

LEGISLATIVE COUNCIL

Wednesday, 12 November 2025

The PRESIDENT (Hon. T.J. Stephens) took the chair at 11:01 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) (11:02): 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, matters of interest and notices and orders of the day private business to be taken into consideration at 2.15pm.

Motion carried.

The PRESIDENT: I note the absolute majority.

Bills

STATUTES AMENDMENT (SUPERANNUATION AND OTHER PAYMENTS) 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) (11:03): Obtained leave and introduced a bill for an act to amend the Electricity Corporations Act 1994, the Parliamentary Remuneration Act 1990, the Parliamentary Superannuation Act 1974, the Police Superannuation Act 1990, the Southern State Superannuation Act 2009, the Superannuation Act 1988 and the Superannuation Funds Management Corporation of South Australia Act 1995. 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) (11:04): I move:

That this bill be now read a second time.

This bill seeks to amend a range of acts relating to superannuation and remuneration amendments. It aims to modernise outdated provisions, ensure consistency between public sector superannuation schemes and address peculiar challenges affecting several superannuation schemes.

Part 2 of the bill introduces amendments to the Electricity Corporations Act 1994, which continues the electricity industry superannuation scheme under a standalone trust deed and rules. The electricity industry superannuation scheme board acts as a trustee of the scheme, which supports members and pensioners, primarily employees and former employees of the electricity supply industry.

These amendments will enable consideration of potential merger opportunities with other superannuation schemes, should such opportunities arise. Where a merger proceeds with a commonwealth-regulated superannuation fund, these amendments will facilitate the application of successor fund transfer rules, which are a well-established mechanism in the superannuation industry that allows the transfer of members and beneficiaries.

Under these rules, members are transferred to the new fund on the basis that they will receive rights and benefits that are, on a holistic basis, equivalent to the rights that they had in the original fund immediately prior to the transfer. In the case of a public sector superannuation scheme, alternative mechanisms may apply, supported by expanded regulation-making powers. The bill also seeks to simplify the process for participating employers to withdraw from the scheme.

The bill also makes amendments to the Parliamentary Remuneration Act 1990 and the Parliamentary Superannuation Act 1974. In general terms, the arrangements for members of parliament have not kept up with modernisations that are standard for public sector superannuation schemes. In this way, the bill aims to align the parliamentary superannuation scheme with those other public sector schemes. It also introduces amendments to better reflect the ways in which parliament work differs from standard public sector work.

Part 3 of the bill amends the Parliamentary Remuneration Act 1990 to remove rules that currently limit salary sacrifice to the PSS3 superannuation scheme to 50 per cent. This part also ensures that additional salary will continue to be paid in respect of members of parliament who temporarily vacate a specified office due to ill health or disability. Again, this reflects the unique nature of a political career, where extended periods of sick leave and other absences are generally not available for senior office holders in the way they might be in other workplaces.

Part 4 of the bill amends the Parliamentary Superannuation Act 1974, which continues the parliamentary superannuation scheme for current and former members of the South Australian parliament. These amendments will modernise and update features of the PSS3 superannuation scheme to align with those currently available to public sector employees in the government's Southern State Superannuation Scheme (Triple S).

This includes the introduction of a facility that will enable members to nominate their estate as the recipient of death benefits, the splitting of contributions with spouses, permit early access to superannuation on financial hardship and compassionate grounds in accordance with commonwealth's superannuation rules, the ability to release excess non-concessional contributions from PSS2 and PSS3 to avoid penalty tax where balances exceed the applicable cap (as well as a facility to assist the payment of penalty tax previously incurred as a result of there being no statutory power to release excess contributions), the ability to transfer a portion of accrued entitlements to a complying fund at any time (subject to conditions), the modernisation of regulation-making powers and the ability to withdraw a cash benefit from the age of 65.

The ability to credit superannuation payments that are not currently contemplated under the act to the accounts of eligible members has also been included, to ensure eligible PSS3 members may receive new payments determined by the board that members of regulated funds may receive (such as the new superannuation payments on commonwealth parental leave, payable from 1 July 2025).

The bill also revises the invalidity and death insurance formula to remove the requirement to deduct the balance of the member's government-funded contribution account from the final benefit, thereby enhancing certainty for invalidity and estate planning purposes. Other measures have also been introduced for members who leave the parliament after the commencement day of the bill. This includes the continuation of death insurance up to age 70 and the introduction of an income protection style scheme up to age 65 of 75 per cent of salary, provided PSS3 membership is maintained.

Premiums will be payable by members of PSS3 in respect of the provision of such insurance, and eligibility would be contingent upon maintaining membership in PSS3 with an adequate balance to sustain the payment of the premiums. Members would also be permitted to opt out of these insurance offerings at any time.

Finally, the conduct of meetings of the Parliamentary Superannuation Board will also be more flexible, with the ability to allow meetings of the board to be held electronically and decision-making by circular resolution, as well as an express power of delegation akin to that of the South Australian Superannuation Board.

Part 5 of the bill amends the Police Superannuation Act 1990, which governs the closed defined benefit Police Pension Scheme for officers and pensioners who commenced employment with SAPOL on or before 31 May 1990. To support the long-term sustainability of the scheme, the

bill introduces a legislative mechanism that will enable future changes to its administration, should such changes be considered appropriate in the future.

These amendments are enabling in nature and do not in themselves effect any immediate change. Transitional arrangements required to support such a change would generally be addressed through regulation, following appropriate consultation with relevant stakeholders, as well as the modernisation of regulation-making powers.

Part 6 of the bill amends the Southern State Superannuation Act 2009 to address a funding inequity affecting the Super SA Flexible Rollover Product (FRP), a post-retirement investment product administered under the act. While members can transfer insurance from Triple S to the FRP, the act does not currently permit the transfer of associated premiums to the Retirement Investment Fund (RIF), which holds FRP premiums. This results in the RIF covering the full cost of insurance claims from the FRP without receiving the corresponding premiums. The bill therefore seeks to amend section 10 of the act to allow the Super SA Board to transfer amounts determined by an actuary from Triple S to the RIF, to ensure Triple S contributes equitably to the cost of transferred insurance.

A further amendment is intended to support flexible and efficient arrangements if members from other superannuation schemes established under state acts or otherwise for the benefit of Crown employees are ever determined to be transitioned to Triple S in the future. To facilitate this, the clause builds on the existing regulation-making powers under section 19 of the Southern State Superannuation Act 2009, which provides a foundation for supporting such potential transitions.

A similar amendment is proposed in part 7 of the bill, which amends the Superannuation Act 1988 in relation to membership of the state scheme. These amendments are intended to provide greater flexibility and efficiency in the legislative framework applying to members of defined benefit public sector superannuation schemes, established under state acts or for the benefit of Crown employees, who are seeking to be administered by, or merged with, Super SA.

For consistency with section 19 of the Southern State Superannuation Act 2009, the amendment expands the existing regulation-making powers under schedule 1A of the Superannuation Act 1988 to ensure there is sufficient legislative capacity should a change to scheme membership arrangements be required in the future. Importantly, the amendment does not of itself effect any change to existing membership arrangements.

As part of this, the amendments also expand section 7 of the Superannuation Act 1988 to empower the board to administer other public sector superannuation schemes if approved by the minister. A technical amendment to section 10 also clarifies that departmental staff made available to the board may also be used to administer both board-managed and other public sector super schemes (with the reference to those other schemes amended to ensure it covers all schemes administered by Super SA).

The bill also proposes to amend the process for filling casual vacancies arising from the resignation of elected members of the South Australian Superannuation Board, such that a further election would no longer be required, irrespective of the remaining duration of the resigning member's term. Nominations to fill the vacancy will continue to be made by the relevant unions prescribed in the act, extending beyond the current provision that applies only where less than 12 months remain in the term. The opportunity was also taken to modernise general regulation-making powers to align with the Triple S act.

Part 8 of the bill amends the Superannuation Funds Management Corporation of South Australia Act 1995 to align the process for filling casual vacancies arising from the resignation of elected board members with the simplified approach proposed under the Superannuation Act 1988, as outlined above. It also removes the requirement that regulations prescribing public authorities seeking to nominate funds for investment by Funds SA must not take effect until the disallowance period has expired. This requirement has been identified as an unnecessary procedural barrier that can cause significant delays in the commencement of investment partnerships with Funds SA. I commend the bill to the council and seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

The Act will come into operation on assent. However, the operation of some provisions will be delayed until a day to be fixed by proclamation.

Part 2—Amendment of *Electricity Corporations Act 1994*

3—Amendment of Schedule 1—Superannuation

This clause makes amendments to the Electricity Industry Superannuation Scheme Trust Deed to facilitate the transfer of members of the Electricity Industry Superannuation Scheme to other superannuation schemes.

A new regulation making power is inserted authorising the making of regulations necessary or expedient to give effect to an arrangement to transfer the interests of a member or beneficiary to a public sector superannuation scheme under clause 20 of the Deed. Clause 20 deals with the transfer of members and former members to public sector superannuation schemes.

Provision is also made for the repeal of the Schedule by proclamation.

Part 3—Amendment of *Parliamentary Remuneration Act 1990*

4—Amendment of section 4AC—Additional salary

This clause amends section 4AC to provide that where a member of Parliament ceases to hold a specified office and the relevant presiding officer for the member certifies that they are satisfied that the cessation is due to the ill health, or a disability, of the member, the member continues to be entitled to additional salary as if they had not ceased to hold the office. The certification must be made on the basis of medical evidence provided by the member. The member will continue to be entitled to additional salary under the section until whichever of the following occurs first:

- the member is again appointed to an office specified in the Schedule;
- the member ceases to be a member of Parliament;
- the relevant presiding officer for the member is no longer satisfied that the member is unable to hold an office specified in the Schedule due to the ill health, or a disability, of the member;
- the House of Assembly is next dissolved by the Governor.

5—Amendment of section 4B—Salary sacrifice for superannuation purposes

Subsection (5) of section 4B of the *Parliamentary Remuneration Act 1990* imposes a limit of 50% on the amount of salary that may be sacrificed by a member for superannuation purposes. This clause repeals subsection (5) so that there is no limit on the amount of salary that may be sacrificed by a member. Consequential amendments are also made.

6—Amendment of section 5—Cessation of entitlement to remuneration

The amendment made by this clause is consequential.

Part 4—Amendment of *Parliamentary Superannuation Act 1974*

7—Amendment of section 5—Interpretation

This clause inserts a definition of legal personal representative, which applies in relation to deceased PSS 3 members. A person is the legal personal representative of a deceased PSS 3 member if the person has been nominated by notice in writing as the deceased's legal personal representative in accordance with the requirements of the *South Australian Parliamentary Superannuation Board*. The notice must have effect for the purposes of the *Commonwealth Superannuation Industry (Supervision) Act 1993*.

Additional amendments to section 5 relate to the introduction of spouse membership of PSS 3.

8—Amendment of section 10—Procedure at meetings of Board

This clause amends section 10 so that meetings of the Parliamentary Superannuation Board can take place by way of telephone or other electronic means.

9—Insertion of section 11A

This clause inserts a new section providing the Board with a power to delegate.

11A—Delegation by Board

Section 11A authorises the Board to delegate any of the Board's powers or functions under the Act (except the power of delegation) to any person or body.

10—Amendment of section 13—The Fund

The amendments made by this clause are consequential on the introduction of spouse members to the PSS 3 scheme.

An additional amendment has the effect of requiring the Treasurer to pay into the Parliamentary Superannuation Fund from the Consolidated Account (or from a special deposit account) a percentage, to be determined by the Board, of any amount that is required to be paid to satisfy the payment of a disability pension.

In addition, proposed subsection (4a) will provide that the amount required to be paid by the Treasurer under subsection (4)(e) to satisfy the payment of a death insurance benefit in respect of a PSS 3 member who has ceased to be a member of Parliament is to be determined on the advice of an actuary, having regard to the amount of premiums paid by the member in respect of the insurance.

11—Amendment of section 13D—Co-contribution accounts

This amendment makes provision for the payment of the balance of a deceased PSS 3 member's co-contribution account to their legal personal representative. If the member has not nominated a legal personal representative, the payment will be made to their spouse or, if there is no spouse, to their estate.

12—Insertion of section 13E

This clause inserts a new section.

13E—Other contributions

Proposed section 13E provides that where a payment is made to the Board on behalf of a PSS 3 member, the Board may credit the payment to any account maintained by the Board on behalf of the member. This does not apply to co-contributions.

13—Amendment of section 14D—Government contribution accounts

Section 14D as amended by this clause will provide that a PSS 3 member's Government contribution account is to be debited with a disability pension premium of an amount fixed by the Board. This requirement will not apply in relation to a PSS 3 member whose insurance has been cancelled. A member's Government contribution account is also to be debited with any other payment that is to be charged against the account under the Act.

14—Amendment of section 21AC—Interpretation

This clause inserts a new definition of *co-contribution component*. The term is used in proposed section 21ACA.

15—Insertion of section 21ACA

This clause inserts a new section.

21ACA—Early access to superannuation benefits in case of severe financial hardship or on compassionate grounds

Proposed section 21ACA provides PSS 3 members with access to their superannuation benefits in certain circumstances. Benefits may be payable on application by a PSS 3 member under the section if, in the Board's opinion, the member would be taken for the purposes of the *Superannuation Industry (Supervision) Regulations 1994* of the Commonwealth—

- to be in severe financial hardship; or
- to satisfy a condition of release on a compassionate ground.

16—Amendment of section 21AD—Retirement at or above age 55

The amendment made by this clause is consequential.

17—Amendment of section 21AF—Preservation of components

The amendments made by this clause make provision for the payment of preserved components of a deceased PSS 3 member to their personal representative. If the member has not nominated a legal personal representative, the payment will be made to the member's spouse or, if there is no spouse, to the member's estate.

18—Amendment of section 21AH—Death of PSS 3 member

The amendments made by this clause have the effect of extending the payment to be made on the death of a PSS 3 member to PSS 3 members who have ceased to be members of Parliament. This does not apply in relation to a PSS 3 member—

- who ceased to be a member of the Parliament of this State before the commencement of new subsection (2a); or
- who is over the age of 70 years at the time of their death; or
- who has ceased to be a member of Parliament and whose insurance has been cancelled.

19—Amendment of section 21AH—Death of PSS 3 member

The amendments made by this clause make provision for a payment to be made on the death of a PSS 3 member to the member's legal personal representative. If the member has not nominated a legal personal representative, the payment will be made to their spouse or, if there is no spouse, to his or her estate.

20—Insertion of section 21AHA

Proposed section 21AHA provides for the payment of premiums (of an amount determined by the Board) in respect of death insurance cover by PSS 3 members who have ceased to be members of Parliament.

21—Amendment of section 21AI—Determination of invalidity/death insurance

This clause amends the formula in section 21AI for determining a PSS 3 member's level of invalidity/death insurance by removing the subtraction of GCA. GCA is the amount standing to the credit of the member's Government contribution account at the relevant time, less any amount credited to that account due to superannuation salary sacrifice payments under section 14C(2) of the Act.

22—Insertion of section 21AJ

This clause inserts a new section.

21AJ—Special benefit for PSS 3 members aged 65 or over

Under proposed section 21AJ, a PSS 3 member who has reached the age of 65 years can apply to the Board for the payment of a specified proportion of the balance of the member's eligible contribution accounts.

23—Insertion of Part 4 Division 2B

This clause inserts a new Division that sets out an income protection scheme for PSS 3 members who cease to be members of Parliament after the commencement of the Division and are not also members of PSS 2.

A PSS 3 member to whom the new Division applies who is incapacitated for work on account of a disability will be entitled to a disability pension. A member will be taken to be incapacitated for work on account of a disability if the Board is satisfied, on the basis of medical evidence provided by the member, that the member is incapable, because of ill health or a disability, of performing work for which the member is suitably qualified by training, education or experience.

The amount of the disability pension payable to a PSS 3 member will be 75% of the basic salary payable to a member of Parliament under the *Parliamentary Remuneration Act 1990* at the time payment of the pension commences plus, if the member was at any time entitled to additional salary in respect of an office specified in the Schedule of the *Parliamentary Remuneration Act 1990*, the average of the additional salary paid to the member during the designated 4 year period. The designated 4 year period, in relation to a member who received additional salary under the Schedule of the *Parliamentary Remuneration Act 1990*, means the period of 4 years during which the member received the highest amount of such additional salary.

The new Division includes further provisions in relation to the eligibility for, and duration of, a disability pension. There is also a capacity for a PSS 3 member to apply to the Board to cancel the income protection to which the member is entitled under the Division.

24—Amendment of section 23AAC—Commutation to pay deferred superannuation contributions surcharge following death of member

The amendments made by this clause are consequential on other amendments enabling the possibility of a payment being made on the death of a PSS 3 member to the member's legal personal representative.

25—Amendment of section 23AAE—Payment of Division 293 tax

This clause corrects an outdated reference to Commonwealth legislation.

26—Insertion of sections 23AAF

This clause inserts a new section.

23AAF—Excess non-concessional contributions

Proposed section 23AAF facilitates the making of payments required under the *Taxation Administration Act 1953* of the Commonwealth in relation to the excess non-concessional contributions of PSS 2 and PSS 3 members. The section authorises the Board to pay to a member any amount the Board is required to pay pursuant to a release authority issued to the Board under the Commonwealth legislation.

27—Insertion of section 23AAG

This clause inserts a new section.

23AAG—Portability for PSS 3 members

Under proposed section 23AAG, amounts standing to the credit of one or more accounts maintained by the Board on behalf of a PSS 3 member may, at the option of the member, be transferred to another complying fund.

A complying fund is—

- (a) a complying superannuation fund; or
 - (b) an RSA,
- (both of which are defined by reference to Commonwealth legislation).

The combined balance of accounts maintained by the Board on behalf of a member for whom amounts are transferred under the section must, immediately after the amounts are transferred, be equal to, or greater than, the applicable minimum amount for the member. The applicable minimum amount is determined by the Board.

28—Insertion of Part 4AA

This clause inserts a new Part providing for spouse membership of PSS 3.

Part 4AA—Spouse members of PSS 3

23AAH—Interpretation

The proposed section defines a *prescribed payment* as payment of an amount that is a contributions-splitting superannuation benefit within the meaning of Division 6.7 of the *Superannuation Industry (Supervision) Regulations 1994* of the Commonwealth.

23AAI—Spouse contributions splitting

Under this proposed section, a PSS 3 member may apply to the Board to make a prescribed payment from the member's contribution account into a contribution account established for the member's spouse.

23AAJ—Other contributions for spouse members

This proposed section authorises a PSS 3 member to make monetary contributions to the Treasurer for crediting to a contribution account for the member's spouse.

23AAK—Spouse members and spouse accounts

Under this proposed section, the Board is required to establish a contribution account for the spouse of a PSS 3 member if the member makes a prescribed payment, or a monetary contribution for the benefit of the spouse. The spouse becomes a spouse member of the Triple S scheme by virtue of the section.

23AAL—Accretions to spouse members' accounts

Each spouse member's contribution account that has a credit balance is to be adjusted at the end of each financial year to reflect a rate of return determined by the Board in relation to spouse members' accounts for the relevant financial year.

23AAM—Portability

Under this proposed section, the whole or, subject to conditions determined by the Board, a part of the amount standing to the credit of a spouse member's spouse account may, at the option of the spouse member, be transferred to another complying fund. (*Complying fund* is defined by reference to the definition in section 23AAG).

23AAN—Benefits for spouse members

This proposed section sets out the rules for payment of spouse members' benefits.

23AAO—Early access to superannuation benefits in case of severe financial hardship or on compassionate grounds

This proposed section, which is in similar terms to proposed section 21ACA, provides that a spouse member may apply to the Board for the early release of an amount of the spouse member's benefit. This can occur if the spouse member is in severe financial hardship or on a compassionate ground.

29—Amendment of section 36A—Division of benefit where deceased member or spouse member is survived by lawful and putative spouses

The amendments made by this clause are consequential.

30—Amendment of section 40—Regulations

Section 40, as amended by this clause, will provide that regulations under the Act may—

- be of general application or limited application; or
- make different provision according to the matters or circumstances to which they are expressed to apply.

This amendment has the effect of modernising the regulation making power.

This clause further amends the regulation making power so that regulations of a savings or transitional nature may be made consequent on the amendment of the Act by another Act. A provision of such a regulation may take effect from the commencement of the amendment or from a later day. If a provision takes effect from a day earlier than the day of the regulation's publication in the Gazette, the provision cannot operate to the disadvantage of a person by decreasing the person's rights or imposing liabilities.

Part 5—Amendment of *Police Superannuation Act 1990*

31—Amendment of section 4—Interpretation

This clause amends the main interpretation provision of the Act to substitute a new definition of *Board*. A reference in the Act to the Board will, following the commencement of the amendment, be a reference to the South Australian Superannuation Board continued in existence by the *Superannuation Act 1988*.

32—Substitution of Part 2 Division 1

Part 2 Division 1 of the Act currently sets out provisions relating to the establishment, functions and membership of the Police Superannuation Board. This clause proposes the deletion of that Division and the insertion of a new Division dealing with the functions of the South Australian Superannuation Board.

Division 1—The Board

5—Functions of Board

Under proposed section 5, the Board—

- is responsible to the Minister for all aspects of the administration of the Act (other than management and investment of the Fund); and
- is to provide advice to the Minister about any matter referred to it by the Minister or any matter it sees fit to advise the Minister about in connection with its responsibilities under the Act.

33—Amendment of section 39—Review of Board's decisions

This clause amends section 39 of the Act so that a decision made by the Police Superannuation Board will, for the purposes of review proceedings, be taken to be a decision of the South Australian Superannuation Board.

34—Amendment of section 49—Confidentiality

The amendments made by this section are consequential on the dissolution of the Police Superannuation Board and the South Australian Superannuation Board becoming responsible for the administration of the Act.

35—Amendment of section 52—Regulations

Section 52, as amended by this clause, will provide that regulations under the Act may—

- be of general application or limited application; or
- make different provision according to the matters or circumstances to which they are expressed to apply.

This amendment has the effect of modernising the regulation making power.

This clause also amends the regulation making power so that regulations of a savings or transitional nature may be made consequent on the amendment of the Act by another Act. A provision of such a regulation may take effect from the commencement of the amendment or from a later day. If a provision takes effect from a day earlier than the day of the regulation's publication in the Gazette, the provision cannot operate to the disadvantage of a person by decreasing the person's rights or imposing liabilities.

36—Transitional provisions

This clause provides that a member of the Police Superannuation Board ceases to hold office on the commencement of the section.

Part 6—Amendment of *Southern State Superannuation Act 2009*

37—Amendment of section 10—The Fund

This clause amends section 10 of the Act in order to allow for payments from the Fund to be made to another fund or account established by the Board under the regulations.

38—Amendment of section 19—Membership of scheme

This clause amends section 19 of the Act, which deals with membership of the Triple S scheme, by inserting a new regulation making power that authorises the making of regulations that can—

- declare a group of members or former members of a public sector superannuation scheme to be members; and
- transfer all or part of the assets and liabilities of a fund established for the purposes of a public sector superannuation scheme to the Fund; and
- modify the provisions of the Act in their application to a declared group of members or former members; and
- provide for transitional matters on the making of a declaration.

Part 7—Amendment of *Superannuation Act 1988*

39—Amendment of section 4—Interpretation

This clause amends the interpretation section of the Act to insert a definition of *public sector superannuation scheme*.

40—Amendment of section 7—Functions of the Board

Section 7 is amended by this clause so that the Board may administer other public sector superannuation schemes. This is to be done with the approval of the Minister and in accordance with any directions of the Minister.

41—Amendment of section 8—Board's membership

Section 8 currently provides that if the office of an elected member of the South Australian Superannuation Board becomes vacant and the balance of the term of the office is 12 months or less, the Governor may appoint a person nominated by the Public Service Association of South Australia Incorporated and the Australian Education Union to the vacant office. This clause amends the section to remove the reference to the balance of the former member's term of office.

42—Amendment of section 10—Staff of Board

This clause amends section 10 to make it clear that staff of an administrative unit made use of by the Board may assist in the administration of other superannuation schemes established or administered by the Board and may also assist in the administration of other public sector superannuation schemes.

43—Amendment of section 20ABA—Co-contribution accounts

The amendment made by this clause corrects an error.

44—Amendment of section 59—Regulations

Section 59, as amended by this clause, will provide that regulations under the Act may—

- be of general application or limited application; or
- make different provision according to the matters or circumstances to which they are expressed to apply.

This amendment has the effect of modernising the regulation making power.

45—Amendment of Schedule 1A—Provisions relating to other public sector superannuation schemes

This clause amends Schedule 1A to insert a new clause that authorises the making of regulations providing that particular persons, or particular classes of persons, who are members or former members of a public sector superannuation scheme, are, or are not, contributors for the purposes of the Act. The regulations may also—

- provide that a specified provision of the Act does not apply, or applies subject to prescribed modifications, to a person who is a contributor by virtue of regulations made under the new clause; or
- provide for the transfer all or part of the assets and liabilities of a fund established for the purposes of a public sector superannuation scheme to the South Australian Superannuation Fund; or
- provide for transitional matters on the making of a regulation.

Part 8—Amendment of *Superannuation Funds Management Corporation of South Australia Act 1995*

46—Amendment of section 3—Interpretation

Currently, a regulation declaring a public authority to be a prescribed public authority for the purposes of the definition of that term cannot commence until the time for disallowance of the regulation has passed. This clause amends section 3 to remove that provision regarding commencement.

47—Amendment of section 10—Conditions of membership

Section 10 currently provides that if the office of a member of the board of the Superannuation Funds Management Corporation of South Australia elected by contributors becomes vacant and the balance of the term of the office is 12 months or less, the Governor may appoint a person nominated by the Public Service Association of South Australia Incorporated, the Australian Education Union and the Police Association of South Australia to the vacant office. This clause amends the section to remove the reference to the balance of the former member's term of office.

Debate adjourned on motion of Hon. D.G.E. Hood.

TAFE SA BILL*Committee Stage*

In committee.

Clause 1.

The Hon. D.G.E. HOOD: I have three questions at clause 1. The first is with respect to consultation. What stakeholders were approached in the consultation process for this bill?

The Hon. E.S. BOURKE: I am advised around 15 stakeholders were consulted during the drafting of the bill, with around nine providing a response during that consultation period. That ranged from people within the unions, and particularly the AEU was involved in regard to consultation. The TAFE SA board, I believe, was also consulted, the Commissioner for Children and Young People, the Department of Treasury and Finance, the Office for Women in the government of South Australia and Regional Development Australia (RDA), just to name a few of those that were consulted.

The Hon. D.G.E. HOOD: I said three questions—perhaps three categories—and this is a bit of a supplementary to that one if I may: were there any concerns raised during that consultation process?

The Hon. E.S. BOURKE: I understand that the objective of this bill was broadly supported by everyone who was consulted.

The Hon. D.G.E. HOOD: That is the first one. The second category is a question regarding stakeholders indicating what impact the legislation might have on registered training organisations and competition within that sector. Was there any commentary provided in that space?

The Hon. E.S. BOURKE: I am advised there was no particular feedback from the RTOs. In some ways, this could encourage engagement between the two sectors, and this bill does not seek to have an impact.

The Hon. D.G.E. HOOD: I noted that, in the committee stage in the other place, the Minister for Education, Training and Skills stated that there was advice received that there will be no impact on workforce numbers as a result of this bill. Can I just clarify where that advice comes from and if the government maintains that position?

The Hon. E.S. BOURKE: I understand that TAFE has confirmed this would not impact on TAFE staff numbers.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

The Hon. D.G.E. HOOD: The proposed new definition of technical and further education is based heavily on the definition in the current TAFE SA Act—that is the 2012 act—but it includes new paragraphs (b) and (c) that essentially include in the scope of the definition any kind of post-secondary education and training, as I read it. Correct me if I am wrong there, but that is my take on it. So that would include things like degree programs, even bachelor's, even master's degrees, potentially, or even unaccredited subjects. It is quite broad, I guess is the point I am making.

My question is: does this raise the potential for the proposed new definition to be in conflict with the definition of vocational education and training in the National Vocational Education and Training Regulator Act 2011? What is the reason for that change? To me it does appear to present at least some level of conflict. I would be interested in the government's view on that.

The Hon. E.S. BOURKE: From my advice I understand that the definition was broadened but does not have any conflict with the national definition. This definition was sought for on the advice of TAFE SA and their board. There are various definitions across other jurisdictions as well.

The Hon. D.G.E. HOOD: So just to be clear, the government sees no conflict in that issue?

The Hon. E.S. BOURKE: I am advised there does not appear to be any conflict.

Clause passed.

Clause 5.

The Hon. D.G.E. HOOD: This is the clause that talks about TAFE's existence as a body corporate. The existing act specifically says it has 'has all the powers of a natural person that are capable of being exercised by a body corporate', yet the proposed bill has amended this. Whilst stating at the outset, in clause 5(1), that 'TAFE SA as established under the TAFE SA Act 2012 continues in existence as a body corporate' the bill differs in stating that TAFE SA is an instrumentality of the Crown and therefore can hold property on behalf of the Crown, for example.

To my mind at least—and I look forward to the government's view on this—that is a pretty significant difference in approach. For instance, the difference in holding property as a corporation versus holding property as an instrumentality of the Crown is somewhat significant in terms of what they can do with that land.

That was raised with us during our consultation in preparation for the passage of this legislation. I would just like to put that general topic, if I may, to the minister and have a response from the government on how they reconcile that issue.

The Hon. E.S. BOURKE: My understanding is this still makes it a statutory authority. That is, I guess, the purpose of the bill that we have before us today: to really bring this back into what the community expectations are and what they would want, which is to have more of a community focused on people and not for profits. In regard to the terminology that has been provided, my understanding is that it is based on parliamentary counsel's advice and that it still has that primary focus of it being a statutory authority.

The Hon. D.G.E. HOOD: I thank the minister for her answer. Just to be crystal clear on that, then, with respect to land in particular and other assets the government's view is that the change in categorisation, if I can put it that way, creates no significant issue? It is merely a change of title, if you like, rather than any sort of practical difference?

The Hon. E.S. BOURKE: My understanding is there is no practical difference. What is the requirement now will remain the requirement.

Clause passed.

Clause 6.

The Hon. D.G.E. HOOD: I assure my colleagues I will not be stopping at every clause, but these are the meat of the bill, to some extent anyway. This clause deals with the function, so it really is the heart and soul of the bill, at some level anyway. There have been substantial proposed changes in this bill from the original TAFE SA Act back in 2012—for instance, the inclusion of the subsection where TAFE SA has the function to provide access to education and training to persons in metropolitan, non-metropolitan, regional and remote areas, yet at the moment my understanding is that TAFE has about 16½-ish per cent of its students in regional areas. We do have amendments to deal with this; I will not labour this point. I just wonder if I can have a general explanation of the government's position on that issue.

The Hon. E.S. BOURKE: You are right, a lot has changed in the 14 years since this was established. This is an act that has been around for some time, and community expectations have changed as well. That is reflected through the consultation that we did to be able to get to the point we are at now, whether through the TAFE SA board or the broader community as well. This is based off of those recommendations. Changes that were put forward by the reference group are reflected in the drafting of this and also in regard to where we are going to get to later on with the regional

representation, which is something I know we are both interested in. That is being discussed in the amendments that are coming up in a very short time.

Clause passed.

Clause 7 passed.

Clause 8.

The Hon. D.G.E. HOOD: We are dealing here with the clause that talks specifically about ministerial directions. It is surprisingly brief—in my mind, anyway—in the fact that it does not really outline in a specific way what I might expect. For example, there are no clear boundaries given to the minister in these circumstances. I have an amendment which will deal with some of this, as members are no doubt aware. We will be dealing with that in a moment.

In my experience in not dissimilar legislation, you would normally see some sort of clarity about what the minister can and cannot do in these circumstances. That is not here. I wonder if the government would like to comment on that.

The Hon. E.S. BOURKE: This clause is included to provide clarity that the minister's powers to direct TAFE SA, which is highlighted in section 6 of the Public Corporations Act 1993, is carried over by the bill. I am just going to leave it at that bit for now. If I need to seek further information I will get that back to you.

The Hon. D.G.E. HOOD: Maybe I did not ask my question very clearly in the first attempt, but in the government's estimation what are the limits on those powers, then, as dictated by the bill?

The Hon. E.S. BOURKE: I have been advised that any direction must be in accordance with the principles of administrative law. In practice, this means that a direction must further the objects of the TAFE SA Act, may not direct someone who is forbidden by another act and, based on any other relevant considerations, not be based on irrelevant matters.

The Hon. D.G.E. HOOD: To be clear, minister, will those directions be published, for example? They are in writing, I presume. Will they be published? Are they publicly accessible? We are dealing with disallowances a little later in the bill with respect to regulations, but will these directions be regulations and therefore disallowable or not?

The Hon. E.S. BOURKE: I am advised that would be made available in the annual report.

The Hon. D.G.E. HOOD: So they are published in the annual report, therefore not regulations and therefore not disallowable?

The Hon. E.S. BOURKE: I am advised that it would not change under this current bill.

Clause passed.

Clause 9.

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

Amendment No 1 [Simms-1]—

Page 8, line 24 [clause 9(3)]—After 'Governor' insert:

, of whom 1 must be a member of the staff of TAFE SA nominated by the Minister after consultation with the Australian Education Union (SA Branch) and the Public Service Association of SA

I think the amendment is fairly self-explanatory. It just ensures that there is a voice at the table for staff of TAFE. My amendment ensures that the relevant staff member is selected in consultation with the relevant union. I think this really is in keeping with the tone of the new bill, which is moving TAFE away from the corporatised model we have seen in the past. I have always believed it is the cobbler who makes the shoe, but it is the person who wears the shoe who knows where it pinches, so having staff on these boards is very valuable.

