The Bio Gro story began in the mid-seventies when Hans Van Schaik, Stephen's father, saw an opportunity where others saw waste. At a time when pine bark and sawdust was being discarded from local mills and forestry floors around Mount Gambier, Hans believed those by-products could be turned into something valuable. He began composting, experimenting and proving that industry residue could be reused for good. From that simple idea, a small earthmoving and residue recovery business grew into what we now know as Bio Gro, a national leader in organics recycling, composting and sustainable soil health solutions.

Bio Gro remains truly a family business, proudly run by Stephen and his wife, Heather, and two of their children, Emma and Liam, who now work alongside them continuing the Van Schaik family commitment to innovation, hard work and the environmental stewardship that began 50 years ago. Today, Bio Gro processes more than 300,000 tonnes of organic material every year through its facilities in South Australia and Victoria. What began in a shed in Mount Gambier has grown into a company that employs locals, supports regional economies and provides a model for circular economy practice right here in Australia. This success has never been accidental, it has been built on hard work, innovation and a willingness to keep moving forward.

Under Stephen's leadership, Bio Gro has invested in new technology and built purpose-made facilities that can handle massive volumes of organic material. The Mount Gambier site alone has two automated packaging lines capable of producing more than eight million bags of growing media each year. Their products are used in nurseries, vineyards and farms across the country, tailored to crop, climate and region, improving soil structure and returning life to the land.

Bio Gro's work is a perfect example of a truly circular economy within the forestry sector. The company takes what would otherwise be considered waste, such as pine bark, sawdust and organic residues from sawmills and forestry plantations, and turns them into high-quality compost and growing media, and then those products go straight back into forestry nurseries, helping to grow the next generation of plantation timber. In effect, the by-products of one harvest become the foundation of the next. It is a closed loop that conserves resources, cuts emissions and strengthens the long-term sustainability of our timber industry.

Few examples capture the full cycle of regional manufacturing, environmental stewardship and industry renewal as clearly as Bio Gro does. Bio Gro's vision is simple yet profound: to lead the way in sustainable ecological soil health solutions for the benefit of future generations. Its mission and values are grounded in ethical conduct, safe workplaces, environmental improvement, competence, collaboration, and a passion for community, for family and for change. These are not

just words on a website, they are principles lived every day by the women and the men who work across Bio Gro's operations.

They have expanded carefully and strategically throughout Australia, acquiring new sites in Victoria, including their new Newbridge facility, which has a licensed capacity of up to 160,000 tonnes per year, and installing Australia's first decontamination pre-treatment line at Dandenong South, a major step towards processing quality and efficiency.

Bio Gro's message is a great one for regional businesses. I have spoken about this before: in our regions we innovate out of necessity, and that is something that Bio Gro does. I want to congratulate Stephen and Heather and Emma and Liam for the tremendous work they have done, for the people they employ and on the truly circular way in which they treat their product. It really is testament to what we can do in regional South Australia, and grow that to a national stage.

Again, Stephen, congratulations, mate, on your Timber Industry Legend Award. Well done on the work that you are doing. I hope that Bio Gro continues long into the future as another successful story from my hometown of Mount Gambier.

LEE, MR K.W.

The Hon. J.S. LEE (15:49): Over the past 15 years, I have had the honour to speak about unsung heroes, remarkable individuals, community leaders and exceptional organisations in this parliament. Today, however, I would like to speak about someone more personal to me. I would like to pay tribute to my beloved father, Sifu Lee Koon-Wah. On 3 November, in a few days' time, it will mark the fifth anniversary since the passing of my dad. He sadly passed away in 2020 during the COVID pandemic. His passing was very sudden and international borders were shut, so regrettably none of my family members in Australia were able to physically be there to bid our final farewell.

I want to place on record my deepest gratitude to family and friends of my dad's Buddhist association in Kepong for their love, respect and compassion in organising the most beautiful funeral services for Sifu. Everyone knows my dad as Sifu. Sifu is translated to mean teacher or mentor or master, a title of great respect for a highly skilled person with remarkable expertise and experience, responsible for passing down techniques, philosophy, values and moral principles. My father was a Sifu as a Buddhist monk as well as a Sifu in martial arts.

What prompted me to pay tribute to my dad in parliament today was a video shared with me by a dear friend, Master Craig Swingler, about a special tribute for my dad at a recent conference presented by Master Anthony Hockley, President of the Australasian Martial Arts Hall of Fame. I want to thank the vice-president, Master Steve Weston, for emailing me a transcript of the speech, and it is my privilege to quote a few paragraphs from that speech:

We acknowledge the passing of a remarkable man and celebrate the legacy of a true master Sifu Lee Koon-Wah. Sifu strived to be a living embodiment of martial virtue through humility, discipline, dedication, courage and compassion. His life was a path of mastery, not just merely of technique, but of the self. Born in a time when tradition was still passed quietly hand to hand, and often heart to heart, Sifu Lee was initiated into the world of martial arts as a young boy.

He trained under some of the most respected Grandmasters of his generation and it showed in his techniques and teachings. His knowledge was quite vast and rooted in the classical systems like Tai Chi and Qigong. He was not just a student of forms; he was a seeker of knowledge and wisdom in his understanding of forms. He taught thousands of students across the world. Some went on to become instructors themselves—others simply became better people, more grounded, more disciplined, more compassionate thanks to his guidance.

For every technique he passed on, he imparted a principle. For every movement there was meaning. His calm was his strength and he would often say, *The mark of a true master is not in how many you defeat, but in how many you uplift*. Sifu Lee taught his martial arts in community halls, temples and parks—anywhere and wherever there was room to teach and educate those with an interest in the arts. He offered free classes to youth at risk, seeing martial arts not as a tool of violence, but as a path away from it.

Not only was he just a teacher, but a surrogate father, a friend, a colleague and a healer to those around him. His own story was one of endurance and perseverance. He was not only respected—he was deeply loved by those who knew him. Sifu Lee Koon-Wah was more than a martial artist. He was a preserver of culture, a warrior poet, a man who reminded us that martial arts is not just about how you move, but how you live in this world. In every rising generation that bows before a teacher, each student and teacher that treats others with respect and tolerance. So today, as we say goodbye, we also say thank you. Thank you, Sifu, for your wisdom and tireless dedication...in every form, in every life you have touched.

With a heart full of gratitude today, thank you, Sifu—thank you, dad—for being our father. We love you, we miss you and forever in our hearts.

BUSHFIRES

The Hon. J.E. HANSON (15:54): Bushfires in our state are, sadly, not in any way uncommon. Coming into the warmer months, I thought it was pretty timely to reflect on what was the worst bushfire season on record that doubtlessly left an impact on me and I think indeed many other South Australians and that was our 2019-20 bushfire season.

This week—and, yes, it really was this week—six years ago, a strong northerly wind combined with existing dry conditions and dry temperatures to create dangerous bushfire weather in our state. Several fires broke out across the state, including one at Wongulla in the Murraylands, where several firefighters were injured. Catastrophic fire conditions were forecast across the state for 20 November and the CFS declared a statewide total fire ban. A fire was reported shortly after that threatened Yorketown on Yorke Peninsula that same day, before a wind change pushed the fire dangerously close to the township of Edithburgh. The fire destroyed several homes and burned more than 5,000 hectares.

Dangerous fire weather conditions continued from spring into summer and December's strong winds, low humidity and high temperatures on several days combined to create dangerous bushfire conditions, including some areas with catastrophic fire danger ratings. Nearly all of South Australia recorded its highest ever accumulated Forest Fire Danger Index for that December.

On 20 December, after four days of sweltering extreme heat, temperatures in the west of the state had reached 49.9°. In several other locations, it had exceeded 45°. Adelaide, for what it is worth, reached 43.9°. More than 200 bushfires burned across the state that day, including a major fire at Cudlee Creek in the Adelaide Hills that spread rapidly, threatening the townships of Mount Pleasant, Springton, Palmer, Cudlee Creek, Mount Torrens, Harrogate, Inglewood, Gumeracha, Lobethal and Woodside.

Over the next few days, the fire burned 23,000 hectares, before being brought under some measure of what we term control. An elderly man tragically died in his home during the fire and 84 homes were destroyed, as well as over 400 outbuildings and almost 300 vehicles. At the end of the catastrophe, more than 40,000 hectares were burned by fires that started that day. One thousand five hundred firefighters responded. Thirty-one firefighters and two police officers were injured. A 24-year-old man from Queensland died in a car crash that started a fire in the Murraylands.

On that same day, Kangaroo Island experienced multiple dry lightning strikes, sparking fires that took 11 days to contain. The island's fire crews were still fighting these fires when more lightning strikes created even more fires in inaccessible parts of the wilderness areas which merged with the existing fires when a strong northerly on 3 January caused the fire to spread to the island's south coast.

The Kangaroo Island fires burned 211,500 hectares, including in the Flinders Chase National Park, where an estimated 25,000 koalas were killed and the habitats of numerous other animals were irreparably destroyed. The fire on KI tragically killed two people who were trapped in their car. It destroyed 56 homes, injured 23 firefighters and destroyed two CFS trucks. The fire also changed lives forever. Every person on the island and every person who cares about the island will never forget it.

Bushfires, which were declared a catastrophe across the nation that year, according to the Insurance Council of Australia, cost the nation \$2.32 billion. South Australia accounted for around about 8 per cent of that, with around about 10 per cent of all claims. The state government review of the South Australian response to the fire made clear that, in fact, the result could have been far worse. Indeed, to best sum up why I will now quote a portion of that report to finish off:

The expertise that volunteers brought to the bushfires is difficult to quantify. Those with local knowledge excelled and helped with decision making in what was a fast moving and dynamic situation. The review heard from many volunteers, some of whom have spent decades fighting fires, and while some were overwhelmed with incident management teams barely coping, others used their knowledge and expertise to great effect. We should be grateful for their efforts. The level of hazard reduction was criticised in the aftermath of the fires but as will become evident in

this review, the conditions were such that in some of the fires no amount of hazard reduction would have made any difference.

Motions

MADONNA DI MONTEVERGINE FESTA

The Hon. J.S. LEE (15:59): I move:

That this council—

1. Celebrates the 70th anniversary of the Madonna di Montevergine Festa, held at St Francis of Assisi parish in Newton, recognising it as one of South Australia's most enduring and culturally significant religious festivals, reflecting the deep faith and traditions of the Italian-Australian community;
2. Acknowledges the historical origins of the Festa, first celebrated in 1955 by migrants from the Campania region of Italy, and its continued role in fostering intergenerational connection, cultural preservation, and community pride;
3. Commends the Holy Mary of Montevergine Association and the many volunteers and parishioners whose dedication and service have sustained the Festa for seven decades, ensuring its growth and relevance in contemporary multicultural South Australia;
4. Recognises the outstanding contribution of Mr Domenico Zollo OAM, long-serving President of the Festa, whose leadership and commitment have been instrumental in maintaining the event's legacy and strengthening ties within the Italian-Australian community; and
5. Congratulates Mr Zollo on being awarded the Italian honour of Cavaliere during the 70th anniversary celebrations held on 28 September 2025, in recognition of his distinguished service to the community and his role in promoting cultural harmony and civic engagement.

It is a great honour to rise today to acknowledge and celebrate another significant milestone in South Australia's rich multicultural heritage, the 70th anniversary of the Madonna di Montevergine Festa. Held at St Francis of Assisi parish in Newton each year, the Festa is one of South Australia's most enduring and culturally significant religious festivals. It reflects the deep faith, rich traditions and community spirit of our Italian-Australian community, particularly those who migrated from the Campania region of Italy.

Since its inception in 1955, the Festa has been a beloved cornerstone of South Australia's Italian community, bringing together generations of families in celebration of the Madonna di Montevergine, and fostering intergenerational connections, cultural preservation and community pride. I wish to take this opportunity to recognise the incredible dedication and efforts of the Holy Mary of Montevergine Association, and the countless volunteers, parishioners, supporters and sponsors who have sustained this event over the years.

In 1953, the founding members of the association gathered in the home of Mr Orlando Saccone, inspired to continue practising their faith, culture and tradition of pilgrimage in their new home in South Australia. The founding members asked permission from the Franciscan Fathers at the St Francis of Assisi Church to have a small painting of the Madonna, or Holy Mary, brought out from Italy in order to hold a traditional feast day procession and pilgrimage to celebrate their devotion to the Madonna. In doing so, they established a legacy that continues to thrive seven decades later, drawing thousands of devotees from across South Australia and interstate each year.

I wish to particularly commend Cavaliere Domenico Zollo OAM, whose leadership and commitment have been instrumental in maintaining the dream of those founding members and ensuring that Festa remains relevant and inclusive for all. Domenico has been involved in the Holy Mary of Montevergine Association for more than 45 years, and is the longest serving president of the association, having served in this role since 1988. In this role, Domenico has dedicated his time and passion for more than three decades to the growth and success of this important event. His tireless effort in securing sponsorship, government support and engaging younger generations have ensured the continual vitality and vibrancy of the Festa.

Domenico's contributions and leadership extend beyond this single event. He has served on the Festas committee of St Francis of Assisi Church since 1988, and has been actively involved with the Campania Sports and Social Club and Radio Italiana 531, earning life membership in both

organisations for his significant contributions. In recognition of his outstanding service to the South Australian-Italian community, Mr Zollo was awarded the Order of Australia Medal in 2019.

It was an honour to attend the 70th anniversary of the Festa on Sunday 28 September, and join the community in this iconic celebration alongside many dignitaries, community leaders and parliamentary colleagues. The event was made even more memorable by a very special award presentation. I wish to extend my heartfelt congratulations to Domenico on receiving the Italian Order of Cavaliere during the 70th anniversary celebrations. The prestigious recognition reflects his distinguished service to the Italian community of South Australia and his enduring commitment to strengthening bilateral relations between South Australia and Italy.

In reflecting on his involvement and memories of the Festa and the association over the years, Domenico highlighted that, while the founders of the association have all sadly passed away, their passion lives on through their sons, daughters, grandchildren and even great-grandchildren, who are now proudly involved in the Festa each year. It is a beautiful testament to the dedication, devotion and community spirit which has been passed on from generation to generation.

I recently hosted a special reception in Parliament House for a number of multicultural community organisations celebrating milestone anniversaries this year. I asked each of the representatives to say a few words in reflection about their history and achievements. In his usual style, Domenico was extremely humble and highlighted unwavering support and outstanding contributions of the committee, volunteers, sponsors and supporters who have made the Festa over the decades.

Thank you once again to all those who have helped to preserve and honour the cultural and spiritual traditions of the Campania region and for their significant contributions to the South Australian-Italian community and the broader multicultural society of our wonderfully diverse state. Congratulations once again to the Holy Mary of Montevergine Association on this special milestone of their 70th anniversary. I wish the Festa ongoing success and an even brighter future ahead. I commend the motion wholeheartedly. Grazie mille.

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

DROUGHT MITIGATION

Adjourned debate on motion of Hon. S.L. Game:

That this council—

1. Recognises that certain South Australian districts remain in a drought that is among the worst in recent times, and that this drought continues to place devastating mental and financial pressures on these communities, including and in particular farmers;
2. Acknowledges that this drought has severely impacted the production capacity of many farmers and food producers, notwithstanding the state government's recently announced assistance packages;
3. Recognises that small dams on farmers' properties can represent an economic lifeline for farmers, enabling them to water their livestock and irrigate their crops;
4. Urges the Malinauskas government to review its farm dam policy to allow SA farmers to have one dam—up to five megalitres in volume, and a wall height of no more than three metres—for every 100 acres of land they own, without needing a permit through Landscape Boards of South Australia;
5. Calls on the government to ensure that the installation of low-flow bypasses on farmers' properties is voluntary and remains voluntary in South Australia; and
6. Calls on the government to ensure that farmers who choose to install low-flow bypasses must do so at their own expense, not at taxpayer expense.