The Hon. E.S. BOURKE: Just for the ease of the chamber, the government will be supporting both Simms-1 and Simms-2 amendments for very similar reasons. The amendment is consistent with the views expressed by Associate Professor Jeannie Rae, who obviously has done a lot of work getting us to where we are today. Therefore, I am supportive of both of those amendments.

The Hon. D.G.E. HOOD: With apologies to the Hon. Mr Simms, the opposition will not be supporting the amendments, but we will not be dividing on them.

The Hon. R.A. SIMMS: It would be remiss of me not to acknowledge Jeannie Rae for her advocacy on this matter. I understand she is in the gallery today as well, so I do want to thank her for her huge amount of work in pushing this and, indeed, the broader TAFE reforms.

The Hon. C. BONAROS: I thought it may assist if I indicate my support for both of the amendments being moved by the Hon. Robert Simms at this point.

Amendment carried.

The Hon. R.A. SIMMS: I move my amendment in an amended form:

Page 8, line 24 [clause 9(3)]—After 'Governor' insert:

, and 1 must be a person nominated by the Minister after consultation with the United Trades and Labor Council (trading as SA Unions)

Again, I think the rationale for this is pretty self-explanatory and consistent with what I outlined earlier.

Amendment as amended carried.

The Hon. E.S. BOURKE: I move:

Amendment No 1 [InfraTransport–1]—

Page 8, after line 35—Insert:

(4a) Without limiting subsection (4), the Minister must, in nominating members for appointment, take reasonable steps to ensure that at least 1 member resides in a rural, regional or remote area of the State.

Reflecting on what we have heard recently—and I want to thank the Hon. Dennis Hood for the work he has put into this area as well—we are proposing this as a way of reaching a shared objective of what the Hon. Dennis Hood was also seeking to achieve in regard to having regional representation. This appointment of the member directs the board of TAFE SA to have at least one person who resides in a rural or regional or remote area of the state. The amendment is consistent with one of the six goals informing the Roadmap for the Future of TAFE SA review and what Jeannie Rea has suggested throughout her reporting that there must be a good objective to seek to achieve. I thank again the honourable member for his feedback, and also in regard to the importance of regional community being involved.

The Hon. D.G.E. HOOD: I thank the minister for her kind words and the opposition will be supporting the amendment. It is a good compromise position for that reason, so I will not be proceeding with the amendment I have on file.

The Hon. R.A. SIMMS: I also support the amendment. Isn't it nice when we all work together, Chair? Long may it continue.

The CHAIR: Kumbaya.

The Hon. R.A. SIMMS: It warms my heart. Kumbaya, indeed.

The Hon. C. BONAROS: I want to be part of the kumbaya, too. I indicate my support for the amendment.

Amendment carried.

The Hon. D.G.E. HOOD: I agree. I think, along with the Hon. Mr Simms, that that is an example of common sense prevailing, so my thanks to all. This clause deals with board appointments, obviously, so my question is about the transparency of those appointments. What will be the criteria? We have some criteria spelled out here, but what will be the criteria? Is there anything else the government can add? Will it be advertised, for example? Is there anything they can provide, some meat on the bones?

The Hon. E.S. BOURKE: I thank the member for his question. As is always with board positions, they are usually advertised externally, but I also have been advised that the minister has

put into practice open board advertising, an open board process. I guess this is something he has taken on to seek to achieve, but in general when board positions are being made available they usually are advertised.

The Hon. D.G.E. HOOD: I thank the minister. What about conflicts, minister? Particularly, I am thinking of business people who may be on the board who have their own organisation outside of TAFE. How will those conflicts be managed? Does the government foresee that being an issue, and, if so, how would it be managed?

The Hon. E.S. BOURKE: I understand that the bill will reflect the Public Corporations Act, which deals with conflicts of interests. The usual process that is put into place with conflicts of interest with regard to board appointments would follow this one as well.

Clause as amended passed.

Clauses 10 to 22 passed.

Clause 23.

The Hon. D.G.E. HOOD: This clause is the one that deals with barring notices, which is quite new and something that the opposition is broadly supportive of. I reflect on the changes we recently made to the education act as well, which were along similar lines and enjoyed our support at that time. We are broadly supportive, but just to pin down some of the details with the minister, what specific conduct does the government have in mind, at least in broad terms, that would be subject to a barring notice?

The Hon. E.S. BOURKE: It is usually there to seek to address behaviour that is directed at staff or teachers that is not able to be addressed through normal processes. I know everyone in this chamber agrees that we want to have not only our students going to a place where they feel safe but particularly our teachers, and this is why these practices are being put in place. We have seen it come into our education system elsewhere. This is making it consistent and making sure that if a teacher or staff member is feeling threatened and it is not covered in their current processes because it is at an escalated point, there is now an opportunity to use this lever as well.

The Hon. D.G.E. HOOD: That raises the obvious question of whether the government has any data on how frequent this is. To what extent is this a problem?

The Hon. E.S. BOURKE: It is one of those things where you do not want to be reactive. This enables us to make it consistent across the two different education platforms, being in our school system and now in TAFE. We have seen an unfortunate trend in society in other areas and we want to make sure we have these protections in place now. We have a bill before us that enables us to put them into action. We are using those levers that we know we should be looking at. We have seen it put into our school system and now we can put it into our TAFE system.

Clause passed.

New clause 23A.

The Hon. D.G.E. HOOD: I move:

Amendment No 2 [Hood-1]—

Page 15, after line 35—After clause 23 insert:

23A—Review of barring notice by Minister

- (1) A person who is barred under section 23 for a period exceeding 1 month from TAFE SA grounds may apply to the Minister for a review of the barring notice.
- (2) An application under this section must be made in a manner and form determined by the Minister.
- (3) The Minister may, on the hearing of an application for a review of a barring notice, confirm, vary or revoke the notice.
- (4) A barring notice continues to apply pending a determination by the Minister of an application for review of the notice.

This is a pretty straightforward amendment and I think it explains itself. The intention here is to simply have a review mechanism.

The Hon. E.S. BOURKE: I thank again the Hon. Dennis Hood for the work he has put into the amendments he has put forward today. The government will be supporting this for the reasons he has outlined.

New clause inserted.

Clauses 24 to 27 passed.

Clause 28.

The Hon. D.G.E. HOOD: Clause 28 deals with the statement of priority, which is quite central to this bill. My question, firstly, is quite a generic one: what was the consultation process for this part of the bill and what timelines did that take place over?

The Hon. E.S. BOURKE: I understand that the review of the act, which commenced almost two years ago, had representatives from TAFE and the reference group, and also the board and the department took on the feedback that was provided.

The Hon. D.G.E. HOOD: Minister, is that able to be tabled or is it publicly available?

The Hon. E.S. BOURKE: I understand that statements of priority are usually made available through the annual report.

The Hon. D.G.E. HOOD: Last one on this topic. It is a bit hard to pin this down, to be honest, but bear with me. Regarding the potential for conflicts between the statement of priority and TAFE's academic or operational independence, does the government perceive any potential for conflict in that space?

The Hon. E.S. BOURKE: I have been advised that the consultation process and the feedback provided about what makes those priorities would have to be realistic and there would be consultation that would be done with TAFE. I guess everyone wants the same objective here, which is to make this what the community expectations are as an efficient and people-focused institution, but that consultation process would be part of how we determine those outcomes.

Clause passed.

Clauses 29 to 30 passed.

Clause 31.

The Hon. D.G.E. HOOD: This is the last line of questioning for me today on this one, and it is really about the dividends. This is, I guess, inherent in the change that is happening with respect to this bill. Is TAFE going to continue to pay dividends in an ongoing way and, if so, how does that work? It seems more complicated now given the potential change.

The Hon. E.S. BOURKE: I have been advised that it continues the current arrangements, and it is a direct copy from the Public Corporations Act, so there will be that level of consistency.

Clause passed.

Clauses 32 to 33 passed.

New clause 34.

The Hon. D.G.E. HOOD: I move:

Amendment No 3 [Hood-1]—

Page 19, after line 32—After clause 33 insert:

34—Review of Act

- (1) The Minister must cause a review of the operation of this Act relating to the matters referred to in subsection (2) to be conducted and a report on the review to be prepared and submitted to the Minister.
- (2) The review must consider the changes made in relation to TAFE SA as a result of the enactment of this Act and may consider any other matter the Minister considers appropriate.

- (3) The review and report must be completed as soon as reasonably practicable after the third anniversary of the commencement of this Act.
- (4) The Minister must cause a copy of the report submitted under subsection (1) to be laid before both Houses of Parliament within 6 sitting days after receiving the report.

Again, this is fairly self-explanatory. I guess the key part of this is to review the act as soon as reasonably practicable after the third anniversary of the act becoming law. I move that amendment standing in my name, and am happy to take any questions, but I think it is pretty self-explanatory.

The Hon. E.S. BOURKE: It is a concerning day: the government is also supporting this particular amendment. Thank you again for the work that you have put into this. As you have outlined, this will further add to the importance of this bill.

New clause inserted.

Schedule 1.

The Hon. E.S. BOURKE: I move:

Amendment No 2 [InfraTransport–1]—

Page 20, lines 27 to 29 [Schedule 1, clause 6(2)]—Delete subclause (2) and substitute:

- (2) Subject to this Act, a person holding office as a director under section 8 of the repealed Act immediately before the commencement of this clause will, on the commencement of this clause—
 - (a) continue to hold office as a director on the same conditions and for the remainder of their term of office; and
 - (b) be taken to have been appointed under section 9 of this Act.
- (3) The following provisions apply in relation to a prescribed appointment of a director:
 - (a) the requirements relating to the nomination of members set out in section 9(4) and 9(5) of this Act will be taken not to apply in relation to the prescribed appointment;
 - (b) section 7(3) and (4) of the repealed Act will be taken to apply to the prescribed appointment as if that section had not been repealed;
 - (c) the prescribed appointment will be taken to be an appointment under section 9 of this Act,

(however, to avoid doubt, nothing in this subclause applies in relation to any subsequent appointment or reappointment of the person).
- (4) In this clause—

prescribed appointment, of a director, means—

 - (a) the reappointment of a person holding office as a director under section 8 of the repealed Act immediately before the commencement of this clause (being a director whose term of office expires on 14 October 2026); or
 - (b) the appointment of a member before 14 October 2027 to fill a casual vacancy occurring in the office of a director,

and, to avoid doubt, includes the nomination of a person in respect of such an appointment.

These are transition provisions for the board. The government amendment continues the office for the current TAFE SA board members and suspends the operations of the bill's appointment criteria until the outermost date of the expiry of current board members, which is 14 October 2027. The effect of this amendment is to apply provisions to prescribed appointments and what that would mean into the future. It is a fairly self-explanatory amendment and one that has been put forward as an additional safeguard.

The Hon. D.G.E. HOOD: The opposition agrees; it makes sense and we are happy to support it.

Amendment carried; schedule as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (11:51): I move:

That this bill be now read a third time.

The Hon. D.G.E. HOOD (11:51): Very briefly, I think we have just seen legislation working well. It is not a terribly controversial issue so it is probably an easy one, but I did want to place on record my thanks to the government's Chief of Staff and their staff generally, who have been very cooperative throughout this. I had some tricky questions, and said to them very early on that I was going to move amendments to get it more towards the way the opposition would be completely comfortable with. I was impressed they were open to do that, and what we have seen is a good example of that. I just want to place that on the record.

Bill read a third time and passed.

STATUTES AMENDMENT (LOCAL GOVERNMENT ELECTIONS REVIEW) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 October 2025.)

The Hon. B.R. HOOD (11:53): I rise to speak to the Statutes Amendment (Local Government Elections Review) Bill 2025, and indicate that I am the lead speaker for the opposition. This is a long-awaited bill, because we are now nearly three years—in fact, pretty close to three years, I think—since the last local government election, and we are only now asking parliament to consider changes to the local government elections process in what are the last sitting days of this parliamentary term.

This proposed bill seeks to make a number of administrative changes but also a series of substantial changes, including but not limited to any vote cast in a local government election must be by an individual on the electoral roll, regardless of whom that vote was cast on behalf of or where. This includes any noncitizen voting which, as the opposition, we have about a position on. It does also exclude non-South Australian ratepayers who may own property within the state but not reside in it. It is our opinion, as the opposition, that if you pay you have a say.

Councils must also now hold, within this bill, public information meeting sessions on prospective candidates unless the council explicitly resolves not to hold such a meeting in the caretaker policy. This is an ambiguous change, which means that the council body that is finishing up can effectively decide whether there is going to be a public meeting, rather than those who are actually involved in a process. We do believe this is a relatively poorly constructed policy change, which we will oppose.

Telephone voting is now extended, as per state election regulations, which we will support. The number of candidates nominating for a role is to be updated as soon as possible, although the names of nominees will be kept confidential until close of nominations. I think those of us who were involved in the last round of local government elections did see what may have been termed as unintended consequences.

I think the consequences were quite easily seen. We certainly saw that in the Limestone Coast, where we had a number of councils that simply did not have anyone put their hand up to be mayor. Once nominations were closed and that became publicly available, there was of course the rigmarole of having to go through and try to figure out who was actually going to put their hand up for mayor, which does put a fair bit of pressure on councils and local government. We will be amending that part of the bill to include the names of nominees to be published as soon as possible. I believe the Hon. Rob Simms is doing the same, which we will support.

The bill also allows pre-poll voting at supplementary elections through to 2030. This, in our mind, is another poorly put together and quite ambiguous amendment to the existing arrangements.

We are not sure how the timing of what the government is intending to do will be able to be achieved and we will oppose that.

With regard to specifying reimbursement amounts available to members for printed communications with constituents, the explanation we received in the briefing did not explain this well, so unless the committee stage may bring some answers we will not be supporting that either. Again, there is a raft of other changes which we will be supporting, but in regard to the last one here—disclosure by candidates of adverse conduct findings by the Ombudsman or the Behavioural Standards Panel, which will be in regulation—we will oppose this due to consistency.

In regard to our amendments, amendments Nos 1 to 3 and Nos 5 to 16, these and the subsequent amendments are really about our philosophy that if you are an Australian citizen or own property in the council area you deserve to have an opportunity to have a say in the electorate. Again, I have already spoken to that. We think that is important. Again, if you pay you really should have a say. We will certainly be trying to make sure that those amendments do make it through.

In regard to the government amendments, I will maybe just save some time. Amendments Nos 1 and 2 we will be supporting, allowing an extra day for an Electoral Commission process. Amendment No. 3, again as I had stated, obligating all councils to hold public meetings during an election campaign, we will not support. We do not support amendments Nos 4, 5, 8, 9 and 10 from the government, which are around reimbursement of expenses incurred by a member producing printed material.

Amendment No. 6 we will support, providing greater clarity around powers and council officers. In regard to amendments Nos 7 and 11, we would rather our solution for eligibility, which we have put forward, and we know the Hon. Robert Simms has as well. Amendment No. 10 from the government we will be supporting.

In regard to the Green amendments, we will oppose any amendments around lowering the voting age.

The Hon. R.A. Simms: Surprise, surprise.

The Hon. B.R. HOOD: 'Surprise, surprise,' says the Hon. Robert Simms. Amendment No. 7, again, we will certainly be supporting, as it is the same as our amendment. We will be opposing amendments Nos 8, 9, 10 and 19. We will be opposing amendment No. 11 allowing council allowance to have the PAYG removed, as we believe this is unnecessary and outside our jurisdiction. We will be opposing amendment No. 1 [Simms-2], which we do not believe is applicable or necessary.

There are several aspects of this legislation where we think the changes can be fine-tuned, because we believe that they are in the expectation of the community, and we hope that the government will in good faith consider the amendments to make these expectations of the community reflected in this amendment bill. I will say that it is a little disappointing that we have had to wait nearly three years to actually get to it, given we are only a year away now from more council elections.

The Hon. R.A. SIMMS (11:59): I rise to speak on behalf of the Greens in support of the local government elections review bill. This bill makes a number of changes to the laws that govern local government elections. The Hon. Ben Hood has outlined the key tenets of the bill, so I do not propose to go through them further. Suffice to say that a number of these are positive advancements and they address issues that have come to light. It is interesting: I know the honourable member said the government waited too long to take action on this. I recall, in the dying days of the Marshall government, one of the last bills we dealt with then was a local government reform bill, at virtually exactly the same time four years ago. I had the opportunity to participate in that debate as well.

I do think it is regrettable that local government reform pieces tend to happen at this stage in the cycle, because we do tend to run out of time. It is not a criticism specifically of the Labor government, as I say, because the Liberals did exactly the same thing. Rather, we should make sure that, after each council election, we have a thorough and comprehensive review and deal with all those matters early on in the parliamentary term so that we have an opportunity for a big tidy up.

To my mind there are issues around compulsory voting, for instance, to which I have an open mind and would really like to look into. There are questions about councils' rating capacity and the exemptions that apply, which I think would be really worthy of further examination. These are all issues for the next parliament, and I certainly intend to raise them then, but this is a good first step.

I also acknowledge the minister, Joe Szakacs, for the collaborative way that he and his office have engaged with the Greens. It is fair to say that the minister has been very open minded in the approach that he has taken and adopted a real commonsense approach to good ideas coming from the crossbench, so I thank him for that.

In terms of some of the amendments that the Greens are advancing today, some will not be of any great surprise to members as they are consistent with the things I have raised before, but some are a little bit new, so I thought I would use this second reading stage to just flesh out the focus of the amendments. The first amendment I will move will be to lower the voting age to 16 years in local government elections. This would promote the involvement of young people in the democratic process by lowering the voting age for local government elections to 16. It would give the opportunity for young people to have their voices heard. We know, of course, that 16 and 17 year olds are old enough to drive, they pay their taxes, they are old enough even to join the military; surely they should be old enough to vote in local government elections.

We are facing a situation at the moment where faith in democracy is really starting to decline, and I know that the Malinauskas government has been doing good work in terms of trying to engage young people with citizenship. This gives them an opportunity to have a real say in local democracy and also build their understanding of how elections work by participating in local council elections. Anything we can do to increase the participation in local government, we should look at.

I am disappointed to hear the Liberals say they do not support this change, but not surprised. I mean, if the latest opinion polls are anything to go by, 16 and 17 year olds are not that likely to vote for the Liberal Party. But I am disappointed to hear that the Labor Party is not supportive of this, particularly when one considers that the issues we are dealing with as a parliament are intergenerational. Housing inequality, climate change, transport policy, these are things that 16 and 17 year olds have a real stake in, and I would like to see the Labor Party finally listen to those young people.

The other amendment that I will be moving will be to introduce an option for local government members to opt in to use the pay-as-you-go for allowances paid to local government members. This is an unusual amendment in many ways, but something I became aware of during my time on local government. A lot of people who participate in local government as elected members work other roles and the allowance is, in effect, a second income source for them. But because the usual pay-as-you-go arrangements do not apply, that means that when you get to the end of your financial year you can be stung with a huge tax bill. Given local councillors are not paid very much money, that seems to add insult to injury to sting people with a huge tax bill at the end.

At least my amendment allows local government members themselves to opt in to use pay-as-you-go for allowances so that the council administration can collect that for them and they are not stung by a significant tax debt at the end. Local governments, of course, and administrations already have the mechanism to do this because they use these processes for paying their employees. So I feel this is a very simple amendment, but one that would actually be a positive advancement for people who serve on local government.

The other amendment I am moving: that the names of each nominee be published prior to the close of nominations, takes up a key issue that has been raised on multiple occasions. Indeed, I think the Hon. Sarah Game has raised it and the Liberal opposition has raised it as well. I think it is fair to say that in my discussions with the minister he initially had some concerns around this but has been open to entertaining that amendment, and I thank him for that.

One of the reasons for this amendment is, I think, a concern that has been flagged by a lot of regional councils that in situations where you have small communities you might find yourself in a situation where there are no nominees in a particular ward, and finding out who exactly is nominating and where might help prospective candidates decide whether or not to put their hands up, so this amendment really is taking up that issue. It used to be the case that that information was disclosed prior. It was taken out in the local government reforms back in 2021 and this proposal is to put it back in.

My next amendment deals with the pooling of campaign funds. What I am proposing is where candidates who are pooling their funds for the purposes of campaigning, the candidates would be

required to disclose this to the returning officer and then the returning officer will publish this information. I just note for members that there are two versions of this amendment that have been filed. I will only advance the amendment that requires the disclosure be made to the returning officer, and that is on the basis of feedback I have had from the government. That second amendment has been circulated.

This is a really important transparency measure. I became aware many years ago now of the practice of elected members or council candidates pooling all of their funds to reduce the costs. Indeed, the failed Team Adelaide faction affiliated with the Liberal Party pioneered this technique in the 2018 local government elections. That was under the leadership of Houssam Abiad and Alex Hyde, who is now the state director of the Liberal Party. They pioneered this technique where people would put all their money into some sort of joint account, or pool the costs, produce materials together and reduce the costs for individual candidates.

So they are running in effect as a group of candidates, but that has not been made transparent to the voters. I do think that is of real concern and voters do have a right to have access to that information. In the case of the failed Team Adelaide faction led by Alexander Hyde of the Liberal Party, in that instance Mr Hyde denied that there was a factional grouping in Town Hall, as did Mr Abiad and the other people who were affiliated with that faction.

The Hon. I.K. Hunter: I'm shocked.

The Hon. R.A. SIMMS: Yes, I was too, the Hon. Mr Hunter, that that information was concealed from the voters until after the election had taken place. This amendment provides more transparency. I am disappointed to hear that the Liberal Party is not supportive of that because I think that transparency does enhance faith in our local democracy.

The final amendment I am moving is that candidates be required to include a disclosure of their political party membership and that that disclosure is published in all election materials. I did work with the previous local government minister in the Marshall government, Vickie Chapman, who I believe had carriage of this bill at that time, to ensure that there was disclosure of political party membership in the nomination statement. That was a positive advancement, and I do recognise the Liberal government for moving in that direction. But the area that is missing, I think, is on election materials. So what I am proposing is that there be a statement that is included on any election material produced by a candidate to say whether or not they are a member of a political party.

Finally—and just for your peace of mind, Mr President, I am going through this in detail now so that I do not do so at the committee stage—the last amendment I am moving is to open up the City of Adelaide Act to set a requirement that the meetings be fortnightly. The current requirement under the legislation is that meetings be once a month. The convention in the City of Adelaide has been that meetings occur fortnightly.

There was, though, an unfortunate incident that occurred in around 2020 when the Team Adelaide faction took control of the city council. They removed the requirement for fortnightly meetings and moved to meetings being once a month. What that meant was that the meetings started at 5pm. They reoriented the agenda so that any confidential items were at the front of the meeting, so the community would be excluded, and meetings would go on until three, four in the morning on some occasions, with no community input and no media reportage.

What we saw was a level of government that is so closely connected with the community really being cut out from any contact with the community because these meetings were suddenly being set up to be endurance exercises. As a local councillor it was deeply disappointing, because I would work a full day at work, I would turn up to a meeting and I would be stuck in meetings until two or three in the morning with an empty gallery where no-one in the community was able to take part. That was a Team Adelaide-Alexander Hyde innovation. So I have proposed that instead we mandate once a fortnight so that these meetings can occur on a normal frequency and within a normal timeframe.

That is a summary of my amendments. I hope that some of these will be considered positively as a way of improving this legislation and ensuring that we learn from some of the mistakes that have been made in the past.

*Parliamentary Procedure***VISITORS**

The PRESIDENT: Before I call the Hon. Ms Lee, can I welcome the Friends of Yorketown Hospital in the President's gallery today as guests of the member for Narungga, Fraser Ellis.

*Bills***STATUTES AMENDMENT (LOCAL GOVERNMENT ELECTIONS REVIEW) BILL***Second Reading*

Debate resumed.

The Hon. J.S. LEE (12:12): I rise to make some remarks about the Statutes Amendment (Local Government Elections Review) Bill 2025, which introduces a range of reforms to improve the integrity, transparency and accessibility of local government elections in South Australia. The bill responds to serious concerns raised during the 2022 council elections, including illegal voting in the City of Adelaide. It also reflects recommendations from the Electoral Commissioner's report and follows extensive consultation with councils and the community.

Importantly, the bill strengthens campaign finance transparency. It simplifies the donation disclosure process while increasing accountability. All candidates, whether new or incumbent, will follow the same rules, with donations over \$500 to be disclosed within five days. A final summary return will be required after the election and noncompliance will result in suspension rather than triggering costly by-elections. This is a practical and fair improvement that gives voters clearer insight into who is funding campaigns.

The bill also introduces important changes around scrutineer conduct and candidate visibility. It empowers councils to host public meetings for candidates to improve voter engagement, which can be hosted virtually or in person. These meetings are required under the act, but councils can choose not to hold them, providing they explain that decision to their community. The bill seeks to restore public confidence by aligning local voting eligibility with state and federal standards, requiring all voters to be enrolled on the House of Assembly roll. I agree that these are practical steps that will help strengthen democratic engagement and improve the voter experience.

However, I also want to acknowledge two very important concerns raised by stakeholders: first, the timing of the Electoral Commissioner's report. The 2022 local government election report was not released until well into the current cycle, leaving limited time for councils to review, consult and implement reforms ahead of the next election in November 2026. The LGA has rightly suggested that future reports be required within a set timeframe, such as 14 months after each election, to allow for timely and meaningful reform. This would give councils the certainty they need to train staff, inform candidates and engage the public well in advance.

Secondly, I would like to reflect on the specific concerns raised by Ethan White, Deputy Mayor of the Town of Gawler, who wrote to me expressing his support for the bill's intent but also his very deep reservations about restricting voting rights to Australian citizens. His letter reminded me that local government is often the most accessible and inclusive level of democracy, where people from all walks of life and all cultural backgrounds—including permanent residents and international students—contribute meaningfully to civic life.

Many councils, especially in the CBD, rely on supplementary rolls that include non-citizen residents and property owners. In the City of Adelaide, for example, more than half of the voters are on the supplementary roll. I have direct interactions with many of these individuals. They may not be citizens but they pay rates, they run businesses, they employ staff, and they belong to sports or charitable organisations as well as clubs such as Rotary and Lions. They are part of the everyday life of their communities. In places like Chinatown or out in the Northern Adelaide Plains in towns like Virginia, I know permanent residents, business owners and farmers who have voted in local elections for years. Under this bill they will lose that right.

We must then ask the question: is citizenship the only measure of civic contribution? While proxy voting remains an option for non-natural entities, it is tightly restricted. The nominated proxy

must be a designated officer of the entity or group, must already be enrolled on the House of Assembly roll, and cannot be voting elsewhere in the same election. These conditions make it difficult for many small business owners, especially family-run operations, to identify a suitable proxy.

For members of culturally and linguistically diverse communities, these limitations add yet another level of complexity. Many permanent residents, some of whom have lived here for decades, may struggle with written English or navigating formal nomination processes. Taking away their direct voting rights and asking them to navigate a complex proxy process risks silencing voices that are already under-represented in our democracy.

While the intention is to protect electoral integrity, we must be cautious not to unintentionally exclude those who are deeply embedded in our community and who are contributing greatly to building our inclusive society. This is not just a technical change; it is a cultural shift. It risks sending a message that only citizens count, even in the spaces where community connection matters most.

I do support the bill's passage, but I do so with a call for ongoing review and dialogue. We do not want to fix one problem and then create a different problem where permanent residents do not feel as valued or as respected as Australian citizens. We must ensure that our efforts to protect democracy do not inadvertently narrow its reach.

I want to indicate my support for the government's amendments, as I understand those amendments are largely technical in nature and are based on requests and consultation with ECSA, Adelaide City Council and the LGA. I would also like to indicate my support for some of the amendments proposed by the Hon. Robert Simms, specifically:

- to include an option for local government members to opt in to use PAYG for allowances paid to local government members;
- that the names of each nominee be published prior to the close of nominations; and
- where candidates are pooling their campaign funds for the purpose of campaigning, they must disclose this and the disclosure must be made to the returning officer.

Those are the three specific amendments that I am ready to support. Sorry, the Hon. Robert Simms, I will be opposing the lower voting age amendment, which I already explained to you.

On this note, I also want to show my appreciation to the Hon. Robert Simms, because I believe that he has extensive knowledge and experience in local government governance structures and his proposed amendments are very sensible. He indicated to me also that the government are more likely to support those amendments as well. I will be considering the amendments moved by the opposition very closely during the committee stage. With those words, I commend the bill.

The Hon. J.E. HANSON (12:20): I rise to speak on this bill. The bill will amend the Local Government Act 1999, the Local Government (Elections) Act 1999 as well as the City of Adelaide Act 1998 to make a range of improvements to local government elections and participation in councils. The bill is a culmination of a significant amount of public consultation both within the local government sector and, indeed, the broader South Australia community.

At the request of the former minister for local government, Geoff Brock, the Office of Local Government conducted a statewide consultation to give the community an opportunity to provide feedback on a series of ideas and suggestions about how communities can better engage with their local councils throughout a council term, and particularly, specifically to here, at election time. During this consultation period, 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, as well as a further 406 surveys completed on YourSAy containing 54,000 individual comments—fantastic. There were exactly 54,000; is that not amazing?

The Local Government Association was consulted on the proposed reforms. The Office of Local Government has also undertaken officer-level discussion with the LGA on the reforms and the draft bill. The LGA is, I am told, 'principally supportive' of the proposals in the bill and looks forward to 'appropriate legislative change that improves the transparency, integrity and efficiency of local government elections', and who could not support that?

The most significant reform in the bill is to require all voters to be on the House of Assembly roll as a state elector. This will require all voters to be Australian citizens while simultaneously

retaining the property franchise entitlements and ensuring the integrity of the election process. The amendment has been proposed in order to increase the integrity of our local government elections following feedback received from the local government sector and a review of voting irregularities at the 2022 periodic elections.

The proposed amendments are intended to provide greater assurance to our community that only those who are entitled to vote at local government elections exercise those rights. Recent findings by 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 entitlements as residents of an area. It appeared that these city residents were targeted both for enrolment and for the use of their ballot papers—how very naughty.

Ultimately, these legal practices resulted in the removal of four members of the City of Adelaide but also eroded the confidence that voters have in the integrity of these elections. As other speakers have already stated, this must be addressed. The bill therefore proposes that all voters in South Australian council elections must be enrolled in the House of Assembly roll for South Australia, as is already the case in state and federal elections. This is a change that reflects wider community expectations of who should vote in elections for all Australian governments, namely, of course, Australian citizens.

Councils will need to check that voters applying to enrol to exercise their property franchise entitlement, or in the City of Adelaide where property franchise holders are currently automatically enrolled, have nominated a person to vote who is, of course, on the House of Assembly roll. This will ensure that all people receiving ballot papers are Australian citizens, rather than relying on the returning officer—hopefully, not just one—to determine this based on a declaration on the ballot envelope when it is returned.

Another significant reform is the new system for the management of campaign donations returns. This new system is both significantly simpler for candidates to manage and places much greater emphasis on disclosure of gifts and donations during the election campaign to better inform voters.

Additionally, the bill requires councils to hold a public meeting to enable candidates to speak to voters, again, to maximise the opportunities for voters to know more about the people who want or propose to represent them. This proposal is in response to 84 per cent of submissions indicating agreement (45 per cent) and strong agreement on the YourSAy survey on whether greater efforts should be made to provide platforms, such as online meetings and question and answer sessions, for candidates to share their views or indeed their experiences.

While the bill allows councils not to hold these meetings if they decide this in the context of their caretaker policies, the principal member, that being the mayor, will also be required to certify the reasons why their council has made such a decision if they do so. This sets the expectation that these reasons, of course, must be genuine.

Given the importance of information about their candidates to voters, the government also intends to make a regulation that will require candidates to disclose if they have been the subject of an adverse finding from an independent integrity body, such as, for instance, the Behavioural Standards Panel, the Ombudsman or indeed, hopefully not, the ICAC. This will be the subject of further consultation with the sector prior to the new regulation being enacted. It is important that voters are aware if someone standing for council has previously breached behavioural or integrity standards in their role as a council member.

Other reforms in the bill to improve local government elections are:

- requiring the Electoral Commissioner to publish numbers of nominations received as soon as practicable (e.g. not waiting until the close of nominations) to reduce insufficient nominations or uncontested elections—nominations being published as soon as they are received had 74 per cent agreement on the YourSAy survey: 32 per cent agreed and 42 per cent strongly agreed;

- requiring councils to make a small allowance available to council members through reimbursement for publication of material associated with community engagement activities;
- enabling a trial of pre-poll locations for voters to drop in and vote for a supplementary election held between 2026 to 2030 to establish whether the benefits of an additional voting method actually warrants its broader adoption;
- introducing standards of conduct for scrutineers and offences with penalties for obstructing the exercising of electoral duties and prohibiting people and groups from misleading or deceiving electors in relation to how they should mark their ballot papers and/or exercise their vote in line with similar requirements which currently exist in the Electoral Act 1985; and
- amending the regulation of advertising posters, commonly known of course as corflutes—how disgusting those things are—in local government elections to provide for consistency with state and federal elections as and indeed where it is possible.

The government also intends to amend the regulations to increase the availability of assisted (telephone) voting to all people with a disability. Situations where councils have interactions with the state government was also another matter that was looked at in this bill.

The state government has a responsibility to ensure that council elections are run with integrity and efficiency and to engage with the Electoral Commissioner of South Australia to make sure that happens accordingly. The legislation should support the unique characteristics of local elections, including the property franchise and the postal voting system, but also provide local elections with the same level of assurance and trust as state elections; hence the change to require that all people voting in their council be Australian citizens.

The Office of Local Government provides advice to the Minister for Local Government. This includes advice on the operation of the Local Government Act 1999 and indeed any related legislation. The Office of Local Government also consults with councils and provides policy and other advice on the constitution and operations of local government, particularly the legal framework for councils' operation.

The bill includes a number of measures to improve the efficient delivery of local government elections and the integrity of council elections. The bill will provide local elections with the same level of assurance and trust as state elections and give voters confidence that they are electing suitable representatives for their community.

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 kinds of people they are. In the context of the 2022 elections when 1,256 candidates stood for 184 contested positions, 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 the local government level for the next four years. This bill includes a requirement for councils to hold a meeting to enable candidates to speak to voters to maximise the opportunities that voters have to know more about the people who want to represent them.

Another critical matter for voters' information is the disclosure of campaign gifts and donations received by candidates. This bill includes significant changes to the current system for campaign donation returns and disclosures that will be simpler for candidates to manage and require more active disclosure. A system that is both easier to comply with and provides more information to voters when they need it most is a much-needed improvement and an important part of good elections.

Given the importance of information about candidates to voters, the government intends to make a regulation that will require candidates to disclose if they have been the subject of adverse findings by the Ombudsman, the ICAC or the standards panel. It is important that voters are aware if someone standing for council has previously breached integrity standards in their role as a council member. With that, I think we can move along with all agreeing with each other.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (12:31): I would like to thank all honourable members who have

made a contribution to the debate on this bill: the Hon. Ben Hood, the Hon. Rob Simms, the Hon. Ms Lee and the Hon. Mr Hanson. I think there are a number of discussion points that will be brought up in terms of the amendments, and I will leave my commentary on those until that time. I thank all members for their indication that they will support the bill and I look forward to the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 and 2 passed.

Clause 3.

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

Amendment No 1 [Simms-1]—

Page 3, after line 9 [clause 3, before subclause (1)]—Insert:

(a1) Section 4(1), definition of *designated person*—delete 'majority' and substitute '16'

This is one of a range of amendments that give effect to the intention to make voting optional for 16 and 17 year olds. I will treat this first amendment as indicative and I will not move the others if this amendment is not successful.

The Hon. C.M. SCRIVEN: This relates to the amendments intended to allow for 16 and 17 year olds to vote in council elections. Certainly, the government appreciates the member's commitment to furthering the interests and viewpoints of young people in our state, and we certainly agree that our civic life is stronger when we have the enthusiastic participation of young South Australians.

That is why our government has invested in civics and citizenship education to embed opportunities for young people to learn about our democracy and participate in activities that engage them both in school-based and wider activities, including the Active Citizenship Convention, to put their knowledge into practice; however, the government believes there is no compelling case for the age of entitlement to differ in local government to that which applies consistently across all state and federal elections.

The government also has some concerns around adding complexities to creating the voters roll for council elections, particularly at a time when changes will be needed to these processes to apply the state elector test and assurance. They are the reasons the government does not support this amendment and the others that the member has put forward in regard to 16 and 17 year olds voting.

The Hon. B.R. HOOD: I also rise, as I indicated in my second reading speech, to say the opposition will be opposing these amendments from the Hon. Rob Simms. Like the government, we do acknowledge his commitment to lowering the voting age, whether it be from a local government perspective or on a national level. We all share the same concerns as the government with regard to how that may be implemented, and we see no compelling evidence to lowering the voting age.

Engaging with young people and talking about local, state and federal government is a very important thing that we should do as elected members, and something I have certainly done over a number of years of being both in local and state government. Again, we will be opposing these amendments.

The Hon. C. BONAROS: I was going to say I am sorry to disappoint the member, but I am not actually sorry to disappoint him on this occasion, other than to indicate that I will not be supporting this amendment. I think the minister has actually raised a good point. In terms of the journey ahead, and what we still need to do to ensure an appropriate level of education all round—not just with young people but with voters overall—and civics education plays a critical factor in that.

I think that is a starting point with young people. We have to this point, to a large extent, failed on that front, so I think before we jump the gun and start talking about 16 year olds voting we

do everything we possibly can to ensure that by the time kids reach 18, they have a solid foundation in civics education. I look forward to seeing that expanded. It is on that basis, not because young people vote for the Greens, that I will not be supporting the amendment.

Amendment negatived.

The Hon. B.R. HOOD: I move:

Amendment No 1 [Hood-1]—

Page 3, line 11 [clause 3(1)]—After 'elector' insert 'or otherwise an Australian citizen'

These and subsequent amendments are about a base philosophy that if you are an Australian citizen and you own a property in a council area you deserve the opportunity to have a say in the election area. Under the government's bill, the property owner in a council area who happens to live interstate does not have the right to exercise a vote in the local government elections.

This is especially pertinent in border communities such as mine. You could have a farmer who owns significant farming land, for instance, but happens to live on the other side of the Victorian border not able to have a say in the election, which would elect councillors who are making decisions to affect the amount of rates that are being paid, or the services that are being delivered.

We believe it is a right for Australian citizens who are landowners to have their say in local government elections, and that is why we have put forward these amendments and subsequent amendments, which will be contingent on whether this one gets through or not, or if they are supported at all. We have deliberately not been prescriptive in the amendments, though, with regard to the most appropriate mechanism for this to be achieved with regard to relying on the HOA role, and that could also be, obviously, included in the subsequent regulations.

The Hon. C.M. SCRIVEN: I have a question for the mover: when he refers to not specifying which mechanism, can he give an indication of what type of mechanisms might enable that checking of Australian citizenship that could be chosen from?

The Hon. B.R. HOOD: I thank the minister for her question. As I said, we have not been deliberate in the prescription of the amendment, and that appropriate mechanism will obviously be teased out in subsequent regulations, but it could be a reference to the House of Assembly's role in terms of the determining of whether someone would be an Australian citizen or not.

The Hon. C.M. SCRIVEN: The government has taken the approach of requiring all voters to be state electors—that is, enrolled here to vote for the South Australian parliament—for two key reasons. The first is that we consider it entirely appropriate for a person voting for a South Australian council to be sufficiently invested in this state to also be on the role to vote for this parliament.

The second is that by requiring enrolment on the House of Assembly roll there can be the right degree of assurance that all people applying for enrolment have an entitlement to be enrolled and therefore vote in their council election. This is critical in council elections due to the inclusion of the property franchise and the need for the supplementary roll to enrol people with this entitlement.

Applications for the supplementary roll are made to council CEOs, who have the responsibility to check the relevant entitlements before enrolling that voter. Council CEOs have no way to reliably check for Australian citizenship, hence my question to the mover of this amendment a moment ago. However, they can check for enrolment on the House of Assembly roll, as this bill proposes that the Electoral Commissioner will be required to provide the information to enable this check to occur.

Without this check available to them, CEOs would potentially be relying on a declaration on an application form that the person applying is an Australian citizen. For example, in relation to this clause there would be no reliable way for a council to check that a designated person who will be receiving ballot papers on behalf of a group or body corporate is actually an Australian citizen. It is therefore quite likely that ballot papers could be sent to people who have no entitlement to vote.

This would also result in a reliance on checking a declaration of citizenship on the ballot paper envelope, which would be quite difficult to do. Ironically, this could potentially mean that a measure intended to increase the security of council elections would actually place it at greater risk, and for that reason the government will not be supporting this.

The Hon. R.A. SIMMS: I had an open mind on this amendment but, having heard the explanation from the mover and the minister, I am persuaded that this is not a good idea. I will not be supporting the Liberal's amendments.

The Hon. C. BONAROS: I too will not be supporting this amendment, based on the information that has been provided by the minister. I am sorry to put a knife through your heart, the Hon. Ben Hood—

An honourable member interjecting:

The Hon. C. BONAROS: No, I am not sorry for that either. On a very serious note, I also take on board the feedback that I understand the government has sought from ECSA in relation to this about the impractical nature of this sort of proposal, particularly in terms of not being able to check interstate registers to determine the validity of the individual voting. I think there are a number of reasons there why, whilst the opposition might think this amendment is good in principle, it does not actually work in practice.

Amendment negated; clause passed.

Clauses 4 to 8 passed.

Clause 9.

The Hon. R.A. SIMMS: I did indicate that I would not be progressing with the amendments that related to the voting age right after the first amendment, so I will not be progressing with amendment No. 3 [Simms-1].

The Hon. D.G.E. HOOD: I have a question with regard to clause 9: can the minister explain, just under the amendments here for qualification for enrolment, how the government intends to advise voters who can no longer vote?

The Hon. C.M. SCRIVEN: My advice is that both the Local Government Association and ECSA would be involved in putting out information. I think the relevant point that the honourable member is making refers to those who would be voting under the property franchise, and in terms of the application to be the relevant person to cast that vote there is information that is provided and that would be included in there.

Clause passed.

Clause 10.

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

Amendment No 1 [PrimIndRegDev-1]—

Page 5, after line 1 [clause 10, before subclause (1)]—Insert:

(a1) Section 15(6)—delete 'three' and substitute '2'

This is a technical amendment requested by the Electoral Commission of South Australia (ECSA) to provide that the roll must be brought up to date within two weeks after the supply of relevant information by the Electoral Commissioner. I note that clause 10 of the bill will amend section 15(13) of the LGE Act to reduce the time in which the roll must be brought up to date from four weeks to three weeks, so that the roll is up to date when nominations close. I am advised that ECSA's request aligns the council's requirement to bring the roll up to date with ECSA's requirement to provide roll information seven days after the close of rolls.

Amendment carried; clause as amended passed.

Clause 11 passed.

New clause 11A.

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

Amendment No 6 [Simms-1]—

Page 5, after line 16—After clause 11 insert:

11A—Amendment of section 19—Manner in which nominations are made

Section 19(2)(b)—after 'that' insert:

contains a statement of the name of each eligible political party (as defined in section 36(1) of the *Electoral Act 1985*) of which the candidate is a member and

This is the first amendment in relation to the requirement that the political party membership of a candidate standing for local government be included in the electoral material. I understand from feedback I have received that this will not have support. I will put it and test that, but then I will not move the associated amendment if it is not successful.

The Hon. C.M. SCRIVEN: The government appreciates the member's concern that voters are aware of the candidates' political party membership, but this information is available to voters, as it must be disclosed in each candidate's profile. Further, these profiles are included in the ballot pack that is mailed to each voter along with the ballot paper for the voter to complete. Therefore, it is considered that information about political party membership is readily available to each voter when they consider who they will vote for.

There are also some real concerns across the local government sector and more broadly about the party politicisation of councils, or the potential for that. I think in general it is fair to say that councillors are seen very much as community representatives rather than party representatives, and most council members are independent of any formal party membership.

It is important to strike a balance between providing information that is critical to voters, including membership of political parties, and making council elections focused on the role of political parties, which I do not think would be a desirable outcome. Including information about candidates' party membership in their profiles but not on the ballot paper itself strikes this balance.

In addition to that, I understand that this is a new proposal. There has not been an opportunity to consult with the sector or with the Electoral Commissioner to understand any impacts that this could have in preparation for the 2026 council elections. Therefore, the government does not support this amendment.

The Hon. B.R. HOOD: Similar to the government, we will not be supporting this amendment, given there is a requirement for a candidate for local government elections to declare their political party or any membership thereof, which will be included in the brochure that accompanies the ballot, which we think is sufficient.

The Hon. C. BONAROS: I will not be supporting the amendment.

New clause negatived.

Progress reported; committee to sit again.

FIREARMS (DIGITAL BLUEPRINTS FOR 3D PRINTING) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 October 2025.)

The Hon. D.G.E. HOOD (12:50): I rise to speak briefly in support of this bill on behalf of the opposition. This proposed legislation, which seeks to prevent the proliferation of digitally distributed blueprints for 3D printed firearms, is indeed welcomed by the opposition. Our parliament has a responsibility to ensure state legislation keeps up with evolving technologies and to keep community safety as the utmost priority.

I am aware that there have been at least 14 cases in the last year of such blueprints being in the possession of individuals, which were twice as many incidents than in the previous 12 months. It clearly has been a growing concern and one which needed to be addressed as a matter of urgency, and the opposition takes this opportunity to commend the police on the excellent work they do in discovering this in the community.

Enabling the capacity for firearms with no serial numbers to be created by 3D printing is in fact very troubling and, although the opposition is naturally pleased this legislation is now being rushed through the parliament, we are surprised this bill was not introduced much sooner. In fact, I.

note in the media release from the state government back in February 2024 that the then Minister for Police said:

We know how much damage a single person with a firearm can do. We can't allow these weapons to fall into the wrong hands...Our government is committed to staying ahead of the curve to protect community safety and ensure criminals have nowhere to hide.

That was of course some 20 months ago now and, as I mentioned earlier, within that period there were probably 20 or so known cases of people in our state possessing blueprints to make dangerous weapons virtually undetected. We, therefore, certainly would have liked to have seen this legislation introduced at the earliest opportunity.

With respect to the details of the bill itself, the maximum penalty of up to 15 years in jail or a \$75,000 fine for the possession of a computer or data storage device holding or containing such a blueprint, possession of a document in which the blueprint is recorded or control of the blueprint is, in our estimation, sufficient.

SAPOL is understandably supportive of this bill as we understand it, and we trust the measures provided therein will assist our hardworking police with early intervention against criminal elements who may intend to engage in unlawful firearms manufacturing. This bill will undoubtedly make that harder for them. In the interests of the people of this state, we cannot afford to delay the enactment of these laws any longer, and for that reason the opposition supports the bill.

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (12:53): I thank members for their feedback and appreciate the importance of this bill that we are debating today and look forward to its moving into the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. D.G.E. HOOD: Just very briefly, I indicate that the opposition is supportive of all clauses of this bill. We do not have any amendments, and we hope that this is a useful, further tool for our excellent police force to do the work that they do.

The Hon. C. BONAROS: I echo all those sentiments and look forward to the swift passage of this bill.

Clause passed.

Remaining clauses (2 to 3), schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (12:55): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Sitting suspended from 12:56 to 14:16.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

The Hon. R.B. MARTIN (14:16): I bring up the 74th report of the committee, 2022-25.

Report received.

*Parliamentary Procedure***PAPERS**

The following papers were laid on the table:

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

Reports, 2024-25—

Ceduna District Health Services Health Advisory Council Inc
Eudunda Kapunda Health Advisory Council Inc
Far North Health Advisory Council Inc
Hawker District Memorial Health Advisory Council Inc
Kangaroo Island Health Advisory Council Inc
Lower Eyre Health Advisory Council Inc
Naracoorte Area Health Advisory Council Inc
Penola and Districts Health Advisory Council
Southern Flinders Advisory Council Inc
Stormwater Management Authority
Veterans' Health Advisory Council

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

South Australian Government Response to the recommendation by the Natural Resources
Committee Inquiry into
Commercial Seaweed Production in South Australia

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

Board of the Australian Criminal Intelligence Commission, Report—2023-24
Reports, 2024-25—
Carclew Inc
Child Death and Serious Injury Review Committee

*Question Time***ALGAL BLOOM**

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:18): My questions are to the Minister for Primary Industries and Regional Development regarding the Senate Environment and Communications Reference Committee report entitled 'Algal blooms in South Australia'.

1. Does the minister agree with all the findings of this report?
2. Does the minister accept all of the recommendations of this report?
3. Can the minister inform the chamber of when the South Australian public can expect those recommendations relating to the state government to be actioned and implemented?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:19): I thank the honourable member for her question. The government is of the view, and the Premier has said publicly, that there is some merit to some of the recommendations. He particularly referred to the one in regard to having a national framework for when events such as an algal bloom may occur in the future.

Because of the challenges that we have with our climate, it is more and more likely that we will have significant events. An algal bloom is but one example of that. When such a significant event occurs—albeit that it may be potentially in one state or territory or directly affecting one state or territory but be of a much broader implication—then it does seem entirely appropriate that there should be some framework in place. That was one of the key recommendations which we are certainly keen to hear more about.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:20): Supplementary: what recommendations do not have merit, given the minister stated the Premier suggested that some recommendations have merit?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:20): At this stage there hasn't been an official response to the Senate inquiry from the state government. At this stage I am not aware of whether there will be one forthcoming and, if so, when that will be. As we consider the report—which was, after all, only released yesterday—we will be able to have a combined position on that.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:20): Supplementary.

The PRESIDENT: Supplementary question arising from the original answer.

The Hon. N.J. CENTOFANTI: I'll try. When will the government have a position on the recommendations of this report? It is from the original answer; there are recommendations.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:21): No, I didn't talk about a formal response in my original answer.

Members interjecting:

The PRESIDENT: The Hon. Ms Girolamo, I agree it is a very important issue; I don't agree it is a supplementary question. The honourable Leader of the Opposition, it was a very nice try. Try your second question now.

The Hon. C.M. Scriven: She's only new.

The PRESIDENT: Order, minister!

The Hon. N.J. Centofanti: I learn a lot quicker than you.

The PRESIDENT: Order! I don't think that was a question.

REGIONAL ROADS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:21): My question is to the Minister for Transport and Infrastructure regarding regional roads. Did the minister make a submission to the federal government's consultation process on the regulatory impact analysis to reduce the open road default speed limits, and what is the minister's position regarding the proposed changes from a South Australian context?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:22): I thank the member for her question. As she has highlighted, this is a federal review. It is a process that is available for anyone to be able to participate in and it is one we look forward to seeing the outcomes of.

REGIONAL ROADS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:22): Supplementary: has the minister contributed to this process?

The PRESIDENT: Yes, I will allow that.

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:22): I have had a number of conversations with people and will continue to have those.

REGIONAL ROADS

The Hon. B.R. HOOD (14:22): Supplementary: did the minister make a submission to this process?

The PRESIDENT: You can answer it if you want, but I don't think it is a supplementary question arising from the original answer.

Members interjecting:

The PRESIDENT: Did I ask you to have a conversation with me?

The Hon. B.R. Hood: No, sir.

The PRESIDENT: Right. The honourable Leader of the Opposition, your third question, please.

REGIONAL ROADS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:22): My question is to the Minister for Transport and Infrastructure regarding regional roads. Did the minister make a submission to the federal government's consultation process on the regulatory impact analysis to reduce the open road default speed limits?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:23): As I said earlier, there have been a number of conversations regarding this particular matter. I am happy to look into that further.

REGIONAL SHOWCASE AWARDS

The Hon. J.E. HANSON (14:23): My question is to the Minister for Primary Industries and Regional Development. Will the minister speak to the chamber about the winners of the South Australian Regional Showcase Awards?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:23): I thank the honourable member for his question. Yesterday I spoke in this place about the Agricultural Town of the Year, which was announced last week at the South Australian Regional Showcase Awards celebration at LOT.100 in the Adelaide Hills. However, as I alluded to yesterday, that was not the only award announced that evening. There were also the winners of the 2025 Regional Showcase Awards, delivered by Solstice Media and InDaily, for which the government of South Australia, through PIRSA, is proud to once again be the presenting partner.

These awards are particularly important because they celebrate stories that feature the strength and innovation of our state's regional communities. There are six categories of awards, all featuring different, important regional stories and bringing to light the creativity and sense of community that exist in regional areas. The six categories are Regional Resilience, Business Innovation, Meaningful Connections, Community Empowerment, Lifelong Learning and the People's Choice Award.

The Department of Primary Industries and Regions sponsors the Regional Resilience Award, which recognises the extraordinary lengths regional communities go to against all odds to regroup and to rebuild. The well-deserving winner of the Regional Resilience Award in 2025 was 'Restored paddle steamer set for River Murray return'. This story was about the 118-year-old paddle steamer, *PS Canally*, in the Mid Murray, which has been carefully restored by volunteers over 15 years. The restored vessel includes a galley, bathroom and an old-fashioned wood stove and is set to become a tourism drawcard. The story is a standout example of regional community and volunteer-driven resilience, and I am pleased that it was publicly recognised and celebrated at the awards last week.

The winner of the Business Innovation Award was 'Riverland distiller releases Australia's "oldest" bottled spirit'. This recognised the creativity and business nous of regional people. St Agnes Distillery, based in Renmark, has made 500 bottles of 50-year-old brandy to celebrate 100 years as a distillery. The spirit was distilled in the 1970s and has been sitting in an oak barrel since, blended and bottled over the past year in time for the special anniversary. A bottle will set you back \$4,800, which the owners, the Angove family, claim is one of the most expensive of its kind in Australia. However, it is clearly a very special item.

'Australia's best men's shed is in the Adelaide Hills' is the story that won the Meaningful Connections Award. The Macclesfield Men's Shed was recognised as Shed of the Year at a national gathering of the Australian Men's Shed Association held earlier this year. I am advised the first men's shed was established in 1993 in Goolwa, which has expanded to now more than 1,200 sheds nationwide with over 50,000 participants. Men's sheds, I am sure we all would agree, are an

important part of the community and wellbeing, not just for the men who participate. The Macclesfield shed provided mentoring to children at a local school, who designed woodwork projects, and the men's shed assisted them in building their designs.

The Community Empowerment Award was won by volunteers preserving SA's rural history. This was another Riverland story, about the Loxton Historical Village, with 45 replica buildings and displays, including a school, a general store, a blacksmith, Loxton's first newspaper, a church and a telephone exchange. The village was under threat in the 2022-23 River Murray floods, and dozens of local volunteers packed memorabilia into boxes and relocated the items to higher ground. Despite the existing levee being extended to protect the village, water did seep into underground power cables and damaged some buildings, forcing the village to close for several months to allow for repairs. Since the flood nearly three years ago, volunteers have dedicated time to boost the profile of the village and encourage tourism.

A regional scholarship and mentoring program for women in the Mid North won the Lifelong Learning Award, celebrating the important work of Cassie Fuller and Kelly Kelly, who are showing other women that it is possible to have an incredible career in regional areas. Neither woman is a stranger to starting their own regional business, with Ms Fuller the creator behind the co-working space Gleeson Collective in Clare and Ms Kelly the principal solicitor at Kelly Kelly Legal in Jamestown. The StartHer Scholarship will provide one woman with 12 months of mentoring as well as 12 months' access to a hot desk at Gleeson Collective.

The final award is the People's Choice Award, which is particularly special because, clearly, it is voted on by the public. This year it was won by 'Outback caterer to the stars', run by Rachel Marcus, mainly cooking for film crews working in regional South Australia. The kitchen is in a 13.5-metre-long bus with the seats ripped out to ensure there is enough room for a commercial kitchen. Rachel took over the business in 2019 from her father, and travels across the state, including Coober Pedy, William Creek, Parachilna and Hawker. I encourage you all to read the stories about the incredible things people are doing across our regional areas. Congratulations to all the winners, and thank you for all that you do to ensure the success of our regions.

FOSTER AND KINSHIP CARE

The Hon. J.S. LEE (14:29): I seek leave to make a brief explanation before asking a question of the Minister for Primary Industries and Regional Development, representing the Minister for Child Protection, about outstanding needs for children in care.

Leave granted.

The Hon. J.S. LEE: I have been contacted by a foster carer who cares for a child with complex health, disability and palliative care needs. My office has been advised that the child has a number of urgent medical needs that remain unmet by the Department for Child Protection, including essential upgrades to medical equipment, reinstatement of in-home nursing support, and funding for GP services. Further advice to my office indicates that other children with complex needs under the guardianship of the chief executive also have outstanding requests for essential medical equipment, including wheelchairs and access to specialist services.

The lack of appropriate mobility equipment and specialist care places these children's health, safety and wellbeing at risk and limits their ability to participate in school and community activities. My questions to the minister are:

1. How many children under the guardianship of the chief executive of the Department for Child Protection have complex health needs, including palliative care requirements?
2. How many of these children currently have outstanding requests for essential medical equipment and support services?
3. What actions has the minister taken to investigate claims of unmet medical needs and what steps, if any, have been taken to resolve these issues?
4. Furthermore, will the minister commit to upholding the Charter of Rights for Children and Young People in Care and the Statement of Commitment to foster and kinship carers by actively working in genuine partnership with carers, ensuring provision of ongoing practical and financial

supports that are responsive to carers' needs and responding fully, appropriately and in a timely manner to carer feedback and complaints.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:31): I thank the honourable member for her questions. I will refer them to the minister in the other place and any information that can be provided will be brought back to this chamber.

FUNDING TRANSPARENCY

The Hon. S.L. GAME (14:31): 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 funding transparency.

Leave granted.

The Hon. S.L. GAME: Charles Sturt council will close public consultation on a proposed six and a half million dollars project at Jubilee Reserve in West Lakes Shore next week on 19 November. The proposal is being considered due to an exclusive and invite-only \$5 million funding commitment from Federal Labor MP to 'secure a home for the Adelaide Jaguars Women's Soccer Club'.

An *Advertiser* report from 12 October included quotes from the North West Junior Soccer Association chairperson, who said that one-third of the oval currently used by his association could be lost as a result of this upgrade, meaning that more than 400 primary school children would miss out on playing sport regularly.

Freedom of information documents show council staff called the plan 'gobsmacking' and a 'takeover' and said it would push out existing users. FOI documents also show the mayor and council staff were told by Mr Butler's office that 'making this happen is their number 1 priority', even though this project was not listed on any asset management plan or existing precinct master plan.

My questions to the Minister for Primary Industries and Regional Development, representing the Minister for Local Government, are:

1. Given community concerns from FOI documents giving the perception of political influence on council decision-making, can the local government minister explain if South Australian councils should have a role in electioneering on behalf of state and federal MPs and candidates and whether it is appropriate or permitted under legislation?
2. If they don't have a role, what action will the local government minister take to ensure more fairness and transparency within dealings between the different levels of government to ensure that any election commitments are in line with community needs and council-approved plans, rather than arbitrary choices of members of parliament or candidates?
3. Will the local government minister take these community concerns to Charles Sturt council or intervene to conduct a full review in line with section 270 of the Local Government Act before public consultation on this proposal closes?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:33): I thank the honourable member for her questions. There certainly seemed to be a lot of opinion in that question, but I am happy to refer it to the minister in the other place for any information that can be provided.

REGIONAL ROADS

The Hon. B.R. HOOD (14:34): My question is to the Minister for Transport and Infrastructure regarding regional roads. What is the government's position regarding the proposed changes to the federal government's regulatory impact analysis to reduce the open road default speed limits and does the government support lowering speed limits on regional roads?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:34): I appreciate that those opposite want to fast-forward to the end of this conversation, but, as you would be aware, this process is a federal government process. It is one that has enabled people to provide feedback and it is one that will, I dare say, be discussed at future ITMM committees that we have, where ministers get to come together to discuss such agenda items; this is the appropriate

forum to be having those discussions. There is a reason why the federal government has gone out and undertaken a review. I know that there are members who have participated, potentially, in that forum. I look forward to hearing that feedback and having that discussion at a state and federal level.

REGIONAL ROADS

The Hon. B.R. HOOD (14:35): Supplementary: what position will the minister be taking to the ITMM forums on behalf of the South Australian government?

Members interjecting:

The PRESIDENT: I call the Hon. Reggie Martin.

OFFICE FOR AUTISM

The Hon. R.B. MARTIN (14:35): My question is to the Minister for Autism. Will the minister please provide an update to the council on the Autism Awareness and Understanding training being rolled out by the Office for Autism?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:36): I thank the honourable member for his question and interest in training being delivered by the Office for Autism to build knowledge and understanding of autism. The Malinauskas Labor government is committed to helping make South Australia a leader when it comes to autism inclusion. That is why we established the Office for Autism in the Department of the Premier and Cabinet, placing autism inclusion at the heart and centre of government.

With approximately one in 70 Australians being autistic, and approximately one in four Australians having an autistic family member, it is important that we help build knowledge and understanding of autism, and the nation-leading Office for Autism is helping to do just that. Since its establishment, the office has been delivering its free Autism Awareness and Understanding training with overwhelmingly positive feedback.

The Office for Autism recently reached an important milestone in the delivery of this training: I am advised they have now trained more than 5,000 people. By the end of last month, I was advised that 5,836 people had participated in the training, with close to 4,000 of them being public sector employees. With the public sector being the biggest employer in South Australia, it means members of our largest workforce have new knowledge and understanding of autism and how they can better improve their workplaces.

The nation-leading training employs a strengths-based approach and covers what is autism, the myths and facts about autism, autistic strengths and strategies for autism inclusion. The training is designed to be easy and accessible, so it runs for just one hour, and attendees have the opportunity to ask questions of an autistic facilitator. The Office for Autism has developed the training through extensive consultation with the South Australian autistic and autism communities, and they have made sure it incorporates top research and information.

I am fortunate to have undertaken the training along with other members of this chamber. I have also had the opportunity to sit in countless training sessions with South Australians from all sorts of industries who are committed to supporting autism inclusion. A range of government and non-government workforces have participated in the training, including people working in health, education, construction, transport and more. The Office for Autism, with these different industries, has also tailored the training to suit the workforce.

Our government is committed to supporting South Australia to become the autism inclusion state. This is just a start, but it is the reason why more than 5,000 people across the health, education, community and justice sectors have now had access to this training.

SPEECH FUNDRAISING PROPOSAL

The Hon. R.A. SIMMS (14:38): I seek leave to make a brief explanation before addressing a question to the Attorney-General on the topic of a fundraiser in relation to a parliamentary vote.

Leave granted.

The Hon. R.A. SIMMS: Earlier this afternoon, InDaily reported that followers of Ms Joanna Howe are being 'encouraged to buy words for prices ranging from \$1 to \$70' in relation to a debate that is due to occur in the parliament this afternoon. Words and phrases are available to buy and, in her description of the game, Ms Howe states on her website (I am quoting from InDaily), 'the beautiful irony is that politicians will be inadvertently funding us every time they attack us'. My question to the Attorney-General is: is he aware of this fundraiser, and does it raise any concerns for him?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:40): I thank the honourable member for his question. I am aware of media reports today in relation to the matter the honourable member has raised. It would depend on a whole range of circumstances as to whether it is complying with, I think, the Lotteries Act and Regulations in South Australia.

I know, from previous things I have been involved in with my political party, particularly as state secretary of the Labor Party, that there are certain requirements around things depending on the value of the prizes: whether it is a major lottery and licences need to be applied for and certain information provided about that lottery, or whether it is a minor lottery, in which case, from memory, there are still administrative things you need to do to comply with lotteries schemes and legislation. I am happy to refer this to, I think, Consumer and Business Affairs to make sure they are aware of it.

REGIONAL ROADS

The Hon. J.M.A. LENSINK (14:41): My question is to the Minister for Infrastructure and Transport regarding regional roads. Why did the minister not make a submission to the federal government's consultation process on the regulatory impact analysis on behalf of regional South Australians?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:41): As I have said, this is a federal review, one where there is an opportunity for the federal government to go out and collate this information. As I have stated, there are opportunities then available at a discussion level where we can work through what that review process looks like, what the information is from that review. We can have a broader discussion at meetings like ITMM.

REGIONAL ROADS

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:42): Supplementary: why didn't the minister put in a submission to the federal government's consultation process, given the fact that whatever is decided will impact South Australians on South Australian regional roads?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:42): There is a reason the federal government undertook this review, to go out to the community and undertake a survey. Then, when you become a minister you get to go and join other ministers and you get to have a conversation about the findings, where you can have a say on behalf of the government, where we all discuss the issues that are happening around the country, things that may impact one community, things that may impact another community. That is where you have these discussions—

Members interjecting:

The PRESIDENT: Order!

The Hon. E.S. BOURKE: —not in the chamber, just because those opposite are asking them.

GO FOUNDATION

The Hon. T.T. NGO (14:43): My question is to the Minister for Aboriginal Affairs. Can the minister tell the council about the GO Foundation event that celebrated the foundation's Adelaide class of 2025?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:43): I thank the honourable member for his question and interest in this area. It was an honour to again attend the GO Foundation's event for the Adelaide graduating class of 2025 at the end of last month.

The GO Foundation was formed in 2009 by Sydney Swans players Adam Goodes and Michael O'Loughlin with their longtime friend James Gallichan. Their vision for the foundation is to create opportunities for young Indigenous people through the delivery of their scholarship program, focusing on culture and education.

Importantly, the scholarships offer more than just financial assistance. The foundation's approach ensures that students receive cultural support, mentoring, leadership opportunities, and fosters confidence and resilience. By focusing on education, culture and empowerment, the GO Foundation aims to create a brighter future for Aboriginal and Torres Strait Islander young people.

Since the foundation was established, it has grown into an Aboriginal-led and governed organisation that puts culture at the heart of achieving better outcomes for young Aboriginal people. To date, the GO Foundation has awarded over 1,700 scholarships for Indigenous primary, secondary and tertiary students in Adelaide, Sydney and Canberra.

This year, we celebrated 36 graduates across 13 South Australian schools. Graduates comprised of 14 year 6 students graduating from primary school, 19 year 12 students from high school and, very pleasingly, three university graduates this year. It was a pleasure to hear the personal stories and journeys of the students, ranging from year 6 up to the university graduates, and the role the GO Foundation has played in shaping their futures. Some of the aspirations included joining the police force, becoming a teacher and even one young aspirant who had an ambition to look at politics after being Minister for Aboriginal Affairs and Torres Strait Islander Nations in the Children's Parliament.

I was particularly pleased to hear a year 6 student speak of his pride in achieving 100 per cent attendance at school for the year. Importantly, each graduate spoke of the impact of education, and spoke to how access to resources such as laptops, school uniforms, Culture Connect Days and leadership programs has made a significant difference to their educational experience.

I would like to take this opportunity to thank the GO Foundation—the founders, the members of the board, those who work, those who help the students day in, day out—for their work in creating such opportunities, fostering pride in Aboriginal and Torres Strait Islander culture, and building a strong support network that extends to all alumni well beyond the years that they are involved while they are at school.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:46): I seek leave to make a brief explanation before addressing a question to the Minister for Primary Industries and Regional Development on the topic of algal bloom health advice.

Leave granted.

The Hon. T.A. FRANKS: Yesterday, the Senate report on the algal bloom in South Australia recommended at recommendation 8 that the South Australian government provide timely, clear and scientifically informed public health advice. Last week in *The Advertiser*, it was reported that, on the discovery of the newly identified brevetoxin that has been a critical part of the algal bloom impact on our coast and coastal communities, *Karenia cristata* has indeed been identified.

The Advertiser quotes, in that article of 6 November, Professor of Marine Science Gustaaf Hallegraeff as saying, and I quote him:

It's a major change in what we thought was the enemy. It's much more serious—it impacts the nervous system. We may have to adjust some of our human health responses.