(Continued from 17 September 2025.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (16:06): I rise today to speak in support of the motion brought forward by the Hon. Sarah Game, a motion that recognises the dire circumstances that have recently confronted our farming communities and proposes a modest practical reform to assist those who have been and continue doing it tough.

This is not a time for political pointscore. It is a time for listening to our farmers, understanding the realities they face and finding every opportunity to reduce unnecessary barriers to their ability to survive and recover, because the reality is parts of South Australia are still enduring the worst drought conditions in living memory. While some areas have had some significant rain, this drought is far from over. Livelihoods are hanging by a thread. While some assistance has been provided, the gaps in that support remain deeply concerning. That is why the opposition continues to call on the Labor government to implement no and low-interest concessional loans for our farmers and farming communities, but this unfortunately continues to fall on deaf ears.

This motion acknowledges what many of us who regularly engage with regional communities already know: drought is not just an economic challenge. It is a mental health crisis, a logistical nightmare and a deeply personal strain on the men and women who feed our state and, indeed, our nation. Farmers do not ask for special treatment. They ask for practical tools to help themselves.

One of these tools is reliable, accessible on-farm water storage. A single dam can be the difference between holding onto stock or being forced to sell at a loss. It can be the difference between getting a crop through a season or watching a year's effort evaporate in the heat. Yet we hear time and time again that even for a small, low-risk dam, a dam no more than five megalitres in capacity and no more than three metres in wall height, farmers are being forced through bureaucratic processes that are slow, that are incredibly expensive and often disproportionate to the scale of the impact. This is red tape for red tape's sake, and it must be addressed.

The reform proposed in this motion is measured and responsible. It is not an open-ended licence for dam construction but rather a targeted exemption for low-impact, small-scale dams on properties with sufficient acreage. One dam per 100 acres, no more than five megalitres in volume, is a proportionate, rational threshold that strikes the balance between environmental stewardship and agricultural necessity.

We are proposing a constructive amendment—and we have been for quite some time—to the motion to ensure it explicitly covers not only the right to build small dams without unnecessary red tape but also the right to maintain them, because it is one thing have a dam, it is quite another to be able to keep it operational. In doing so, I move the amendment standing in my name:

Delete paragraph 2 and substitute:

2. Acknowledges that this drought has severely impacted the production capacity of many farmers and food producers, and that the state government's recently announced assistance packages have missed the mark, with many of the measures either difficult to access, slow to roll out or falling far short of what is needed;

Delete paragraph 4 and substitute:

4. Urges the Malinauskas government to review its farm dam policy to allow SA farmers to have and maintain one dam—up to 5 megalitres in volume, and a wall height of no more than 3 metres—for every 100 acres of land they own, and to conduct maintenance on those dams, without needing a permit through the Landscape Board of South Australia;

At present, the process for undertaking basic dam maintenance—such as desilting, repairing walls or cleaning debris—requires landholders to submit an application at least two months in advance, pay a fee, and then await formal approval from the Landscape Board. This process is unreasonably slow, especially during times of drought when farmers need to act swiftly. We have heard directly from landowners across the state who have been fined for simply maintaining their own infrastructure.

This is not just poor policy: it is punitive and absurd in the context of the crisis that we have recently faced—and, again, that in some parts of the state we continue to face. Our amendment ensures that maintenance of dams up to five megalitres with a wall height of no more than three metres can be carried out by landholders without being bogged down by bureaucracy.

We all value water sustainability and environmental protection, but our frameworks must also reflect the urgency and the reality on the ground. At present the process for farmers to build, or even maintain, a small dam is bogged down in months of applications, fees and paperwork. In the meantime we see stock die, paddocks go bare, and the mental strain on farming families continue to climb.

Importantly, this motion does not call for the removal of oversight entirely. It simply recognises that we can—and we must—trust our farmers with a greater degree of autonomy, particularly when the dams in question are of a scale that poses negligible risk to broader water systems. If there are particular areas of concern in relation to rainfall or environmental sensitivity, then it may be appropriate to apply additional criteria, but let us start by properly mapping these areas using clear, scientific data rather than relying on bureaucratic guesswork.

The Hon. Sarah Game is right to highlight the economic and emotional lifeline that on-farm dams can represent. She is also right to urge a rethink of the system, that too often feels like it was built for an idealised world of regular rainfalls, not for the extremes that climate variability is now delivering.

We have heard the support for this approach from industry groups like the South Australian Dairy Farmers Association, and we have heard it echoed by farmers from the Fleurieu to the Eyre Peninsula. They are not asking for shortcuts: they are asking for sense, for fairness, and for a system that enables them to respond to drought with flexibility and with speed.

Another key issue that has been raised with the opposition relates to the installation of low-flow bypasses. The Flow for Futures program, a joint initiative of the Australian and South Australian governments, has seen bypass devices installed at more than 400 sites across the Eastern Mount Lofty Ranges and Marne Saunders Catchment. Importantly, these installations have always been voluntary and tailored to each individual property, with site-specific solutions developed in partnership with landholders.

It is consistent with Liberal values and principles that the installation of low-flow bypasses must remain voluntary in South Australia. There has been no indication that the board intends to make them compulsory across the Adelaide Hills, but the concern expressed to us is real. Landholders have observed an increasing focus on compliance, particularly regarding illegal dams—many of which have been inherited by new owners without their knowledge. We are also aware of proposals requiring landholders to physically fill in dams deemed noncompliant.

Such heavy-handed approaches undermine trust and fail to recognise that farmers are, by and large, responsible custodians of the land. This motion, therefore, calls on the government to ensure that bypasses remain voluntary and that any farmer choosing to install a bypass must do so at their own expense. Taxpayer dollars should not be used to subsidise what many in the community perceive as creeping regulation by stealth. If the government wishes to regulate in this area, then it should have the courage to legislate openly and put the proposal before this parliament.

It is not acceptable for subsidy schemes to become de facto compulsory programs. Indeed, if government generally wishes to encourage uptake, a far better approach would be to provide incentives consistent with Liberal philosophy—such as tax deductibility or instant asset write offs—rather than direct subsidies that erode both transparency and property rights.

Farmers deserve clarity, honesty and choice. Quietly shifting the boundaries of regulation through subsidy programs again risks eroding confidence both in government and in the fairness of the system. We support this motion because it is logical and measured, and because it gives voice to people who are too often drowned out in bureaucratic process. It affirms the principle that in times of drought we must do more than acknowledge hardship—we must remove barriers that prevent resilience.

I commend the mover for putting forward a motion that invites all of us in the chamber to think practically and to support those whose future depends on access to the most basic of resources, that is, water. Let us ensure the rules reflect reality and that policy supports rather than hinders the people who grow our food, care for our land and underpin the prosperity of our regions.

The Hon. R.P. WORTLEY (16:15): I rise to speak on the motion moved by the Hon. Ms Sarah Game. I move an amendment to the motion as follows:

Leave out paragraphs 3, 4, 5 and 6 and insert new paragraphs as follows:

3. Recognises that small dams on farmers' properties contribute to on-farm water management and assist farmers to water their livestock and irrigate their crops;

4. Recognises that regulation of dam construction, modification and removal ensures that on-farm water management needs are appropriately balanced with protection of water catchments, biodiversity and ultimately water security for all;
5. Acknowledges the importance that low flows play in the water flow pattern of a catchment; and
6. Acknowledges that landholders who wish to contribute to the health of their catchment can voluntarily install a low-flow device at their dam, with the support of the Flows for the Future Program, jointly funded by the commonwealth and state governments.

The South Australian government recognises the severity of the drought that continues to affect the state. While most regions have received good rain in July and August, September remained below average in many areas and the 18-month rainfall total across the state still shows severe deficiencies. The warm and windy weather in early October has been detrimental for crops and pastures in regions that have received lower than average rainfall and have no subsoil moisture.

Following the delayed start to the season and rising temperatures, spring rainfall is critical for the outcome of cropping season and recovery of pastures. The government's \$73 million package of comprehensive drought assistance continues to support affected farmers and communities across the state. The drought support package was developed in close consultation with industry, primary producers and community representatives. The support has been carefully designed to complement existing support from the commonwealth, which includes concessional loans, income and other financial supports through the Farm Household Allowance, the Farm Management Deposit Scheme and Australian Tax Office measures, such as payment plans, tax deductions and small business tax concessions.

It supports primary industry producers to implement infrastructure projects that assist with managing current drought conditions now and will strengthen their preparedness for future droughts. This scheme provides farmers across the state in all areas affected by drought the opportunity to improve water use efficiency through eligible activities such as pumps, piping, tanks and troughs for livestock and water distribution systems, including desalination plants, leak detection units, irrigation system upgrades, and many more.

Farm dams are an important part of water management for many producers. However, they can alter the timing of water flows throughout a catchment. This impacts the environment that underpins catchment health and supports sustainable agricultural production. Sustainable primary production depends on healthy water catchments. For example, the Eastern Mount Lofty Ranges are a major contributor to South Australia's economy, generating \$440 million in agricultural production each year. Rainfall naturally travels through catchments downstream in creeks, streams and rivers, supporting primary producers and the environment as it goes. This natural movement of water has been disrupted by the construction of more than 22,000 dams across the Mount Lofty Ranges, 8,000 of these in the Eastern Mount Lofty Ranges.

While dams are important for primary producers, in large numbers they can also attract feral species and generate overabundant populations of native species, creating a systemic imbalance that is hard to remedy. Farm dam regulation: construction, modification or removal of farm dams and other water-controlling activities require approvals before undertaking works. These activities and others are legislated under the Landscape South Australia Act 2019 (SA), as well as the Planning, Development and Infrastructure Act 2016.

The current Landscape Act 2019 was developed after extensive consultation statewide, including primary industry groups, local government and landowners. The South Australian landscape boards administer the water-affecting activity permit process for dam construction and modifications and provide guidance specific to their regions. Authorities that provide approval for dams may recommend timeframes for processing of applications so that producers can plan their works. However, these timelines are not legislated.

Permits for dams are granted through evidence and science-based policy aligned with these acts, such as the water affecting activities control policy of the local landscape boards. Such policies support existing user rights to the extent they can, but not at the expense of water security or natural flows, which support healthy water catchments.

Dams of less than five megalitres' capacity and with a wall height of less than three metres are managed under the Landscape South Australia Act 2019 via the water affecting activity permit. Allowing unregulated construction or modification of dams of this size could directly harm farmers and the broader agricultural sector in South Australia by reducing downstream water availability, increasing evaporation losses and undermining long-term water security.

Unregulated dams or illegal dams can compromise the viability of neighbouring farms, especially during drought, and exacerbate competition within catchments. Low flows can be returned to catchments via a bypass, a device that diverts a small portion of water flow past a dam and into the downstream catchment while medium and high flows continue to fill the dam.

Landholders who wish to contribute to the health of their catchment area can voluntarily install a low-flow device at their dam. A low-flow bypass slightly increases the time it takes to fill a dam. It does not prevent a dam from filling. It has minimal impact on an individual landholder's water security. In fact, a bypass can help increase water security in the catchment by allowing low flows to continue downstream through the watercourse, including to other dams.

Flows for the Future is a program supporting the voluntary installation of low-flow devices. It is delivered under the Murray-Darling Basin Plan and is jointly funded by the Australian government and the Government of South Australia. The Flows for the Future program has received positive feedback from landholders who have voluntarily installed low-flow devices, detailing outcomes which include creeks and waterways flowing at times of the year when they would normally be dry, improved condition and increased quantity of vegetation along waterways, and increased presence of animals in waterways.

These are signs of healthy downstream catchments. Healthy downstream catchments have value beyond the small amounts of water diverted through bypass; for example, contributing to natural pest control, pollination and soil health. These are benefits for farm productivity and help reduce input costs. By looking after the health of our catchments, we help ensure current and future landholders have the opportunity to farm viably and be surrounded by healthy and resilient ecosystems that are in the best position to persist in the years to come.

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

ITALIAN HISTORICAL SOCIETY OF SOUTH AUSTRALIA

The Hon. J.S. LEE (16:24): I move:

That this council—

1. Congratulates the Italian Historical Society of South Australia (IHSSA) for celebrating the special milestone of its 10th anniversary in 2025;
2. Acknowledges the founding members, president, committee members and volunteers of the IHSSA for their dedication and contribution to preserving and promoting the history of Italian immigration to South Australia through traditional oral history and collecting original documents and photographs;
3. Congratulates the IHSSA on the publication of the first edition of *La Partenza: Voyage to a New Beginning*, generously supported by the History Trust of South Australia and launched at the Migration Museum of South Australia in April 2025; and
4. Commends the IHSSA for presenting the rich and enduring history of Italian immigration into South Australia and fostering awareness of the significant social, cultural and economic contributions Italian migrants have made to the development of our diverse multicultural state.

It is a great honour to rise today to congratulate the Italian Historical Society of South Australia on the special occasion of its 10th anniversary in 2025. The society's important work has captured the enduring legacy of Italian migration and the profound contributions of Italian Australians to the fabric of our society.

Over the past decades the society has grown from a passionate community initiative into a vital cultural institution, relying on generous sponsors and volunteers, without government funding. Its mission is clear and compelling—to preserve and promote the history of Italian immigration to South Australia through oral histories, original documents, photographs and community engagement.

The society's flagship project, *A Trunk Full of Dreams, a Suitcase Full of Memories*, is a powerful reflection of this mission. It captures the lived experience of Italian migrants, stories of courage, resilience and transformation. These stories are not just historical records, they are windows into the hearts and souls of our multicultural state.

I wish to acknowledge the founding members: the President, Mr Giuseppe 'Joe' Geracitano, the dedicated committee members and the many volunteers who have given their time, energy and expertise to this cause. Mr Geracitano's leadership has been nothing short of inspiring. He graduated from the University of Adelaide, majoring in economics, history, sociology and education. Throughout his career he has devoted himself to multicultural education and community development. His work spans decades, from founding the Dante Alighieri Society of South Australia and Italian community radio to advising on the establishment of the South Australian Ethnic Affairs and Multicultural Commission and the Migration Museum.

Under his guidance the IHSSA has conducted dozens of interviews, collected hundreds of documents and created a repository of stories that would otherwise be lost to time. These oral histories follow a whole-of-life approach, covering childhood in Italy, the reasons for emigrating, the journey to South Australia and the challenges and triumphs of building a new life in Australia. They are especially poignant because many of the migrants came from rural backgrounds with little formal education. The spoken word in these cases becomes a powerful tool of remembrance and recognition.

In addition to recognising the president (Joe), I would like to pay tribute to the co-patrons: Ernesto Pianelli, Consul of Italy in South Australia, and Cavaliere Dr Carmine De Pasquale AM. The executive members, in addition to Joe Geracitano, are Cavaliere Nick Fazzalari OAM, vice president (resigned); Councillor Dr Rachele Tullio, vice president; Giovanna 'Jenny' Geracitano (Joe's beautiful wife), secretary; and Tina Dichiera, treasurer.

The committee also work really hard behind the scenes. They are Rosina Peryk, Rosemarie Geracitano, Lorenzo Circosta, Franca Circosta, Angela Cutri, Anna Farrugia, Teresa Dall'Acqua Leonardi OAM, Nella Santo, Giuseppe 'Joe' Ienco OAM and Silvana Zerella. A lot of the historical content could not have been done without the editorial committee working really hard behind the scenes: Laura Di Martino-Kempt, Mario Russo and Cavaliere Associate Professor Angela Scarino. They are all beautiful people who work really hard and contribute their talents and time and efforts into helping the society. There are two wonderful ambassadors who are known to many in this chamber: Cavaliere Sebastian Galipo, from Galipo Foods, and Rita Bianca Palumbo, who is the President of the Sicilia Club on OG Road.

I want to take this opportunity to congratulate the Italian Historical Society on the publication of their inaugural edition of *La Partenza: Voyage to a New Beginning* launched at the Migration Museum in April earlier this year. It was an honour to attend to support the work of the society. This journal brings together written stories submitted during the COVID-19 pandemic when in-person interviews were paused, but research continued remotely. Supported generously by the History Trust of South Australia, this publication is a landmark achievement.