Another marine scientist, Professor Mike Steer, is quoted in that same article as saying, and I quote:

It doesn't change the health advice at all, it just now gives us an easier name for us to identify.

My questions to the minister are:

1. What health advice has the minister, or her department, sought on the human health concerns regarding *Karenia cristata*?

2. Notwithstanding the apparent contradiction of these two quotes, why is a PIRSA executive commenting on health impacts and not the Chief Public Health Officer or a health spokesperson?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:48): I thank the honourable member for her question. In terms of the second question there, I expect we would all need to find out where Professor Steer was interviewed. If it was part of the Algal Bloom Taskforce and he was at the post-taskforce press conference and he was asked that question, then he obviously was responding in that capacity. Obviously, the government is always seeking to have the most up-to-date information and to communicate that to the public as soon as possible.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:48): Supplementary: what health advice has the minister and her department sought on the human health concerns regarding *Karenia cristata*?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:48): On the basis of the member's original question, I am sure she wouldn't expect the Minister for Primary Industries to seek health advice, but the health department will seek health advice.

Parliamentary Procedure

VISITORS

The PRESIDENT: I would like to welcome visitors from the United States participating in the Australian Political Exchange Council's 37th Delegation. I welcome: Hon. Kelly Gee, Secretary of the Commonwealth of Virginia; the Hon. Preston Blakely, Mayor, Town of Fletcher, North Carolina; the Hon. Alex Dallman, Member, Wisconsin State Assembly; the Hon. Meghan Lukens, Member, Colorado House of Representatives; the Hon. Emerson Levy, Member, Oregon House of Representatives; Mr Jayson Ronk, Vice President, Blue Cross of Idaho; Ms Katherine Brownlee, Senior Manager, Government Affairs and Public Policy, American Gas Association; and Mr Gilberto Soria Mendoza, Manager, Government Relations, Upstart. They are accompanied by Mr Connor Costello, Visits Coordinator of the Australian Political Exchange Council. Welcome, folks.

Question Time

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:50): Supplementary: when was the Department of Primary Industries and Regions first briefed on the presence of brevetoxins in South Australian waters, and when was this information shared with SA Health to inform timely public health warnings?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:50): I thank the honourable member for her supplementary question. In regard to brevetoxins, obviously we have been talking about those for many, many months.

The Hon. N.J. Centofanti: Have you?

The Hon. C.M. SCRIVEN: Brevetoxins, yes, we certainly have. I am sorry, I have actually forgotten the second part of the member's question.

The Hon. N.J. CENTOFANTI: When was that information shared with SA Health to inform their public health warnings?

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

STATE DEBT

The Hon. D.G.E. HOOD (14:50): I seek leave to make a brief explanation before asking the Minister for Infrastructure and Transport a question regarding the rising interest expenses referred to in the Auditor-General's Report 9 of 2025.

Leave granted.

The Hon. D.G.E. HOOD: The Auditor-General's Report 9 of 2025 states, and I quote verbatim:

Rising debt and interest costs, mainly due to the scale of the State's capital program, may limit the State's fiscal capacity to respond to economic challenges and its ability to deliver the same level of services in the future.

That is the direct quote from the Auditor-General. My questions to the minister are:

1. Is the minister concerned that the debt and interest costs of the capital program may limit our state's fiscal capacity to deliver services, as the Auditor-General asserts?
2. Secondly, what measures is the minister taking to manage the rising debt level?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:51): I think, when you look at the Auditor-General's Report, particularly in regard to our Torrens to Darlington project, they provide very little criticism. In fact, considering the size of that project, it was seen as being very well managed. This is, I think, a good reflection on the Department for Infrastructure and Transport.

They have a lot of projects underway; you are right. My understanding is that \$27 billion worth of projects are underway at the moment, that are important projects to our state. I don't know which ones you might be suggesting over there that we shouldn't be proceeding with, but the projects that we are looking forward to investing in are the ones that are currently underway that are going to make a substantial difference for our community, including the Torrens to Darlington, which is the state's largest project that we have had.

It is a substantial investment of \$15.4 billion and is finally going to finish off a connection that has been long talked about. It will enable us to have a nonstop freeway all the way from Old Noarlunga to Gawler. Yes, there are projects that we are doing in this state. They are important projects and ones we look forward to continuing to achieve.

STATE DEBT

The Hon. D.G.E. HOOD (14:53): Supplementary: in espousing the benefits of the projects underway, are you dismissing the Auditor-General's concerns?

The Hon. C.M. Scriven interjecting:

The PRESIDENT: Order!

Members interjecting:

The PRESIDENT: Order! We have guests from the United States. Do we need to carry on like this today? Minister for Primary Industries and Regional Development, do you want to answer the question, or will we go to the Minister for Infrastructure and Transport?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:53): I am happy to. I do apologise to our guests here today. In regard to the Auditor-General's Report, if I was to point to things, of particular concern to me was the highlighting of the issues raised by the contracts that we were left with as a government. The privatisation agenda of those opposite, who were able to craft contracts, has now left us to fix up the mess that they have created. This ongoing obsession with privatisation means that they are the ones who have left the concerns within our reporting that we have to go about and fix up, constantly fix up, the mess that you left us, and that is what is highlighted in that report.

The Hon. B.R. HOOD: Supplementary.

The PRESIDENT: No—you are not listening anyhow.

Members interjecting:

The PRESIDENT: Leader, I don't need your help.

UNMET NEEDS REPORT

The Hon. C. BONAROS (14:55): I seek leave to make a brief explanation before asking the Deputy Premier, representing the Minister for Health and Wellbeing in the other place, and in his

capacity as Deputy Premier in this place, a question regarding the unmet need for psychosocial supports.

Leave granted.

The Hon. C. BONAROS: The final inquiry report of the Productivity Commission's review of the National Mental Health and Suicide Prevention Agreement was publicly released yesterday. The report's findings reveal the flawed nature of the current agreement and the need for a new co-design policy architecture, with 26 recommendations for reform provided. Many of those recommendations will fall under the purview of the government's federal counterparts, but I will draw this chamber's attention to recommendation 2.2, and I quote:

Governments should immediately address the unmet need for psychosocial support outside the National Disability Insurance Scheme. State and territory governments, in consultation with primary health networks and the Australian government, should immediately prioritise commissioning services to address the unmet need for psychosocial supports outside the National Disability Insurance Scheme.

The Deputy Premier may recall that in June of this year a motion passed this chamber calling on the Malinauskas Labor government to provide a formal response to the findings and recommendations of the Unmet Needs Report by September 2025. It is now November 2025 and there has been no formal response to that call. My questions, therefore, are:

1. Is there an acceptable reason that the government has ignored the will of the parliament and failed to produce a response to the Unmet Needs Report?
2. Will the government finally provide a formal response to that report 2½ years after its publication now that a federal statutory authority has recommended it do so?
3. With less than two weeks now remaining in terms of sitting days, when can this chamber expect a response to something that we have all voted in favour of?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:57): I thank the honourable member for her questions. There is a peripheral nexus to my portfolios in that only in recent years have we included psychosocial hazards in terms of work health and safety laws and the need to provide a safe workplace for a person undertaking a business. In relation to unmet need in the health system, I am going to have to refer those elements on to the health minister, but I will be happy to do so and bring back a reply.

UNMET NEEDS REPORT

The Hon. C. BONAROS (14:57): Supplementary arising from the answer: with respect to the last aspect of that, when can this chamber expect a response to a motion passed in this place?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:58): I will have to consult with the health minister in the other place, but I will make sure I do so as soon as we possibly can.

WINE INDUSTRY

The Hon. R.P. WORTLEY (14:58): My question is to the Minister for Primary Industries and Regional Development. Will the minister inform the chamber about another outstanding global achievement in our state's incredible local wine industry?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:58): I thank the honourable member for his question. South Australia produces 80 per cent of Australia's premium wine and has 300 incredible cellar doors across the state. As South Australians, we are well aware how fortunate we are to have some of the world's premium wine regions in our own backyard, and it is always a pleasure to speak in this chamber about the many and frequent achievements of the South Australian wine industry on the national and world stage. I am pleased again to be doing so today.

McLaren Vale's Maxwell Wines has been crowned a global winner at the recent Great Wine Capitals 2026 Global Best of Wine Tourism Awards in Bordeaux, France. The Great Wine Capitals global network of world-leading wine regions include: Bordeaux, France; Bilbao-Rioja, Spain; Hawke's Bay, New Zealand; Lausanne, Switzerland; Mainz-Rheinhessen, Germany; Mendoza,

Argentina; Porto, Portugal; San Francisco, Napa Valley, the USA; Valparaiso, Casablanca Valley, Chile; Verona, Italy; and, of course, Adelaide, South Australia.

To win any award against wineries from renowned regions such as these—internationally renowned regions—demonstrates a world-class offering and Maxwell Wines has now etched its name alongside some of the great wineries of the world which have won a Global Best of Wine Tourism award. Judges for the prestigious award praised Maxwell Wines for raising the bar for culinary experiences in its cellar door, making its three-hatted dining accessible with the evolution of its snack menu, which sits perfectly alongside wine tasting experiences.

Six other Best of Wine Tourism award winners were also recognised on the global stage at the awards: for accommodation, Mount Lofty House, Adelaide Hills; architecture and landscape, Vinteloper, Adelaide Hills; art and culture, Wonderground Barossa; innovative wine tourism experiences, Bottle Shock, Adelaide Hills; wine tourism services, SA eBikes, McLaren Vale; sustainable wine tourism practices, Bottle Shock, Adelaide Hills; and, of course, Maxwell Wines which went on to take the Global Prize for Culinary Experiences.

Each of the six local category winners is in the running for the Global People's Choice Award, which will be open to public voting later this month. Congratulations to the local category winners. It is incredible to be recognised amongst your peers when we have such an incredible and world-class wine industry in our state.

I also want to take a moment to congratulate Ms Jo Collins, PIRSA's Executive Director of Industry Strategy and Partnerships, who was unanimously elected President of the Global Wine Network for the next two years. Jo has worked tirelessly over a long period of time championing our wine industry and will bring a great deal of passion and knowledge to the role of president. It is wonderful to see a South Australian leading from the front globally in such an important sector for our state. Once again, congratulations to Jeremy Maxwell and the entire Maxwell Wines team for your outstanding achievement on the world stage.

HEAVY VEHICLE INSPECTION SCHEME

The Hon. F. PANGALLO (15:01): My question is to the Minister for Infrastructure and Transport regarding heavy vehicle compliance cheques at Regency:

1. Can the minister advise the chamber what is the average wait time for compliance inspections for heavy vehicles, and what percentage of the issues identified during inspections are safety versus non-safety issues?
2. Can the minister advise what is the justification or evidence supporting the insistence on full inspections of heavy vehicles that have been issued with a particular defect, rather than simply checking that the defective component has been appropriately repaired or replaced?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:02): I thank the honourable member for his question. I am happy to look into this further. I am regularly having conversations with industry bodies like SARTA, which I am sure would also be discussing such matters that you have raised today in regard to those checks, and I am happy to continue to look into that further.

WARRIAPPENDI SECONDARY SCHOOL

The Hon. J.E. HANSON (15:03): My question is to the Minister for Infrastructure and Transport. Will the minister provide an update on the new home for Warriappendi Secondary School thanks to the largest infrastructure project in our state's history?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:03): I thank the honourable member for their question and interest in this project that will see students at Warriappendi making a fresh start on a new, bigger and better campus at Thebarton. As part of the \$15.4 billion Torrens to Darlington project, this renowned school for Aboriginal students has moved from Marleston just down the road to Thebarton. Warriappendi's new home is one of the many additional benefits of the Torrens to Darlington project, South Australia's largest infrastructure investment.

As many in the chamber may be aware, the T2D will complete the 78-kilometre north-south corridor, delivering a nonstop South Road and allowing motorists to bypass 21 sets of traffic lights. But its impact goes far beyond transport; it is delivering meaningful improvements to communities along the corridor.

A powerful example of this is the relocation of Warriappendi Secondary School, a unique and special school within our public education system that has enriched the lives of generations of young Aboriginal people. Established in 1983, the Warriappendi school had outgrown its former campus at Marleston, and now students and staff are embracing a new chapter in Thebarton in a more modern, purpose-built facility that reflects both the spirit of the school's past and its aspirations for the future.

The new campus accommodates up to 150 students and includes a yarnning space, cultural learning areas, STEM laboratories, a commercial kitchen, a modern library and a dedicated space for wellbeing, drama, music and the arts. A new 900-square-metre gymnasium and an oval are now complete, and the students have proudly remarked that the new gym could fit the entirety of their old school inside it.

After having had no grass at their old school up until just last year, they now have an entire oval, open green space and even a playground to enjoy. Previously, the school's library was just a single wall lined with books; now, students have access to a purpose-built modern library that has transformed the learning environment.

The impact has been felt not only by students but also by teachers, who are seeing a real difference it makes every day for these students. Located beside the River Torrens, the school's design was shaped through the close consultation with the community. The cultural design elements of the Aboriginal employment outcomes are prioritised, and the pride and the positivity shown by students is testament to the success of this collaborative approach.

Given the hard work of the leadership of Craig Bailey; Josephine, a proud member of the governing council; and all governing council members at the school, we want to say thank you for your time, particularly the governing council, who do not need to do these roles. They do it as volunteers and have made a significant difference and left a legacy for many to follow. This is an exciting new chapter, one that I know will help not only the current students but future students as well.

HAHNDORF BYPASS

The Hon. R.A. SIMMS (15:06): I seek leave to make a brief explanation before asking a question of the Minister for Transport and Infrastructure on the topic of River Road and Strathalbyn Road.

Leave granted.

The Hon. R.A. SIMMS: The government has recently initiated a diversion of heavy vehicles along River Road and Strathalbyn Road, which is having a significant impact on community amenity, particularly in the Hahndorf area. I also understand that this development has had a significant impact on local habitat. My question therefore to the minister is:

1. Has she considered the impacts of the diversion on traffic in Hahndorf, Mount Barker and other Adelaide Hills communities?
2. Has the minister considered alternatives?
3. Has she met with the community group that is advocating against this diversion and, if not, why not?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:07): I thank the member for his question. As you are well aware, this is a step the government took in October I think in 2023. As part of the Hahndorf township improvements and access upgrades, trucks over 15 metres in length we were redirecting away from the Hahndorf main street. This was something that had been called for from the community—is my understanding—and something the government stepped in to provide to get those 15-metre-long trucks out of the main street of Hahndorf.

My understanding is there are other options that are available for trucks to be taking. There are opportunities for them to use multiple roads, and one of them, I believe, is the one that you have mentioned. As you would be aware, I have been in this role now just for over a month and half. I am happy to have discussions with people about how that is working in the community.

I understand from the department level that signage was installed at the entrance to Hahndorf to remind trucks not to go into such a narrow street. We can all appreciate—we have all been to Hahndorf—it is a very, very busy street. It's not one that you would expect a 15-metre-long vehicle to be travelling down. So, yes, there are options that are available for them to be taking in that area, and I'm happy to have those discussions and continue them.

HAHNDORF BYPASS

The Hon. R.A. SIMMS (15:09): Supplementary arising from the answer: as part of those discussions, will the minister commit to meeting with the community group who are advocating for an alternative plan?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:09): As I said, I am happy to meet with people. I am happy for them to reach out and have those discussions. As I have said, there are a number of roads that people can take in that area; it is not just that council road that you have mentioned.

I am not sure what steps council are taking to also put up signage there. The people involved in council who might also be participating in this petition have a really clear role that they could be playing as well. I think there is definitely a level of engagement from multiple levels of government here, so if there are people involved in the petition who are from council, maybe they could be bringing it up at their level too.

TORRENS TO DARLINGTON PROJECT

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (15:10): I seek leave to make a brief explanation before asking the Minister for Infrastructure and Transport questions regarding the capital program referred to in the Auditor-General's Report 9 of 2025.

Leave granted.

The Hon. H.M. GIROLAMO: On page 4 of the report, the Auditor-General refers to the non-financial public sector capital program. I quote:

Given the historically large size of the capital program, even small percentage budget overruns could significantly impact the State's overall financial position...

The Auditor-General has stated that the risk of significant cost overruns and project delays for the capital program is high, given the following: the inherent challenges in managing very large-scale infrastructure projects in which the state has limited experience, such as the extensive tunnelling work involved in the T2D project; labour shortages; and that allowances made in project budgets may not cover increasing construction costs. My questions to the minister are:

1. What specific risk mitigation measures has the government put in place to prevent further budget blowouts and delays, particularly relating to the Torrens to Darlington tunnelling works?
2. Has the minister received briefings on the quantum of risk to the T2D project because of the current legal action between the AWU and the CFMEU regarding coverage of the project?
3. Is the current T2D project on time and on budget?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:11): You will have to forgive me because I don't know the exact name—I can't remember it offhand—but as we are purchasing quite a number of products from overseas, for the first time we have created a fund that accounts for that currency difference. That has already been able to save our government millions of dollars, I have been advised. When we are purchasing equipment from overseas we can accommodate for that currency difference. We have created a fund that we can call upon to support those purchases. That fund is there to support the alliance and those purchases but also to protect the government and taxpayers.

This is an initiative that we have taken. This is something that hasn't happened before because, as you have highlighted, these are big projects. This is the largest infrastructure project we have ever undertaken. We are putting in what I have been advised are new safeguards to help protect us when we are making those purchases from overseas.

There are many things about this project that I think are significant. We have purchased three tunnel-boring machines, which is an indication that we are not just having one tunnel-boring machine working at one time. Once they are all built and constructed they will be able to work at the same time, simultaneously, so that we can seek to reach that 2031 deadline for this project being completed.

This is a project that is travelling well. As you have seen already, parts of the tunnel-boring machine have started to arrive. The cutter head has been placed together and is being welded at this very point to be able to be ready for the other remaining pieces of that boring machine to arrive by the end of the year. There are a lot of moving pieces to this. This is a big project and one that is providing opportunities for our state to generate over 5,500 jobs during the construction period.

When it comes to the Auditor-General's Report, there are scathing recommendations that are there based on, again, those opposite with the projects that you have put in place. There are more concerning points that have been raised in regard to the backlog in maintenance that we now have to undertake—

Members interjecting:

The PRESIDENT: Order!

The Hon. E.S. BOURKE: Between 2017 and 2022, I am advised the sealed road backlog grew from \$723 million to \$1.9 billion. I don't know who was in government between 2017 and 2022, but it was not the Labor government that were in. When we look at the Auditor-General's Report and we look at the concerns it might be raising, who generated those concerns? It wasn't the investments that we decided to make, to go and lock ourselves in and privatise all of our contract work and sell off our equipment to make it a little bit more tricky to get things back into public hands. When we left it was \$723 million. You increased it to a \$1.9 billion black hole, so don't be pointing fingers over here.

Members interjecting:

The PRESIDENT: Deputy Premier, do you want to come and sit up here, because you want to run the show?

The Hon. K.J. Maher interjecting:

The PRESIDENT: You stay there.

DECRIMINALISATION OF HOMOSEXUALITY

The Hon. R.B. MARTIN (15:15): My question is for the Deputy Premier in his capacity as Attorney-General. As we celebrate the 50th anniversary of the decriminalisation of homosexuality in South Australia, will the Attorney-General inform the council about the recent book launch he attended for co-authors Narelda Jacobs and Karina Natt on rainbow families?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:15): Thank you, sir, and thank you for your stewardship of this chamber. It is remarkable—just remarkable. I want to thank the Hon. Reggie Martin for his question today. As we have talked about in this place, both during questions in question time and in a motion that was unanimously supported and had heartwarming contributions, it is the 50th anniversary this year of the decriminalisation of homosexuality in South Australia.

In this context, it was a distinct pleasure last week to attend the book launch of *If Queers Weren't Meant to Have Kids...*, co-authored by Narelda Jacobs OAM and Karina Natt and illustrated by Molly Hunt. This heartwarming book celebrates families of all kinds and is best described both as a satirical book for adults and a love letter to rainbow families. This beautiful picture book is a loud and proud celebration of chosen family, written by renowned Whadjuk Noongar journalist, presenter, commentator, speaker and MC, and someone I am proud to call a friend, Narelda Jacobs, and also

Karina Natt, Narelda's wife, who is a communications specialist, a former lawyer and journalist, with illustrations by award-winning First Nations artist Molly Hunt.

The launch event was a fantastic night with lots of laughs and joy to celebrate an incredibly rich and resilient community. It added to the list of many important events that I and I know so many others have attended this year, as I said in the year that recognises the 50th anniversary of decriminalisation. I would like to acknowledge and thank Narelda, Karina and Molly and everyone else who was involved in bringing this book together for their continued championing of both Aboriginal and queer people's rights across the country.

It was particularly appropriate, as I have said, to launch a book that celebrates rainbow families in this year celebrating the 50th anniversary of the decriminalisation of homosexuality in South Australia, the first jurisdiction of Australia to do so. As we were recently reminded in this chamber, under the premiership of Don Dunstan and the Attorney-General in South Australia, Peter Duncan, a bill to abolish offences in relation to male homosexuality was introduced into this parliament 50 years ago. It also equalised the age of consent.

That much overdue reform followed in the wake of the tragic murder of Dr George Duncan. To think that such a hateful homophobic crime and the full decriminalisation of homosexuality happened only five decades ago is a stark reminder of how much our communities have had to fight for equality and basic safety but also how far we have come in that time.

I want to pay tribute to all those who continue to be a loud and proud voice for our queer community. I am proud to stand alongside and support them as a continuing voice for them in this place as well.

Matters of Interest

INTERNATIONAL DAY OF PERSONS WITH DISABILITIES

The Hon. R.P. WORTLEY (15:19): One day, let's hope people with disabilities are properly represented not only in all fields of work but in parliaments and councils across Australia. When International Day of Persons with Disabilities falls on 3 December, it will give us pause to consider the important contribution provided by those many people in the community with some sort of disability.

But the contribution is not widespread enough because of limited opportunities. It could be argued that people with disabilities do not put their hand up to take on roles often enough, but that is almost certainly because of the historic stigma and lack of flexibility in our thinking. There is no reason someone who is vision or hearing impaired, has a physical disability that restricts mobility, or has a condition such as epilepsy or autism cannot be a productive and valuable member of our staff. The list of disabilities is too many to name, but we can celebrate the fact that, whatever the issue, these people are refusing to let it beat them.

We still have not reached the point where people with disability have an equal playing field, but we are getting there. We can be proud of the progress made in this area. Discrimination may be invisible to most of us, but those with a disability have become used to dealing with it. That discrimination can range from having a job application refused without consideration to being rejected as a possible tenant because the person has a guide dog. Those instances are happening less and less, fortunately, through better understanding and legislation.

It has been 33 years since the first Disability Discrimination Act was legislated by the Keating federal Labor government. It is almost beyond belief that we did not have such a law until 1992, but we have come a long way since then. It is surprising that disability remains the single largest cause of discrimination, based on complaints received by the Australian Human Rights Commission, and that certainly surprised me. Most of these complaints come in the area of employment. It seems people are happy to get behind those with a disability, until they have to deal with them directly.

I think members in this parliament would know that one of the most productive and enlightening people as a member of parliament was Kelly Vincent, who was elected for Dignity for Disability. Kelly was one of the most productive and delightful people that we could have had in

parliament and she performed her functions exceptionally well, as well as any one of us, and, to be honest, better than some.

How would a retailer deal with a customer with a disability? How would a workplace, such as a service centre, deal with having someone with a disability come into their premises? Having someone with a disability on the staff could be a very good thing for business or departments that need to deal with the sector on a regular basis.

Cerebral palsy did not stop Dignity Party representative Kelly Vincent winning her way to a seat in this chamber in 2010. Alterations were made to accommodate her, as they should have been, and she showed that her disability did not prevent her from being an effective MLC. It did not stop wheelchair-bound Natalie Wade from becoming Australian Young Lawyer of the Year for her tireless work on the South Australian Child Protection Systems Royal Commission. Even cerebral palsy and epilepsy could not prevent artist and poet Oliver Mills from running his own business and writing or co-writing five books.

The Disability Discrimination Act does not legislate for equality of outcomes. The person must be able to meet their inherent requirements for the job and the employer has every right to choose the best applicant on merit. That is all people with disabilities want: the chance to prove, when they are, that they are the best applicant.

However, the Equal Opportunity Commission believes we will get better outcomes for people with a disability by improving attitudes and practices. As employers improve their workplaces and work practices to the point that the disability may not impact the potential employee's ability to do the job well, it will be a better outcome for everyone. We are getting there. There is still a long way to go, but we are learning and creating a better environment for those with disabilities. International Day of Persons with Disabilities celebrates how far we have come, particularly in South Australia.

MOUNT GAMBIER

The Hon. B.R. HOOD (15:24): I rise today to speak about my home town of Mount Gambier and some of the policies that we have announced for our state's second biggest city. Too often we talk about how regional centres get forgotten, but from a Liberal perspective, certainly, Mount Gambier will not be forgotten as we lead into 2026. This suite of policies includes things that I know the community has been calling for for a great number of years, such as the Vansittart Park redevelopment.

Vansittart Park is a beautiful oval and accompanying gardens that sit right in the centre of Mount Gambier, and the upgrade to Vansittart Park will be crucial for the city. It will ensure that that infrastructure can support major events. There will be a refurbishment of the beautiful grandstand that sits at Vansittart Park, the development of new clubrooms and a function centre for the North Gambier club to use, and an upgrade to facilities that is going to enhance community health, inclusivity and sporting excellence—and, hopefully, we will be able to see some AFL games down there. Maybe we can convince the government and the AFL to consider Gather Round a truly South Australian event and have a few games down our way.

Another policy that I am very passionate about, and something that unfortunately we have seen this government turn their back on, is radiotherapy on the Limestone Coast. Many people in this chamber—indeed, in this parliament—would remember the 16,000-signature petition that was tabled right here from people across the Limestone Coast advocating for this essential service to reduce the financial stress on patients having to travel from Mount Gambier to Adelaide and back again, or over to Warrnambool and back again. We are talking about delivering positive outcomes for having treatment closer to home because, again, we know that your postcode should not determine your health outcomes but, unfortunately, it does. The Liberals will back in radiotherapy for the Limestone Coast and our regions.

We have also announced that we will establish a Sea Rescue operation out of Port Mac. It is vital for improving maritime and inland safety because not only will we have a large vessel for the coast, we will also have a smaller vessel for inland water rescues, such as the beautiful Glenelg River, which we actually do have a little bit of here in South Australia at Donovans and some other lakes around our region.

Of course, everyone knows I bang on about public transport. We are doing something about regional public transport, backing an on-demand public transport trial in Mount Gambier. This has

seen huge community and council support and is going to broaden access for Mount Gambier residents to be able to get where they need to go on on-demand public transport with a trial there, and for only 50¢ as well; I want to remind people about that.

Another thing that we have announced—and there is a lot there; I am not sure I am going to get through it all in the five minutes I have—is the Crater Lakes bike park and trail precinct. If anyone has been to Mount Gambier, you look up to the Centenary Tower and see the beautiful Crater Lakes. There is huge potential for tourism right there. I have banged on about this a lot over the years: we need some hero attractions in Mount Gambier to ensure that people stay another day. What this will do is develop modern trails for mountain bicyclists, trail runners and people who just want to enjoy nature. It is going to be a huge tourist attraction. A dedicated trails precinct will position the Limestone Coast as a leading adventure tourism destination. It will boost local business and it will boost local accommodation as well, which is something that I think we can all get around.

Another thing that I have spoken about in this chamber a couple of times is long-term funding for In Home Hospice Care, the amazing organisation of volunteers who assist people at end of life to be able to pass away in their homes—not in some cold hospital, but with their loved ones. It is an amazing organisation, as I said. It enables individuals to have dignity and to spend their end of life with family, and they will get the investment that they need to be able to deliver that service. Unfortunately, they keep asking the government and the government is not there to give them the money they need, and it is such a small amount: about \$150,000 a year, if that, to continue what they are doing.

We have also announced a nature tourism plan for Greater Mount Gambier because Mount Gambier is not just the city: it is Port Mac, it is Allendale, it is those beautiful little township hamlets. We will have a coastal walk development. We will upgrade the Little Blue with toilets and signage. It is going to be great. Mount Gambier, here we go.

JING LEE, BETTER COMMUNITY

The Hon. J.S. LEE (15:29): The year 2025 has turned out to be an eventful one so far, both personally and professionally. This year marks my 15 years of service in the Parliament of South Australia and 45 years since my family's migration journey to Australia. I count my blessings every day and am grateful that South Australia has been my home for 45 years. Our beautiful state has given me, a first generation migrant, the great privilege and opportunity to do more than I could have ever imagined. It is this privilege that motivates me to continually give back to our community.

Since my announcement on 10 January 2025 of leaving the Liberal Party, it has been most rewarding and empowering to serve our community as an Independent member of parliament in the Legislative Council, covering 47 electorates across South Australia. Regardless of where people come from, where they live, or whether they are based in the city, suburbs or regional South Australia, I believe all South Australians should be empowered to make decisions and choices that are best for themselves, their families and communities.

Throughout my 15 years in parliament it has been an honour to work with constituents from all walks of life, advocating for South Australians of all cultures, industries, businesses and backgrounds. I have always been committed to ensuring accountability in government and have strived for positive change for our South Australian community. Because of my corporate and business background, it will not be a surprise to many people that I measure everything I do. Since 10 January 2025 to yesterday, 11 November, which consists of 306 days, I have attended 319 events, attended 233 meetings and engagements with constituents and stakeholders, made 110 speeches contributing to debates, bills and motions, and asked 42 important questions advocating for our community.

Every piece of legislation I have debated, every question I have asked, every motion and speech I have delivered, and every single event I have attended has been in the interests of putting our community first. Over the last 10 months, with my Independent hat on, members of our diverse community have openly shared their opinions, views and valuable insights with me about what they want to see in their elected representatives. I am grateful for the constructive feedback I have received, together with generous messages of support, guidance and encouragement, all of which have helped me pave the way to establish my new political party, Jing Lee—Better Community.

Our community has informed me that they do not want MPs who are divisive and who have extreme views. They want political leaders who are hardworking, who care about the issues most important to them, who have the courage to face challenges head on and work diligently to develop political policies and sensible solutions. Community members I have had the privilege to meet and work with over the years continue to put their trust in me, and they have strongly encouraged me to continue my important work representing them in parliament by charting my own course.

It was most humbling and heartening to learn that my constituents have been inspired by the prospect of a new political movement that is built on the foundation that community must always come first. My vision for South Australia is about building a better, safer community and a stronger economy. A strong commitment to serve the people of South Australia is the driving force behind who I am and what I do.

A better community means a place where individuals feel a sense of belonging and shared purpose, leading to collective growth and wellbeing, a better community where people feel valued and connected. Ultimately, a better community strives to meet the needs and aspirations of all its members and provides opportunities for everyone to grow and prosper. Grassroots engagement with everyday South Australians helped inform me that my party will resonate with our community, and will provide a powerful platform for hardworking South Australians to see themselves and their aspirations reflected in practical policies.

HEALTH SERVICES

The Hon. R.B. MARTIN (15:34): Members are likely aware that this year, following an unfortunate series of circumstances, I experienced a prolonged period of infirmity. Towards the beginning, I spent quite a reasonable chunk of time in hospital and, after my initial stay concluded, I required significant ongoing medical care. For quite some time, I required such care every second day. In an earlier era, I may simply have had no choice but to stay in hospital for the duration of such level of need. Fortunately, however, with modern medical care now being what it is, during the months that I spent recuperating at home, I was able to be supervised and directly supported by expert health professionals through in-home nursing care.

This is not to say anything disparaging about hospitals. Our hospitals and the range of dedicated health workers found within them are phenomenal and I was incredibly well looked after. But for persons who are undergoing a long period of convalescence, having the opportunity to be supported to get back to full health in the comfort of their home, rather than remaining in hospital, can offer greater flexibility, dignity and freedom. These are benefits one may find themselves particularly appreciating after spending a significant period of time in hospital.

I had the benefit of receiving the expert care of nurses from two excellent health services: My Home Hospital and the Royal District Nursing Service (RDNS). For those who have not encountered it, My Home Hospital is a public hospital level service delivering acute care to patients in the comfort and privacy of their own homes, including residential aged care and supported accommodation. My Home Hospital is an SA Health service with my support coming from the Flinders hospital based team. Because My Home Hospital services are aimed at patients who require acute care, the nurses deliver a level of care that is basically commensurate to what a person would receive in hospital. It is fantastic that South Australians can access such a level of care in their own homes.

Similar observations could be made in relation to the crucial work of the RDNS, which is a not-for-profit community health and care provider, generally for persons requiring somewhat less acute care than My Home Hospital provides. RDNS was established in 1894 and has been through many iterations and changes, but still offers crucial services to our community in the same spirit that they always have. Very importantly, beyond what these services provide to each individual, they also take pressure off our hospitals by enabling people to get back into their homes, a crucial advantage of having such services in place. For South Australians to have the option of hospital-level acute care or ongoing subacute care at home is an enormous benefit for our community.

As you do when you have a stranger in your home attending to your maladies, I often took the opportunity to chat with the nurses who provided my care. This enabled me to learn that many of them are former emergency department nurses, which inspires yet more confidence that the expertise and skills on offer are high calibre. I am extremely grateful for every person who chooses to work as a nurse across our health system, in our public hospitals, our private hospitals, our aged

and residential care facilities, our medical clinics, our community health services and, certainly not least, in the services that enable us to receive this great nursing care at home.

It must be said that my experience over many months was far from easy, and it was far from pleasant, but I am fortunate to have had great care that ultimately led to good outcomes. Thanks to that, I continue to feel better and stronger week on week. I do not hesitate to say that I could not have made this journey without the care and support of the dedicated nurses from My Home Hospital and the RDNS. I want to thank each of them for their dedication to the work they do each day and for supporting me to get back here so that I can continue my own work. The opportunity just to be here is a privilege that I appreciate more than I can say. Thank you.

The ACTING PRESIDENT (The Hon. R.A. Simms): Thank you, the Hon. Mr Martin, and it is good to have you back.

STAMP DUTY

The Hon. D.G.E. HOOD (15:38): Might I say, I have also experienced My Home Hospital. This is not what I intend to talk about, but I also had a very good experience, and I would like to thank them for the great care they provided me as well in some difficult moments. That is not why I am speaking today. I rise to speak on stamp duty, a tax that is proving to be a significant barrier to home ownership in South Australia and something that the Liberal Party has a plan to address.

Until recent years, Adelaide was renowned for its housing affordability. Unfortunately, that is no longer the case. As members in this place would be well aware, our city is now becoming notorious for its skyrocketing cost of housing. Indeed, I understand that over the last 20 years it has had the fastest increase in Australia, or very close to, of any capital city. Not only does Adelaide have the second most expensive housing market in the nation after Sydney at the moment, it is also ranked the sixth most expensive city in the world in which to purchase a home, behind the likes of Hong Kong, Sydney, San Jose, Vancouver and Los Angeles.

Stamp duty is in some places a 400-year-old tax, which is just not suitable, really, for a modern economy. It is inefficient and outdated, with tax brackets having remained unchanged in our state since 2002 while house prices have soared. The burden of stamp duty has slowed our housing market and is inhibiting the natural cycle of home ownership. This oppressive tax effectively traps people in homes that no longer suit their needs. It discourages older South Australians from freeing up housing stocks for younger families by so-called downsizing and locks in far too many first-home buyers, or locks them out of the market, I should say, completely.

It is not just a housing issue that we are dealing with here, but an economic one. When families and individuals are unable to sell their homes because of tax encumbrances, our economy is inevitably impacted due to the fewer jobs that all of that activity creates. Of course, that includes things like the trade industry, conveyancers, real estate agents, etc. These things have real impact. That is why the Liberals have announced an unprecedented plan to phase out stamp duty in South Australia by 2041 completely. It is indeed a bold policy that reflects the Liberal vision for a low-tax government, where home owners have the power over their own funds to activate the economy.

South Australian builders have welcomed this announcement, not surprisingly, claiming it will be a game changer in mobilising our property market, with its ability to free up properties owned by potential downsizers, and with aspiring home owners likewise indicating their strong support, as it makes the property ladder just that much easier to get onto.

If elected on 26 March next year, a Tarzia Liberal government will wean off this backward tax, first with immediate relief aimed at alleviating the housing crisis, followed by a systemic phase-out. It will begin by adjusting the brackets of stamp duty within five years, and within 15 years this tax will be completely abolished—no ifs, no ands, no buts.

Meanwhile, it will exempt first-home buyers from stamp duty on existing properties as we work to end this regressive and burdensome tax; that is, a first-home buyer will not pay any stamp duty at all on existing properties up to \$1 million should the Tarzia government be elected in March. Stamp duty is a relic of the past. It belongs to an era when our economy was smaller, less mobile and less competitive. The Liberal Party wants to transform our state into a place where people are

free to move for new jobs, to build families, to invest and to no longer be restricted in their choices simply because of an outdated tax.

By taking the initiative to eventually remove stamp duty in its entirety, we would send a strong signal to investors, both local and interstate, that South Australia is serious about growth and we are open for business. It will demonstrate that we are ready to modernise, ready to compete and ready to reward ambition rather than penalise it with a painful, onerous tax.

The enviable lifestyle many of us have become accustomed to in South Australia has sadly been at risk of becoming a distant memory for future generations because of the unaffordability of housing. Governments should not add to that. The opposition believes in a South Australia that rewards enterprise, encourages growth and creates opportunity. It is our strong view that abolishing stamp duty is a vital step towards achieving that goal.

BULLYING

The Hon. S.L. GAME (15:42): I rise today to speak on the issue of bullying in our schools. Bullying has been described as a silent epidemic in our schools and in our communities. It is pervasive and has devastating impacts on children, families and communities. The findings of the anti-bullying review recently released by the federal government are shocking. The review heard that more than one in four students from year 4 to year 9 reported being bullied at least every few weeks. That is one in four students from year 4 to year 9 being bullied at least every few weeks.

Bullying can be crippling for children, physically, mentally and emotionally. It crushes their sense of self-worth, their confidence and their ability to learn. When children feel safe, they are more likely to venture out into the unknown, and when it comes to their learning they are more likely to raise their hand in class and try out an interesting answer, but when someone is bullied their body releases stress hormones, their heart rate and blood pressure rise, their breathing quickens and the area of their brain that is responsible for rational thinking and decision-making becomes disrupted.

When a child feels that their bullies are in control, they are not going to venture an answer in class. They are not going to expand their learning or take risks to try out new ideas or ways of thinking. This is just one aspect of the damage that bullying does. Many parents are now turning to homeschooling because they no longer have confidence that their kids will be protected from bullying at school.

I empathise with parents who are facing this issue and feeling caught between a rock and a hard place. It is a disgrace that, as parents, in order to get our children educated we have to send them off to school where they are vulnerable and at risk of being targeted and bullied. No parent should have to tolerate that. How are we going to bridge the gap of social disadvantage if we cannot even have the confidence that our kids are safe at school?

To make matters worse, we now live in a world where bullying can happen anywhere. It can follow our kids home and invade places where they used to feel safe. Recent data shows that 53 per cent of young Australians report experiencing cyberbullying. This form of bullying is truly insidious, causing more suffering in victims and carrying fewer consequences for bullies. Technology has allowed images and toxic messaging to spread like never before and to be paraded to a far greater audience. Online material is also much harder to retrieve or destroy. The removed and anonymous nature of the online world only emboldens bullies.

Bullying is not something any child should have to experience. How is it that we have now come to a place in society where over half our young people are prey to some form of regular bullying? Concerns among Australian parents on this issue have grown enormously in the last few years as the horror stories keep surfacing in the media—heartbreaking stories of children who have taken their own lives because of social media and bullying. Parents like Clare McCann, who have lost their kids to suicide from bullying, have not found much comfort in the federal government's anti-bullying review, calling it a master class in bureaucratic evasion. The recommendations of the anti-bullying review and \$10 million from the federal government are not enough to meet this crisis.

One area that has been overlooked in our attempts to remedy the scourge of bullying is the need to take personal responsibility. We need to stop treating bullies like victims and blaming bad behaviour on someone's childhood. The truth is bullying is not something that you are compelled to do by external factors, such as childhood experience. You cannot use past disadvantage or trauma as an excuse for being a bully. As human beings, we can only act in the present moment, and in that

moment the choice is ours to decide how we behave. Bullying is not inevitable, it is a conscious decision, and the person who makes the decision to target another person needs to take responsibility for their actions.

These truths were highlighted in a recent article by Professor Ken Purnell and Dr Ragnar Perje from Central Queensland University. Their article makes clear that bullying will stop only when we start taking personal responsibility for our actions. Blaming others for our mistakes leaves us with no way to grow; it robs us of our power to change. I agree entirely with the words 'true growth begins with self responsibility'.

As I have already said, announcing \$10 million for training and resources is not enough to meet the crisis. We have been throwing money into educating young people about bullying for years now with very little effect. We need to take harder measures against bullying, and I will be looking to introduce legislation on this issue next year.

Every child deserves the right to feel safe in school, and it should not be too much for a parent to ask for assurance that their children be protected from bullying. Yes, parents have a responsibility to control what their kids are exposed to online, and the government should never seek to replace parents, who are primarily responsible, but what is given to us in this chamber is a power to introduce stronger measures against bullying.

DRESS CODES

The Hon. T.T. NGO (15:47): Today, I rise to speak on the evolving changes to dress codes. There is one place where dress codes are still firmly in place and that is in our schools. Recently, I hosted a primary school from Whyalla on behalf of the member for Giles in the other place, Mr Eddie Hughes MP. While in this chamber, I took the students through the process of debating a mock bill. The chosen topic was compulsory school uniforms. The students took on the debate with confidence, speaking passionately for and against making school uniforms compulsory. Their statements included, and I quote, 'Uniforms make students look neat', 'Uniforms stop bullying about the clothes you wear', and, 'People you meet in the community know what school you go to'.

Statements against compulsory uniforms included: 'Uniforms are ugly and boring'; 'Uniforms are made from material that is itchy and scratchy'; and, 'If uniforms are not compulsory, then we can choose the clothes we like and want to wear'. Not surprisingly, the majority of the 43 students opposed compulsory uniforms. However, dress code policies in our schools do give students clear expectations about what they can and cannot wear. As students move into the workplace, dress codes will become far more relaxed and varied. This shift is a reminder that formality may fade, but school uniforms encourage presentation and respect for the occasion.

Workplace research into dress behaviours published in the *Harvard Business Review* found that nonconforming dress behaviour in a controlled and intentional way can lead to positive impressions in the eyes of others. An example that comes to mind is how President Zelenskyy dresses. His nonconforming dress is likely intentional and symbolic. By wearing military-style clothing, he visually aligns himself with Ukrainian soldiers, which helps make him look like a hands-on leader.

Adelaide's best example of nonconforming dress occurred in 1972 when our former Premier Don Dunstan stood on the steps of parliament to be photographed in his now famous pink shorts. According to media reports at the time, he was aware that wearing such unconventional attire would attract attention, and it was certainly an ultimate salute to diversity. In fact, Don's shorts came back to life in the 2025 Radical Textiles exhibition at the South Australian Art Gallery.

COVID changed many entrenched habits, including how we dress when working remotely. Now, we can wear a business jacket with track pants while letting people into our homes with Zoom. The business dress code has remained more casual as formality around dress has relaxed. Today, other dress codes have been abandoned altogether. Many of you will remember the time when anyone working in hospitality only ever dressed in universal black and white clothes, whether it was the local eatery up the road or one of Adelaide's more upmarket restaurants. Today, in whatever type of restaurant, we can be served by a waiter or waitress wearing anything but the black and white attire we only ever saw when eating out.

We have not seen any pink shorts worn in this place during my time, although we have had subtle breaks in convention such as wearing a shirt to work without a tie. Changes to how we now dress in the workplace have evolved slowly so that in the main, we do not even notice them, or if we do, we choose to let the issue go. The students' debate on dress codes was a reminder that our sense of professionalism and style continue to evolve, shaped as much by comfort and practicality as by tradition.

Motions

YOUNG MEN'S CHRISTIAN ASSOCIATION

The Hon. T.T. NGO (15:52): I move:

That this council—

1. Acknowledges and celebrates the 175th anniversary of the Young Men's Christian Association (YMCA) in South Australia, one of the oldest community organisations in the state;
2. Recognises the YMCA's enduring commitment to empowering young people, promoting healthy living, and building stronger, more connected communities across metropolitan and regional South Australia;
3. Commends the YMCA for its extensive contributions over nearly two centuries, including youth development programs, community recreation facilities, health and fitness services, and support for vulnerable populations;
4. Acknowledges the work of staff, volunteers, board members, and supporters past and present who have contributed to the YMCA's mission and impact; and
5. Congratulates the YMCA on this historic milestone and extends best wishes for continued service to the people of South Australia for generations to come.

This motion acknowledges a truly remarkable milestone: the 175th anniversary of the South Australian Young Men's Christian Association or, as we know it, the YMCA. Few community organisations can claim such a long and continuous history of service. Established in 1850, just 14 years after the proclamation of our colony, the YMCA has stood alongside South Australians from early settlement to industrialisation, from world wars to modern multiculturalism. The founding of the YMCA reflected the optimism and civic spirits of its time. It was born from a belief that young people should be supported to live with purpose, to grow in character and to serve others.

These values remain at the heart of the YMCA's mission today. During the past 175 years, the YMCA has adapted to meet the changing needs of each generation. Today, it welcomes people of all backgrounds, genders and beliefs; however, its focus remains unchanged and continues to empower young people and strengthen community.

The YMCA's legacy is visible across both metropolitan and regional communities. It can be found in the swimming pools and gyms where families gather, play and keep healthy; in the youth programs that build confidence and leadership; and in the outreach programs that offer care to those facing disadvantage or isolation.

The impact of the YMCA is not measured simply in facilities or programs such as these; it extends to the countless lives it has shaped, from the young person who gained their first job to the older volunteer who discovers a new purpose and to migrants who found belonging. I first encountered the YMCA when I was a young boy. I had only been in Australia a few months. I was living with my sister at the time in the northern suburb of Angle Park after fleeing wartime Vietnam. Everything still felt strange: the food, the language, my new school and my new home. I tried hard to fit in at school, but I was shy and quiet and English words felt strange and hard to say.

One morning, my teacher called me over and asked if I would like to go to Kangaroo Island, funded by the YMCA. I did not know what to say. I had never heard of Kangaroo Island or the YMCA. My teacher explained that the YMCA had organised a camp for students around my age and students had been chosen to go for free. I did not quite understand why I was picked, but my teacher spoke with my sister, who was my guardian at the time, and it was agreed that I should go.

On the morning of the trip, my teacher, who lived all the way down south, drove all the way to my house in Angle Park. As we drove to Port Jervis I remember my teacher talked about the YMCA and about Kangaroo Island. When we reached the ferry I thought of the boat that brought us to Australia, but this ferry was big and looked safe.

The YMCA camp on Kangaroo Island was like a dream. Although I could not speak much English I had a great time with the other kids. We saw animals, roasted marshmallows and told stories by the fire. I remember the kangaroos, tall trees, beaches that went on for ever and very bright stars. When the ferry returned some five days later my teacher was waiting on the mainland. The drive home was quiet. I remember feeling so incredibly tired.

That week, the YMCA had given me much more than a trip to Kangaroo Island. The YMCA camp had made me feel like I belonged, and although I was young and shy it started my journey on finding my place in my new home. Today, I connect to the YMCA with my two sons, who are members of the swimming club that is run by the YMCA at the Parks community centre.

Importantly, this milestone for the YMCA is also an enormous tribute to the thousands of staff, volunteers, board members and supporters who over many generations have kept the YMCA's mission alive. Their dedication reminds us that community organisations can only thrive for 175 years through the compassion and persistence of people who make time in their lives to support and contribute their service to our communities.

My first encounter with the YMCA as a young boy gave me my first sense of belonging in a strange new country. That week on the YMCA camp on Kangaroo Island opened my eyes to Australia's beauty and to the kindness of its people. That small act of inclusion as a primary school student left a lasting mark on my life.

That is only one of countless stories that together form the living legacy of the YMCA. I want to extend my heartfelt gratitude for the many ways they have uplifted individuals and entire communities. For 175 years this organisation has embodied the very best of community spirit: welcoming, empowering and helping people find their place and purpose. I am sure the YMCA will continue to inspire hope, strengthen communities and change lives for generations to come.

Debate adjourned on motion of Hon. J.M.A. Lensink.

HAHNDORF BYPASS

The Hon. R.A. SIMMS (16:02): I move:

That the Environment, Resources and Development Committee inquire into and report on the diversion of heavy vehicles along River Road and Strathalbyn Road, with particular reference to:

1. The consultation and decision-making processes that led to the decision to divert traffic along River Road and Strathalbyn Road;
2. The impacts of the diversion on local amenity, community safety and the environment;
3. The impacts of the diversion on traffic in Hahndorf, Mount Barker and other Adelaide Hills communities;
4. Alternative solutions for freight transport through the Adelaide Hills;
5. Any other relevant matters.

In 2021, the Hahndorf Strategic Planning Study commissioned by the state and federal governments found that the lack of connectivity to and from the South Eastern Freeway is causing additional traffic and freight in the township, primarily due to there being no convenient alternative route between Mount Barker in the east and Balhannah and Woodside in the north without travelling through the main street of Hahndorf, and there being no convenient alternative route between the south, the west or the east without travelling through the main street of Hahndorf.

The study also found that the current traffic on the Hahndorf main street, Mount Barker Road, was limiting the economy, function and amenity of the area. There were over 10,000 vehicles, including hundreds of heavy vehicles, per day on the main street, along with a significant number of pedestrians.

In response to a series of options released for public consultation by the Department for Transport to resolve the issue, the Hahndorf community canvassed their own option to reduce the impact, which involved much less property acquisition and footprint. The option put involved creating a bypass between Echunga Road and the South Eastern Freeway with a half interchange, not a full

interchange, with a road running through the Beerenberg Farm, put forward by the previous Marshall government.

However, in 2023 the Malinauskas government decided to completely scrap the bypass project, instead opting to divert all heavy traffic along Strathalbyn and River roads. This move prompted immediate protests from local residents and truck drivers concerned about the implications for safety, amenity and their local environment caused by moving heavy freight vehicles along roads that are just not fit for this purpose.

One resident of River Road, Emma Smith, told *The Advertiser* that her children's bedroom was just metres from the edge of the road, and her biggest fear was a logging truck going through their room. 'We have great concerns about our safety,' she said. 'I can tell with a fair amount of certainty that there will be a fatality on this road.' Truck driver Ben Simounds, from Simounds Transport, also told *The Advertiser* it would be 'only a matter of time' before a serious accident or fatality happened if heavy vehicles used River Road regularly.

A petition was organised by concerned locals, requesting that the Malinauskas Labor government take immediate action to reverse its decision to divert heavy trucks onto River Road and Strathalbyn Road to and from Main Road, Hahndorf. It also urged that funding be committed for a new Hahndorf bypass or other solutions. This petition has received a huge wave of support—over 10,000 physical signatures. I want to acknowledge Councillor Anne Fordham, Jenny Lamb and others who have taken the lead in organising the petition for their steadfast advocacy over the last two years on this important issue for people who are living in the Adelaide Hills. Indeed, I have met on multiple occasions with Councillor Fordham to discuss this issue, and I know that the Greens candidate for Heysen has also been interested and concerned about this issue.

The petition organisers have described some of the reasons that people gave when they signed the petition. These included:

- safety issues—residents reported near misses, particularly trying to get out of their driveways or being literally run off the road by trucks;
- the loss of amenity of the roads for other users, such as drivers, cyclists, walkers and horse riders. Some reported that these road users have largely abandoned River Road and Strathalbyn Road, and these were previously quite popular tourist routes;
- the practical unsuitability of the road for trucks and the high cost of retrofitting the roads;
- the negative impact on local wildlife, particularly adjacent to the Onkaparinga River wildlife corridor, with potential disturbance or destruction of habitat for many species of birds, reptiles, bats, marsupials and other animals;
- the detrimental impacts to residents because of increased noise, vibration, lighting, also safety issues, harmful fumes and an overall reduced amenity;
- the need to have an alternative route out of Mount Barker to the west in the case of emergencies such as bushfire;
- the inefficiency of the diversion—the increased length of road compared to gaining direct freeway access off Echunga Road increases the transit time for drivers;
- the need to fix Hahndorf's traffic issues. A bypass around Hahndorf does not help fix main street congestion, and this was recognised back when the River Road diversion was first proposed. It is not going to achieve that aim. Of particular concern was traffic travelling north to south, including increased traffic stemming from a growing population in Mount Barker. We know the Mount Barker area has been dogged by poor planning decisions, from poor public transport infrastructure to road congestion. Indeed, this has been a Labor planning disaster. The Labor government under the leadership of Premier Rann and Premier Weatherill continued with this terrible planning regime, which has created a ticking time bomb for the people of Mount Barker. We are seeing the chickens come home to roost today with that poor planning process;
- successive governments have failed to provide the Adelaide Hills with the investment in transport infrastructure, including public transport that is desperately needed. Indeed, I

have written to the former transport minister, the Hon. Tom Koutsantonis, about this matter in the past and the need to increase public transport to the Adelaide Hills and Hahndorf in particular; and

- finally, concern was raised about the way this issue was handled, with little notice given or opportunities to comment. It was believed that there has not been a fair go given to those directly impacted. It is a classic case of announce and defend, rather than genuine public consultation.

It is particularly disappointing to see this lack of consultation from the Malinauskas government, because residents have been willing to work with the government to develop solutions. Indeed, last year concerned residents developed a proposal for a Hahndorf link road to allow traffic to bypass town. They engaged a retired traffic engineer and even released a new map of the proposed route, which could include walking and bike riding trails, a horse track, a lookout, an Indigenous interpretive trail, a vegetation corridor and links from the main street to Hahndorf. There are lots and lots of options that could be explored.

I recognise some things have changed since the community first put this issue forward. The minister has changed and I know the new minister will certainly adopt a more sympathetic ear, I think, to community voices than her predecessor. I mean no disrespect to the Hon. Tom Koutsantonis but he is not always known for his consultative style.

But I do know that the Hon. Emily Bourke is somebody who is more open to listening to the community, and I hope she will adopt that approach with respect to this proposal and actually say, 'Let's listen to the community.' I asked her about this in question time today and the honourable minister did indicate that she would be open to meeting with all community groups, so I will certainly make sure that my office connects her office with some of the community representatives who have reached out to me in the hope that this matter can be dealt with.

The motion seeks to refer the issue of the diversion of heavy vehicles along River Road and Strathalbyn Road to the Environment, Resources and Development Committee so that it can receive the scrutiny it deserves. It requests that the committee considers the consultation and decision-making processes that led to the decision to divert traffic along River Road and Strathalbyn Road; the impacts of the diversion on local amenity, community safety and the environment; the impacts of the diversion on traffic in Hahndorf, Mount Barker and other Adelaide Hills communities; and alternative solutions for freight transport through the Adelaide Hills.

I hope that this inquiry will shine a light on the inadequate lack of transport infrastructure in the Adelaide Hills, particularly in Mount Barker and Hahndorf. The people of the Adelaide Hills certainly deserve better. I commend the motion.

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

Bills

CRIMINAL LAW (HIGH RISK OFFENDERS) (ADDITIONAL HIGH RISK OFFENDERS) AMENDMENT BILL

Introduction and First Reading

The Hon. C. BONAROS (16:12): Obtained leave and introduced a bill for an act to amend the Criminal Law (High Risk Offenders) Act 2015. Read a first time.

Second Reading

The Hon. C. BONAROS (16:13): I move:

That this bill be now read a second time.

It is every parent's worst nightmare—the death of a child. For Belair mother Andrea Foster that nightmare began seven years ago when her daughter Michelle was brutally killed in a random, unprovoked attack. The man responsible for Michelle's death, Jayden Lowah, was just 20 years old. He was experiencing psychosis from schizophrenia when he fatally bashed Michelle outside Colonnades Shopping Centre in Adelaide's southern suburbs in October 2018, slamming her head

facedown onto the ground repeatedly. Despite the best efforts of emergency services, Michelle, aged just 36, a mother of two young girls, died from severe head injuries.

The pain for Andrea and her family is unimaginable. Not only did she lose her daughter, she also has to deal with the mental health of two traumatised granddaughters, children who lost their mother in the most horrific of circumstances. Mr Lowah was found not guilty of murder due to mental incompetence (entrenched schizophrenia) and was placed under a mental health supervision order for life.

In April this year, Deputy State Coroner Naomi Kereru found that Lowah's illness had been mismanaged for years and that there were multiple missed opportunities by our justice, corrections and mental health systems. Lowah had been diagnosed with schizophrenia at just 15 years old after threatening to kill his father. He had a long history of random violence and incarceration. In 2017, he assaulted strangers on Hindley Street and Gouger Street and was imprisoned. The court heard those incidents included when he grabbed a woman by the hair and slammed her to the ground on Hindley Street, and when he picked up a chair and struck a man on Gouger Street.

When Lowah's sentence ended, he was released in September 2018 homeless, untreated and without support. The Parole Board had no powers to make orders as he had served out his sentence, despite the very clear red flags and being refused parole on an earlier occasion. The day after his release, he called an ambulance and told staff at Noarlunga Hospital he felt he would probably kill someone. Despite that clear and terrifying warning, he was discharged from hospital the very same day; 41 days later, Michelle Foster was dead.

The Deputy State Coroner found that, while no single person was directly responsible, there were systemic failures—failures in communication, risk assessment and coordination between Corrections, Health and mental health services—and there may not have been one single incident but there was a litany of missed opportunities and red flags in the lead-up to Michelle's tragic and senseless death.

The Deputy State Coroner noted that had Lowah's mental competence been subject to investigation at the time of his two attacks on those two strangers—namely, a mental health assessment when he was last before the court—it was probable that he would have been treated in a forensic mental health setting instead of prison, from where he was released. A prison social worker had even warned SAPOL the day before his release that Lowah was:

...at high risk of reoffending and harming others due to his significant history of making threats towards others, poor frustration tolerance, impulsivity and emotional dysregulation.

Yet he could not be placed under ongoing supervision because he did not meet the legal definition of a high-risk offender under the Criminal Law (High Risk Offenders) Act 2015, which is the first limb of the criteria for an extended supervision order, with the second limb being the risk to the community's safety, which he would have undoubtedly met.

Currently, an extended supervision order can only be applied in limited circumstances, such as where offenders have been convicted of serious sexual or violent crimes punishable by five years or more, or terrorism-related offences. This excludes people like Lowah: individuals whose chronic mental illness and violent behaviour make them an ongoing threat to the community even if their prior offences do not meet the existing threshold.

The bill before us seeks to broaden the definition of a high-risk offender to include a new category: those who pose a public risk due to serious mental illness combined with violent tendencies. Detective Superintendent Blandford, on behalf of SAPOL, supported the expanded definition during the inquest:

...DCS and SAPOL are of the same view that there should actually be a public interest, public risk clause within the High Risk Offenders Act that can be considered, not just a serious violent offender or a sexual offence or a counter-terrorism type offence.

The Deputy State Coroner also referred to its endorsement in the police commissioner's briefing to the Attorney-General dated March 2019. It would allow the Attorney-General to seek an extended supervision order for such individuals, ensuring they are not simply released into the community without oversight.

Under an extended supervision order the court may impose strict, parole-like conditions such as mandatory treatment, electronic monitoring, supervision and residency requirements for up to five years, renewable as needed. Breaches can result in continued detention. Had these safeguards been in place in 2018 Lowah could have been subject to supervision and treatment instead of being left to deteriorate, and Michelle Foster might still be alive.

The Deputy State Coroner's findings make it clear: our systems failed Michelle. They failed Michelle's mother Andrea, her brother Peter, Michelle's children, and her family. They failed her two daughters, who were aged just eight and 13 at the time of Michelle's death and who have since grown up without their mother. This bill would ensure authorities are equipped with a tool to protect the community, to better manage high-risk individuals, and to prevent such tragedies from happening again.

How is it that a man with a history of random violence, incarceration and serious mental health issues, a man who has been flagged since at least the age of 15 with authorities, is released into the community just hours—just hours—after presenting to a hospital expressing a desire to kill somebody? That is exactly what did happen in this instance, and Andrea Foster, her family, and Michelle's brother have been living with the unthinkable ever since. Michelle Foster's story should not be repeated in this jurisdiction, and this bill is a necessary step to make sure that it is not.

A government spokesperson just yesterday told the ABC that the government was looking at reforms to the Mental Health Act, but will consider this bill on its merits. I support looking at our Mental Health Act—it is something that many of us in this place have been pushing for for a long time—but the bottom line is that that is not enough, it is not enough in the context of everything you have just heard. We have had ample opportunity to consider these reforms now. Michelle's family have waited seven long years for us to consider reforms to a system that ultimately resulted in the taking of their daughter, their sister's, life.

Mr President, with your indulgence I acknowledge that we have here today Michelle's mother, Andrea, and her brother Peter, who, after everything they have been through, after seven long years, have also been confronted with the fact that this was not a preventable death in the findings of the Coroner. There is no one single incident that resulted in Michelle's death, we know that, but the Coroner has quite rightly pointed out that there were so many missed opportunities and red flags, that this was the perfect example of a systemic failure across government agencies that ultimately resulted in the unthinkable death of their daughter and sister.

I appreciate that I am introducing this bill at a very late stage during the sitting, but I do not think it will be the first time we have considered bills swiftly in this place, and I put all members on notice that it is my intention to take this bill to a vote during the next sitting week, potentially the final sitting week of the year.

I also want to acknowledge the selflessness of what Andrea and Peter are doing to ensure that no other family has to endure the nightmare that they have. Nobody can do anything but sympathise with Andrea and Peter over their frustration in having to wait so long for this outcome, but also that one finding in relation to whether or not this was a preventable death.

There was, as I said, no single event, but there were an absolute litany of missed opportunities and red flags that, had they not been missed, might have prevented Michelle's tragic and horrific death, Michelle's senseless death. We are all collectively responsible for those errors, and we have a responsibility to prevent other families from enduring that same heartache and pain that Andrea and Peter have had to endure for all this time. The Deputy State Coroner agrees with the premise of this bill. In fact, it is her recommendation. The Department for Correctional Services agrees with the premise of this bill. SAPOL agrees with the premise of this bill.

My question to this parliament, and my plea to this parliament, is: what will it take for all of us to ensure that we heed the advice of each and every person and authority who has told us that this bill is necessary to prevent another family from going through what Andrea and Peter and Michelle's daughters have been left to deal with?

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

*Motions***VICTIMS OF CRIME FUND**

The Hon. C. BONAROS (16:26): I move:

That this council—

1. Notes the Victims of Crime Fund had a balance of \$251.2 million reported as at 30 June 2025, representing an increase of \$27.3 million on the previous financial year;
2. Recognises the current compensation scheme applies a reduction of 25 per cent for financial loss payments, including medical expenses, exceeding \$2,000; and
3. Calls on the Malinauskas government to commission an independent actuarial review of the Victims of Crime Fund to assess the impact of abolishing the 25 per cent reduction in compensation on the position of the fund.

This is a relatively straightforward matter and I do not intend to dwell on it for too long, but we have had lots of discussions in this place about whether indeed there ought to be a discount applied to any financial losses that a victim receives following any sort of crime being committed against them. I have given examples in this place previously that victims probably are none too aware of unless they find themselves in the position of being the subject of an assault or any other criminal offence which has left them with financial losses.

I have provided examples previously of domestic violence victims. For one particular domestic violence victim, whose perpetrator was charged and convicted with assaulting her, her medical bills as a result of the injuries that she sustained came in at about \$19,000-odd. The amount that she received in her pocket to pay for those was discounted by 25 per cent. Another example is a victim of crime who was the subject of an assault and required surgery. Again, the money that they received for their financial losses was discounted by 25 per cent, and it was discounted because our legislation says that financial losses are effectively capped and anything that you are entitled to beyond \$2,000 will be discounted by 25 per cent.

There is no logic in my mind as to why we discount the financial losses that a victim of crime has incurred through no fault of their own. They are the victim, the innocent victim of a crime. Somebody has been charged and convicted of committing this crime against them. They have had to take time off work. They have had to undergo surgery or whatever other rehabilitation they require, and yet somehow we see fit to discount their entitlement by 25 per cent, leaving them out of pocket.

The Attorney will tell us that the reason we do this is that the Victims of Crime Fund is a fund of last resort but, as we know and as I have said in this place time and time again, the Victims of Crime Fund, which currently has about \$251.2 million sitting in its balance, is also a fund of only resort.

I have done a very, very sketchy back-of-the-envelope calculation to try to figure out how it is that the Attorney, or the government, thinks that keeping that 25 per cent provision in our laws will do anything to preserve that fund. We have redress money coming out of this scheme and we are extremely worried about and extremely concerned about not dropping its limit too far, but the bottom line is that if I, based on the Auditor-General's reports, added that 25 per cent to every single claim that was made under the Victims of Crime Fund then the most—the most—that would be paid in each year is about \$12 million, and of course that is not going to apply to every single claim that I have included in those calculations.

If the government's position is that we cannot afford to have that \$251 million reduced by way of the fact that we have that 25 per cent discount in the legislation at the moment, then I think the least we could do is provide some actuarial figures about what the actual result will be. This motion is calling on the government to indeed produce some actuarial figures in relation to what the actual impact on the scheme would be if we were to remove the 25 per cent discount and if we were to increase lawyers' fees payable under the scheme from \$1,400 to \$2,500.

It is not a big ask. Right now, we are in the hands of the government in terms of the advice they give us and the concerns they have about drawing that scheme down, and I think it is only appropriate, given what we know and given their reluctance to support a bill aimed at removing that 25 per cent discount provision and increasing legal fees, that they provide some figures to back up what they are saying.

The second element of the bill that would be the subject of these actuarial figures is increasing legal fees from \$1,400 to \$2,500, because, as we know, that figure (a) has not been increased at all since those amounts were first inserted into the legislation, but (b) overwhelmingly, you are going to struggle to find anybody to represent you, given the low amount of pay they are going to receive.

The payment of \$2,500 probably equates to about 15 or 16 hours of work for a lawyer around town and it is only fair and reasonable. It is a very modest increase. Actuarial figures would actually show us whether that would make a dent in that \$251.2 million-odd fund, as would, more importantly, removing the 25 per cent discount that applies to victims of crime, who I might say do have issues navigating this scheme on their own in terms of recouping their financial losses.

This motion is very straightforward. It calls on the government to provide some actuarial figures so that we can see what the state of the fund is, how much is paid out to victims under the various categories that exist, how much needs to be in the fund to ensure that we have enough for the redress scheme, and what the impact of those two measures that I have outlined would actually be on an annual basis on that existing balance that we have today.

The fund has, as we know, increased over recent years, to the point where it has now reached that \$251 million. Nobody wants to see that fund diminish so as not to enable us to pay out those victims who would be eligible for funding under the redress scheme, but based on the figures before us nothing that the government says is stacking up.

The intention of this motion is to ensure that the government provides some figures, so we can see for ourselves how it is that we can amend this legislation—underlying provisions in the legislation—to make it more fair and equitable for victims of crime who have done nothing to bring upon themselves the sorts of financial losses that have been incurred by them as a result of crimes committed by persons who have been charged and convicted of these sorts of offences.

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

LONELINESS

Adjourned debate on motion of Hon. C. Bonaros:

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.

(Continued from 29 October 2025.)