This journal not only preserves the voices of Italian migrants in academic and public memory but also provides a critical platform for ongoing scholarly exploration of Italian migration and its impact on South Australia, filling the gap left by the diminished academic focus on this subject. A special expression of gratitude is owed to the eight families who generously shared their remarkable migration stories in this first edition: Fulvia Caruso, Raffaele De Marco and family, the Di Martino family, Michele Donato and family, Francesco Fogliano and family, the Raffaele Racioppi family, Nella Santo and family, and the Giovanni Scalzi family.

Their willingness to share their own profound personal experiences have greatly enriched the collective understanding and deepened our appreciation of the Italian migration journey to South Australia. A major sponsor of the society has always been Sebastian Galipo, who arrived in Australia as a child in 1952, and went on to found Galipo Foods, a company which is now a multimillion dollar enterprise. I also paid tribute to Galipo Foods and the Galipo family in my other contributions in 2023.

Mr Galipo was the first major interviewee for the society in 2018 and his story was published in 2019 at a fundraising event attended by over 300 people. The society also honours women like Rita Bianca Palumbo, who immigrated at age 10 and, at just 16, became the first Italian secretary of the Good Neighbour Council in Woodville. Her leadership of the Sicilia Social and Sports Club for nearly two decades exemplifies the role of women in shaping community life. I will also be congratulating the Sicilia Social and Sports Club for their 50th anniversary under the great leadership of Rita.

Finally, I commend the Italian Historical Society for its unwavering commitment to presenting the rich and enduring history of Italian migration into South Australia. Their work fosters awareness of the significant social, cultural and economic contributions that Italian migrants have made to our state. One of the most visible impacts has been on South Australia's food culture. Italian migrants introduced new ingredients, new tastes and new ways of dining. From olive oil, once sold only in pharmacies as a laxative, to the rise of Italian restaurants, cafes and gelati, the transformation has been profound. The society's recent theme 'A Tavola: The Influence of Italian Immigration on Australian Food Culture' explores this evolution in depth.

The wine industry, too, has been reshaped. Italian migrants brought with them a love of table wines and introduced varieties such as nebbiolo and sangiovese. Wineries like Serafino in McLaren Vale are part of this legacy. The society also documented the history of Italian community radio, marking its 50th anniversary in 2025 with interviews and a report titled Radio Paesani. They continue to record stories from pioneers from all walks of life, in business and agriculture, ensuring that the contributions of Italian-Australians are recognised across all sectors.

The Italian Historical Society of South Australia exemplifies the spirit of community, resilience and cultural pride. Their work enriches our understanding of South Australia's multicultural heritage and ensures that future generations can embrace the legacy of migration with knowledge and respect. It is a great honour to move this motion. I wholeheartedly commend the motion and, once again, congratulations to the Italian Historical Society.

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

INTERNATIONAL RED CROSS

Adjourned debate on motion of Hon. R.A. Simms:

That this council—

1. Recognises that:
 - (a) 2025 marks the 60th anniversary of the fundamental principles of the International Red Cross and Red Crescent Movement;
 - (b) the seven fundamental principles—humanity, impartiality, neutrality, independence, voluntary service, unity and universality—sum up the ethics of the worldwide movement, the tools and methods it uses to achieve its goal of alleviating suffering wherever it may be found, and the organisational principles that support its operations and impact.
2. Acknowledges the significant impact these seven fundamental principles have had in alleviating suffering particularly in times of conflict, crisis and other emergencies—both here in Australia and around the world.
3. Commends Australian Red Cross and all members of the International Red Cross Red Crescent for its principled humanitarian action, impartial and independent, taking only action and never sides.

(Continued from 15 October 2025.)

The Hon. R.A. SIMMS (16:35): This motion recognises that 2025 marks the 60th anniversary of the fundamental principles of the International Red Cross and Red Crescent Movement. The seven fundamental principles—humanity, impartiality, neutrality, independence, voluntary service, unity and universality—sum up the ethics of the worldwide movement, the tools and methods it uses to achieve its goal of alleviating suffering wherever it may be found, and the organisational principles that support its operations and impact.

The motion acknowledges the significant impact these seven fundamental principles have had in alleviating suffering, particularly in times of conflict, crisis and other emergencies, both here

in Australia and around the world, and it commends the Australian Red Cross and all members of the International Red Cross and Red Crescent for its principled humanitarian action, its impartial, independent approach, taking only action and never sides.

The seven fundamental principles of the International Red Cross Movement are an ethical and operational framework that are binding on all of its members, and they help ensure that it is an organisation that is trusted the world over. These principles are not just a theory; they act as a guide and a guardrail for the movement's work every day. They exist to enable and protect the work and its people for today and tomorrow, often in places where it is challenging or dangerous to go.

The 7th of October marked the day 60 years ago when the movement's seven fundamental principles were first adopted in Vienna at the 1965 Red Cross and Red Crescent international conference. The four-yearly international conferences are attended by states party to the 1949 Geneva Conventions, so that is every country in the world and all members of the global humanitarian movement.

The International Committee of the Red Cross was established in 1963 and straightaway national societies grew around the world. Today, the independent principles sit at the heart of the unique partnership of these movements, and national societies have developed around the world to support this work through independence.

As recognised in the 1941 Royal Charter establishing the Australian Red Cross, the organisation is auxiliary to the humanitarian services of the government and it carries out a range of really important functions. It obviously supports people in war-torn areas, but it also provides vital support to people in communities who might be struggling. Indeed, I have recently had cause to avail myself of Red Cross services when I gave a plasma donation for the first time as a result of the laws being changed to enable gay men like myself to make a donation. I think the vital blood donation service demonstrates one of the many vital supports that this organisation provides to our community.

In terms of the fundamental principles and what they mean for the communities that are served by the Red Cross in Australia, it means that when people arrive at an evacuation or recovery centre or places where they are displaced by flood, fire or cyclone, and they see someone wearing the Red Cross vest, they know that they are going to receive support and care. The Red Cross also provides a range of submissions and advocates in the policy space and is a trusted voice on many issues, particularly those impacting vulnerable South Australians and our community more broadly.

As I mentioned, I have seen the work of the Red Cross in various capacities over the years, more recently when I went to make a plasma donation, but I was also invited to come along and look at the excellent partnership they had formed with Uber to encourage people to pass on clothing so that it might have a second life elsewhere. Uber actually very generously offered to go and collect clothing from people's homes, take it to the Red Cross collection point, and then members of the community were able to come and access it through the Red Cross op shops, one of, again, the many examples of the Red Cross doing good work in our community.

So I am sure I speak for all members of parliament when I say that we commend the principles of the Red Cross as they are truly international and we thank everybody associated with the Red Cross for the vital work they do to assist members of our community here locally and also the vital work they do to assist people who are in really difficult circumstances across the globe.

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

FRIENDS OF THE SOUTH AUSTRALIAN MUSEUM

Private Members Business, Orders of the Day, No. 87: Hon. T.T. Ngo to move:

1. Recognises and acknowledges that:
 - (a) 2025 marks the 60th anniversary of the Friends of the South Australian Museum;
 - (b) The Friends of the South Australian Museum is a membership organisation that plays a vital role in promoting the museum's mission to inspire curiosity and a deeper understanding of the natural world and human culture;

- (c) For 60 years the Friends of the South Australian Museum have tirelessly supported the museum's activities, and have helped to raise funds, facilitate donations and sponsorship to promote the museum's acquisitions, projects and programs;
 - (d) For six decades, the Friends of the South Australian Museum have established links between the museum and the public, ensuring the museum remains a vibrant, well-supported institution that enriches the cultural and scientific knowledge of South Australians.
2. Congratulates the Friends of the South Australian Museum for their dedicated advocacy and work with schools, stakeholders and the general public which has fostered a deeper appreciation for the museum's work and contributions.

The Hon. I.K. HUNTER (16:40): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

VIETNAMESE SETTLEMENT IN AUSTRALIA

Adjourned debate on motion of Hon. T.T. Ngo:

That this council—

1. Recognises that:
 - (a) this year, 2025, marks the 50th anniversary of successful Vietnamese settlement in Australia; and
 - (b) this 50th anniversary also marks the significant contributions Vietnamese Australians have made to modern Australian multicultural society, especially the introduction of Vietnamese culture such as food, art, music and the sharing of traditional celebrations.
2. Acknowledges that 2025 also marks the 50th anniversary of the communist North Vietnam invasion of South Vietnam.
3. Acknowledges the economic disparities that persist in Vietnam, with a significant portion of the population still living in poverty despite economic growth.
4. Encourages the Vietnamese government to uphold international human rights standards, and work towards greater freedom of religion, speech and political freedom.
5. Calls on the Vietnamese government to continue to address the issues of corruption, injustice, and economic reforms to improve the lives of its citizens.

(Continued from 20 August 2025.)

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (16:41): I rise today to speak in support of this motion recognising the 50th anniversary of Vietnamese settlement in Australia and acknowledging the significant contribution the Vietnamese community has made in South Australia. Thank you to the Hon. Tung Ngo for bringing forward this important motion.

This anniversary marks an important milestone—50 years since the first Vietnamese refugees arrived on our shores following the fall of Saigon in 1975. It is a story of courage, resilience and the best of Australian humanitarian spirit. Before 1974, fewer than 700 Vietnamese people lived in Australia. Most were students, orphans or the wives of ex-servicemen. But after the fall of Saigon, more than a million people fled Vietnam, escaping persecution and fear of the new regime. Many made dangerous journeys to escape. It is estimated that only half of those who fled by sea ever made it to safety.

Between 1975 and the mid-1990s, over 90,000 Vietnamese people were resettled in Australia. The Vietnamese community is one of the most vibrant and successful in our multicultural society. In South Australia, the contribution of our Vietnamese community has been great. According to census and ABS data, in 2016, 14,338 South Australians were born in Vietnam. In 2021, 19,017 people spoke Vietnamese at home and over 22,000 South Australians identified as having Vietnamese ancestry.

These families have built small businesses, raised children and contributed in many areas across our society. Few examples capture this story better than that of His Excellency the Hon. Hieu Van Le AC, a refugee who arrived in South Australia in 1977 and went on to serve as our state's

35th Governor and the Lieutenant Governor before that. He remains the first Vietnamese person in the world to be appointed to vice-regal office. His story embodies the journey from hardship to leadership and the values that unite us and our migration story through courage and opportunity.

I would also like to acknowledge the Hon. Tung Ngo. He has made a wonderful contribution to our state. It is very unfortunate that he chose the wrong party, but he has certainly made a great contribution in South Australia and we thank him for that.

This motion also rightly acknowledges the more difficult realities that still face people in Vietnam today. Despite economic growth, deep inequities persist, with many citizens living in poverty. The Vietnamese government continues to restrict political freedoms, free speech and religious practice. The opposition strongly joins the call for the government of Vietnam to uphold international human rights standards—to promote justice, freedom of religion and political liberty, and to tackle corruption and inequity that limit opportunity for ordinary citizens.

As we mark 50 years of Vietnamese settlement in Australia, we honour the courage of those who fled oppression and built new lives in South Australia. As the Hon. Tung Ngo has stated in his contribution, the Vietnamese community has reflected with gratitude for what Australia has given them, but we too have much to be thankful for. Our state is more vibrant because of the Vietnamese people who call South Australia home.

The Hon. J.S. LEE (16:44): I rise today in full support of the Hon. Tung Ngo's motion commemorating the 50th anniversary of Vietnamese settlement in Australia. This motion not only honours the resilience and significant contributions of the Vietnamese community but also reflects on the enduring values of freedom, democracy, multiculturalism and inclusion that define our nation. I would like to firstly thank the Hon. Tung Ngo for moving this important motion and for sharing some of his personal stories and experiences. I also want to congratulate him for being the first Vietnamese Australian ever elected to the South Australian parliament and thank him for his contributions.

Fifty years ago, on 30 April 1975, the Fall of Saigon marked the end of the Vietnam War and the beginning of one of the largest humanitarian crises of the 20th century. In the wake of this conflict, nearly two million Vietnamese people fled their homeland, risking their lives in overcrowded boats to escape persecution and oppression from the Vietnamese communist government. Sadly, more than 500,000 people died or disappeared during this tragic time. The sacrifices made by the South Vietnamese in defence of freedom and democracy continues to resonate deeply, as many still grieve for loved ones lost in battle, at sea, and for the beloved homeland they were forced to leave forever.

It has been a privilege to attend many memorial services over the years and the commemoration event this year, particularly, marking the 50th anniversary of the Fall of Saigon is of significant scale. Hosted by the Vietnamese Community in Australia SA Chapter, the Vietnam Veterans Association of SA and other Vietnamese veterans' organisations, these events have brought the Vietnamese and broader community together to remember and reflect on the profound sacrifices and terrible hardships faced during those darkest hours. I want to pay tribute to the President of VCASA, Councillor Quin Tran, and her committee, as well as Mr Dang-Thao Nguyen, VVASA President, and his committee for their strong leadership, commitment and dedication to serve the Vietnamese community of South Australia.

This year is also an important opportunity to recognise and celebrate the remarkable contributions and achievements of the Vietnamese community who found a safe home and proud heartland in South Australia. The arrival of the first Vietnamese refugees in Brisbane on 9 August 1975 marked a turning point in our immigration history and changed Australia forever. It was the first major intake of non-European migrants following the end of the White Australia policy. Over the next two decades, more than 90,000 Vietnamese people were resettled in Australia, and today over 330,000 Australians proudly claim Vietnamese heritage. South Australia played a pivotal role in this journey.

As I highlighted recently when speaking about the Australian Refugee Association, the Indo-China Refugee Association (as it was then known) was founded in Adelaide in 1975 and became a beacon of hope for Vietnamese refugees. ICRA quickly became the national voice promoting the intake of refugees and providing resettlement services and support. Within just

six months of its incorporation, ICRA had successfully supported the first 50 Vietnamese refugees to settle in Adelaide, helping them find housing and jobs.

Since then, the Vietnamese community in South Australia has flourished, showing their resilience, perseverance and determination every step of the way. From the early days of settlement in Pennington's Nissen huts to the vibrant cultural celebrations we now enjoy, Vietnamese Australians have enriched our state and contributed to every aspect of our economy and society.

I also want to take this moment to pay tribute to the Hon. Hieu Van Le, our 35th Governor of South Australia, for his incredible contribution, not just to South Australia but around Australia, and the impact he has made on so many people's lives.

Coming back to the census data, the 2021 census showed that more than 22,000 South Australians have Vietnamese ancestry, and Vietnam is now the third-largest, non-English-speaking country of origin for South Australians born overseas. I believe there are more than 40 registered organisations serving the Vietnamese community in South Australia, providing vital, culturally sensitive support and services to families and individuals across our state. It has been a privilege to work closely with so many outstanding Vietnamese community leaders and organisations over my 15 years in parliament. Their tireless efforts and dedication to service, cultural preservation and community development have enriched our state in countless ways in every aspect of our society.

South Australia is truly fortunate to be home to such a hardworking, resilient and vibrant Vietnamese community. As we mark this 50-year milestone, I take this opportunity to formally acknowledge their significant achievements and enduring contributions that have helped shape a more inclusive, compassionate and culturally diverse South Australia. With those remarks, I wholeheartedly support the motion and thank the Hon. Tung Ngo for moving the motion.

The Hon. T.T. NGO (16:51): I thank the Hon. Heidi Girolamo and the Hon. Jing Lee for their very kind words about myself and the community. Also on behalf of the community I would like to thank all members past and present for their support over a 50-year journey in terms of resettling many new Vietnamese arrivals in the seventies, eighties, nineties and the present day.

Motion carried.

Bills

STATUTES AMENDMENT (GAMBLING - MANDATORY PRE-COMMITMENT SYSTEM) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 25 September 2024.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (16:52): I rise to speak on the suite of gambling reform bills now before us in this council. Before I do, can I acknowledge the Hon. Connie Bonaros for her commitment to gambling reform. Since the moment she stepped foot in this place, she has worked tirelessly on this issue.

There are three pieces of legislation which, while absolutely well intentioned, I think together represent a piecemeal approach that focuses on the fringes rather than the real issue at the heart of current and future gambling harm in this state. The first bill, the Statutes Amendment (Gambling—Mandatory Pre-Commitment System) Bill 2024, would compel all users of gaming machines in South Australia to register and use a card with a preset expenditure limit. While harm minimisation is an important principle, this bill is blunt and unbalanced. It would impose major compliance costs on hotels and clubs, many of which are small, community-based organisations. Our Casino would only be impacted in respect of machine-based gaming.

The bill also ignores the lived experience in New South Wales, where a proposed trial of mandatory precommitment struggled to attract meaningful participation. Reports show that even those who did participate often found the system impractical. This is the wrong lever to pull. We believe a one-size-fits-all limit might prevent some losses but could equally drive others to the unregulated online environment, where there are no spending caps, no player checks and no

consumer protections. So I indicate that the Liberal Party will not be supporting this piece of legislation.

The second bill, the Statutes Amendment (Gambling—Opening Hours and Signage) Bill 2024, proposes to further restrict gaming hours and impose new limitations on signage both inside and outside licensed venues. It would require a mandatory six-hour closure for all gaming machines.

The PRESIDENT: The Hon. Ms Centofanti, you cannot really go on to the next bill. You cannot anticipate where we are at with that. You can indicate—

The Hon. N.J. CENTOFANTI: That is fine, Mr President; we will deal with them separately then. I will just place on the record that I indicate the Liberal Party will not be supporting this current piece of legislation—

An honourable member interjecting:

The Hon. N.J. CENTOFANTI: —or the other two, but the piece of legislation we are currently dealing with, the Statutes Amendment (Gambling—Mandatory Pre-Commitment System) Bill 2024.

The Hon. T.A. FRANKS (16:55): I rise to support this bill, and thank the Hon. Connie Bonaros for bringing it before this place. We know she has long worked to end gambling harm in this state and will continue to do so.

This bill introduces a mandatory precommitment system with a restriction that caps the amount of money a person can spend on poker machines within a set period. It is actually completely in line with the code that already exists around precommitment, but in a voluntary form. Far from being piecemeal, as the opposition has described it, I would have thought it was practical.

It ensures players are able to set their limits before they start gambling and help prevent those runaway losses. We know that precommitment schemes do provide a path for gamblers to set and track their spend, and we also know that gamblers often underestimate their gambling expenditure by substantial amounts, so this harm minimisation piece of legislation simply codifies what is already done voluntarily, and will go a great way to assisting people.

We also know that some 400,000 plus Australians are moderate or high risk gamblers, and the implications for a cohort of that particular group are things like homelessness, child protection issues, domestic violence, suicide, self harm, housing stress, poverty and relationship breakdown, so surely this is the least we could be doing. I would have hoped there would have been a position from the Liberal Party that accepted good ideas, no matter where they came from and no matter how large or small they were. While this might be a small measure right now, it would have a big impact on people's lives.

I am also interested to know whether or not the Liberal opposition has a conscience vote on this or a party vote. Historically this seems to have been a conscience vote on both sides; we now know it is no longer a conscience vote for the Labor caucus, but I had not heard it before that there was always to be a Liberal position as such. I would be interested if the Liberal Party could make it clear in upcoming debates whether their position is conscience or party. With that, I commend this bill to the chamber, and I look forward to seeing where the numbers lie.

The Hon. J.S. LEE (16:57): I rise today to speak on the Statutes Amendment (Gambling—Mandatory Precommitment System) Bill 2024, and want to thank the Hon. Connie Bonaros for her long standing advocacy in this area. I was going to have my remarks touch on the other suite of the bill but I just realised, based on your ruling, sir, that I will not be able to do that. That is okay; I will just quickly talk about this particular bill.

I understand there is a genuine concern that this bill seeks to address—specifically about problem gambling, etc. I certainly believe in harm minimisation initiatives that encourage and support responsible gambling practices, but I am very cautious that it may give rise to unintended consequences over regulation. I believe it is essential that the South Australian gambling framework strikes a careful balance between consumer protection and business viability, particularly for our bricks and mortar venues that operate under strict licencing accountability measures.

These venues are not the Wild West. They are regulated environments: they are monitored, they are staffed, they are subject to codes of practice. When we push people out of these controlled spaces through excessive restrictions, we risk driving them towards unregulated, unsupported platforms, including offshore online gambling sites where no safeguards exist.

The mandatory precommitment system proposed in this bill, while noble in its intent, raises serious concerns about privacy, feasibility and costs. Requiring every player to register, nominate a bank account and set spending limits may deter casual users and create barriers for responsible gamblers. It also places a significant financial and technological burden on venues, many of which already struggling. Turning to measures proposed, I will not talk about the bills because I cannot. That is alright, I am skipping that part.

The PRESIDENT: You can indicate very briefly whether or not you are going to support the other bills, I guess.

The Hon. J.S. LEE: I indicate that, while I acknowledge all the good intentions of the Hon. Connie Bonaros, I will not be supporting this bill or the other related bills.

The Hon. R.A. SIMMS (17:00): I rise to indicate my support for this bill and in doing so I want, as other speakers have done, to recognise the leadership of the Hon. Connie Bonaros as she has often been a lone voice, with the support of the Greens, pushing on this issue. I recognise her long-term advocacy in this space over the eight years that she has been in this parliament.

Gambling is a real scourge on our society, and over the years I have had the opportunity to talk to constituents who have had their lives literally ruined by gambling and these addictive practices. It comes at a huge social cost to our community, so I think we have an obligation to do what we can to try to put more guardrails around this behaviour and to try to reduce the exposure of people in our community to gambling-related harm and addiction.

The bill the honourable member is bringing to a vote proposes to introduce a requirement that it be a condition of a casino or a gaming licence holder that gaming machines and automated table games have a precommitment system. The system proposed in the bill requires that there be a registered user, who will identify who is using the machine. It will set a yearly expenditure limit of no more than \$20,000, and it will require the player to have a break of at least two minutes in every one-hour period. The bill also imposes a penalty for noncompliance of \$35,000. I really welcome that. I think that certainly would be a positive advancement and one that would help a lot of South Australians at risk of problem gambling.

I note the comments made by the Hon. Nicola Centofanti, Leader of the Opposition, who indicated this is a piecemeal approach. I do not accept that. I think this is a circumstance where something is certainly better than the status quo. If one considers this within the suite of proposals that we are dealing with today, if one considers it within the context of the proposal to legislate the times in which gambling products, betting services and apps are not permitted to be advertised on television or radio, which I think is a really positive change as well, and if one considers it in the context of the proposal to restrict the operational hours of gaming machines and automated gaming tables between 2am and 8am, what we are dealing with is quite a comprehensive suite of measures.

I indicate that I will be supporting the Gambling Administration (Limitation on Advertising) Amendment Bill and the Statutes Amendment (Gambling—Opening Hours and Signage) Bill as well. I am mindful of your ruling, Mr President, but I am just indicating, as I am discussing the suite of measures in the context of the critique made by the Hon. Nicola Centofanti, that I will be supporting those other bills as well.

This is an issue that I really want to continue to work on during my time in this place. The Greens are campaigning to axe pokies. We want to see them out of our pubs and clubs and recently I called for a commitment to phasing out pokies by 2030 and setting up a support package for those businesses. That is something I definitely want to continue to campaign on, but I certainly support these measures as a really important improvement on the status quo and commend the honourable member for putting them forward.

The Hon. T.T. NGO (17:04): I rise to speak on behalf of the government on all of the three bills proposed by the Hon. Connie Bonaros MLC, first of all the Statutes Amendment (Gambling—

Mandatory Pre-Commitment System) Bill. I indicate that we will not be supporting this bill or the next bill, but we will be working to make amendments to the third bill when we get around to it.

The mandatory precommitment system bill aims to reduce gambling harm in South Australia, especially in relation to gaming machines in hotels, clubs and the Casino. In the second reading speech, it is noted that the honourable member indicated the bill is in line with the current voluntary precommitment code under the casino and gaming machines regulations. However, there are significant areas of uncertainty and potential challenges for the industry.

For example, the bill says the precommitment system must allow a user to set daily, weekly, monthly or yearly spending limits, but it does not require that a person must set such a limit. It is also unclear whether limits would apply across all venues. If that were the case, major system changes would be needed, and the cost timeframes for this are unknown.

Another issue is that the monitoring systems for hotels and clubs are separate from the Casino. For this reason, limits could not currently apply across those forms of gambling. Even if implemented, the bill may not achieve its intended harm reduction outcomes. A cost analysis has not been done for a mandatory carded or cashless system with precommitment, which is expected to cost several million dollars and take years to develop and implement. As stated, we will not be supporting this bill, but as stated we will be working with honourable members to amend the other bill. On that note, that is it.

The Hon. C. BONAROS (17:07): First, I would like to thank all honourable speakers today. I do not know that the positions of honourable members are as honourable as their places in here, but certainly I—

Members interjecting:

The Hon. C. BONAROS: I do not know if their position on this policy is as honourable as the title. I was very careful there. I think the position in relation to poker machines is far from honourable, but I will thank the Leader of the Opposition, the Hon. Tung Ngo, the Hon. Tammy Franks, the Hon. Jing Lee and the Hon. Robert Simms, particularly the Hon. Tammy Franks and the Hon. Mr Simms for the only contributions that actually made any sense to me.

Last year, South Australians lost a record \$1 billion—\$3 million a day—\$24 million in Mount Gambier alone. That is kids and families across the great state going without food, off the back of poker machine addiction. Let's be clear: the majority of the losses that we are talking about do not come from recreational gamblers; they come from problem gamblers with gambling addictions. They come from our most vulnerable socio-economic areas across the state. Twenty-one billion dollars over 30 years; that is what poker machines have cost this state.

So here I was thinking that, with those political donation reforms that we moved earlier this year, we were finally going to get some movement in this space, we finally did not have to worry about the gambling lobby and its influence over politics. How stupid of me to think that we would be here today considering a package of bills that actually aim to address this issue. How could I overlook our over-reliance and our own addiction to the dollars that pour into government coffers off the back of problem gamblers in this state and actually think the government and the opposition would have the backbone to do anything about it? How stupid of me.

Far from reducing poker machine losses, as the government and opposition predicted, we know today that since note acceptors were removed our revenue for government is at a record high. It is \$1 billion a day. It is the first time in history we have reached the billion-dollar mark: \$1 billion from poker machines in South Australia. I do not exaggerate; that is what I am being told.

I still get reminded—I was promptly reminded by somebody in this place just a few days ago—of the 2018 election and the catastrophic consequences reforms like these could have on election day. That is the response I got to this bill: the catastrophic consequences these sorts of reforms could have if we actually flirted in this space and tried to bring in some reform.

I am not even going to talk about the opposition. I think they wear this as a badge of honour. I have sat through every contribution Rob Lucas has made in this place for years on end. I accept

that the opposition have a position that they wear proudly in relation to poker machines and the gambling lobby in this state.

For this Premier to be so out of touch with public sentiment is beyond me. He is a smart man. He knows how to do a public sell. He knows—I know he is smart enough to know—that these things are on the nose, but ignore and deflect: that has been this government's approach. Just like those opposite him, he is not even willing to entertain a discussion. Ignore and deflect: that has been the motto when it comes to poker machine harm in this state. If I need to remind anyone in here who tells me to get off my high horse: \$1 billion, that is the losses South Australians are incurring today from poker machines in this state alone.

We talk about Mount Gambier in here on every single given occasion, and the problems that regional town has. Just Mount Gambier is \$24 million.

The Hon. R.A. Simms: It's an outrage.

The Hon. C. BONAROS: It is an absolute outrage. So I am not going to be lectured to by anyone in here either on this. The public sentiment on this, let me tell you, is not on the side of the government, and it is certainly not on the side of the opposition. These things are on the nose in the community, and there is one thing and one thing alone that keeps them in our community, and that is our addiction to the revenue they bring in.

I will not forget the moment when last year I watched the then Treasurer give an outline of the budget papers. Huge slideshow; there it was, for all his sectors to see, and he proudly talked about the three biggest revenue streams that contribute to our state coffers, and in that top three was guess what? Gambling taxes from poker machines. It is one of the single pillars that we rely on for our budgetary outcomes in this state. That is a disgrace. That is nothing to be proud of. It is an absolute disgrace.

If I hear once more, 'Find me the money Connie, and we will get rid of poker machines'—because that has been the response I have received for the last I do not know how many years I have been around here. That has been the response for a very long time: 'Find us the money, and we will gladly get rid of them.' That has been the response to poker machines and gambling revenue overall.

The former head of the AHA in 2014, on the 20-year anniversary, spoke about the 20 years of poker machines in SA and said, 'Poker machines have delivered \$5.7 billion in direct taxation in those 20 years. No other consumer product has done that.' Those words were profound for all the wrong reasons, but they are absolutely reflective of consecutive governments' over-reliance on what we all know is the single most harmful product in our community. It completely ignores the long-term impacts of poker machines and, worse still, the long-term costs, not only to our society and our community but to our budget. The long-term cost far outweighs the short-term sugar hit you are getting from your billion dollars a year in revenue from poker machine losses.

Let me end by saying, and reminding us all in this place, and the government and the opposition in particular, that the lack of appetite to do something about poker machines is at odds with every sentiment out there in the community. It makes me sick. We are elected by the people for the people and your actions in this place—or inactions in this place on this issue, I should say—clearly show that when it comes to this issue you are not here for the people, you are here for yourselves. That is the bottom line: you are here for yourselves, because if you actually cared about a single person who has been impacted by these things then you would consider, you would actually open your minds and entertain doing something different and actually making a difference.

The council divided on the second reading:

Ayes	3
Noes.....	14
Majority	11

AYES

Bonaros, C. (teller)

Franks, T.A.

Simms, R.A.

NOES

Bourke, E.S.
Hanson, J.E.
Lee, J.S.
Martin, R.B.
Scriven, C.M.

Centofanti, N.J.
Hood, B.R.
Lensink, J.M.A.
Ngo, T.T. (teller)
Wortley, R.P.

Girolamo, H.M.
Hunter, I.K.
Maher, K.J.
Pangallo, F.

Second reading thus negated.

STATUTES AMENDMENT (GAMBLING - OPENING HOURS AND SIGNAGE) BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 25 September 2024.)

The Hon. T.A. FRANKS (17:21): I rise to speak in support of this bill. This bill seeks to ensure that poker machines in this jurisdiction are turned off between the hours of 2am and 8am. It is a modest move, but an important one, especially when you consider the harm gambling causes, particularly in those late night and early morning hours when people are most vulnerable. The current requirement that exists in our laws is for venues to close their poker machine rooms for at least six hours a day.

There is also reference to signage in this bill. It is something that has been the subject of agreement in part before—again, like the previous bill. It is one of those things that everyone agrees is really good in theory but then when it comes to the practice, they do not want to do it, and they certainly do not want to legislate for it. I am interested that the Liberal opposition is possibly not even going to put anything on the record with regard to their position on this.

The Hon. N.J. Centofanti interjecting:

The Hon. T.A. FRANKS: I will take the interjection that they say they did in the first speech. We understand then that they are opposing this bill. I would say this is yet another small measure that could go a long way to addressing the harm. There is, indeed, over a billion dollars now being taken by poker machines in this state each year annually. A significant part of that does cause harm to people and that has social costs. So unless we are willing to do the bare minimum, and this is probably the bare minimum, I do not see that we should be taking what is effectively blood money in this state.

I also note that when we saw the most recent reforms, the whole-scale reforms to poker machines in this state, Labor and Liberal worked together to ram through legislation with the promise that there be a joint house select committee to look at online gambling and those harms. That has never eventuated, so how can we take you seriously when you say that you care at all about proper legislative reform on ensuring that we do not have gambling harms in this state.