The Hon. I.K. HUNTER (16:35): Loneliness is increasingly recognised not just as a personal experience but as a social and public health issue. Loneliness affects people across all demographics—young people, older South Australians, people living with disability and those facing social or geographic isolation. The consequences are real and they are measurable and impact not only individual wellbeing but also the connectedness of our communities. Government members will support the motion.

The Hon. R.A. SIMMS (16:35): I rise to indicate my support for the motion and thank the honourable member for putting this forward. I agree that loneliness is a key issue for us to deal with as legislators and policymakers. Back in the 2022 election it was an issue that the Greens campaigned on in terms of wanting to see a strategy. As an amusing aside, I did an interview with the ABC and it said, 'Is it time for a minister for loneliness?', and there was a picture of me in the article. I wonder if it was a glimpse into my future as a sole Green MP in the parliament.

I joke about a serious issue, because it is really important that legislators and the parliament develop a strategy to deal with this. Lots of young people in particular are grappling with this, and I think we are also dealing with the consequences of technology and the effect that has on our lives and that sense of connection. I hope there is an opportunity for the Social Development Committee to look into this, potentially in the next term of parliament.

The Hon. J.M.A. LENSINK (16:37): I rise to speak in favour of this motion. Loneliness is often described as a quiet epidemic, one that does not make headlines but affects so many people in so many ways and does not really discriminate. Recent research from the Swinburne University has shown that one in two Australians report feeling lonelier since the COVID-19 pandemic. Among young adults that figure rises even higher. For older South Australians loneliness can creep in through social isolation, loss of connection or limited access to services. The outcome is usually the same: diminished wellbeing, poorer mental health and a loss of community belonging.

It is not a problem that can be solved by government programs alone, and I do acknowledge the work of the Department of Human Services in this and also Uniting Communities SA, which I think, along with the Hon. Connie Bonaros, have raised the profile of loneliness in our community. I also acknowledge retired CEO of Uniting Communities SA, Simon Schrapel.

Yes, we agree that this motion is worthwhile. It is an opportunity to look at a number of programs that already exist, whether it is men's sheds, community gardens, sporting clubs, volunteer networks or faith-based organisations, to see how they might be strengthened or better coordinated. It is also a chance to listen to the voices of people with lived experience, whether they are older people, carers, people living with disability, young people or those in regional areas. Their stories will inform evidence, which should result in a range of findings and recommendations that will help the government and the parliament itself. With those words, I commend the motion.

The Hon. J.S. LEE (16:39): I rise in strong support of this motion moved by the Hon. Connie Bonaros, ensuring that loneliness is referred to the Social Development Committee for inquiry, a practical step that allows meaningful work to begin. By referring this issue to the Social Development Committee, we are able to gather evidence, hear from communities and develop recommendations that can make a real difference for South Australians.

This inquiry will look at courses, current programs, new initiatives, community groups and coordination across government and community. Loneliness is not simply being alone; it is a distressing feeling that arises when our need for social connections are not met, a gap between relationships we want and the relationships we have. As social beings, the need to belong is as fundamental as food, water and shelter. Momentary loneliness is like being hungry; chronic loneliness is like starvation. It can have dire consequences for health and wellbeing.

The State of the Nation report 'Social Connections in Australia 2023' revealed that almost one in three Australians feel lonely and one in six experience severe loneliness. Regional areas are more affected than cities, and loneliness is higher in disadvantaged neighbourhoods. Men and women are equally lonely, with young and middle-aged people most at risk. The health impacts are alarming. Loneliness is as harmful as smoking 15 cigarettes a day, it raises the risk of heart disease, stroke and dementia, and is linked to depression, anxiety and suicide, costing millions in health care and lost productivity.

People who are lonely report increased use of mental health services, including psychiatrists and psychologists, and those severely lonely are more likely to visit emergency rooms without being hospitalised. This is a strain on a health system that we cannot ignore. Statistics tell part of the story, but the human experience speaks louder. On the ABC program *Old People's Home for Teenagers* young participants said, 'I just want some friends regardless of their age,' and, 'I am very lonely. Everybody is lonely.' Older participants shared, 'I feel empty, hopeless. I feel lonely all the time,' and, 'When I left corporate life, I sank into a deep depression. I don't see anyone anymore.'

These voices show loneliness affects all ages, even in a connected world. Older South Australians often avoid burdening their family, choosing silence over connection. This quiet suffering is heartbreaking and preventable. This motion aligns with what I have always stood for: connecting cultures, generations and communities. As someone who has worked closely with multicultural communities and grassroots organisations, I know that connection is the foundation to a better South Australia for all. This motion creates a framework for action and reflects South Australian's values of fairness, inclusion and community spirit. With those remarks, I wholeheartedly commend the motion.

The Hon. C. BONAROS (16:42): I thank honourable members for their contributions and their support for this motion: the Hon. Ian Hunter, the Hon. Michelle Lensink, the Hon. Rob Simms and the Hon. Jing Lee. I am glad for the reminder by the Hon. Jing Lee—15 cigarettes a day, six alcoholic drinks per day. It increases the risk of premature death by 26 per cent, social isolation by 29 per cent, heart attacks by 30 per cent, dementia by 31 per cent, and it is linked to a fivefold increase in suicide rates. The cost to our economy is about \$2.6 billion across the nation each year. That is about one and a half thousand dollars per person. That is how much loneliness is costing us.

I would like to thank Uniting Communities for their extraordinary work in this area. I would also like to thank the Minister for Human Services. Members will recall that this is not the first time; it is the second time we are debating this motion in this place. The first was for an independent review into the actual cost of loneliness to South Australia. I have gone to and fro with the minister for some months now in relation to that independent review and the government's appetite for that. I would have thought that the dollar signs that it is costing our community would have been enough to get any treasurer on board because, ultimately, we know that if we address loneliness appropriately in our community, our economy is better off.

We did not quite get to that point, but we are here now with full support for our Social Development Committee to do, I think, the legwork into this issue and probably establish a case based on the sort of statistics and material that we have before us for a broader—

The Hon. I.K. Hunter: A powerful and very respected Social Development Committee.

The Hon. C. BONAROS: Absolutely, and I am very grateful that the minister has taken this on board and has worked very closely with me to develop an alternative review by this committee, and I look forward to this referral to that committee in the new year.

Motion carried.

SICILIA SOCIAL AND SPORTS CLUB

The Hon. J.S. LEE (16:44): I move:

That this council—

1. Congratulates the Sicilia Social and Sports Club Inc. on reaching the remarkable milestone of its 50th anniversary in 2025;
2. Commends the founding members, current and past presidents and board members as well as staff, volunteers and community supporters for their dedication and service to South Australia's diverse Italian community;
3. Recognises that since its establishment in 1975 the Sicilia Club has played a vital role in promoting and preserving the cultural traditions and values of Italian migrants with Sicilian heritage and providing a supportive, social network for its members; and
4. Celebrates the Sicilia Club's legacy and significant contributions to enhancing multiculturalism in our state and its ongoing efforts to support the Italian-Australian community to actively contribute to the economic, social and cultural life of South Australia.

It is a great honour to rise today to offer congratulations on and celebrate a remarkable milestone in South Australia's multicultural history, the 50th anniversary of the Sicilia Social and Sports Club. This is an extraordinary achievement that speaks volumes about the vision, resilience and community spirit of our Italian-Australian community. Since its establishment in 1975, the Sicilia Club, as it is fondly known, has been a vibrant hub for cultural exchange, friendship, and support, a place where traditions are cherished and passed down through generations.

Firstly, I would like to congratulate the Sicilia Social and Sports Club on reaching this 50-year milestone. Fifty years is not a number; it represents five decades of dedication, countless hours of volunteer service and an unwavering commitment to preserving the proud heritage of Italian migrants from Sicily who made South Australia their home.

I commend the founding members, past and present presidents, board members, staff, volunteers and community supporters who have worked tirelessly to ensure the club's success over the last five decades. Their efforts have created a welcoming space where Sicilian culture thrives and where members can celebrate their identity while embracing the opportunities of life in Australia.

I wish to pay special tribute to Mrs Rita Bianca Palumbo, who has served as the club's president since 2008. Rita is a force to be reckoned with, a warm and welcoming presence who has been very ably steering the club for more than 15 years. She is far too humble to sing her own praises, so I take this opportunity to do so. Under Rita's strong and capable leadership the Sicilia Club has undertaken major renovations, including the refurbishment of the beloved bocce courts in 2019.

I have a long association with the club and have certainly seen them successfully complete a stunning refurbishment of the club hall in 2022 under the Marshall Liberal government, modernising the hall to increase hire opportunities and further support the diverse multicultural communities of South Australia.

Rita's story is a testament to leadership and service. After emigrating to Australia at the age of 10, she became the first Italian secretary of the Good Neighbour Council of Australia at just 16 years of age. Over the years she has volunteered with many organisations, from the Italian Coral and Arts Society and Doppio Teatro's Pulcinella Troupe to pivotal roles in Australia Donna and PISA, now known as Nonna's Cucina. She also earned the golden mike award for her outstanding voluntary service at 5EBI ethnic broadcasters, where she trained and mentored others in radio production and broadcasting.

Under Rita's dedicated leadership the Sicilia Club has flourished, hosting countless wonderful events, from cultural festivals and sporting activities to monthly dinner dances, strengthening bonds within the Italian community as well as the broader Australian multicultural society.

Since 1975, the Sicilia Club has played a vital role in promoting and preserving the cultural traditions and values of Italian migrants with Sicilian heritage. Through music, dance, language and cuisine the club has ensured that younger generations remain connected to their roots while fostering pride in their identity.

The club's legacy extends beyond cultural preservation. It has provided a strong social network for its members—a place of belonging, friendship and mutual support. For many migrants this sense of community was essential in navigating the challenges of settling into a new country. Today that spirit of solidarity continues as the club welcomes people from diverse backgrounds and promotes inclusivity.

I wish to take this opportunity to acknowledge and commend the pioneering founding members who first came together in 1973 to create a gathering place for the Sicilian migrants in South Australia. Their vision gave rise in 1975 to the Siculo club, which became the Sicilia Social and Sports Club in 1978. Through years of planning, fundraising and perseverance the club purchased its first premises in Camden Park in the 1980s before acquiring land in Klemzig where the current hall and clubrooms were constructed and opened in March 1992.

I also want to pay tribute to the leadership of past presidents including Francesco Augello, Angelo Dilena, Vincenzo Perrone, Angelo Dilena, Leonardo Perrone, Raffaele Brianni, Vincenzo Dilena, Giuseppe (Joe) La Scala and Biagio Barbaro, whose contributions shaped the club's proud history.

It was wonderful to reflect on these stories at the Sicilia Club at the 50th anniversary celebration on 25 October. Heartfelt congratulations to Rita, secretary Josie Galipo, the management committee and the many volunteers and supporters for their outstanding efforts organising the spectacular gala dinner. It was a night filled with warmth, music, great food of course, and lots of beautiful reflections.

The gala was a true testament to the club's enduring impact, a heartfelt tribute to those pioneers and a celebration of the generations who have continued to shape the club's success. Special thanks also to Galipo Food Company for its longstanding commitment to supporting the club and many events over the years, and to all the volunteers, sponsors and contributors who made the night so memorable.

Over the years, the Sicilia Club has become a cornerstone of the South Australian Italian community, serving not only as a home for migrants and descendants from Sicily but as a hub for multicultural events and intercultural connections. Its story reminds us that South Australia's strength lies in its diversity and in the contributions of communities like the Sicilia Club.

Once again, I extend my heartfelt congratulations to the Sicilia Social and Sports Club on this significant 50th anniversary. May they grow stronger, may their friendships continue and may they always be the hub and the spirit of the Italian community from Sicily. I commend the motion to the chamber.

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

INTERNATIONAL MEN'S DAY

The Hon. S.L. GAME (16:51): I move:

That this council—

1. Acknowledges that 19 November 2025 is International Men's Day, focusing on men's health, championing male role models, and recognising the positive values men bring to the world, their families and their communities;
2. Accepts that men face a series of health challenges that need to be acknowledged and addressed to help our communities function to their fullest potential;
3. Identifies that these challenges include but are not limited to the fact that in Australia three out of four suicides are men, two out of three violent deaths are men, and that men die years younger than women on average;
4. Recognises that men deserve to be celebrated on International Men's Day in the same vein as we celebrate and champion women on International Women's Day; and
5. Acknowledges that all members of parliament need to do their best to start changing the negative narrative around men in society.

Bringing International Men's Day to prominence in South Australia in recent years has been a pleasure and a responsibility I have taken incredibly seriously. As we busily prepare to host the third International Men's Day event to be held on the day itself, Wednesday November 19, it is timely to reflect on this initiative's growing support base and what this expansion actually means.

The Premier, Peter Malinauskas, has accepted an invitation to attend this year's event. What does that mean? Other Labor ministers and MPs will also attend and will do so alongside those who sit opposite them within the Liberal Party ranks. What does this all mean?

This year's International Men's Day Adelaide function, which will be more than double in size compared with the previous two already successful events, will welcome people from a broad cross-section of our community: a disparate group who would rarely sit in the same room together, let alone share similar life priorities. The event is growing in credibility, reach and popularity each year.

I believe these indicators show that the points made previously in the motion are resonating more strongly than ever and more broadly. They also prove that support for the motion's aspirations is gradually becoming apolitical, as it should. Clearly, the need to focus on the unique challenges faced by men—in particular, their health—is hitting home. The need to champion male role models, rather than unfairly taint all men for the actions of a tiny minority, is being recognised. Our understanding that by taking these steps we will live in a more cohesive, fair and ultimately safer community is growing.

The tired and erroneous cliché 'every day is International Men's Day' is disappearing from our consciousness permanently and being replaced with recognition that an ongoing discussion around the needs of men and boys, including helping them when and where appropriate, is a completely valid and critically important concept and, indeed, a responsibility.

In addition to those sobering statistics about suicides, violent deaths and the shorter life expectancy of Australian men, it is worth noting that boys continue to underperform against girls at every stage of education and that fathers in split families face more substantial barriers to being involved in their children's lives. Double standards must cease, to be replaced by robust and honest conversations.

One of the great privileges of this position is that I get to interact with so many amazing people from different walks of life—people who have lived so many different experiences. It is partly

through these conversations and contacts that the International Men's Day Adelaide event has continued to flourish and has now cemented its position on the South Australian landscape.

I have talked to many men's shed members, plus countless current and retired Defence Force members and their representative groups. Through these interactions, I have developed a better appreciation of the challenges facing men in modern Australia, and I have learned about some of this selfless and valuable work they do. Both inside and outside parliament, I have spoken many times about the positive contributions of men as fathers, workers, Defence Force members, brothers, sons, friends and so on.

As indicated by the attendance of community leaders across various fields, plus the presence of the Premier, South Australia's biggest International Men's Day dinner has become a significant event on the calendar. Its growth is recognition that South Australia's International Men's Day event is so much more than just a dinner: it is a catalyst for change. I am proud to say that this year the dinner is supporting the work of the wonderful MATES in Construction charity, plus the Port Lincoln based Mentally Fit Eyre Peninsula group. These groups are working in their communities and making a real difference, so I am delighted we can support them via the 2025 dinner.

Through the 2025 theme of 'Stand Tall. Speak Up. Show Up.', I am inviting all South Australians to jump aboard the movement. The goal is for a lasting impact, stronger communities, open conversations and lives saved through connection and care. I remain proud of this event and grateful to everyone who has contributed to its success, including those within these parliamentary walls.

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

Bills

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (UNAUTHORISED TREE-DAMAGING ACTIVITY) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 15 October 2025.)

The Hon. T.T. NGO (16:56): I rise on behalf of the government to speak on the Statutes Amendment (Planning, Infrastructure and Other Matters) Bill 2025, a bill that introduces measures to speed up housing delivery and simplify development processes. In 2024, the Malinauskas Labor government released the South Australian Housing Roadmap to tackle the housing crisis with clear and practical actions. We continue to deliver on those commitments through major land releases in Concordia and Onkaparinga Heights. The Concordia Code Amendment alone has rezoned land for 10,000 new homes and ensured infrastructure is delivered up-front.

We are addressing housing affordability through first-home buying programs and major funding to SA Water to support new developments. The housing crisis affects us all, and this bill delivers efficiencies to bring homes to the market faster. It enables the use of technology and artificial intelligence to make planning decisions. AI technology is now being trialled through the SA planning portal, one of the first of its kind globally.

The bill makes sensible updates across several acts, including the Architectural Practice Act, the Law of Property Act, the Real Property Act and the Planning, Development and Infrastructure Act. These changes will streamline processes, reduce red tape and modernise outdated systems.

Amendments in this bill that save significant processing time include extending the Government Architect's tenure on the Architectural Practice Board, expanding the rent-to-buy scheme following a successful pilot and allowing electronic signatures for deeds under the Law of Property Act. The Real Property Act will also be updated to enable fully electronic land divisions, further reducing delays. To ensure transparency, landowners must now consent before an application is lodged over their property.

The bill also streamlines the State Planning Commission's functions so it can focus on statewide initiatives. The Minister for Planning will still be able to seek the commission's advice when needed. Further amendments will simplify the process for changing the Planning and Design Code,

allowing the minister to initiate code amendments when appropriate, reducing bottlenecks and turnaround times.

The bill clarifies that land division clearance can proceed once agreements with SA Water are in place, rather than waiting for connections to be completed. It introduces a requirement for local governments to prepare local area plans aligned with regional plans, strengthening coordination between states and local planning. Other improvements include allowing infrastructure schemes to transition efficiently between stages and updating language to align with federal laws. Importantly, the bill also recognises First Nations people in the objectives of the Planning, Development and Infrastructure Act.

The Labor Malinauskas government remains focused on affordability, supply and cutting unnecessary delays. Every week saved brings us closer to getting more South Australians into homes and it is something we all—

The Hon. T.A. FRANKS: Point of order: I think the member might be speaking from the wrong speech notes.

The PRESIDENT: The point of order of the Hon. Ms Franks is noted, and I think we all agree with you.

The Hon. J.M.A. LENSINK (17:01): I rise to indicate that, while the Liberal Party supports the sentiments of this legislation, we are unable to support the bill itself. Probably the most significant flaw it contains is the presumption that any damage to trees is caused by the landowner, which I think is potentially unnecessarily punitive and will cause a lot of potential problems for landowners who may find themselves in a position where they need to install CCTV in order to have that as a defence against any trees that potentially are going to be damaged on their property.

I kid you not. You heard it here first in the Legislative Council. It should never be said that we are a sleepy place that is not observing the Zeitgeist because we may end up with a particular offence known as revenge pruning, where someone seeks to have the owner of a property charged with offences by lopping trees and causing unauthorised tree-damaging activity, and the default will be that they are the person who is responsible.

Tree canopies are something that is important to all parties and this was very ably demonstrated when the Liberal Party was the party of government under Steven Marshall. We support the activities of the City of Unley, which is seeking to increase its tree canopy, and are disappointed that those initiatives were not continued by this government. We established Green Adelaide, which had a range of means by which it worked on greening and tree canopy and part of its legislative inclusions were green streets and flourishing Parklands through sustainable water management and fauna, flora and ecosystem health in the urban environment.

The Greener Neighbourhoods fund, which in its initial phase provided funding to urban councils for street and park tree canopy expansion, was a highly successful program leading to budget increases from Green Adelaide's internal funds and more funding after the initial one. In 2021, this was expanded to regional centres with populations over 10,000. We established a specific CBD greening fund, including several million dollars for the Adelaide City Council's street tree planting, and a range of others. National Park City status was another initiative of our government, along with Glenthorne National Park, in which some 200,000 trees and shrubs have been planted since proclamation.

I am not being glib when I say that most people do love trees. I have certainly sought to increase the native trees on my own suburban property, recognising that they are an important food source for local fauna and are much more resilient in our climate. We do support the aims of what this bill is intending but we think that, although it is designed to be a crackdown on tree vandals, it is probably going to hurt a lot of people and may indeed lead to people being too scared to plant trees because they might get pinged by these penalties. With those brief words, I indicate our opposition to this bill.

The Hon. T.T. NGO (17:06): I rise to speak on behalf of the government to explain why we will not be supporting this bill. While we appreciate its intent to strengthen protections for our urban tree canopy and deter illegal removal, we believe the proposed bill in its current form is flawed.

The bill proposes to define both the Urban Tree Canopy Offset Scheme and the Urban Tree Canopy Overlay in the act, make the offset scheme permanent and introduce new powers allowing the seizure and sale of machinery used in unlawful tree-damaging activities. The bill would require courts to impose compensation orders on anyone convicted, allow councils to carry out replanting work if offenders fail to comply and presumes that the landowner is responsible unless they can prove otherwise. These measures may appear strong; however, they place unfair burdens on ordinary South Australians and duplicate existing powers.

Section 228 of the Planning, Development and Infrastructure Act already allows the court to order the replanting of trees or modification of developments when unlawful tree-damaging activity has occurred. The powers are there; the problem is not a lack of legislation, but how those provisions are enforced. The government believes that adding new, overlapping layers of law will not necessarily improve compliance or outcomes.

Another concern about this bill is the reversal of the burden of proof. It presumes that the landowner is guilty of the offence unless they can prove otherwise. Many landowners rely on licensed contractors and may have no knowledge that unlawful work has been undertaken. To expect them to disprove guilt against the resources of a council or government agency is questionable. Reversing the burden of proof should only occur in exceptional circumstances, such as where it is absolutely necessary, where reasonable defences exist and where the offence is otherwise almost impossible to prove. There are many other serious offences under the act, such as illegal building work, that are equally difficult to prosecute yet the same reversal is not proposed.

While the idea of councils replanting trees when offenders fail to comply with a make-good order sounds practical, in reality it would be difficult and costly to enforce. Those who fail to comply in the first place are often not in a position to reimburse councils. Likewise, allowing machinery to be seized and sold introduces a new risk around ownership disputes and compensation if convictions are later overturned.

The reforms have been proposed without proper engagement with councils, compliance officers and other specialists and consultants who are expected to implement them. As such, the government would want to engage with the local government sector before progressing reforms of this nature.

Protecting and expanding our urban tree canopy is a shared goal. We all understand the value of trees in cooling our suburbs, supporting biodiversity and improving our well being. Achieving that goal requires fairness and cooperation, not legislation that risks punishing innocent landowners and overburdening local councils. It is for these reasons that the government cannot support the bill in its current form.

The Hon. T.A. FRANKS (17:11): I rise to thank those speakers who have made a contribution today, the Hon. Michelle Lensink and the Hon. Tung Ngo. I am disappointed that neither the opposition nor the government will consider debating this bill and continuing this conversation today. This is a serious issue, and I draw members attention to the case law analysis that was completed by the City of Port Adelaide Enfield since I introduced this bill.

I believe that letter—a letter from Mayor Claire Boan sent to the Premier, which was circulated to many members of parliament—actually shows how the current laws are not working. We have seen the strengthening of our laws, but that analysis by the City of Port Adelaide Enfield indicates that between 2000 and 2007 average fines were between \$3,000 and \$4,000—this was 10 per cent to 13 per cent of the maximum allowable fine at the time. Since 2007, when the maximum penalty was increased from \$30,000 to \$120,000 because the fines seemed to not be working, average fines have been some \$6,000 to \$7,000—only 4 per cent to 6 per cent of the maximum allowable fine.

In fact, in percentage terms it seems to be less than half what they were before the increase, and it is rare for a fine to reach, let alone exceed, 30 per cent of the maximum allowable fine. It is all well to say that we have great laws and that the courts can do their job, but is not being taken seriously at the moment. This will give another tool to ensure that illegal tree felling is not occurring.

I note that the Hon. Tung Ngo spoke about innocent property owners who might somehow fall foul of rogue tree removalists and arborists doing a job they did not authorise. Well, they would be able to prove, in that case, that they, as landowners, did not authorise that job. That would be

quite an easy process. What we see, of course, is not just ethical arborists working within this space but also unethical arborists; people can call themselves an arborist in this state whether or not they are trained. We have rogue operators, and we do not have enough tools to curb their ways.

We also know—the Urban Forest Inquiry of the Environment, Resources and Development Committee has done some really fine work in this area, and I was hopeful that perhaps that work would have furnished more of the speaking notes of at least the government bench today—that we have a long way to go in ensuring that we cool our suburbs and have an urban canopy that does the job of keeping the climate cool as well as our suburbs safe for human habitation into the future.

We should be taking this more seriously than we are. This was a small measure that would have ensured rogue operators were actually held to account and lost the tools of their unethical trade. With that, I certainly commend the bill to the council and was looking forward to a constructive debate where perhaps people moved amendments if they had problems with certain small parts of it. I will be dividing, should I have a second voice.

The council divided on the second reading:

Ayes3
Noes.....16
Majority13

AYES

Bonaros, C.

Franks, T.A. (teller)

Simms, R.A.

NOES

Bourke, E.S.

Centofanti, N.J.

Game, S.L.

Girolamo, H.M.

Hanson, J.E.

Hood, B.R.

Hood, D.G.E.

Hunter, I.K.

Lee, J.S.

Lensink, J.M.A.

Maher, K.J.

Martin, R.B.

Ngo, T.T. (teller)

Pangallo, F.

Scriven, C.M.

Wortley, R.P.

Second reading thus negated.

TERMINATION OF PREGNANCY (RESTRICTION ON TERMINATIONS AFTER 22 WEEKS AND 6 DAYS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 17 September 2025.)

The PRESIDENT: Before I call the Hon. Mr Maher, I will just make a couple of points. Interjections are always out of order. They are particularly out of order in this debate, and I will not tolerate them. I will not tolerate any noise, grunting or groaning from the visitors' gallery. You are welcome, but you will listen in silence. I will make it quite clear that if I have a casting vote I will be voting in favour of the bill, and that is not negotiable. Of course, the President's gallery will remain clear, unless a member of your staff needs to be in the gallery. The honourable Leader of the Government.

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (17:20): I rise to speak briefly on this legislation that is before us, and it gives me no joy to do so. We have matters of life and death, matters that are traditionally declared conscience issues for the major parties, and the way we conduct ourselves, I think, varies greatly. I remember in the last parliament the debates we had on voluntary assisted dying brought all of us, I think, a level of respect. I had people who came up to me after that debate, seeing how parliament can be at its best.

Twelve months ago, when this bill was before us again, I think it showed parliament and the parliamentary processes at their very worst. It was the most unedifying debate I have ever been a part of in my time, not just as a member of this council but in the years before that, working for people like the Hon. Terry Roberts. The campaign that was associated with the debate that went on in this chamber I think was exceptionally unfortunate for the way we conduct ourselves in a public policy sense.

We had people eventually leave their party as a result of what occurred on that night we debated this last time. We have seen—and I had not seen this before in my time here—people banned from precincts of parliament because of the way the debate was carried on outside of what happened on the floor of this chamber.

I think there are many people who have genuinely held beliefs on this issue who would agree that it brought out the worst in the way that we sometimes campaign in South Australia. I will not put words into his mouth, but I think if the Hon. Ben Hood had his time again he might not have stood next to the sorts of people he stood next to in the way that this was, in hindsight, campaigned for last time.

I do not think anybody will be under any misapprehension about the way I will be voting. I will be voting against this bill, as I have in the past and as I will in the future. South Australia was the first jurisdiction to legislate for the lawful medical termination of pregnancy in 1969. Our laws were then not properly reviewed for 50 years, until reforms introduced by the Attorney-General in the last parliament, the Hon. Vickie Chapman, and I pay tribute to her work in reforming these laws and modernising them.

The laws that are before us do not enjoy the consensus support of medical experts. Quite far from it, they enjoy the condemnation of those who know this field most. For example, the Royal Australian and New Zealand College of Obstetricians and Gynaecologists has released a statement in relation to this particular piece of legislation, and I will quote from that:

Ms Game's bill is based on a fundamental misunderstanding of the reality of pregnancy terminations after 22 weeks and 6 days. These procedures are extraordinarily rare, representing a tiny fraction of all abortions performed (48, or 1.0% of all abortions performed in South Australia in 2024). When they do occur, they almost always invariably involve circumstances of severe fetal abnormalities incompatible with life, or serious threats to the pregnant woman's health and life.

Of these 48 abortions performed in South Australia in 2024, 34 were to protect the physical or mental health of the pregnant person, 15 due to fetal anomaly, and one to save the life of a pregnant person or another fetus. The College is deeply concerned that Ms Game's bill is premised either on an ignorance of this reality, or a wilful misrepresentation of the facts as they exist in data.

These words are not messing around. These are the words of that college. The Royal Australian and New Zealand College of Psychiatrists echoed those sentiments, having long held the position that:

Decisions around [termination of pregnancy] should be made by the individual in conjunction with appropriate support from qualified health professionals as defined in the existing Act.

It is hard to dispute the views of experts in this area. I can only imagine the pain and anguish that mothers and families must experience when having to make such a difficult decision so late in a pregnancy for a variety of complex and very deeply personal reasons. I will not be supporting this bill that seeks to roll back women's access to abortion care.

When you look not just at the merits of what is before us, but if you look at the political atmosphere in which this bill is before us again, it is deeply disturbing as well. As I have said, it was the most unedifying debate I have ever been involved with, so much so that the Leader of the Opposition, the member for Hartley, Vincent Tarzia, when asked about this on 18 November last year on radio after that unedifying debate had concluded, said, about the former bill, 'It was a distraction and we won't be revisiting it under my leadership, simple as that, done and dusted. I'm glad it's behind us.' These are not words that are open to much interpretation at all. We saw in this chamber, when this bill was introduced, one of the member for Hartley, Vincent Tarzia's own shadow cabinet team members second the bill—doing something to make sure the bill advanced.

It will be interesting to see, as this bill progresses, which of Vincent Tarzia's shadow cabinet members speak in advancement of this and then vote to keep this going in complete and utter contrast with what Vincent Tarzia as leader has said: 'It's done and dusted. It won't be revisited under my leadership.' Shadow cabinet members involved in this debate voting to progress this bill are in

direct defiance of their very own leader. If Vincent Tarzia, member for Hartley, as Leader of the Opposition cannot exercise a tiny little bit of authority and control over some of his shadow cabinet members, how on earth could he possibly govern South Australia?

The fact that we are here again, the fact that this bill is progressing, the fact that it has been seconded by members of his own shadow cabinet, and if any of those members vote for this bill, it demonstrates how utterly unsuitable he would be as leader of South Australia. You have what the experts have said on this and you have the real politics of what this means for the Liberal Party in South Australia.

The Hon. B.R. HOOD (17:27): We do stand in this chamber again today to touch on this issue that was brought to this chamber only 12 months ago, and no-one here would doubt that my beliefs on this topic are firm. Whilst today I will speak briefly on this bill before us, my extended remarks are on the record and available to the public.

This bill seeks to reverse the unintended consequence of the Termination of Pregnancy Act passed in South Australia in 2021. As the Hon. Sarah Game has conveyed, parliament was promised in that legislation when it passed in 2021 that it would not result in healthy babies being aborted after viability if the only factor was the mother's mental health. We were told that, in those circumstances, the safest option was that the baby be delivered alive, yet we do stand here today knowing that viable, healthy babies have been aborted as a direct consequence of the Termination of Pregnancy Act 2021.

Last year, when I introduced the bill to reverse the unintended consequences of that act that ended life, and instead offer protection to the most vulnerable among us, 45 healthy babies capable of life outside the womb had been lost to foeticide, and those were 45 individual unrepeatable human lives. Today I am deeply saddened to know that 79 healthy, viable babies have been terminated—babies that were capable of life.

We must ask that question: when does the life of a child begin to matter? It is my firm belief that when a child can survive outside the womb our responsibility extends to protect that life. I would argue that a true measure of any society can be found in how it treats its most vulnerable members. Still, I do not believe that a majority of the people of South Australia realise that late-term abortions are being carried out in our state, and when the Termination of Pregnancy Act was passed it was not the will of the parliament that late-term abortions be performed. Today we have the opportunity to reverse those unintended consequences and preserve life. These amendments are not an opposition to choice, but a protection of life, humanity and the future of our South Australian children who deserve a chance to live.

While we did debate this issue last year, the council did speak, and I do respect that decision. Whilst I do not anticipate a different outcome today, it is a bill that I do support. The courage demanded to debate such a sensitive topic is not lost on me, and I thank the Hon. Sarah Game for having the fortitude to introduce the bill. I conclude my remarks and commend the bill to the chamber.

The Hon. J.M.A. LENSINK (17:29): I would just like to acknowledge SAAAC and the people in orange, and say that I apologise that I was not able to be at the handing over of the petition and I missed the orange memo, so I put my speech notes in an orange folder to recognise that. I am not going to rebut all of the health aspects of the bill. I have raised this with Brigid Coombe AM, who is a wise and very patient person and, as she reminded me, the facts are settled. There is plenty of evidence in medical journals which is supported across all of the resident colleges and professional associations, and I have had plenty, obviously, to say on this bill.

Brigid Coombe is a very patient person. She and Barbara Baird lobbied a number of us for many, many years. She had to wait for an elected brave Liberal government to actually bring some legislation forward, and I acknowledge the Hon. Tammy Franks, who had a version of the bill sometime in 2018. So, indeed, I think the facts are settled and they have been spoken about and I am not going to debate data or any of those things, but just repeat some of the comments that I made on the steps of parliament a couple of weeks ago.

I will be voting against the bill. That is my first point. Secondly, I do not believe this bill will pass today. As a former health professional myself, I think this bill undermines one of the fundamental

principles in health decision-making, which is informed consent for the patient. As the Leader of the Government mentioned, in 1969 South Australia was the first jurisdiction to introduce some form of decriminalisation. I can expand on my comments from what I stated in the parliament then, because I have spoken to some of the individuals who were part of that process back then.

The forerunner to that bill was a motion from the Young Liberals a year or two before that because there were Young Liberals who were aware of the complete hypocrisy of what was taking place without access to safe abortions. Indeed, there was a doctor by the name of Dr Bertram Wainer, who was based in Melbourne—born in Scotland, I understand—who had been providing safe abortions. It is an interesting read if anyone wants to Google it because he experienced all sorts of raids from the fraud squad and so forth.