The Hon. R.A. SIMMS (17:23): I touched on this briefly in my previous remarks, but I also support this bill and thank the honourable member for putting it forward. I really hope that the Labor and Liberal parties can drop the double act on this issue and actually put at the forefront of their decision-making the South Australians who have had their lives destroyed by pokies and other forms of gambling in our state. As has been mentioned in this debate, we lost a billion dollars on pokie machines in South Australia in the recent financial year for the very first time. That is a really grim milestone for our state and the Labor and Liberal parties are complicit in that.

I do not think it is ethical for the South Australian government to continue to take that revenue when we know it destroys lives, so let's do what we can to try to turn off the tap and I see this proposal from the Hon. Connie Bonaros as moving us in some part.

Might I also say that it is a false economy for the government to be so reliant on gambling and pokies revenue because we know that, for every bit of money that comes in through gambling,

governments are required to spend a huge amount of money dealing with the terrible social mess. So I urge the two major parties to show some moral leadership on this. I know that many of you would disagree with the terrible social harm that is caused by pokies and by gambling in our society. Now is an opportunity to actually show some moral leadership on this question.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (17:25): I just feel that, given the confusion in the chamber, I should place on the record that, as I indicated in the debate on the Statutes Amendment (Gambling—Mandatory Pre-Commitment System) Bill, the opposition will not be supporting this bill.

The Hon. T.T. NGO (17:26): I speak on behalf of the government on this bill. This bill seeks to address 24-hour gambling by preventing players from moving from one venue to another when one closes. Research cited by the honourable member indicates the highest risk period for gambling harm is between midnight and 8am. The bill also proposes banning external gambling signage, based on similar bans in European countries, to make gambling venues less enticing for someone who walks past.

Currently, casino trading hours are governed by the approved licensing agreement, which allows operation every day except Good Friday and Christmas Day and non-premium gaming areas must operate from 5pm to midnight daily. Under the approved licencing agreement, two privileges in place for SkyCity Adelaide include retaining exclusivity until 30 June 2035, including rights to 200 tables and 1,500 machines under the casino licence. Consequently, any legislative restriction could trigger a contractual event and lead to SkyCity Adelaide seeking compensation of up to \$150 million.

The bill also proposes prohibiting gaming between 2am and 8am, plus an additional six-hour closure; however, the bill does not specify the timeframe for the extra six hours. The Gaming Machines Act already requires six hours of closure in each 24-hour period. By removing the 24-hour reference, we will create ambiguity. In addition to this ambiguity, implementing these changes would require the commissioner to amend every gaming licence, demanding major Consumer and Business Services' resources and additional funding.

While research supports late-night closures to reduce harm, South Australia already has measures in place which allow and encourage responsive, research-based restrictions. Consequently, the government will not be supporting this bill.

The Hon. C. BONAROS (17:29): I thank the honourable speakers: the Hon. Tammy Franks, the Hon. Rob Simms, the Hon. Nicola Centofanti and the Hon. Tung Ngo.

The biggest disappointment on this bill is not that the government and the opposition are not supporting the bill, it is that you have both missed an opportunity, an opportunity that has never arisen before and is canvassed in this bill. I will tell you why. There was actually an appetite by the AHA to engage in discussions on this bill. I had the discussions myself. I know that those discussions were had because I took part in those discussions. They were willing. They were actually willing, not that you would know because you did not engage, you did not ask, you just assumed that that was their position. They were actually willing for the first time ever to entertain and to have a discussion and to give a little on the issue of signage.

But the government would not know that because it did not think it was necessary. The opposition would not know that because they probably did not even check. There was absolutely no appetite from either major party in here to sit down, and not talk to me, but talk to the AHA about what we could do to address what even they acknowledge is problematic when it comes to signage in this state. Do you know what? I will go one step further. Without divulging private conversations, I will go one step further. I reckon there were other things that the AHA would have gladly actually given because they can see some problems that need addressing, and this would have given us an opportunity to address them.

Two missed opportunities, but none of you would know that because none of you bothered to check. None of you bothered to check with them to see whether there is anything in here. You can shake your head all you like, but I had the discussions and I know what was up for discussion and

what was not. Opening hours, of course, is not up for discussion. We know that because we do not want a situation where we extend our closing hours beyond six hours in a 24-hour period.

We know why we have the six-hour period. We know that the person with the gambling addiction who is going to a venue to gamble in that six-hour window is going to gamble at one venue for three hours, and then as soon as they close the doors they know that down the road there is another venue that they can pop to, and they will gamble there for three hours, and then that venue will close its doors and they will go straight back to where they started.

We know there was no appetite to discuss that, but none of you even tried to have any discussions, not only about opening hours but about signage, the single thing in here which could be addressed. If you did not like it, and I do not know if this is news to all of us in here, but this is what we do. Government, when you introduce a bill, rather than me just saying, 'I am opposing it,' I come to you with amendments. That is how we deal with these things. There is another bill on the table. There are amendments that have been subject to discussion. You bring amendments and you try to deal with the problems that you have. Take out the opening hours provisions altogether. Get rid of them. Remove them and give in on the bits that actually help when it comes to signage.

There is a venue out at Smithfield, and as far as the eye can see, all you can see strewn across this venue is 'pokies'. The whole bloody building says 'pokies'. Everyone has acknowledged that that sort of advertising is obscene, absurd and unnecessary. If I want to find a poker machine, I know where to find one. The rest of us do not need it up in neon lights across South Australia. But we missed that opportunity because no-one bothered to engage in discussions that could have actually made a tiny dent in the package by engaging in discussions around the one element of this bill where there was some wiggle room. We will put that in the too hard basket, we do not care, it is not our job, job done. Well done to all of you.

The council divided on the second reading:

Ayes3
Noes.....14
Majority11

AYES

Bonaros, C. (teller)

Franks, T.A.

Simms, R.A.

NOES

Bourke, E.S.
Hanson, J.E.
Lee, J.S.
Martin, R.B.
Scriven, C.M.

Centofanti, N.J.
Hood, B.R.
Lensink, J.M.A.
Ngo, T.T. (teller)
Wortley, R.P.

Girolamo, H.M.
Hunter, I.K.
Maher, K.J.
Pangallo, F.

Second reading thus negatived.

GAMBLING ADMINISTRATION (LIMITATION ON ADVERTISING) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 25 September 2024.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (17:37): I rise to speak very briefly on this third bill. The Gambling Administration (Limitation on Advertising) Amendment Bill 2024 seeks to restrict gambling advertising on free-to-air and streaming services, both radio and TV, between 5am and 8.30am and again between 4pm and 8.30pm. It is our understanding that much of what it seeks to do already exists under current commonwealth broadcasting codes and disclaimers. Therefore, it will impose another layer of restriction on an industry already complying with national

standards while doing little to address the real problem, which is the flood of unregulated online advertising and gambling promotion that reaches individuals, but in particular children, on digital platforms 24 hours a day. With that, I indicate that we will not be supporting this legislation.

The Hon. T.T. NGO (17:38): I speak on behalf of the government in support of this bill in principle. The bill targets gambling advertising on television, radio and streaming platforms. The honourable member has argued that current restrictions sit in codes rather than legislation and that exposure, especially to children, has increased through social media. The proposed bill bans gambling advertising from 5am to 8.30am and from 4pm to 8.30pm daily.

The existing restrictions we have in place for advertising times are set out in various codes, and include the following:

- gaming machine licensees—6am to 8.30am and 4pm to 7.30pm;
- SkyCity Adelaide—6am to 8.30am and 4pm to 7pm;
- authorised betting operators—6am to 8.30am for radio and 4pm to 7pm for TV;
- the Lotteries Commission—maintains the same weekday limits as the bill proposes; and
- fundraising and trade promotion lotteries—have no restrictions on advertising on television or radio.

Penalties are currently \$10,000 or \$315 expiation. This bill proposes \$20,000 or \$1,200. With that, we will be supporting this bill with some amendments.

The Hon. T.A. FRANKS (17:40): I rise briefly to indicate that I will be supporting this bill, which seeks to restrict gambling advertisements on free-to-air and streaming radio and television during the times when children are most likely to be watching. While it was described as another layer of restriction, and that online gambling was pointed to as the real scourge by the opposition, I remind the opposition yet again that when they previously did the deal with the government, as Labor and Liberal were in lockstep on the last lot of pokies reform, they promised an inquiry into online gambling that has never eventuated.

I remind them of this, and look forward to there being some sort of inquiry into that in the very near future, supported by both Labor and Liberal, as they promised. This is again yet another small step to preventing gambling harm. It should not be targeted at children; in fact, to be honest, it should not be able to be advertised at all in the way it currently is to anyone.

The Hon. R.A. SIMMS (17:41): I rise briefly to indicate that I support the bill and welcome the news that the government is going to support the legislation, albeit with some amendments. That is a good outcome and a positive advancement. I did have some trepidation when I saw the Hon. Tung Ngo take to his feet. I thought it was not going to be moving in the right direction, but this is a positive outcome.

The Hon. C. BONAROS (17:42): I rise to conclude debate on this, and have absolutely no faith in anything. I am not going to sit here and take on board the comments of the leader opposite, who I do not even know checked to see whether there was a position from the government in terms of these amendments, in relation to these amendments, what the codes say now and what this bill would do.

We know we can make changes to the codes around advertising on TV and radio today, outside any measure being undertaken at the federal level. We also know that the Prime Minister's response to gambling advertising at a federal level has been nothing short of pathetic in the face of I do not know how many reports, recommendations and findings that something needs to be done. Go out on the street and ask any person, and they will tell you that they want more restrictions on this.

What we probably do not realise is that at a state level we have an ability to do something—and in fact we do something now. All this bill does is extend what we do now to a little bit earlier and a little bit later to ensure that we fully capture those times when kids, in particular, are most likely to be sitting in front of a TV so that they are not being subjected to gambling ads. They are the most

vulnerable cohort in these discussions. They are the ones where every single device and platform they turn onto is geared towards driving them to gambling. That is what we are selling our kids.

This bill is a sensible measure, and I am pleased that the government has come on board, because just telling me that there is a code there and that they can do this does not mean they will do this in the absence of a piece of legislation that requires them to do this. That is the purpose of this bill. If those opposite think, 'No worries, we're happy with gambling ads,' during the time when their kids are more likely to turn on their screens and watch TV, well good luck to them.

I do thank the government for coming on board with this proposal. I thank the Hon. Tung Ngo for outlining the government's position on this bill. I will be doing my level best, and that is all we can do in this place—our level best—to ensure that what days are left between now and when parliament rises, this bill does make its way through the lower house. If it does not, at least the record will reflect what the government's position is today. If they do not implement it, Leader of the Opposition, then they can explain that in the next parliament, whether or not I am here. They can explain that to somebody else, if they do not explain it to me.

But their position today is clear and it is on the record, as is the opposition's. If we think that we do not need to tackle gambling advertising on radios and TVs in the times that our children in particular are most likely to be watching and lured towards gambling—the one single issue the opposition consistently says is the one thing that we should be dealing with: online gambling—then there is something wrong, there is just something wrong.

It is, in the scheme of things, the least objectionable piece of legislation around gambling reform that has been introduced in this place, but is also the most commonsense piece of legislation that has been proposed in this place. It shows a willingness and perhaps encouragement for the federal government to actually pull its finger out and do something when it comes to gambling advertising on radios and TVs.

A series of amendments will be filed. The point of these amendments is purely to bring this bill into line and entirely consistent with the code that I remind everyone in this place already exists. If anyone needs further clarification about the amendments—I am sure those who have read them understand what they do.

We know that, for instance, the code has exemptions for sports betting channels. We know also that there are exemptions that apply for things like the Adelaide Cup and Melbourne Cup, and they will continue to apply by virtue of the fact that these amendments have been drafted to make this bill consistent with a code that already exists and to actually legislate, rather than hope, that through a code we will extend those hours. I thank the honourable minister who has carriage of this legislation for her willingness to consider this bill favourably and I look forward to its passage through this parliament.

Bill read a second time.

Committee Stage

Clauses 1 and 2 passed.

Clause 3.

The CHAIR: The Hon. Ms Bonaros, do you want to work your way through your amendments, please?

The Hon. C. BONAROS: I have outlined what they do as a package. If they can be moved en bloc, I will. I move:

Amendment No 1 [Bonaros–1]—

Page 2, line 13 [clause 3, inserted section 18A(1)]—Delete 'permit or cause to permit' and substitute 'cause or permit'

Amendment No 2 [Bonaros–1]—

Page 2, line 15 [clause 3, inserted section 18A(1)]—After 'streaming services' insert 'but not including a dedicated sporting channel'

Amendment No 3 [Bonaros–1]—

Page 2, after line 18 [clause 3, inserted section 18A]—After subsection (1) insert:

- (1a) The Commissioner may, on application by a gambling provider, exempt the gambling provider from subsection (1) in respect of particular gambling advertising or a class of gambling advertising.
- (1b) An exemption under subsection (1a)—
 - (a) must be given by the Commissioner by written notice to the gambling provider; and
 - (b) may be subject to such conditions as the Commissioner thinks fit and specifies in the notice of exemption; and
 - (c) may be varied or revoked by the Commissioner (on the Commissioner's own initiative or on application by the gambling provider) by further written notice to the gambling provider.

Amendment No 4 [Bonaros–1]—

Page 2, after line 19 [clause 3, inserted section 18A(2)]—Before the definition of *gambling advertising* insert:

dedicated sporting channel means a radio or television broadcasting service whose content wholly or principally consists of the coverage of sporting events or matters relating to sports or sporting events;

Amendment No 5 [Bonaros–1]—

Page 2, after line 23 [clause 3, inserted section 18A(2)]—After the definition of *gambling advertising* insert:

gambling provider includes the Lotteries Commission of South Australia.

Amendment No 6 [Bonaros–1]—

Page 2, after line 23 [clause 3, inserted section 18A]—After inserted subsection (2) insert:

- (3) For the purposes of this section, a reference to a gambling provider does not include the holder of a licence or a person conducting a lottery under the *Lotteries Act 2019*.

As I said during the concluding comments to the debate, the amendments are intended to in fact ensure consistency between this bill and the code that already exists. There are some exemptions that exist under the code, and it is critical to ensure that if we are going to pass this piece of legislation then the code and the bill are actually consistent.

It canvasses the issue of exemptions, as I said, for sporting channels, for events where the commissioner can grant an exemption and also for gambling advertising that is not of a gambling form, like home lotteries and the Lotteries Commission of South Australia as gambling providers which are not covered within the scope of the bill and are able to advertise their products.

Amendments carried; clause as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. C. BONAROS (17:51): I move:

That this bill be now read a third time.

The council divided on the third reading:

Ayes9
 Noes6
 Majority3

AYES

Bonaros, C. (teller)
 Hanson, J.E.

Bourke, E.S.
 Hunter, I.K.

Franks, T.A.
 Maher, K.J.

Martin, R.B.

Simms, R.A.

Wortley, R.P.

NOES

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

PAIRS

El Dannawi, M.
Ngo, T.T.
Scriven, C.M.Henderson, L.A.
Hood, D.G.E.
Game, S.L.

Third reading thus carried; bill passed.

STATUTES AMENDMENT (LOCAL GOVERNMENT ELECTIONS REVIEW) BILL*Second 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) (17:57):
I move:

That this bill be now read a second time.

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

Leave granted.

The Bill I introduce today, the Statutes Amendment (Local Government Elections Review) Bill 2025, will amend the *Local Government Act 1999*, the *Local Government (Elections) Act 1999* and the *City of Adelaide Act 1998* to make a range of improvements to local government elections and participation in councils.

This Bill is the culmination of a significant amount of public consultation, both with the local government sector and the broader South Australian community over a five-month period.

At this point, I take the opportunity to acknowledge the work of the previous Local Government Minister, the Member for Stuart, who is widely renowned for his deep interest in the local government sector. Indeed, along with our regional communities and our regional roads, it's fair to say that local government is the Member for Stuart's passion.

At the then-Minister's request, the Office of Local Government conducted a statewide consultation to give the community an opportunity to provide feedback on ideas and suggestions on how communities can better engage with their councils through a council term and, particularly, at election time.

During the consultation period from 25 October 2023 to 28 March 2024, 92 submissions were received directly—including submissions from 32 of South Australia's 68 councils and a sector-wide submission from the Local Government Association—and 406 surveys were completed on YourSAy – containing individual 5,400 comments.

This demonstrates the significant interest that communities have in their local governments and this Bill is a result of the rich information provided from across South Australian communities. I thank all those who took the time to turn their minds to how community engagement with their local council could be improved.

A real challenge in the context of council elections is the ability for voters to understand who is running for council, what they stand for, and even what kind of people they are. In the context of an election where 1,256 candidates stood for 184 contested positions in 2022, it can be difficult for information about candidates to reach voters. Voters are very dependent on the candidate profiles that are included in every ballot pack to help them make the important decision about who will represent them at this local level for the next four years.

I have subsequently consulted with the sector on the bill.

Additionally, recent findings from the Court of Disputed Returns in relation to the Central Ward of the City of Adelaide focused on activities relating to non-citizen voters exercising their entitlement as residents of an area. It appeared that these city residents were targeted for both enrolment and for the use of their ballot papers.

Ultimately, these illegal practices resulted in the removal of four members from the City of Adelaide, and also eroded the confidence that voters have in the integrity of these elections.

This must be addressed.

The Bill therefore proposes that all voters in South Australian council elections must be enrolled on the House of Assembly roll for South Australia. This is a change that reflects wider community expectations of who should vote in elections for Australian governments (namely, Australian citizens). It will also be delivered in a way that allows for the retention of the property franchise.

Voters in Federal and State elections are Australian citizens—simply to be resident in the area, as is the current requirement for enrolment on a council's voters roll – is not enough. Elections for councils should be consistent with this approach.

Voters who wish to use their property franchise entitlements must either apply to be placed onto the roll or, in the case of the City of Adelaide, are enrolled by the Council. This creation of the supplementary roll is a separate process to the automatic enrolment of all residential voters on the Australian electoral roll.

Groups and bodies corporate that express their voting rights in local government elections will be required to do so via the nomination of a natural person who is on the House of Assembly roll. That is, an Australian citizen.

Another critical matter for voters' information is the disclosure of campaign gifts and donations received by candidates. The Bill includes significant changes to the current system for campaign donations returns and disclosures that will both be simpler for candidates to manage; and require more active disclosure by —

- Applying the same system to all candidates, rather than making a distinction between 'incumbent' and 'new' candidates.
- Requiring all candidates to disclose donations received four months before the announcement of their candidacy or their nomination, whichever is sooner.
- Requiring all donations of \$500 or more between nomination and the close of voting to be disclosed within five days.
- Removing the obligation for all candidates to lodge a 'nil return' during the election period, to simplify the administration of the system for both candidates and the Electoral Commission of South Australia.
- Requiring all candidates to then lodge a 'summary return' – including a 'nil return' – 21 days after close of voting, as a final declaration of what they have – or have not – received.
- Changing the consequence of members' non-compliance with these requirements to a suspension, rather than a loss of office, to ensure that members of councils have made this information available without burdening their community with an expensive supplementary election where they may have failed with their administrative tasks.

A system that is both easier to comply with, and that provides more information to voters when they need it most, is a much-needed improvement to an important part of elections.

The Bill also includes a requirement for councils to hold a public meeting to which all candidates for contested elections in its area are invited to attend and speak, unless a council makes a resolution not to do so in the context of their mandatory caretaker policies, and their principal member publishes the reasons why they have made this decision. This both makes it clear that councils can hold these events in the interests of providing good information to voters, and that they should at least seriously consider doing so.

The Bill includes an amendment to require councils to make a prescribed amount of funding available to all members to claim for expenditure on printing material that is necessary to support members' community engagement, but which cannot include election campaigning activities. This will mean that people can nominate to stand for their council with confidence that their ongoing engagement with their constituents will be supported, if they are elected.

The Bill also includes the ability to trial an additional method of voting – the establishment of 'pre-poll' locations where voters could be issued ballot papers and vote in person at these locations during the last week of the voting period – for a supplementary election over the next term of council. While this would require significant implementation if introduced for all councils, a trial will allow for the benefits of expanding methods of voting to be fully tested.

I also intend to amend the Local Government (Elections) Regulations 2025 to extend assisted (telephone) voting to all people with a disability, noting the successful use of this method to support voters with impaired vision.

Engaging people – both as candidates and voters – in elections is critical. However, ensuring the integrity of election processes is equally important, particularly at a time when there is greater focus on the security and integrity of our elections than ever before. A loss of trust in elections is very difficult, if not impossible, to restore once gone. That is why the Malinauskas Government is acting now to give every assurance that elections for South Australian councils are run fairly, and with the right framework in place.

Other measures to improve confidence in our local government elections in the Bill include the introduction of standards of conduct for scrutineers and offences with penalties for obstructing the exercising of electoral duties. The need to provide greater powers for electoral staff to manage the behaviour of scrutineers and other people who may interfere with election activities became apparent in the 2022 periodic elections, particularly in relation to the count

for the elections for the City of Onkaparinga, where the behaviour of scrutineers and associated people required police attendance.

This is a recommendation from the Electoral Commissioner, who has noted in the *2022 Council Election Report* that currently South Australia is the only jurisdiction that does not have prescriptive provisions around the behaviour of scrutineers, or the ability for electoral officers to remove scrutineers for disorderly behaviour. The clauses in the Bill that deliver this important change have been modelled on provisions in the *Electoral (Miscellaneous) Amendment Act 2024*, as the Electoral Commissioner has also recommended.

The Bill would also prohibit people and groups from misleading or deceiving electors in relation to how they should mark their ballot papers and/or exercise their vote, to bring council elections in line with similar rules in the *Electoral Act 1985* and other election legislation across Australian jurisdictions.

Along with the improvements proposed in this Bill, I intend to make regulations that will require all candidates for council to declare if they have been the subject of an adverse finding from an independent integrity body, including the Behavioural Standards Panel and the Ombudsman in relation to their time as a council member. These findings speak directly to the way in which that person has discharged their duties as a council member to date and should be brought to voters' attention.

The Bill also includes a number of measures to improve the efficient delivery of local government elections. These include a requirement for the Electoral Commissioner to publish nominations for election as soon as practicable, to reduce instances of insufficient nominations in council elections.

The Bill will also ensure the roll is brought up to date three weeks after the roll close date and therefore prior to nominations opening, to ensure that the eligibility of people who nominate for election can be assessed efficiently.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Local Government (Elections) Act 1999*

3—Amendment of section 4—Preliminary

A definition of *State elector* (meaning a person who is enrolled as an elector for the House of Assembly) is inserted for the purposes of changing to voting provisions.

Another amendment is consequential.

4—Amendment of section 5—Periodic elections

Polling day is changed to the third to last business day before the second Saturday November in each periodic election year.

5—Amendment of section 6—Supplementary elections

These amendments are technical.

6—Amendment of section 7—Failure of election in certain cases

Provision is made in relation to the failure of an election in certain cases.

7—Amendment of section 8—Failure or avoidance of supplementary election

This amendment is technical.

8—Amendment of section 10—The returning officer and deputy returning officer

Provisions relating to nomination of deputy returning officers by councils are deleted.

9—Amendment of section 14—Qualifications for enrolment

These amendments relate to the addition of the requirement to be a State elector in respect of the entitlement to enrolment for certain persons or bodies.

10—Amendment of section 15—Voters roll

One amendment lengthens the timeframe for bringing the voters roll up to date after the closing date for an election. The other amendment relates to the provision of copies of the voters roll to nominated candidates.

11—Amendment of section 17—Entitlement to stand for election

This amendment is consequential on the insertion of section 55B into the *Local Government Act 1999*.

12—Amendment of section 21—Publication etc of valid nominations

The number of valid nominations received for an election must be kept up to date on the Internet.

13—Amendment of section 25—Uncontested elections

Provision is made in relation to the time for a declaration in relation to an uncontested election to be made.

14—Amendment of section 29—Ballot papers

Provision is made in relation to the time for the drawing of lots for the purposes of ballot papers.

15—Amendment of section 39—Issue of postal voting papers

This amendment is related to the addition of the requirement to be a State elector in respect of the entitlement to enrolment for certain persons or bodies.

16—Insertion of section 41B

New section 41B is inserted:

41B—Trial of in person voting before polling day for supplementary elections

The regulations may provide for 'pre-poll voting' for supplementary elections during a trial period.

17—Amendment of section 47—Arranging postal papers

This amendment is related to the addition of the requirement to be a State elector in respect of the entitlement to enrolment for certain persons or bodies.

18—Insertion of section 62A

New section 62A is inserted:

62A—Maintenance of order at and near certain places

A provision substantially similar to the equivalent provision in the *Electoral Act 1985* is proposed to be inserted.

19—Insertion of section 66A

New section 66A is inserted:

66A—Prohibition of advocacy of forms of voting inconsistent with Act

2 provisions that are substantially similar to the equivalent provisions in the *Electoral Act 1985* are proposed to be inserted.

20—Amendment of section 69A—Electoral Commissioner may lodge petition

This amendment is technical.

21—Substitution of sections 80 to 81B

Certain sections relating to campaign donation returns are substituted.

80—Preliminary

This section provides for interpretative matters.

81—Special returns for gifts during certain period

Candidates for election are required to lodge returns for gifts received during the special disclosure period.

81A—Return for all gifts received during disclosure period

Candidates for election are required to lodge a return by no later than 28 days after polling day for an election for all gifts received during the disclosure period.

22—Amendment of section 86—Failure to comply with Division

These amendments are related to the amendments concerning campaign donation returns.

23—Amendment of section 87—Public inspection of returns

This amendment is consequential.

24—Amendment of section 91A—Conduct of council during election period

This amendment deletes a spent provision.

25—Insertion of section 91B

New section 91B is inserted:

91B—Council to hold public meeting for general election except in certain circumstances

Councils are required to hold at least 1 meeting involving any candidates who wish to participate and members of the public prior to polling day for a general election, unless the council's caretaker policy provides otherwise in accordance with section 91B.

26—Amendment of section 93—Regulations

This amendment provides for the regulations to prescribe provisions of a savings or transitional nature.

Part 3—Amendment of *Local Government Act 1999*

27—Amendment of section 54—Casual vacancies

The amendments to section 54 are consequential on proposed new section 55B, which provides for a suspension for a member of a council who fails to submit a campaign donations return for all gifts received during the disclosure period for an election (if the failure continues for more than 1 months after the return is due).

28—Insertion of section 55B

New section 55B is inserted:

55B—Suspension of member for failure to submit certain returns

This section provides for a suspension for a member of a council who fails to submit a campaign donations return for all gifts received during the disclosure period for an election (if the failure continues for more than 1 months after the return is due).

29—Amendment of section 68—Register of Interests

Subsection (1b) is substituted for consistency with the equivalent provision in proposed section 55B.

30—Amendment of section 75—Material conflicts of interest

This amendment is consequential on the amendments relating to campaign donation returns.

31—Amendment of section 77—Reimbursement of expenses

This amendment provides for a member of a council to be reimbursed for expenses (not exceeding the amount prescribed by the regulations) incurred by the member in producing printed material (other than electoral material) necessary for engaging with the community in relation to local government matters.

32—Amendment of section 79—Register of allowances and benefits

This amendment is consequential.

33—Amendment of section 125A—Internal audit functions

This amendment is technical.

34—Amendment of section 226—Moveable signs

These amendments align the provisions relating to exhibiting a poster, notice or sign displaying electoral material relating to a local government election with the equivalent provisions for State elections.

35—Amendment of section 302B—Public health emergency

These amendments extend the provision to emergencies under the *Emergency Management Act 2004* (in addition to public health emergencies).

36—Amendment of Schedule 4—Material to be included in annual report of council

This amendment is technical.

37—Amendment of Schedule 9—Suspension of members

This amendment is consequential.

Part 4—Amendment of *City of Adelaide Act 1998*

38—Amendment of section 4—Interpretation

The definitions of *default person* and *eligible person* are amended in connection with amendments to Schedule 1 that include the requirement to be a State elector in respect of the entitlement to enrolment for certain persons or bodies.

39—Amendment of section 25—Reimbursement of expenses

Section 25(1)—after paragraph (b) insert:

and

- (c) reimbursement of expenses (not exceeding the amount prescribed by the regulations) incurred by the member in producing printed material (other than electoral material within the meaning of the *Local Government (Elections) Act 1999*) necessary for engaging with the community in relation to local government matters.

40—Amendment of section 38—Regulations

This amendment provides for the regulations to prescribe provisions of a savings or transitional nature.

41—Amendment of Schedule 1—Special provisions for elections and polls

The special provisions for elections and polls in Schedule 1 are amended so that they are consistent with the amendments to the *Local Government (Elections) Act 1999* effected by the measure.

Debate adjourned on motion of Hon. N.J. Centofanti.

NATIONAL ENERGY RETAIL LAW (RETAILER OF LAST RESORT) AMENDMENT BILL*Second 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) (17:58):
I move:

That this bill be now read a second time.

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

Leave granted.

The Retailer of Last Resort, or RoLR, scheme is a vital safety net designed to protect energy consumers and maintain uninterrupted energy supply in the event of a retailer's failure.

The scheme is overseen by the Australian Energy Regulator (AER), working alongside the Australian Energy Market Operator (AEMO) and energy retailers.

It transfers impacted customers to designated RoLRs in situations such as retailer insolvency, market suspension, or when a retailer stops operating. Historically, it has operated smoothly, with only four activations between 2012 and 2022, and no major interruptions to service.

However, Russia's invasion of Ukraine in early 2022 led to a sharp surge in wholesale electricity and gas prices, resulting in ten retailer failures and the first use of the AER's gas directions power. In response, in June 2022, Energy Ministers tasked the Australian Energy Market Commission with re-examining its earlier review of the scheme.

In August 2022, Energy Ministers agreed in principle with the AEMC's updated recommendations and committed to reforming the RoLR framework as part of wider initiatives to bolster retail market resilience during volatile periods and an unprecedented spike in RoLR events.

Following public consultation, Energy Ministers approved the amendments that are set out in the *National Energy Retail Law (Retailer of Last Resort) Amendment Bill 2025* on 6 December 2024.

This Bill puts those reforms into action. It fortifies the scheme's operations, increases market durability, and improves the handling of retailer failures. It offers greater assurance to participants, lowers financial risks, and fosters competition while placing consumer protections at the forefront. The AER will maintain oversight, including ongoing monitoring and scope for additional changes based on further AEMC guidance.

I will now speak to these critical reforms in more detail.

The Bill enhances clarity in cost recovery arrangements. At present, designated RoLRs can face substantial costs such as acquiring extra energy or hedging contracts—with recovery decisions left to broad AER discretion. This uncertainty can complicate financing and cash flow, particularly in large-scale failures. The reforms amend the principles to allow recovery of all prudently incurred costs, including administrative, energy, and financing expenses. They define eligible cost types, introduce fast-tracked cost recovery applications within three months, restrict scheme alterations to significant errors, and clarify recovery via distributor payments. These adjustments will build retailer trust, simplify access to finance, and motivate more retailers to step up as RoLRs, thereby distributing risks and sustaining market competition over the long term.

The Bill also extends the AER's window for designating RoLRs to up to 72 hours following a RoLR event, moving away from reliance on pre-set default RoLRs. This extension enables the AER to select multiple or alternative RoLRs after the event, inform AEMO, and distribute customers more effectively. It also clarifies the role of default RoLRs while guaranteeing uninterrupted supply, reducing the chance of chain-reaction failures and maintaining market variety by preventing customers from clustering with a handful of large retailers.