South Australian women and girls were probably catching trains to Melbourne in those days. I underline that because it is in the DNA of the Liberal Party to support individuals who are oppressed by laws that are unfair, and it is not just a Liberal government that did that. It was Dr David Tonkin who introduced the first sex discrimination laws in Australia, in South Australia, which was the forerunner to the Equal Opportunity Act and, as we have recently noted, Murray Hill was the first in Australia to introduce a bill to decriminalise homosexuality, so this stuff is in our DNA and long may it be.

In 2020-21, this legislation was taken out of the criminal code and it provided a range of things including better access for country people. I will add to the comments of what Vincent Tarzia, our leader, the member for Hartley, said. He did not use this language, I do not think, but he said he would effectively sack any member of his cabinet or shadow cabinet who tried to introduce such bills in the future. This is a conscience vote for the Liberal Party, so whether someone seconds it or speaks in favour of it or not is of no consequence. People can speak and vote on their will. We do not kneecap people in the middle of the night like the Labor Party do.

One of the other points that I made on the steps is that the policies of a certain US administration are not contagious, which I think is something that people in the LGBTIQ community are concerned about as well as women who are worried about changes to Australian laws. I do not believe that is so: I think Australians are quite different. I would also refer to the comments of former Prime Minister John Howard, who is not known as a moderate but who stated recently in *The Weekend Australian* that Liberals should recognise the unique aspects of our Australian political ethos and the flaws in attempting to transpose populist cultural ideas from America and Britain. He said:

Our political culture is very different to that of America...we are a different political culture from the Americans...Americans are more—how shall I put this?—they're more politically gullible than Australians, they're not as sceptical. I've search for a better way of saying this, but there isn't one really.

In my personal view he is correct.

I come to my final point. I would not have chosen to be political about the Labor Party, but the Leader of the Government has provoked me. I would just like to point out that Dr Joanna Howe, as I understand it, is a member of the Australian Labor Party and continues to be a member of the Australian Labor Party in spite of the fact that she has vilified and defamed a number of people, including myself, the Minister for Women the Hon. Katrine Hildyard, Vickie Chapman and the like.

I wonder if that is the standard that Peter Malinauskas walks past in not having her evicted from the Australian Labor Party for clearly engaging in things which I would be shocked if the constitution of the Australian Labor Party supported—the activities. It is not just the activities, people can have whatever beliefs they like, but the way in which we debate, not just in the parliament but in the public sphere, should be held to a certain standard, and if the Labor Party will not sack Joanna Howe from their party then that speaks volumes. With those comments, I indicate I oppose this bill.

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (17:37): I rise to speak on the Termination of Pregnancy (Restriction on Terminations After 22 Weeks and 6 Days) Amendment Bill. I want to begin by noting that my position on this matter has not changed since supporting the Hon. Ben Hood MLC's bill last year. During that debate I put my views on the record in detail, and I do not propose to repeat them today. My support then was clear and it remains clear now.

I would like to acknowledge that similar amendments were put forward by the Hon. Nicola Centofanti during the 2020 debate. While I was not in parliament at the time, I have reviewed the arguments and principles put forward behind those amendments and I fully support them. They were thoughtful, considered and aimed at balancing the rights of women with protecting the unborn life. This brings me to the important point: babies after 23 weeks are viable. Medical evidence shows that, and in many cases babies born at this stage can survive outside of the womb with appropriate care.

I want to make it clear that I support the amendment bill put forward today by the Hon. Sarah Game. This amendment bill builds on the work of previous bills and seeks to ensure that our laws reflect both compassion and common sense while also providing protection for babies who are capable of surviving outside of the womb. It is crucial that parliament continues to recognise the balance between the rights of women and the protection of a viable life. With that, I note my support for the bill.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (17:38): I too rise to make a brief contribution to the Termination of Pregnancy (Restriction on Terminations After 22 Weeks and 6 Days) Amendment Bill. This is not a new debate for this council. In fact, when the original Termination of Pregnancy Bill was before us in 2020, as a newly elected member of this parliament I personally drafted and moved this very same amendment. Therefore, this amendment bill is not new to me. I drafted it then and I continue to support it now.

Although the amendment did not succeed at that time, my views on this matter have remained entirely consistent since the outset. I have spoken on this issue previously, both during the 2020 debate and again last year when a similar bill was introduced, and my comments are already firmly on the record. I believe most members of this chamber, and indeed many South Australians, are well aware of my position.

Can I be clear in response to the comments made by the Deputy Premier in his second reading speech: this is a matter of conscience. This is a private bill brought forward by the Hon. Sarah Game, who is not a member of the Liberal Party. It is her right to bring this bill forward. I will not be lectured to by the Deputy Premier for exercising my conscience on this matter—as he has done and has the right to do so.

I fundamentally believe that by supporting this amendment we affirm society's responsibility to create every opportunity for life to flourish, to protect the rights of the voiceless and to ensure that life is given every chance to succeed. For me, this amendment represents a reasonable and compassionate safeguard: a clear restriction on late-term terminations while maintaining the ability to provide appropriate medical care and compassion where circumstances require.

Given that history, my position remains straightforward. I supported this amendment when I first introduced it as a new member, I supported a similar amendment again last year and I continue to support this amendment today.

The Hon. J.S. LEE (17:41): I rise today to speak on the Termination of Pregnancy (Restriction on Terminations after 22 Weeks and 6 Days) Amendment Bill introduced by the Hon. Sarah Game. One year ago we debated a similar bill to amend the Termination of Pregnancy Act. Since then, I am grateful that I have had the opportunity for further reflection and valuable conversations with people from across different communities, professions, faiths and cultures.

I would like to take this opportunity to thank all those who have reached out to me and my office to share their professional and personal views and for their courage and honesty in having this often very difficult conversation. I have received correspondence from hundreds of constituents opposing this bill and had representations from community members from a wide range of backgrounds asking me to reconsider my position.

The bill before us today seeks to amend the Termination of Pregnancy Act by limiting the circumstances in which termination may be lawfully performed after 23 weeks' gestation, often called a 'late-term abortion'. Under the current law, termination beyond the 23-week threshold is permitted with the approval of two doctors if it is necessary to save the life of the pregnant person or another

foetus, if there is a significant risk of injury to the physical or mental health of the pregnant person, or if there is significant risk of serious foetal anomalies.

The bill before us proposes to remove the provision that allows for termination where there is significant risk of injury to the physical or mental health of the mother. In doing so, it narrows the scope of lawful terminations and will prevent access to abortion care in cases where continuing the pregnancy poses serious but not immediately life-threatening health risks.

Removing the threshold 'significant risk of injury' and only allowing terminations when it is 'necessary to save the life' will not necessarily reduce the number of terminations performed in South Australia. Instead, this change threatens to disempower doctors and medical teams, preventing them from acting until a 'significant risk of injury' escalates to a definitely life-threatening situation. Not only does this put patients at a greater physical risk of complications and long-term health consequences but it could also mean forcing them to ensure further unnecessary pain and suffering that could have otherwise been prevented.

A representation made to me highlighted that 'this bill disregards the expert medical consensus from bodies such as the Royal Australian and New Zealand College of Obstetricians and Gynaecologists and seeks to legislate medical practice without a proper understanding of the severe health conditions, including mental health issues, that necessitate this procedure. Restricting access will force women into unsafe and distressing situations, putting their health and lives at risk.'

I note that a large part of the commentary around this amendment bill has focused on the argument that mental health should not be an acceptable reason for late-term abortions. President-elect of RANZCOG, Dr Nisha Khot, has stated:

One of the many troubling aspects of how this bill has been presented is that the mental health of the pregnant person will no longer be considered relevant rationale for a decision to terminate...This is enormously problematic. Mental health is health, and it is no less important to the overall well-being and ability to safely carry a pregnancy to term, than is physical health.

Indeed, this was a concern echoed by many of those who have contacted my office, with one constituent stating, 'I am also appalled by what seems to be a denial that mental health care is part of health care, which runs completely counter to 21st century understandings of patient-centred care.'

This broader dismissal of mental health as a factor in reproductive healthcare decisions is deeply troubling, and it is not the only concern. I am also alarmed that the amendment proposes to remove clauses that currently require medical practitioners to consider a range of critical factors when determining whether to perform a termination after 23 weeks' gestation. Such considerations include:

- factors that may have limited the patient's ability to access specialist services prior to 23 weeks' gestation;
- whether the patient has been denied agency due to sexual or physical abuse, rape, incest or sexual slavery;
- whether the pregnancy was not diagnosed until late in gestation; and
- medical and psychiatric conditions that may have presented, been diagnosed or worsened during the pregnancy and may present a threat to the patient's life or require treatment that is incompatible with an ongoing pregnancy.

Removing these clauses appears to be in direct opposition to expert medical advice from organisations such as the Australian Medical Association and RANZCOG. They have noted the extraordinary circumstances that may compel women to consider late-term abortions, such as late presentation or diagnosis (such as diagnosis of foetal abnormality); reproductive coercion or domestic violence; difficulty accessing abortion services; and serious illness during pregnancy (such as a cancer diagnosis).

From the representations made to me and the many conversations I have had with community members, stakeholders and healthcare professionals, I have come to the belief that the current act contains robust safeguards to ensure that medical professionals are equipped to make appropriate assessments in each unique circumstance.

I do not believe that anyone makes a decision to end a pregnancy lightly. I can only imagine the pain, stress and grief that women and families face in such circumstances. I trust that every effort is made to support the pregnancy and save the life of the foetus, but tragically this is not always safe and possible to do so.

As many other honourable members have cited, the number of late-term abortions performed in South Australia is a small fraction of the total, making up 48, or 1 per cent of all abortions performed in South Australia in 2024. Thirty-four of these were to protect the physical or mental health of the pregnant person, 15 due to foetal anomaly, and one to save the life of the pregnant woman or another foetus. These cases usually involve circumstances of severe foetal abnormalities incompatible with life or unexpected medical developments that are serious threats to the pregnant woman's health and life.

It is very concerning that proponents of this amendment bill use extremely emotive and misleading arguments, claiming that 79 healthy, viable babies have been killed in South Australia since the Termination of Pregnancy Act came into effect in 2022. While this number is indeed taken from the reports of the South Australian Abortion Reporting Committee, Methods and Terminology, these reports clearly state that the reported figures include 'induction of labour without expectation of fetal survival'. It is misleading and deceptive to claim that each of these instances involve healthy babies.

I still firmly believe that life is precious and it begins at conception; however, I also believe that we must value the lives and wellbeing of the women facing these very complex, emotional and deeply personal decisions. This is an incredibly divisive, emotive issue. It challenges each of us to reflect on our deeply held beliefs and values.

I mentioned in my previous speech one year ago that I believe I represent a number of individuals and communities who are often quiet in this debate and do not attend rallies or speak up on social media. I have been approached by some community members who feel very strongly that I should once again speak up for the quiet ones and give a voice to women from culturally and linguistically diverse backgrounds who are often left out of these conversations.

As a Buddhist, I have been brought up to believe that life starts at conception and that life should not be destroyed; however, modern interpretations allow for more flexibilities, especially when abortion is necessary to save the mother's life or for significant health reasons. The ethical consequences are heavily influenced by the motivation and intention behind the abortion and saving the mother's life can be seen as an act of compassion.

Similarly, traditional Hindu scriptures strongly oppose abortion, often comparing it to murder and a violation of the principle of non-violence, 'ahimsa', unless a mother's life is at risk or the foetus has a severe life-threatening condition that would cause immense suffering. But for many Hindus, decisions about abortion and other reproductive issues are left to the family's judgement, the context of the situation, and may also be guided by the precept of 'least harm' as it relates to the foetus, parents and society.

In many Islamic traditions, abortion is generally discouraged and there is recognition across various schools of thought that it may be permitted under specific circumstances. Most agree that abortion may be permitted if the mother's life is at risk and some extend this to include cases of severe foetal impairment, rape, incest and significant threats to the mother's physical or mental health.

I wish to acknowledge the Islamic Society of South Australia, which has undertaken extensive and thoughtful consultation with their community members, Muslim and non-Muslim doctors, medical professionals and The Imam Council of South Australia to develop its position on this debate. They state:

While ISSA supports efforts to protect viable life, we are deeply concerned that removing physical and mental-health grounds could endanger women by restricting access to care even when serious health complications arise.

The Islamic Society states that its core position is to 'protect viable life wherever clinically safe. Once a foetus reaches viability, around 23 to 25 weeks, every effort should be made to preserve life through

early delivery or neonatal care, rather than ending life in utero, unless doing so would pose a serious and immediate threat to the mother's life or health.' The Islamic Society also states that:

...physical and mental health equal health. Excluding either physical or mental health indications remove critical protections for mothers. Severe psychiatric illness (e.g. acute psychosis, suicidality) and serious physical conditions can both endanger life. Health, in all its dimensions, must remain recognised within the law, subject to independent medical assessment and ethical oversight.

I thank the Islamic Society of South Australia for sharing their thoughtful and respectful position statement with me. They further said:

...this nuanced position honours both the sanctity of unborn life and the wellbeing of the mother, rejecting both absolute prohibition and unrestricted access.

It is important to remember that no faith in the modern world has one standard, homogenous view on such complex ethical issues that are highly sensitive and highly emotional. I have spoken to Christian pastors, Buddhists, Hindus and many others who have diverse views on this topic. The stereotype or misconception that all religions ban abortion is unhelpful and denies each person of faith—whatever that faith may be—the agency to search within themselves, examine their beliefs and come to their own decision.

Ultimately, I do believe that all life is precious and every effort should be made to protect it, but I also believe that women and families facing heartbreaking and unimaginable circumstances must be able to make their own decisions supported by their medical teams according to best medical practice standards and within the existing legal and ethical framework. With those remarks, today I will be voting against this bill.

The Hon. R.A. SIMMS (17:56): I rise to speak on the Termination of Pregnancy (Restriction on Terminations after 22 Weeks and 6 Days) Amendment Bill on behalf of the Greens and indicate my strong opposition to the bill. I want to commend the Hon. Jing Lee on her thoughtful contribution, one that was grounded in her faith and also on the medical evidence that she referenced; I commend her on that speech.

Access to abortion is fundamental to the right to health care: this is a fundamental view of the Greens. I must say I speak on this matter with some considerable reluctance. I am really disappointed that this matter has been put back on this parliament's agenda once again. Back when I first became involved in student activism more than 20 years ago, I was a big believer in the idea of autonomous organising. Fundamental to that philosophy was the idea that women should be the people who speak on these matters and make decisions about their own bodies, not men. One of the things that does really trouble me about this debate is that so often we hear men lecturing women about what they should do with their bodies, and I totally disagree with that.

The right to access abortion as part of health care is a fundamental philosophy for the Greens. I recognise that the former Marshall Liberal government moved abortion laws out of the criminal law and grounded them within a health framework, and that was the right thing to do. I want to acknowledge the leadership of my crossbench colleague the Hon. Tammy Franks, who did a huge amount of work to make that happen, and also of course the Hon. Michelle Lensink.

The decision around abortion should be one that a woman is able to take in consultation with her doctor. This should be a matter for GPs, not MPs. I hope that we will finally see an end to this bill being brought before this chamber and all the division that causes. I might also make a few remarks about the tenor of the debate. I have been deeply troubled by some of the tactics that have been adopted by the proponents of this bill and its previous iteration.

Some of the intimidatory tactics that have been adopted on social media have sought to vilify and demean members of parliament and create a space where people feel that they cannot express their views. I think that is a real shame and it brings us into the territory that we have seen in other jurisdictions around the world. I think it is appalling that members of this chamber have been vilified as members of the 'baby killers club', for instance; I think that is appalling.

It is also appalling that just today there have been people offering to play bingo and trivialising our speeches in this chamber—indeed, I think debasing the parliament itself. This sort of thing is not the direction we should be taking in our politics here in South Australia. We should be better than that, and I really urge the proponents of this bill outside of this chamber who are adopting those tactics to move away from that.

The final point I will make is that it is always a source of frustration to me and the Greens that matters of women's reproductive rights, and indeed LGBTI rights, are always matters of conscience for the two major political parties yet they bind on nearly everything else. Why is it that we have a political system where the major parties do not allow a conscience vote on whether or not you send someone to war or whether or not children are locked behind razor wire as part of our immigration detention system, yet women's reproductive rights are seen as a luxury opt-in item, where every member can form an independent view? That is a real shame, and I look forward to the day when these are matters of platform for the two major political parties.

With that, I indicate my strong opposition to this bill. I hope we finally see an end to this matter, and that women can feel secure in the knowledge that their reproductive rights are going to be protected in South Australia.

Sitting suspended from 18:01 to 19:46.

The Hon. D.G.E. HOOD (19:47): Members will not be surprised to hear, and those in the gallery and those watching on video will not be surprised to hear, that I intend to support this bill. I have had a long history of voting for what I might call similar legislation—in fact, one bill that was almost identical some time ago. Given that much has been said about this, I do not intend to speak at length tonight. I will certainly make a contribution, but I do not intend to speak at length.

For those looking to further understand my views on these matters, I refer them to my speeches in this place. There have been many of them, but the ones that stand out to me were on 27 October 2010, 30 October 2019, 12 November 2020, and then on 16 October 2024. Of course, that was the last time that we dealt with what we might call a similar issue, a very similar issue just over a year ago.

One thing I would say that I think has been said a number of times during the debate tonight is that there were some unedifying aspects of that debate that I would like to think we will not see again. I think it is incumbent upon all of us, and those external to the debate, to conduct themselves with respect and in a manner that understands that not everyone is going to agree with you all the time. That is the nature of this sort of thing and these sorts of debates.

In fact, one thing that I was heavily criticised for by a very small minority the last time we debated this back in October last year was for pairing out with one of my colleagues. I think all of us understand that when you take a yes vote off the yes column and a no vote off the no column, you end up with one less on each side, and the result therefore is unchanged. Of course, that is exactly what happened. I could go into so much more detail about that, but I will not. I think that is the bottom line.

That being said, I turn to the bill before us now and there are a number of things I would like to say. The first thing is that we have had some suggestion that medical practitioners are almost completely in support of this bill. I do not deny that there has been some communication, some correspondence, etc., in favour of this bill from medical professionals. That is a fact. But it should also be acknowledged that there has been some communication—certainly to me, I cannot speak for other members, but certainly to me—by medical professionals encouraging us to vote for the bill.

I have had a few, but the one that stood out to me was a group, which I was not familiar with frankly until this debate, called Pro-life Health Professionals Australia and they wrote quite an extensive letter to me. I will not read that letter out because it is several pages, but I will make note of their conclusion at the end of the letter, where they said, and I quote directly:

The Amendment corrects an unintended consequence of the 2021 Act, restores public confidence that our laws advocate for the lives of both mothers and viable infants, and aligns with the fundamental principles of health care. We urge you to support this important Bill.

That was signed by a neonatologist, an obstetrician, a gynaecologist, and a radiation oncologist, as well as making reference to their network of executives who supported them, also health professionals. So it needs to be understood and recognised that it is not all one way in this debate. There are health professionals, including people I have spoken to directly, who would like to see this bill pass. In fact, I spoke to an obstetrician personally who has asked not to be named, so I will not name that person, let's say three weeks ago-ish and had quite a discussion about this.

I asked that particular obstetrician gynaecologist what they would point me to, to inform me on these issues. I do not want to pretend that I was somehow looking to be convinced the other way; I was not. I was looking for material to support my position—I need to be honest about that—and this particular obstetrician gynaecologist pointed me to a number of things. But the one thing that really stood out to me was a particular website they pointed me to, theclevelandclinic.org, and I will talk a bit more about that in a moment and put some of some of those details on the record.

We have also had some debate in this chamber tonight about somehow it being unusual for a bill to be seconded by a member of the Liberal Party in these circumstances. Let's be honest, I seconded the bill and we all know that. I was proud to second the bill and I would do the same again should the opportunity present itself. The truth is that I feel strongly about this issue, and I always have felt strongly about this issue. I know there are strong feelings on both sides of the debate, but what needs to be clearly understood is that this is a conscience issue for Liberal members.

We can vote anyway we like without any party consequences at all and that is a longstanding tradition of the Liberal Party. That is the way it should be, in my view. There has been all sorts of speculation about what might or might not have happened in our party room. I can tell you that I was in that party room and it was declared a conscience vote by our leader and he very clearly indicated that it is a matter for members to make up their own minds. Therefore, in seconding the bill, I did nothing to undermine the leader. In fact, I supported his decision. His decision was that it was a conscience vote. My expression of my conscience was to second the bill. As I say, I would do the same again.

I think we should not get caught up in spurious arguments about these matters being somehow more difficult for the Liberal Party than they are for other parties; they are not. There will be members of my party tonight who support this bill—I think a majority. We will see what happens in the end but my expectation is that a majority will support the bill. There will also be in my expectation—in fact, one of our members has declared their hand—who will oppose the bill, because it is a conscience matter. We are entitled to do that and I think that is the way it should be on these matters.

It is the sort of thing that is so deeply personal to people that if you have a situation that almost forces people to vote against their conscience or encourages them to vote against their conscience, it is untenable, and something I would not be a part of. I stress again that it is something our leader would not be part of. He made it clear that this is a conscience vote and we can vote as we see fit, and that is exactly what each of us are doing.

Returning to the point I was making earlier, I contacted an obstetrician gynaecologist who we have had some dealings with in our family for a number of years, and I asked: what material would you source? What material would you point me to in order to facilitate this debate? What do you think would be significant for me to be exposed to?

That particular gynaecologist pointed me to a whole number of sites, actually, probably more than 30. I went through all of them. It took some considerable time, but it is an important issue. One really stood out to me, and there are many. I could literally go on for hours and hours. I will not, as I am sure you will be pleased to hear, Mr President, as are my colleagues. I intend only to speak for about another 10 minutes or so.

One that really stood out to me was a website run by group called Cleveland Clinic. Their website is clevelandclinic.org for those who want to avail themselves of it and have a look. This is a clinic, an organisation that deals in these sorts of matters: maternity matters, women's health, etc. They operate in several countries, including the US, the UK and Canada, and they are over 100 years old. They are pretty credible, I think, by most standards. They have on their website taken the time to outline what happens to a foetus in the womb over the course of its development. I will not go through all of it because there is so much here, but I do want to make some key points. They say this:

Week 5: The neural tube (brain, spinal cord and other neural tissue of the central nervous system) forms. The...heart...will pulse 110 times a minute by the end of the fifth week.

Week 6: ...arms and legs also develop. Blood cells are taking shape, and circulation will begin. Structures that'll become the ears, eyes and mouth take form...

Week 7: Bones begin replacing soft cartilage and genitals begin to form...

Week 8: All of the major organs and body systems are developing...Eyes become visible and ears begin to form. The umbilical cord is fully developed and helps to transport oxygen and blood to the embryo...

Month 3 (weeks 9 through 12)

...It's a period of rapid growth and development. The fetus develops distinct facial features, limbs, organs, bones and muscles. By the end of the 12th week, the fetus has an assigned sex...

Week 9: ...teeth and taste buds are forming. Its muscles are forming...Your provider may be able to hear its heartbeat with a Doppler ultrasound.

Week 10: The arms, hands, fingers, feet and toes are fully formed...Fingernails and toenails are beginning to develop and the external ears form. The external genitals also...form...

Week 11: The fetus is starting to explore a bit by doing things like opening and closing its fists and mouth. Its knees, elbows and ankles are working...The bones are hardening...Facial features are more prominent.

Week 12: All the organs, limbs, bones and muscles are present and will continue to develop in order to become fully functional. The circulatory, digestive and urinary systems are also working and the liver produces bile. The fetus is drinking and peeing...

Since the most critical development has taken place, your chance of miscarriage drops considerably after 12 weeks (the end of the first trimester). Most people begin feeling some relief from morning sickness by now, too...

Second trimester

The second trimester of pregnancy is often thought of as the best part of the experience. By this time, any morning sickness is probably gone and the discomfort of early pregnancy has faded. You may also start to feel movement as the fetus flips and turns in your uterus. During this trimester, many people find out about the fetus's assigned sex. This is typically done during an anatomy scan (an ultrasound that checks physical development) at around 20 weeks.

Month 4 (weeks 13 through 16)

...Your pregnancy care provider can hear the fetal heartbeat loud and clear on a Doppler ultrasound. The fetus can even suck its thumb, yawn, stretch and make faces.

Week 13: Vocal chords form...

Week 14: The fetus's skin starts to thicken and fine hair begins to grow. It can start bringing its fingers to its mouth and turn its head. External genitals are fully developed.

Week 15: Some organs, like intestines and ears, are moving to their permanent location...The fetus begins to make more purposeful movements, like sucking its thumb or smiling.

Week 16: The fetus has lips and its ears are developed enough that it can hear you talk. Even though its eyes are closed, the fetus can react to light by turning away from it...

Month 5 (weeks 17 through 20)...

By the end of the fifth month of pregnancy most people begin to feel the foetus moving around. It continues:

Week 17: [The fetus starts to put on fat. The] skin is covered with a whitish coating called vernix.

Week 18: ...The fetus may have a sleep-wake cycle, and loud noises may wake the fetus if it's asleep.

Week 19: The fetus is getting stronger and most people begin to feel kicks and punches. The fetus also has its own unique set of fingerprints and can hiccup.

Week 20: The fetus's nails grow....

By the end of the fifth month, the fetus is about 9 to 10 inches long and weighs about 1 pound.

Month 6 (weeks 21 through 24)

And this will be the end of my account of this developmental phase. It continues:

In the sixth month of pregnancy, its eyelids begin to part and you may notice regular, jerky movements. The fetus responds to sounds by moving or increasing its pulse.

Week 21: Limb movements are coordinated and frequent. The fetus has bone marrow that helps it produce blood cells.

Week 22: The fetus's grasp is getting stronger and it can touch its ears and the umbilical cord. It can hear your heartbeat, your stomach rumble and your breathing.

Week 23—

And we are getting to the pointy end, given the timeframe in this bill. It specifically says on this website:

If born prematurely, the fetus may survive after the 23rd week with intensive care. It will begin rapidly adding fat to its body [from this point].

I could go on, but I have chosen to outline those timeframes because they are relevant to this bill; that is, post that stage of gestation is the period which this bill is dealing with.

I have always had strong feelings on this matter. Reading that out reinforces why I feel strongly about it. They are not in dispute, as I understand it: these are landmarked developmental phases of these fetuses or babies that occur in the womb and are now increasingly visible through the incredible technology that we have, like 3D and even 4D scans (I am not sure what a 4D scan is, but presumably somebody knows).

One of the pamphlets or leaflets I picked up from this particular obstetrician shows that there is a company operating in Adelaide right now that can do what they call foetal photos. They do that at the 14-week stage—there are a few of them, I understand—and at that stage they advertise that they will be able to tell what sex your baby is to the prospective parent. That gives some insight into why I feel strongly about this: I always have, I always will, and it is for that reason that I strongly support this bill.

The Hon. T.A. FRANKS (20:02): I rise to oppose this bill. I do so because deciding whether to have an abortion after, say, a foetal anomaly is diagnosed can be a really complex and emotionally demanding process. Pregnant individuals, pregnant women, pregnant girls, young girls, often need time to understand detailed medical information, as well as with any pregnancy-related decision, to reflect on their personal values, their family and community beliefs, their life goals, their capacity to raise a child and the support available to them.

People who seek abortions at an advanced gestation typically follow one of two pathways. In some cases, they have received new information or they have experienced significant life changes later in the pregnancy, such as discovering the pregnancy itself or learning of a foetal anomaly or perhaps facing the death of a partner. In other cases, they encounter barriers that prevent access to abortion care at an earlier gestation, such as difficulties finding a local provider, being lied to about their options, needing to arrange travel or delays caused by, say, a mental health crisis or experience, of course, of domestic violence.

This bill before us is a very short bill. It amends section 6 of the Termination of Pregnancy Act 2021; it also amends section 9. At section 6(1)(a)(ii) and (b)(ii), it deletes paragraphs (a)(ii) and (b)(ii). 'What is that?', I hear inquiring minds ask. That is a very simple part of the bill, at section 6—Terminations by medical practitioner after 22 weeks and 6 days. At that point, where it is provided that a medical practitioner may perform a termination on a person who is more than 22 weeks and six days pregnant if (a) the medical practitioner considers that, in all the circumstances, the termination is necessary to save the life of the pregnant person or save another foetus, it deletes (ii):

(ii) the continuance of the pregnancy would involve significant risk of injury to the physical or mental health of the pregnant person;

The second part of that deletion is that the second medical practitioner must also sign off that the continuance of the pregnancy would involve significant risk of injury to the physical or mental health of the pregnant person.

Further, section 9, which is part of the Termination of Pregnancy Act 2021, provides for mandatory considerations for medical practitioners performing terminations after 22 weeks and six days. There, at section 9(c), (d), (e), (f) and (g), it deletes paragraphs (c), (d), (e), (f) and (g). Well, what do (c), (d), (e), (f) and (g) say? They say that the mandatory considerations, when you get to this stage and you have had two doctors look at that significant physical and mental risk, include:

- (c) whether the patient has had difficulty accessing timely and necessary specialist services before the pregnancy reached 22 weeks and 6 days, including but not limited to patients experiencing significant socio-economic disadvantage, cultural or language barriers and those who reside in remote locations;
- (d) whether a patient has been denied agency over the decision to continue a pregnancy or not, including (but not limited to) the abuse of minors and vulnerable adults to sexual and physical violence including rape, incest and sexual slavery;

- (e) whether the abuse outlined in paragraph (d) includes circumstances in which such abuse is not apparent, or the pregnancy is not diagnosed until an advanced gestational age;
- (f) whether medical or psychiatric conditions may become apparent or deteriorate during the pregnancy to the point where they are a threat to the patient's life;
- (g) whether the patient has a deteriorating maternal medical condition, or late diagnosis of a disease requiring treatment incompatible with an ongoing pregnancy (such as malignancies).

That is what this bill seeks to delete. It is not simply removing abortion at a late gestation stage because of mental health issues.

In fact, we have heard time and time again from some of the proponents against what is the current status of our abortion laws in this state that apparently the South Australian law allows abortion up to birth for any reason. If I have heard it once, I have seen it a thousand times online. I have heard it spouted in Rundle Mall or outside of the steps of this place.

If you read the act, you can see there are significant criteria around abortion, and certainly when we get to the 22 weeks and six days process, not only are there the two doctors there are a number of criteria, some of which the member would keep in the bill. I have not gone through those—I could—but she seeks to delete the ones that I have just read out. Those medical practitioners are provided a way to provide lawful abortion in this state through really strict criteria.

There is no way that South Australia has abortion on demand for any reason whatsoever. That is a lie, but we are here today because of lies that are told. In fact, in the Hon. Sarah Game's second reading speech we were told that this was simply a bill about what she calls late-term—what I will call later gestation—abortions, yet on the steps that night, in the video that she did with Joanna Howe, she said that she opposes any abortion from conception.

The proponent of the bill told the truth on the steps: that she opposes abortion at any stage of the pregnancy. This bill is simply a tool to further her beliefs. She is entitled to her beliefs. I disagree with her beliefs, but I think we are entitled to the truth in this debate about what this bill really does. Howe herself, of course, is on record stating that she wants to make abortion unthinkable. I take that not just from her website but from her many statements and TV appearances. In fact, that unthinkable abortion is not just at 23 weeks onwards, it is at any time. Indeed, according to Joanna Howe's own website, she states:

My goal is not to bulldoze you into agreeing with me on the issue of abortion. Far from it. I believe that everyone has the right to their opinion and I don't judge anyone for being pro-choice or for having had an abortion. Some of my closest friends have had abortions.

That is Joanna Howe. It continues:

I hope that by using my experience as a researcher, I can shed light on abortion in Australia and draw attention to the facts and the data.

My goal is to make abortion unthinkable because we know that it kills a human being and it harms her mother. I am fighting for an Australia where we recognise the human rights of babies in-utero and where we give concrete and meaningful support to women during pregnancy and beyond.

Mind you, that text was put up online a few years ago now, so perhaps she might want to reassess in the light of her recent behaviours—whether or not she does not judge anyone for being pro-choice, because if she does not judge anyone for being pro-choice she has an odd way of showing it. She certainly has an odd way of treating people who have had abortions who have spoken on the ABC about their difficult experiences.

Joanna Howe, in viewing that footage, has not had compassion. She has gone on to make hate videos about those people who have been through these experiences: not members of parliament but regular, ordinary, everyday—in this case—mothers. She has, of course, since labelled members of parliament, academics and medical professionals 'evil' members of a so-called 'baby killers club'. That does not seem terribly respectful to me.

So here we are with yet another bill in an Australian parliament at the behest of Professor Joanna Howe. What we know from history is that if you want to make abortion unthinkable and if you want to make abortion criminal, that does not stop abortion—it just makes it unsafe. What we also know from right now, not just history, is that abortion bans are linked to sharp rises in sepsis, infant

deaths and pregnancy associated deaths in the US, with very similar legislation to the legislation we debate tonight.

The most recent source I have on this is from the Population Reference Bureau dated 7 August 2025 by authors Rachel Yavinsky and Mark Mather. They have undertaken some research presented at a symposium and, following the overturn of *Roe v Wade*, they have actually seen abortion bans lead to 478 excess infant deaths and 59 excess pregnancy associated deaths. They were the findings of that 9 June symposium this year on the health impact of abortion bans. That was co-sponsored by the Hopkins Population Center, the State Innovation Exchange, PRB and the William H. Gates Sr. Institute for Population and Reproductive Health, if you would like to fact-check that one.

Researchers, medical providers, legislators and journalists came together in Washington DC to talk about this new research, with understandable concern. The stakes here are life and death. In states with abortion laws that have legal grey areas around medical exceptions and treatments for miscarriages, we see inconsistent care. Patients in similar circumstances can actually receive very different treatment when we make laws that do not support the medical profession and the person who is facing that choice with the best medically guided care and the thing that is best for them.