The Bill amends AEMO's credit support demands by establishing a one-week grace period for designated RoLRs, followed by gradual increases over four weeks, to account fully for the added customer load. Current requirements for swift increases can pressure retailers during unstable times, risking suspensions. Amendments to the National Electricity Law (NEL) and Rules (NER) permit the Minister to make initial rules to implement this phased approach, striking a balance between RoLR responsibilities and the risks to generator payments. This will encourage involvement, enable precise credit adjustments as customers transition, and ease immediate financing pressures.

The Bill also eliminates overly rigid language in RoLR plan requirements, granting the AER more leeway in crafting, upholding, and implementing these plans. Such plans detail event procedures and exercises for participants, but strict timelines presently hinder flexibility. These minor revisions will improve efficiency for everyone, aiding better preparation without undue restrictions.

The Bill permits RoLRs to provide transferred customers with a 'designated contract', based on the terms and conditions of a market retail contracts (MRCs). This reform provides an alternative to the RoLR deemed retail arrangements and has the goal of attracting wider participation and offering customers more affordable, competitive options. Transferred customers currently default to deemed retail arrangements equivalent to SRCs, which can be more expensive than market alternatives. Retailers may now inform the AER if it is willing to transfer customers on to a designated contract, ensuring these contracts meet core safeguards:

- Contain the same terms and conditions as a market retail contract,
- Prices not exceeding the RoLR's standing offer prices,
- No price increase for the first three months,
- No exit fees for breaking the contract during the first three months, and
- Adherence to NERL and NERR standards.

Most importantly, the reforms ensure a small customer transferred to the designated RoLR's designated contract will not be in a worse position than if the customer had been transferred to the registered RoLR's standard retail contract.

Explicit informed consent is not required in relation to the designated contract. The intent of the RoLR scheme is to avoid interruption to customer supply by having pre-established contractual arrangements. The designated contract must be published on the RoLR's website.

The AER will evaluate and oversee these requirements through guidelines, mandating records and follow-up communications. After three months, prices may increase if customers are properly notified via best endeavours, in line with the AER's Better Bills guidelines to promote engagement. This approach balances benefits for consumers with incentives for retailers, lowering obstacles to joining the scheme.

Finally, the Bill adjusts the deadline for responding to AER directions on gas supply and pipeline capacity from 'immediate' to within 24 hours of the RoLR notice. Current requirements lack clear enforceability, creating compliance issues. This modification enhances precision and feasibility, aligning with the extended designation timeframe without compromising supply.

I commend the Bill to members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provision

These clauses are formal.

Part 2—Amendment of *National Energy Retail Law*

4—Amendment of section 132—Designation of registered RoLR for RoLR event

This amendment relates to the designation of a registered RoLR for a RoLR event.

5—Amendment of section 135—AER RoLR Guidelines

This amendment adds an additional matter that the AER RoLR Guidelines must specify.

6—Amendment of section 136—Issue of RoLR notice

This amendment includes another requirement for a RoLR notice.

7—Amendment of section 137—RoLR notice—direction for gas

This amendment includes a requirement connected with a direction for gas.

8—Insertion of sections 148A to 148C

New sections 148A to 148C are inserted:

148A—Designated contract for RoLR

This section relates to designated contracts for RoLRs relating to transferring small customers.

148B—Transfer of customers to designated RoLR with designated contract

This section includes provisions relating to the transfer of customers to a designated RoLR with designated contracts.

148C—Keeping records about, and giving information to, transferred customers

This section relates to requirements for keeping records about, and giving information to, transferred customers.

9—Amendment of section 163—Contents of RoLR plans

These amendments are technical or consequential.

10—Amendment of section 166—RoLR cost recovery schemes

Additional provisions are included in relation to RoLR cost recovery schemes.

11—Amendment of section 167—RoLR cost recovery scheme distributor payment determination

This amendment provides that a RoLR cost recovery scheme distributor payment determination may involve distributors making payments to satisfy the full costs of the scheme.

12—Amendment of section 168—Amendment of schemes and determinations

These amendments make provision in relation to the amendment of schemes and determinations.

13—Amendment of Schedule 1—Savings and transitionals

Savings and transitional provisions are inserted for the purposes of the measure.

Schedule 1—Related amendments to *National Electricity Law*

1—Amendment of section 2—Definitions

Certain definitions are inserted for the purposes of the measure.

2—Amendment of section 6—Ministers of participating jurisdictions

The defined term *South Australian Minister* is substituted into this provision.

3—Amendment of heading to Part 7, Division 2, Subdivision 1

This amendment is consequential.

4—Insertion of section 90EH

New section 90EH is inserted:

90EH—South Australian Minister to make initial Rules relating to credit support for RoLR events

This section provides for the South Australian Minister to make initial Rules relating to credit support for RoLR events.

5—Amendment of section 90F—South Australian Minister may make Rules on recommendation of MCE and Energy Security Board

The defined term *South Australian Minister* is substituted into this provision.

Debate adjourned on motion of Hon. F. Pangallo.

STATUTES AMENDMENT (PLANNING, INFRASTRUCTURE AND OTHER MATTERS) BILL*Second 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) (17:58):
I move:

That this bill be now read a second time.

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

Leave granted.

In 2024, the Malinauskas Labor Government released the South Australian Housing Roadmap which established clear policy actions to address the housing crisis. The Government continues to deliver on its housing roadmap commitments, which has resulted in the following achievements:

- The Government continues to deliver significant land releases in Concordia and Onkaparinga Heights. The Concordia code amendment has resulted in 10,000 new homes being rezoned and establishes the framework to deliver infrastructure from the outset, before homes are built and;
- The Government has taken every step to address housing affordability through establishing first home buyer programs and resolving housing supply shortages through significant funding commitments to SA Water.

The housing crisis affects us all. If the Government can identify efficiencies to bring housing to market quicker, we will act. The changes proposed within the Statutes Amendment (Planning, Infrastructure and Other Matters) Bill 2025 drive significant efficiencies inclusive of:

- The facilitation of technology and AI to make planning decisions. This means that planning consents can be issued in a matter of minutes instead of weeks and;
- The enablement of electronic dealings for property and land division. The Department of Housing and Urban Development has stated that these changes will save up to 3 months in time. This is a significant opportunity for industry and home buyers alike.

Whilst this Bill is about improving the current legislative framework for the housing sector, it also sets the framework for any future iterations of the Housing Roadmap.

The drafting of the Statutes Amendment (Planning, Infrastructure and Other Matters) Bill 2025 seeks to make changes to various acts within the planning, property and construction sectors. The Bill proposes to amend the:

- the Architectural Practice Act 2009;
- the Land and Business (Sales and Conveyancing) Act 1994;
- the Law of Property Act 1936;
- the Planning, Development and Infrastructure Act 2016;
- the Real Property Act 1886;
- the Residential Tenancies (Miscellaneous) Amendment Act 2023; and
- the State Development Coordination and Facilitation Act 2025.

The key functions of these amendments are about streamlining processes and reducing administrative burden where possible.

As part of this Bill, the following amendments are proposed:

- The *Architectural Practice Act 2009* will be amended to allow the Government Architect to sit on the Architectural Practice Board for longer than the current maximum nine-year term. This is to resolve an issue where the Government Architect may be employed for a period longer than nine years but is not permitted to sit on the Practice Board.
- The *Land and Business (Sales and Conveyancing) Act 1994* will be amended to allow the Government to broaden the use of rent-to-buy schemes in appropriate circumstances following the successful pilot program from the SA Housing Trust.
- The proposal to amend the *Law of Property Act 1936* to allow for electronic signatures, to execute deeds. This will result in a significant reduction in time to ensure that these dealings can be finalised matter of minutes, as opposed to days.

- And the proposed amendments to the *Real Property Act 1886* which enable electronic land division dealings, in line with Housing Roadmap commitments. This proposed change will save up to 3 months in finalising these matters.

In addition, there are a number of key amendments to the *Planning, Development and Infrastructure Act 2016*. These changes include:

- A proposal to enable the automated assessment of development applications through the SA planning portal, which is a Housing Roadmap commitment. This proposed change will allow for technological advancements such as Artificial Intelligence to be used for making decisions within the planning process. The Department of Housing and Urban Development is currently undertaking a trial of this technology which is world leading in its development. The productivity gains through adapting the use of AI means that a planning application can be approved in a matter of minutes, as opposed to a 9.5 working day average.
- The *Planning, Development and Infrastructure Act 2016* will be amended to require a landowner to consent to a development application being lodged over their land. This proposed change will ensure greater transparency, especially given the increased use of automated assessments. Additionally, this change will offer greater protections to existing landowners by preventing planning applications being made over land they have no vested interest in.
- Additional changes are proposed to the streamlining of functions relating to the State Planning Commission. This is to ensure that the Commission can focus on more strategic, statewide planning initiatives. These changes do not reduce the powers or role of the State Planning Commission and the Minister for Planning can still seek the important and impartial advice of the Commission as required.
- The proposed amendments to the *Planning, Development and Infrastructure Act 2016* enable the simplification of amending the Planning and Design Code by allowing the Minister to initiate amendments without always seeking the advice from the State Planning Commission. The Minister can still seek the Commission's advice, should it be required. These changes will ensure that there is a reduced administrative workload on the State Planning Commission due to the significant volume of Code Amendments entering our planning system. Additionally, these changes will ensure the reduction of assessment timeframes for these matters.
- The proposed amendments to the *Planning, Development and Infrastructure Act 2016* allow the Minister to prepare a report to the Environment, Resources and Development (ERD) Committee of Parliament, without the advice of the State Planning Commission. Advice from the State Planning Commission will be sought where matters are complex or have resulted in significant community interest within engagement process.
- The Bill seeks to amend provisions that specify that land division clearance may not occur unless SA Water has confirmed an allotment has been connected to water services or that there is a binding agreement in place relating to the connection of water services. This amendment will allow for the land division assessment to occur, but will not be finalised until an agreement has been reached for the connection of services.
- The Bill will insert a new requirement in the Act to mandate that Local Governments must prepare local area plans to support the implementation of regional plans that have been or are being prepared. This proposed amendment will ensure that there is alignment between the Greater Adelaide Regional Plan and the strategic planning activities undertaken by Local Government. The Department of Housing and Urban Development will continue to work and partner with Local Government and the Local Government Association of South Australia to support these important strategic activities.
- The Bill seeks to improve processes associated with infrastructure schemes by providing a power of delegation for a scheme coordinator and allowing a basic infrastructure scheme to transition into a primary infrastructure scheme without needing to commence a new scheme from the beginning.
- And finally, The Bill will also introduce minor and technical amendments that will improve the operation of the PDI Act. This will include inconsistencies between State and Federal legislation, the recognition of first nations people in the objectives of the Act and standardised language and terminology.

I would like to take the opportunity to thank key individuals who have contributed to the development of this Bill. Firstly, I would like to thank the State Planning Commission and its members for the excellent strategic work they undertake for the development of the South Australian planning system.

I'd also like to thank the Department of Housing and Urban Development, lead by David Reynolds. In addition, Marc Voortman and his team within the Planning and Building Unit have continued to deliver on significant policy reforms to ensure that we, as a state remain steadfast in our commitment to deliver on the Housing Roadmap.

The Government has listened to our stakeholders and industry in ensuring that these amendments build on the strong foundations of our property and planning legislative frameworks. The proposed amendments simplify

building and development in South Australia and more importantly enable more South Australians to get into more homes.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Architectural Practice Act 2009*

3—Amendment of section 7—Terms and conditions of membership

This amendment provides that the restriction on a member of the Architectural Practice Board of South Australia from holding office for more than 9 consecutive years does not apply to a member nominated by the Minister who is a public sector employee.

Part 3—Amendment of *Land and Business (Sale and Conveyancing) Act 1994*

4—Amendment of section 6—Abolition of instalment purchase or rental purchase arrangements

This amendment allows the regulations to prescribe a kind of contract for the sale of land in respect of which section 6 does not apply.

Part 4—Amendment of *Law of Property Act 1936*

5—Amendment of section 41—Execution and attestation of deeds

This clause inserts a new subsection to provide for the manner in which a deed may be created in electronic form and be electronically signed or sealed.

6—Amendment of section 41A—Easements without dominant land to be validly created

This amendment replaces the existing power of the Governor to declare by proclamation a body that may validly hold an easement over dominant land with a power of the Minister to do so by notice in the Gazette.

7—Transitional provision

This clause provides for a transitional provision consequential on the amendment in clause 6.

Part 5—Amendment of *Planning, Development and Infrastructure Act 2016*

8—Amendment of section 3—Interpretation

These amendments clarify that, for the purposes of the principal Act, an *allotment* does not include land that is unalienated Crown land or land alienated from the Crown otherwise than in fee simple to provide for consistency with the operation of the *Real Property Act 1886* in respect of allotments.

9—Amendment of section 12—Objects of Act

This amendment provides that the scheme established by the principal Act is intended to recognise, protect and promote Aboriginal and Torres Strait Islander knowledge, culture and tradition.

10—Amendment of section 28—Disclosure of financial interests

This amendment requires a member of a committee established by the State Planning Commission to disclose their financial interests in the same way as a member of the Commission.

11—Amendment of section 42—Practice directions

This amendment provides that a practice direction issued by the State Planning Commission for the purposes of the principal Act may specify substantive requirements or steps in connection with any matter arising under that Act.

12—Amendment of section 48—SA planning website

These amendments clarify that other legislation may provide that an entity may publish a document on the SA planning portal.

13—Amendment of section 54—Protected information

This amendment removes the requirement for the Minister to take into account the advice of the State Planning Commission before issuing a direction with respect to prohibiting, restricting or limiting access to any document, instrument or material on the SA planning portal.

14—Amendment of section 71—Incorporation of material and application of instrument

This amendment removes the restriction on a regional plan providing that any matter or thing is to be determined, dispensed with or regulated according to the discretion of specified entities.

15—Amendment of section 73—Preparation and amendment

This clause removes the requirement for the Minister to act on the advice of the State Planning Commission before approving the specified entities initiating a proposal to amend a designated instrument.

It also requires the Minister to publish on the SA planning portal a copy of any advice furnished to the Minister by the State Planning Commission in the course of consultation conducted in accordance with section 73(10)(a) or (b) within the specified periods.

16—Amendment of section 74—Parliamentary scrutiny

This clause requires the Minister, rather than the State Planning Commission, to prepare a report to accompany the referral of a designated instrument to the ERD Committee and changes what must be set out in the report.

17—Amendment of section 75—Complying changes—Planning and Design Code

The amendment in subclause (1) removes the requirement for the Minister to seek the advice of the State Planning Commission before initiating or agreeing to an amendment to the Planning and Design Code.

The amendments in subclauses (2) and (3) allow amendments to the Planning and Design Code under section 75(1) and (2a) to comprise a change to the application of a zone or subzone (rather than just to their boundaries) or a change of a prescribed kind. The amendment in subclause (3) relies on an amendment to section 75 set out in the *State Development Coordination and Facilitation Act 2025* commencing first.

18—Amendment of section 76—Minor or operational amendments

This clause allows the Minister to amend a designated instrument in order to provide consistency between the designated instrument and any provision of an Act of the Commonwealth that is prescribed by the regulations or in accordance with any plan, policy, standard, report, document or code that is prepared, adopted or applied under an Act of the Commonwealth.

It also removes the requirement for the Minister to consult with the State Planning Commission before making an amendment to a designated instrument under section 76.

19—Amendment of section 78—Early commencement

This clause removes the requirement for the Minister to consult with the State Planning Commission before acting under section 78(1).

It also removes the current provision that deals with the version of the Planning and Design Code, or a design standard, that an application must be assessed against while an amendment to such a document is in interim operation. Section 132 will now apply in such circumstances.

20—Amendment of section 80—Ministerial building standards

These amendments remove the requirements for the Minister to consult with the State Planning Commission before acting under section 80.

21—Amendment of section 82—Entities constituting relevant authorities

This amendment provides that the Chief Executive is a relevant authority in the circumstances referred to in section 242A (which is to be inserted by the measure).

22—Amendment of section 88—Accreditation scheme

This clause removes references to the Commissioner for Consumer Affairs in section 88.

23—Amendment of section 99—Related provisions

This amendment is consequential on the insertion of section 242A by the measure.

24—Amendment of section 102—Matters against which development must be assessed

This clause:

- provides that a relevant authority must assess development against requirements applying under Part 15 Division 2 (other than under section 198) as part of granting planning consent;
- allows the regulations to prescribe requirements relating to the provision of water supply and sewerage services that an application in relation to a proposed division of land must be assessed against;
- clarifies that requirements applying under section 198 are relevant in relation to a proposed division of land;

- allows a relevant authority to reserve its decision on a specified matter, or its decision to grant planning consent, until further assessment or consideration of the proposed development, or until an authority is granted or not granted, under an Act of the Commonwealth;
- provides further guidance in relation to how consents may be granted;
- makes some technical amendments.

25—Amendment of section 106—Deemed-to-satisfy assessment

This clause provides that proposed development in respect of which a design standard applies may be assessed as deemed-to-satisfy development if planning consent is granted subject to conditions requiring that the development be consistent with the design standard.

26—Amendment of section 107—Performance assessed development

This clause provides that if proposed development is to be assessed as code assessed development (but is not deemed-to-satisfy development) the development will be assessed on its merits against the Planning Rules (not just the Planning and Design Code).

It also allows the Planning and Design Code to provide that certain provisions of section 107 do not apply, or apply with specified modifications, in respect of a specified class of development.

27—Amendment of section 113—EIS process

These amendments:

- require the Chief Executive (instead of the State Planning Commission) to undertake certain functions in the EIS process;
- require the Minister to publish a proponent's response to matters raised and submissions referred to the proponent during the EIS process;
- remove the requirement for certain documents to be kept available by the State Planning Commission for inspection and purchase.

28—Amendment of section 114—Amendment of EIS

This amendment replaces the requirement for the State Planning Commission to give notice of the place or places at which copies of an EIS and Assessment Report amended under section 114 are available for inspection and purchase with a requirement for the Chief Executive to publish such documents (with the amendments) on the SA planning portal.

29—Amendment of section 119—Application and provision of information

This amendment replaces the provision that clarifies that a person who is not the owner or occupier of land constituting the site of a proposed development may apply for the approval of the proposed development with a provision stating that an application may not be made by a person who is not the owner of the land constituting the site of the proposed development unless the owner has consented to the application being made, the applicant is a prescribed person or body, or a person or body of a prescribed class, or the application is an application of a prescribed class, or made in prescribed circumstances.

30—Amendment of section 120—Outline consent

This clause allows a relevant authority to reserve its decision on a specified matter, or its decision to grant an outline consent, until a particular circumstance or action has occurred (including further assessment of the relevant development).

The Planning and Design Code may specify matters that must be reserved on the application of the applicant. Any matter that is not fundamental to the nature of the relevant development may, subject to the Planning and Design Code, be reserved.

31—Amendment of section 122—Referrals to other authorities or agencies

This amendment changes the point at which a response from a prescribed body under section 122 must be published on the SA planning portal from as soon as is reasonably practicable after the response is received to as soon as is reasonably practicable after a decision on the application is made under Part 7.

32—Amendment of section 130—Essential infrastructure—alternative assessment process

This clause:

- allows the Minister or State Planning Commission to, before an application is approved or refused, permit an applicant to vary the application if the essential nature of the proposed development is not changed;

- allows the Minister to vary or revoke an approval or condition of an approval on the application of a person who has the benefit of the approval under section 130;
- imposes a condition on an approval under section 130 that involves building work;
- allows the Minister to determine that a certificate or approval under Part 11 is required in respect of the development;
- provides that if an EIS must be prepared with respect to the development any amendment to the application is to be treated as an amendment under section 114.

33—Amendment of section 131—Development assessment—Crown development

This clause:

- allows the Minister or State Planning Commission to, before an application is approved or refused, permit an applicant to vary the application if the essential nature of the proposed development is not changed;
- allows the Minister to vary or revoke an approval or condition of an approval on the application of a person who has the benefit of the approval under section 131;
- imposes a condition on an approval under section 131 that involves building work;
- allows the Minister to determine that a certificate or approval under Part 11 is required in respect of the development;
- provides that if an EIS must be prepared with respect to the development any amendment to the application is to be treated as an amendment under section 114.

34—Amendment of section 132—Law governing proceedings under this Act

The amendments in this clause:

- provide that the application of section 132 is subject to the regulations;
- clarify that the law in force as at the time the application was made includes the law as provided for in legislative instruments at that time;
- provide that section 132(2) applies to the Planning Rules rather than just the Planning and Design Code.

35—Amendment of section 138—Land division certificate

This clause provides that a land division certificate must not, subject to the regulations, be issued unless the State Planning Commission is satisfied that SA Water has notified it that connections for the purposes of the provision of water supply and sewerage services in respect of each allotment the subject of the division of land exist, a binding agreement for the provision of such connections has been entered into by the applicant or SA Water is not responsible for the provision of water supply or sewerage services in relation to the land and any prescribed requirements are satisfied. It also makes some technical amendments.

36—Amendment of section 153—Temporary occupation

This amendment allows an approval of the council for temporary occupation of a building without a certificate of occupancy to be given only if the council is satisfied that the relevant building complies with any requirements prescribed by a practice direction issued for that purpose.

37—Amendment of section 154—Building certifiers

This amendment allows a building certifier to exercise the powers of a council under Part 11 Division 4 in relation to a building in circumstances prescribed by the regulations.

38—Amendment of section 160—Mining and renewable energy matters to be referred in certain cases to Minister

This amendment is consequential on other amendments in the measure.

39—Amendment of section 162—Interpretation

This amendment expands the definition of *primary infrastructure* that is to be inserted into the principal Act by the *State Development Coordination and Facilitation Act 2025*.

40—Amendment of section 163—Initiation of scheme—basic infrastructure

The amendments in this clause:

- remove the requirement for the Minister to act on the advice of the State Planning Commission under section 163;

- remove the requirement for the Minister to consult with the Commission before including other information in a draft outline of a scheme;
- remove the requirement for the Minister to consult with certain persons in preparing a draft outline of a scheme;
- replaces the requirement for the Minister to publish a draft outline in the Gazette with a requirement to give notice of the draft outline in the Gazette;
- provide for greater consistency with section 163A that is to be inserted into the principal Act by the *State Development Coordination and Facilitation Act 2025*.

41—Amendment of section 163A—Initiation of scheme—primary infrastructure in relation to declared project area or designated growth area

These amendments provide for greater consistency with section 163.

42—Insertion of section 165A

This clause inserts section 165A as follows:

165A—Delegation

This section provides a delegation power for a scheme coordinator appointed under Part 13 Division 1.

43—Amendment of section 166—Consideration of proposed scheme

This clause provides that specified funding arrangements for the provision of infrastructure should be developed consistently with the principle that charges should be limited to recovering the reasonable costs relating to the infrastructure and sets out what such costs include. The amendment in subclause (1) relies on an amendment to section 166(2)(a) set out in the *State Development Coordination and Facilitation Act 2025* commencing first.

44—Amendment of section 167—Adoption of scheme

This clause allows agreements or deeds that relate to the provision of infrastructure in relation to a relevant designated growth area or declared project area (as applicable) to be terminated by the Minister by notice published on the SA planning portal if a scheme under section 163 or 163A is adopted or a scheme under section 163 is varied under section 167A. It also sets out requirements relating to consultation and the agreement of certain parties and provides that compensation is not payable in relation to the termination.

45—Insertion of section 167A

This clause inserts section 167A as follows:

167A—Variation of basic infrastructure scheme to include primary infrastructure

This section allows the Minister to vary a basic infrastructure scheme so that it also provides for primary infrastructure on the recommendation of the scheme coordinator for the basic infrastructure scheme.

46—Amendment of section 168—Role of scheme coordinator in relation to delivery of scheme

This clause adds a new function for a scheme coordinator in relation to a scheme established under Part 13 Division 1. It further provides that no liability attaches to the scheme coordinator, the Minister or the Crown in relation to any advice provided in good faith under section 168 to a person proposing to apply for a development authorisation.

47—Amendment of section 169—Funding arrangements

This clause makes a minor amendment in relation to what a funding arrangement for an infrastructure scheme may include.

48—Amendment of section 198—Open space contribution scheme

This clause updates section 198(2) to clarify that the provision applies in relation to an applicant who has made an application for development authorisation that provides for specified matters and that land to be vested in a council or the Crown to be held as open space under an agreement referred to in the provision must not exceed 12.5% of the area of the land to be divided.

49—Amendment of section 202—Rights of review and appeal

This clause updates language in respect of the circumstances in which an applicant may apply to the relevant assessment panel for a review of, or appeal to the Environment, Resources and Development Court against, a prescribed matter.

50—Amendment of section 225—Civil penalties

These amendments remove the requirement for the State Planning Commission to ensure that specified information is published on the SA planning portal and the requirement for a council to be granted an authorisation by the Commission before acting under section 225.

51—Amendment of section 230—Enforceable voluntary undertakings

These amendments remove the requirement for the State Planning Commission to publish specified notices on the SA planning portal and the requirement for a council to be granted an authorisation by the Commission before acting under section 230.

52—Insertion of section 242A

This clause inserts section 242A as follows:

242A—Use of equipment or computers to make decisions

This section allows an approved system (being any equipment, computer, software or another mechanical or electronic device or process of a class or kind approved by the Chief Executive) to be used to perform specified functions under the principal Act, or do other things, including performing assessments and granting consents under section 102, granting development authorisations and giving notice of decisions. Anything done, determined or created by an approved system will be taken to have been done, determined or created by the Chief Executive.

53—Insertion of section 245A

This clause inserts section 245A as follows:

245A—Local Area Plans

This section requires a council to prepare a report (to be referred to as a Local Area Plan) to address specified matters, including strategic planning issues within the area of the council with particular reference to any regional plan that applies in respect of the area of the council, and to contain specified material. It sets out requirements in relation to the preparation, review, approval and publication of a Local Area Plan.

54—Amendment of Schedule 1—Disclosure of financial interests

The amendments in this clause add committees and subsidiaries established by the State Planning Commission and a joint planning board to the definition of *designated entity* for the purposes of Schedule 1.

55—Amendment of Schedule 3—Codes of conduct and professional standards

The amendments in this clause:

- provide that a code of conduct adopted by the Minister to be observed by members of the State Planning Commission extends to members of a committee or subsidiary established by the Commission;
- provide that a code of conduct adopted by the Minister to be observed by members of a joint planning board extends to members of a committee or subsidiary established by the board;
- clarify that a code of conduct adopted by the Minister to be observed by members of an assessment panel applies to members of a State Planning Commission assessment panel;
- remove the requirement for the Minister to take steps to consult with the Commissioner for Consumer Affairs before adopting or varying a code of conduct to be observed by accredited professionals.

56—Transitional provisions

This clause provides for transitional provisions consequential on the amendments in clauses 27 and 35.

Part 6—Amendment of *Real Property Act 1886*

57—Amendment of section 3—Interpretation

The amendment in subclause (1) inserts a new definition of *execution* for the purposes of the Act. The amendments in subclauses (2) and (3) consequentially delete the definition of sign (which is now to be incorporated into the definition of execution). Subclause (3) also inserts a new subsection (3) to allow the Minister by notice in the Gazette to specify that a particular application or instrument may be lodged electronically, despite section 7 of the *Electronic Conveyancing National Law*.

58—Amendment of section 39—Caveat against bringing land under Act

This amendment is technical.

59—Amendment of section 41—Applicant may withdraw his application

The amendments in this clause are consequential on the deletion of the definition of signing and make a number of other technical amendments.

60—Substitution of section 42

This clause substitutes section 42 as follows:

42—Documents of title submitted with application

The proposed section recasts section 42, preserving the requirement for the Registrar-General to retain documents of title, but extending the ability of these documents to be produced to a person if they have been held by the Registrar-General for more than 80 years.

61—Amendment of section 55—Non-compliant documents may be registered or recorded

This amendment is consequential on the deletion of the definition of signing.

62—Amendment of section 69—Title of registered proprietor indefeasible

This amendment is consequential on the deletion of the definition of signing.

63—Amendment of section 80B—Application requirements

This amendment is consequential on the deletion of the definition of signing.

64—Amendment of section 96—Transfers

The amendment in subclause (1) deletes an obsolete requirement from the section. The amendment in subclause (2) is consequential on the deletion of the definition of signing.

65—Amendment of section 105—Sale under writ of fieri facias or decree, warrant or order of court

This amendment is consequential on the deletion of the definition of signing.

66—Amendment of section 143—Discharge of mortgages and encumbrances

This amendment inserts a new subsection to clarify that if certification under section 273(1) is provided by a mortgagee in relation to an instrument discharging a mortgage, the instrument will be taken to have been executed by the mortgagee.

67—Amendment of section 147—Cancellation of registration of mortgage by Registrar-General

This amendment is consequential on the deletion of the definition of signing.

68—Amendment of section 150—Transfer of mortgage, lease and encumbrance

This amendment inserts a new subsection to clarify that if certification under section 273(1) is provided by a mortgagee in relation to a transfer, the instrument will be taken to have been executed by the mortgagee.

69—Amendment of section 157—Revocation of power of attorney

This amendment is consequential on the deletion of the definition of signing.

70—Amendment of section 191—Caveats

The amendments in this clause extend the ability for an address for service of a caveat to include an email address and make a number of other technical amendments.

71—Amendment of section 220—Powers of Registrar-General

The amendments in this clause update an obsolete reference and make a technical amendment.

72—Amendment of section 223LA—Interpretation

The amendments in subclauses (1) and (2) update obsolete references. The amendment in subclause (3) is consequential on the deletion of the definition of signing.

73—Amendment of section 223LD—Application for division

The amendment in subclause (1) extends the ability of an application for division to be made not only by the registered proprietor of land but in addition, in the case of an application made pursuant to an order of a court, by the registrar of the court or a person directed by the court to make the application. The amendment in subclause (2) is consequential on the deletion of the definition of signing.

74—Amendment of section 223LDA—Application may deal with statutory encumbrances

This amendment is consequential on the deletion of the definition of signing.

75—Amendment of section 223LH—Consent to plans of division

The amendments in this clause are consequential on the deletion of the definition of signing and make a number of other technical amendments.

76—Amendment of section 223LJ—Amalgamation

This amendment is consequential on the deletion of the definition of signing.

77—Amendment of section 246—Unregistered instruments to confer claim to registration

The amendments in this clause are consequential on the deletion of the definition of signing and make a technical amendment.

78—Amendment of section 247—Informal documents may be registered

This amendment is consequential on the deletion of the definition of signing.

79—Repeal of section 266

This clause repeals an obsolete section.

80—Amendment of section 267—Witnessing of instruments

The amendment in subclause (1) makes clear that the witnessing requirements set out in the section apply only to circumstances requiring the personal signing of a document. The amendments in subclauses (2), (3) and (4) are technical in nature.

81—Amendment of section 276—Service of notices

The amendment in this clause extends the ability of documents to be served by providing that they may be served electronically.

82—Amendment of Schedule 3—Caveat forbidding lands to be brought under the *Real Property Act 1886*

This amendment is technical.

83—Repeal of Schedule 17

This clause repeals an obsolete provision.

Part 7—Amendment of *Residential Tenancies (Miscellaneous) Amendment Act 2023*

84—Amendment of Schedule 1—Related amendments

This clause deletes an amendment in this Act consequential on other amendments in the measure.

Part 8—Amendment of *State Development Coordination and Facilitation Act 2025*

85—Amendment of section 31—Impact assessed development

These amendments are consequential on other amendments in the measure.

Debate adjourned on motion of Hon. N.J. Centofanti.

PREVENTIVE HEALTH SA (COUNCIL GOVERNANCE) AMENDMENT BILL*Final Stages*

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

At 18:00 the council adjourned until Thursday 30 October 2025 at 11:00.