In many cases, we talk about statistics. Today, uncovering the work that *Ms.* magazine in the US now does because of the abortion bans in that country, I want to reflect beyond the statistics. I have just shared with you those 59 excess deaths. That is 59 dead women and girls because of abortion bans. In those states, those families are often left heartbroken, and so unnecessarily so, because we have politicised access to abortion for so many years. In South Australia, we have no intention of going back. We know that more than four in five South Australians do not believe in abortion bans and do respect the ethical and expert professions of the medical teams who are involved in this health care.

Tonight, I want to take you beyond those numbers to the real people—people who are no longer with us. Her name is Josseli Barnica. Her date of death was 8 September 2021. Barnica and her daughter, days after she was born, are pictured in *Ms.* magazine.

Barnica was a young Texas mother who died after a hospital did not intervene in her miscarriage because of the state's 2021 abortion ban...Providers waited 40 hours until they could no longer detect cardiac activity before providing Barnica with basic medical care.

The quote from Barnica's husband is:

They had to wait until there was no heartbeat. It would [have been] a crime to give her an abortion.

Barnica's husband grieves her. Another woman: her name is Yeniifer Alvarez-Estrada Glick. Her date of death was 10 July 2022. 'Yeni'—as she was known by her family—died due to complications related to her high-risk pregnancy. In fact, her sister is on record as saying:

We were scheduled to do her baby shower that weekend. But we weren't having a baby shower. We were having a funeral.

She and Andrew were so young, and if given a choice they probably would have thought to themselves, We'll have so much time together, we can have a child later on.

Yeni is another casualty of abortion bans in America very similar to this legislation that we debate tonight, which prohibits abortions under many circumstances—physical, mental and medically needed—and makes people either wait until they are at imminent risk of death before medical procedures are performed or, in fact, does not allow those abortions to be performed at all. Her name is Porsha Ngumezi. Her date of death was 11 June 2023. *Ms.* magazine reports that Porsha died:

...after experiencing severe complications from a miscarriage at 11 weeks of pregnancy. She was admitted to the emergency department at Houston Methodist Sugar Land, where she suffered significant blood loss and required two transfusions due to hemorrhaging. Despite the critical situation, she did not receive a dilation and curettage (D&C), a procedure that could have stopped the bleeding by removing remaining tissue from her uterus.

Instead, Porsha was given misoprostol, a medication intended to help her body pass the tissue naturally. This approach was taken in part due to the restrictions imposed by Texas' abortion laws, which have led doctors to avoid procedures like D&Cs even when medically necessary.

Porsha's husband, now a widower, is quoted:

I'm thinking, 'He's the OB, he's probably seen this a thousand times, he probably knows what's right'...Since we were at Methodist, I felt I could trust the doctors.

Her name is Nevaeh Crain. Her date of death was 29 October 2023. Crain was an 18-year-old woman who died after experiencing pregnancy complications. She visited multiple emergency rooms but faced delays in receiving appropriate care. Her mother, hours before she died, said to the medical team, 'Do something,' and they did not. Her name is Amber Nicole Thurman. Her date of death was 19 August 2022. *Ms. magazine* reports:

Thurman's death was deemed 'preventable' by the state's maternal mortality review committee after she was unable to access legal abortion and timely medical care.

Her last words to her mother were, 'Promise me you'll take care of my son.' How many more dead women do we have to see overseas before we realise the folly of our ways in trying to create laws which, as the Hon. Robert Simms said earlier in the debate, are led by MPs not GPs when it comes to abortion and health care?

We know that this particular debate is not just based on non-factual information in the second reading speech. It is not just based on that, it is based on creating buzz and clicks and popularity for certain proponents who are rising in the social media stakes over this issue. I was horrified to see today on Dr Joanna Howe's website *Sarah's Game*. The Hon. Rob Simms briefly touched upon this in question time today, but for those who have not seen this website yet this is not an episode of *Black Mirror*. This is literally something that happened in South Australia today. Dr Joanna Howe, a professor at Adelaide University, posted on her website:

Here's how 'Sarah's Game' works:

During Wednesday's debate, every time a South Australian politician drops a woke buzzword or uses one of the classic pro-abortion clichés...YOU WIN POINTS! Here are the details:

1. Buy as many words and phrases as you like from the list.

Then there is a pointy finger. It continues:

2. Every time a politician uses your chosen words/phrases during the debate, you get points.
3. You can buy the same word as many times as you like to stack your potential points (e.g. if you buy 'MAGA' three times, you'll get three points each time the word is said.
4. Small differences won't count against you (e.g. if you buy 'women's bodies' but the politician says 'woman's body', you still get the point!)

I note it does not say 'girls' bodies' anywhere in this game.

5. Each point earns you an entry into the raffle.

First Prize will automatically go to the player with the most points.

Second and Third Prize will be randomly drawn from the raffle.

Prizes:

First Prize—Dinner with Dr Jo & James Howe

Second Prize—\$500 Coles/Myer voucher

Third Prize—\$250 Coles/Myer voucher

Then it goes on to conclude here on the first page:

The beautiful irony is the politicians will be inadvertently funding us every time they attack us. Not a bad deal! Happy playing!

She then has a form that people can fill in and pay money to her—unsurprising. She seems to always be on the grift. 'Will you buy words?' Five dollars it will cost you to buy the words 'between a pregnant person and their doctor'. Five dollars will get you 'between a woman and her doctor'. Five dollars for 'bird flip'. Five dollars for 'Christo-fascist', which I must say I had not even heard until today. Five dollars for 'legislating women's bodies'. Five dollars for 'Joanna Howe'. Ten dollars for 'trust women/doctors/experts/pregnant people'. Ten dollars for 'anti-woman'. Ten dollars for 'American-style politics/Americanisation of Australian politics'. Ten dollars for 'Americanisation'.

Ten dollars for 'late-term abortions are rare'. Ten dollars for 'American-style politics'. Ten dollars for 'trust the experts'. Ten dollars for 'culture wars'. Twenty dollars for 'conservative'. Twenty dollars for 'abortion is healthcare'. Twenty dollars for 'the right/far right/right wing/extreme

right/radical right-wingers/right-wing extremists'. Twenty dollars for 'Trump/Trumpian'. Twenty dollars for 'exceedingly/extremely rare'. Fifty dollars for 'misinformation and/or disinformation'—I think she knew we were coming. Seventy dollars for 'pregnant person' and \$70 for 'abortion care/abortion healthcare/termination care/termination healthcare'.

That is a pretty penny if you have a few people willing to bet on the words that were going to be used in this debate tonight. Words that went in there that I used earlier: rape, incest, sexual slavery, girls, because that is actually what we are talking about here. I think it is extraordinary that we have an academic creating this game and making a game of this debate. It is just extraordinary where we have found ourselves. I would ask people to reflect on that.

I would also note that Joanna Howe has made a name for herself around her advocacy around abortion and sex work—but particularly abortion—and has made a lot of money from it. She has a lot of money to spend. In fact, she has quite a bit, it seems, that she uses to amplify her voice in this debate, so much so that she thinks it is not only a game but a game she can make even more money out of. Her goal, apparently, is not to bulldoze us into agreeing with her. In fact, far from it: some of her closest friends apparently have had abortions.

I note that there is transparency at the moment particularly with Meta records, and anyone who cares to go and look at Meta, which is Facebook, Instagram, WhatsApp and I think X—but do not quote me on the X; it is the fourth social media platform—can see how much people spend on political ads in this country. When you go to the spend on Meta that is documented for South Australia from 12 August to 9 November 2025, there was a total spend overall in South Australia of \$559,523.

The top spenders, however, may surprise you, or perhaps they will not. Perhaps you have been watching Sarah's game for a while now and seen Joanna Howe's game and grift for some months, perhaps years. The top spender is SA Health, \$67,525, followed by UNICEF Australia, \$48,413, followed by SA government, \$29,908, followed by Greenpeace Australia Pacific, \$26,229, followed by Low Emission Technology Australia, \$18,537, followed by Matt Burnell MP at \$15,198 and then Dr Joanna Howe, \$14,872 in the months 12 August to 9 November. In fact, she pips to the post Novita, BHP and Amnesty International.

Lest you think that was an aberration, 11 October to 9 November: total spend for South Australia dropped a bit, \$213,891. SA Health, UNICEF Australia, SA government, Greenpeace and then pipping Matt Burnell, in fact by two spots, Dr Joanna Howe, \$7,406, above the ASU, the Australian Services Union, Matt Burnell again, Doctors Without Borders, BHP and the World Wildlife Fund.

Indeed, when you then look at the contents of these ads, I think this is a truly horrifying game that is being played here. Dr Joanna Howe in a sponsored Meta ad, paid for by Dr Joanna Howe, on which she spent somewhere between \$4,500 and \$5,000 for 500,000 to 600,000 impressions with a one million estimated audience size between 8 October and 15 October this year, tells the story of Tayla-Jane's baby. In that, she takes Tayla-Jane's incredibly personal story, heartbreaking story—for those of you who have met Tayla-Jane or spoken to her, you know it was not done lightly.

For those of you who have not engaged in this debate so far, this is a woman who had a later gestation abortion in this state who was then vilified through essentially political advertising with a big spend behind it. This is an ordinary woman who chose what was best for her and her child, knowing, as she said, she had to be the best mother for the child that she already had, and that was the difficult choice she made in that case.

There is also an ad here for this particular bill: 79 babies in the last 30 months, Dr Howe claims in an ad that was put up 10 September to 25 September on Facebook and Instagram by the looks of this. Again, the amount spent was somewhere between \$1,000 and \$1,500 for 70,000 to 80,000 impressions. The ad also has multiple versions. In that, she claims that 79 babies were killed by lethal injection in South Australia in the last 2½ years. It does not actually represent the real statistics.

She has other ads here. Some of them only go up for a day or so. This one was under 1,000, so 900 to 999, but only went up for a day, but still got out to about a million people, a million impressions. That one was specifically around Sarah Game and her video with Sarah Game. On 8 September to 11 September this year on Instagram another estimated smaller audience of about

one million impressions. Sorry, one million estimated audience with 90,000 to 100,000 impressions. The amount spent there again was a bit smaller: \$1,000 to \$1,500.

This one has a go at a journalist from InDaily for her supposed hit piece. In fact, Joanna is often wont to say that she is exposed to hit pieces by journalists who do not agree with her. I mean, her goal is apparently not to bulldoze people into agreeing with her—far from it—yet here she is doing ads about people who do not agree with her, and somebody is paying for this. There are several other ads here. They are all to do with this particular bill and I seek leave to table them.

Leave granted.

The Hon. T.A. FRANKS: I do that because I think it is important for the public record to see just how much money has gone into this campaign and into this bill, and for what purpose? So that she could make more money by playing a game? That is not somebody who takes this issue seriously. That is not somebody who is respectful. That is not somebody who listens to the medical evidence or, in fact, gives good advice to those who I would have hoped would listen to the medical evidence.

I am slightly frustrated that we are here debating this bill, but I have no grudge against those who bring a bill before us to be debated. That is the role of this parliament and, in fact, it is the role of private members' business to put these ideas on the agenda. It did seem strange that we held off for an additional two weeks on the debate when I think everyone was ready to go, but perhaps other people who were more important to those who hold a vote in this chamber were not and had more grift to grind in the last two weeks.

I also note that there is a wealth of medical information that has been provided through the SALRI report. It is 560 pages. This issue was well canvassed and well researched, and this particular act that the bill we debate tonight is sound. It has listened to voices right across the spectrum on this issue. It has looked at evidence, and it was supported by two-thirds of the parliament not that long ago.

It is disingenuous to bring in bills that seek to demonise women like Tayla-Jane, and women in general, that silence the voices of girls who were perhaps victims of incest and rape, that disregards their life experience and to claim somehow that you are here for that particular cause when then you and your other supporters of this bill go on the steps and say you want to make abortion unthinkable, you actually want to ban abortion from conception. To come in here and debate this particular change and not come clean about the specific areas that this bill would take out of our current legislation that protects people in the most vulnerable situations and that protects the physical health, not just mental health, of people making a really difficult decision, is something that I find a little hard to accept.

With that, I will be voting against this bill. I welcome any debate anytime, as long as it is actually respectful. Some of my best friends have had abortions. Some of my best friends have not had abortions. I respect their right to their opinion. I am happy to debate this issue in a respectful way. I am not happy to be harassed and made videos of. I find that pretty base and pretty pathetic.

I am interested, however, in getting to the bottom of where the money has come from and where it is all going. I note that we have new laws in this state that kicked in on 1 July this year, which provide all of us with new rules where we cannot take donations in certain circumstances, where we are restricted, certainly when it gets to the election period, on what we can say—and truth in political advertising does actually hold up during an election period in this state—but third parties who spend more than \$10,000, who are political players who seek to affect election results, are required to be transparent.

I certainly think the Electoral Commission of South Australia should be taking a look at some of the evidence I have reflected upon tonight. I know they have hired investigators. I hope those investigators are going to be cognisant of this debate. I note also that while we debated this particular legislation in the upper house, Joanna Howe and her supporters were out campaigning in Gibson, in Davenport, in Croydon, in whatever Labor lower house seat they could find, with a bizarre message that it was Labor votes that had to change to get this legislation through.

Those Labor votes that had to change, of course, are not in that house, they are in this house. They are not in Croydon, they are not in Davenport, they are not in Gibson, and the multitude of other local state electorates that pamphlets were put in the letterboxes of, that campaigning has been undergoing now for some period of time, that seems to have well and truly exceeded that \$10,000 reportable limit. And at some stage, I must say, there are caps on the expenditure that can be spent by a third party within the state election period, starting 1 July this year. So on that, I look forward to our words in this place, and our research and our connection with our constituents, ruling the day and not clicks, subscribers, followers and grift.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (20:37): I have placed my views on the record on multiple occasions in regard to this topic, so today I will talk briefly on the issue in general and then move to this particular bill. I do not think it will surprise anyone that I am supporting this bill. I have spoken before about whether abortion is actually limiting women's real choices. I have quoted before, but I will do so again, a feminist writer who wrote in regard to abortion:

What women 'won' was the 'right' to undergo invasive procedures in order to terminate unwanted pregnancies...unwanted by their parents, their sexual partners, the governments who would not support mothers, the employers who would not support mothers, the landlords who would not accept tenants with children, and the schools that would not accept students with children...If a child is unwanted, whether by her, her partner or her parents, it will be her duty to undergo an invasive procedure and an emotional trauma and so sort the situation out.

Where other people decide that a woman's baby should not be born, she will be pressured to carry out her supposed duty by undergoing abortion. She is told, 'It is your choice, therefore you are on your own.' The same attitude carries over to the woman who chooses to continue a pregnancy. She finds that she is on her own in that as well.

Feminist Catharine MacKinnon has drawn attention to the unequal conditions under which women become pregnant. Abortion, she argues, was legalised to serve a man's requirement for sexual access to women and to enable him to be free of the inconvenient results of that access, that is, children. Abortion is often easier for everyone around her, around the woman or girl who is pregnant, because then they do not need to address the actual problem, the actual problem being support for women and girls who find themselves pregnant unexpectedly or in difficult circumstances.

Many in the pro-life movement do just that. They support those women and girls. I know personally many individuals who have opened their homes so that pregnant women or girls can stay there in a safe environment, who have provided care to women and to their babies both before and after the birth, who have supported them in babysitting when they need to return to the paid workforce and have a baby when they do not have any other support or that of a partner.

That is the slogan in action: 'Love them both'. Doing that puts 'Love them both' in not just words but actions. Often, the abortion debate talks about abortion as the solution and ignores the terrible grief and the often negative physical and/or emotional experiences that many women go through with abortion. The pressure on women to abort for reasons such as I mentioned earlier is a huge stress, and then they live, often, with that regret forever after.

Does that mean that every woman experiences that? Of course not, but it is a real experience for many women, and their voices are often silenced. They are told, 'You made your choice. What are you complaining about?' Silencing the voices of women and girls is something that we should never be trying to do in this debate. Previous speakers have mentioned women's voices being silenced in opposition to this bill, and yet we rarely hear about those women who are silenced, told that they are perhaps traitors to the feminist cause if they dare to speak about their trauma and their poor experiences.

When it comes to thinking about mental health, particularly in regard to this bill, we need to remember that, prior to the changes of 2021, 95 per cent of abortions were done for mental health purposes—95 per cent. We have heard some very sad outlines today of women with mental health issues, but I do not think anyone seriously considers that 95 per cent of the abortions done prior to the changes of 2021 were because of those sorts of mental health issues, those very extreme mental health issues.

What we heard during that 2021 debate was that mental health was the catch-all. It was the umbrella. The mental health argument in opposition to this bill does not take into account the mental health severe effects of post-abortion grief. Instead, it again puts forward the myth that abortion

solves a woman's problems when it does not. It sometimes solves the problems of those around her instead, but leaves her with a life of, often, regret and certainly often pain.

This is not a perfect bill, but nor does it do what some in this debate have alleged. For example, if this bill were to pass what would remain in the act would be terminations by a medical practitioner after 22 weeks and six days if the termination is necessary to save the life of the pregnant person or save another foetus. Also, it would still be the case that where there is a case or significant risk of serious foetal anomalies associated with the pregnancy then an abortion after 22 weeks and six days would continue to be available.

The various items that the Hon. Ms Franks referred to in terms of section 9 are currently there as mandatory considerations. Removing them from that section would not mean that they could not be considered, simply that they were no longer considered mandatory. Frankly, if I had been drafting this bill, I would not necessarily have thought that removing those was the best way to go. However, I was not involved in that. The point remains that the bill is not perfect, but it certainly does not do some of the extreme things that those who are opposed to it have been claiming.

We need to remember what this is: we are talking about 22 weeks and six days. From 23 weeks onwards the foetus is considered viable, which means able to live outside of the womb. If born at 23 weeks, yes, that child will need intensive care, but as each day and week goes on they get stronger in general and their chances of a healthy life increase all the time.

As I have said, I have spoken about this topic before and people are more than welcome to have a look at my full speeches in previous debates. We debated a bill that would have had somewhat similar impacts roughly a year ago—I think it was October last year—regarding abortion after 28 weeks. This bill has a greater impact than last year's bill and that bill failed by one vote.

I must say it is pretty hard to imagine that members who did not support limits on abortion after 28 weeks' gestation, roughly a year ago, would now vote for a bill placing limits from 22 weeks and six days, which does beg the question: why introduce this bill now, just before an election? There are only four more sitting days in this term, so even in what I consider the extremely unlikely event that it was to pass this house, there is virtually no chance of it being debated in the House of Assembly. I will just leave that as a question.

However, I want to absolutely commend those in the pro-life, pro-women movement who have worked to support the bill. I know that their intentions are absolutely committed to pro-life work, to loving them both, and I commend also the women and men who have attended rallies, who care so deeply, as do I, about the lives of both unborn babies and the situations of their mothers. I, as always, implore that our laws reflect the concept that we should love them both. I support the bill.

The Hon. S.L. GAME (20:46): This is the part where I sum up. It is actually a fairly simple bill, a simple half-page bill stating that, after 22 weeks and six days, the baby can only be aborted for two reasons and those are that the mother's life is at risk or there is a foetal anomaly. That can happen at any stage, so there can be an abortion after 22 weeks and six days if the mother's life is at risk or there is a foetal anomaly.

Yet, despite it being a really simple bill that is half a page long, there has been a lot of negative communication about it repeatedly, propagating mistruths and confusion about what happens if there is an anomaly and the family is struggling to cope with that. That does not remove any choice from that family. So if there is a foetal anomaly, the abortion can take place at any stage.

What about the mother's life or the mother's life being at risk? If there is a life at risk, the abortion can take place. After 22 weeks and six days, the abortion can take place if there is a life at risk or a foetal anomaly. My own views, which are not secret, are that I am pro-life from conception, so both those can be true. I can be pro-life from conception and the bill can be about babies 22 weeks and six days and over. They are both true.

What this bill does do is say that a physical injury that is not life threatening and a mental health reason are not grounds to abort an otherwise healthy baby 22 weeks and six days over. Were that to be properly communicated to the South Australian public, I believe there is a lot of support for that sentiment. That is why the confusion around what would happen if there is an anomaly and what would happen if the mother's life is at risk is really unhelpful because, as I have said, after 22 weeks

and six days an abortion can take place if there is a foetal anomaly or the mother's life is at risk, even though that is not my personal view, but that is the purpose of the bill.

Again, I think there is this indoctrination of women that abortion is sort of health care and mental health care. I totally object to that. It is certainly cheaper, more convenient and easier for society to say that, if you are struggling mentally or financially or are in a domestic violence situation, it is a lot more convenient for everyone else for the woman to have an abortion, but I certainly do not believe it actually qualifies as health care and certainly not a mental health solution.

The purpose of the bill really is, again, to ensure that babies 22 weeks and six days over, who do not have a foetal anomaly and the mother's life is not at risk, have the right to live. It is not about whether we like Joanna Howe and her social media campaign. I do not think the two concepts should be conflated. The vote on and support of the bill should be about the member's belief on what happens to a healthy, viable baby 22 weeks and six days over, without a foetal anomaly, where the mother's life is not at risk, not their view on Joanna Howe's social media campaign.

Just on that, I think the behaviour that has been criticised is on both sides. Everyone is being exposed for their vote and the way they feel about this topic. I do not personally have a view against that, because I believe that when we make our decisions congruent to our inner belief system, that helps protect us against these types of criticisms, because we can all know we acted with our own values.

There was an unusual crowd outside. I do not mean the people are unusual; I just mean it is unusual to have a crowd. We do a lot of talking in this place, and we are all in here working, talking and doing things that I guess we deem are important, but the reality is a lot of people are not really listening, and they do not turn up to show much care about what we are saying. But every time we have this debate, a lot of people turn up. Hundreds of people turn up to say, 'We really care about what happens to these babies.'

It is really interesting for me—and upsetting but also interesting—to see the way a lot of people in here still want to go with the narrative that this is a niche issue, that we are wasting time again in parliament about something that is not important. It is totally incongruent with what is happening outside. It is a rare occasion where we are talking and people are turning up to listen. That does not happen very often and not to that sort of size of crowds, so it is not a niche issue, and we are not wasting time.

I really enjoyed and obviously support the vast majority of what the Hon. Clare Scriven had to say. I thought it was disappointing, and quite disrespectful actually, to see only one Labor member down to speak on such an important issue. I just want to take point with a few things from the Hon. Kyam Maher, that the medical experts are against this bill. I thank the Hon. Dennis Hood for providing some balance and perspective to that, but certainly medical experts who are against preventing the intentional killing of a baby 22 weeks and six days over, who does not have a foetal anomaly and the mother's life is not at risk, are not advocating for the baby.

They are not on the side of the baby. They are not on the side of the father who maybe wants to raise that child. They are not on the side of the extended family, and they are not thinking ahead to the long-term consequences that are going to happen to that woman who has that termination. As has been said, abortion is convenient for everyone around the person who has the abortion.

The Hon. Kyam Maher also talked about anomalies and lives at risk, but, as I have repeated a few times now, this bill allows abortion for a foetus or a developing baby that has an anomaly or where there is a life at risk. Again, the Hon. Kyam Maher said how rare these late-term abortions are, but, again, I find that confusing. Every life is important. Why would one life be more important than another? So there are a number of healthy babies that are being denied having a chance at life—all those special moments lost with their families. Why would we sort of dismiss that as a rare event and then sit here in this place and talk about individuals and other occasions? Every individual life is worthy.

What particularly upsets me, and certainly a lot of other people, is that this is about the condemnation of women. This is not about condemning women, from my point of view, who have abortions. This is about condemning a society that tells women that is the only way—'That is the only way. If you are not financially stable, if you are in a difficult circumstance, if you are having hardship, don't feel bad, you can have an abortion.' Yes, I do condemn that—a lot of people do—because it

results in the death of an innocent life and it is a tragedy that that woman and that family have to live with, ongoing.

This is about condemning that societal norm—the pressure, the lack of support and the story that, frankly, it is just an easy way out. It is just easy: have an abortion. I do not mean easy for the woman, I mean easy for the people around her—'It is health care; it is a mental health solution,' when it is not. I do believe women want to keep their babies, I really do. I do believe that women want to keep their babies. I think they should be supported to keep their babies. I think society needs to move to say, 'How can we support you to keep your baby?' not 'How can we help you have an abortion?'

In response to the contributions from the Hon. Michelle Lensink and the Hon. Jing Lee, I think we do all agree that children are a gift. I do not agree with much else, but we do agree that children are a gift. I know that from our personal conversations. For me, the tears that should be shed here are for all the children who are being lost, the moments that are being lost with those children and the lifetimes sitting with a tragic decision. I do not relate to the tears over the potential loss of being able to perform foeticide. It is not health care, it is not a mental health solution. It is continued indoctrination of women and what is best for them.

I am thankful for the support that I received from many of the members from the Liberal Party—the Hon. Ben Hood, the Hon. Nicola Centofanti, the Hon. Heidi Girolamo and, in particular, the Hon. Dennis Hood—for balancing out the perspective of the medical profession and also for the beautiful description of human life up to 23 weeks. I am also thankful for the President's own sentiments. In response to the contribution from the Hon. Tammy Franks, I would just say again that after 22 weeks and six days, if the mother's life is at risk or there is a foetal anomaly then abortion can still take place.

Tonight we face this question that goes to the heart of who we are as a society, which is whether we are going to continue to allow healthy, viable babies to be killed late in pregnancy or whether we will protect them and provide care to their mothers. When the Termination of Pregnancy Act was introduced in 2021, the South Australian public was assured healthy babies would not be aborted late in pregnancy. Then Attorney-General, Vickie Chapman, told this parliament that a 35-week abortion for a mental health reason could not happen and that the safest outcome would be to deliver the baby. But the evidence now shows otherwise.

In the first 30 months of that law operating, 79 healthy, viable babies—every life counts; it might be rare but it is still 79 lives—all older than 22 weeks and six days were deliberately killed in South Australia, not because the mother's life was at risk and not because of a foetal anomaly but for reasons recorded as 'the physical or mental health of the pregnant person', a broad and non-life-threatening category that now accounts for three-quarters of all late-term abortions in this state. Every one of those 79 babies could have been born alive and cared for.

At 23 weeks, around half—or just over—of premature babies now survive, and with active treatment international studies show survival rates as high as 80 per cent. These babies are not non-viable. They are patients: our smallest, most vulnerable patients. Yet in South Australia, the method used to end their lives is foeticide: a long needle filled with potassium chloride inserted into the baby's heart to stop it beating.

Even leading pro-choice scientists now acknowledge that unborn babies can feel pain far earlier than previously thought. In 2020, researchers Derbyshire and Bockmann published 'Reconsidering fetal pain' in the *Journal of Medical Ethics*. They concluded that unborn babies may experience pain from as early as 12 to 24 weeks and that pain relief should be offered from 18 weeks onward during abortions. Even researchers who support abortion are urging anaesthetic for the baby because the evidence shows these babies are capable of suffering. If we recognise that a baby at 18 weeks may feel pain, how can we ignore the suffering of a healthy, viable baby at 23 weeks, 30 weeks or 34 weeks?

This bill does not take away care from women in crisis. It does not prevent treatment in medical emergencies. What it does is restore a basic moral line. Once a baby is viable, once that child could live outside the womb, we must not deliberately kill them. A woman facing a severe mental health crisis would still be treated under this bill. A late-term abortion is not a cure for her mental health problems; that will be dealt with under the Mental Health Act and the SA Health guidelines.

I want to thank Professor Joanna Howe, who has led the public campaign to support this bill, and I want to thank the South Australian people who have been involved in rallies and public education on late-term abortion. This bill is about whether we as legislators will continue to turn a blind eye, or whether we will uphold the principle that every healthy, viable baby deserves the chance to live and that every mother deserves better than the false choice between ending her baby's life or being without support. Let us pass this bill and finally give protection to the babies who are ready to live and the mothers who deserve real care.

The council divided on the second reading:

Ayes8
Noes.....11
Majority3

AYES

Centofanti, N.J.
Hood, B.R.
Pangallo, F.

Game, S.L. (teller)
Hood, D.G.E.
Scriven, C.M.

Girolamo, H.M.
Ngo, T.T.

NOES

Bonaros, C.
Franks, T.A. (teller)
Lee, J.S.
Simms, R.A.

Bourke, E.S.
Hanson, J.E.
Lensink, J.M.A.
Wortley, R.P.

El Dannawi, M.
Hunter, I.K.
Maher, K.J.

PAIRS

Henderson, L.A.

Martin, R.B.

Second reading thus negatived.

Motions

FESTIVAL PLAZA

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

That this council—

1. Notes that on 11 June 2025 the state planning commission assessment panel granted planning consent for the 38-storey Festival Plaza Tower 2;
2. Recognises that over 125 eminent South Australians, including former Premier Reverend Hon. Dr Lynn Arnold AO and former President of the Legislative Council, the Hon Anne Levy AO, have signed an open letter calling on the Premier and this parliament to stop the construction of Festival Plaza Tower 2, protect Festival Plaza as an open, civic space, and retain it as public land;
3. Acknowledges that the construction of the Festival Plaza Tower 2 would incur a major loss of open, civic space and negatively impact on the heritage values of the Parliament House complex and the Adelaide Parklands; and
4. Calls on the Malinauskas government to intervene to prevent the construction of Festival Plaza Tower 2.

(Continued from 18 June 2025.)

The Hon. J.M.A. LENSINK (21:05): In this motion, the first three points, of course, are statements of fact which detail the matters to do with the Festival Plaza and the consent it has received for a 38-storey Festival Plaza Tower 2, point 2 being recognition of a number of prominent South Australians who oppose Tower 2. Point 3 is in relation to the loss of open civic space. I have concerns that there is a net loss of open space without a consequential plan to make up for that. The fourth point is really the issue that is problematic because it is asking the government to intervene to prevent the construction of the tower.

The powers that the government have would be kind of extraordinary, in the sense that they would have to be new powers that have not been used before and would actually undermine South Australia's planning system in that the planning rules allow for the construction of Tower 2 and it has been approved through the State Commission Assessment Panel (SCAP). That is the process that we have. It is set in legislation. It is one that is followed by anyone who is using the planning system seeking to develop anything and my concerns are that it undermines sovereign risk.

If the government did choose to intervene in this matter, it is my understanding that the Walker Corporation would be entitled to claim for significant amounts of compensation, having been given approval. That is unknown. It would be significant, indeed.

Of course, if we just wind back history a little bit, the Marshall Liberal government approved a three-storey development that we believed was in keeping with the scale of Parliament House and the Festival Theatre. Minister Champion subsequently approved the Planning and Design Code amendment relevant to the site, which legally he is able to do and, as I mentioned, SCAP has approved it. So unfortunately the horse has bolted. I do not mean to sound glib, but those who are aggrieved by this should have voted Liberal at the last election and they would have got three storeys, not Tower 2.

We are not able to support this particular motion because I think it is moving into the grounds of undermining the planning system. I know the Labor government undermine the planning system at their own choosing, and they have done so on several occasions, but in our party we do like consistency. We are very wary of sovereign risk matters and of needing the state, which is not flush for cash thanks to the Labor Party being back in government again, to shell out potentially hundreds of millions of dollars for the corporation that has legally received those approvals.

The Hon. T.A. FRANKS (21:09): I rise briefly to support this motion. It will probably come as no surprise to members of this council that I do so. This indeed is with regard to what under the previous Liberal government was, as they have just said, a three-storey development, now being the monstrosity of the Walker tower under Labor. It is on our public land, it is in our civic space, it is in our Parklands. It is monolithic. It is a corporate tower on a location that goes against Colonel William Light's vision for the Parklands and, of course, Don Dunstan's vision for the Festival Plaza.

It is most recently opposed by former premiers such as the Rev. Dr Lynn Arnold AO and a former president of this place, the Hon. Anne Levy AO, both stalwarts and shining lights of the Labor Party and leaders in this space. There has, in fact, been some 125 eminent South Australians write in an open letter expressing their disgust, disdain and concern about this decision and urging the government to rethink it.

It is yet another attack on the Parklands by the Malinauskas government. In fact, it adds to their other attacks on the Parklands, such as the pouring of tonnes of concrete and asphalt onto Victoria Park for the Adelaide 500 car race. It comes after we have seen the building of a five-storey building extension on Frome Park. It also has seen a more than doubling of the car parks for the Aquatic Centre, controversially, which will now have a larger building footprint than the previous one. We have seen the destruction of heritage barracks and a large part of the Kate Cocks Park for the new Women's and Children's Hospital and associated eight-storey car park, despite there being alternative locations recommended by professionals.

It is an attack on our public civic space. It is an attack on our Parklands. It should never have not faced the scrutiny of a proper public consultation, and that is why so many people are now speaking out against it. They did not know that their vote would impact whether or not we had three storeys there or the monstrosity that is now planned and indeed disrupts the operations and sound in this building every single day at the moment.

The people of South Australia had no idea that this was going to be planned for this space prior to the election. It is understandable that these eminent South Australians are now urging the Malinauskas government to revisit this particular appalling decision before the next state election. I do think it is a vote changer and I know that the City of Adelaide and the seat of Adelaide can be volatile when we have arrogant Labor leadership, and I look forward with interest to see how this all plays out.

*Parliamentary Procedure***VISITORS**

The ACTING PRESIDENT (The Hon. I.K. Hunter): Before I call the Hon. Mr Hanson, can I acknowledge the presence this evening in the gallery of the St Dominic's school old scholars who are here as guests of the Hon. Tung Ngo to commemorate with him the first anniversary of the death of his daughter. Welcome.

*Motions***FESTIVAL PLAZA**

Debate resumed.

The Hon. J.E. HANSON (21:13): In the shoes of the Hon. Mr Ngo, I am going to put the Hon. Mr Simms out of his misery early on. The government obviously opposes this motion, and I am going to outline the reasons. I am advised that on 11 June 2025 the State Commission Assessment Panel (SCAP), as a delegate of the State Planning Commission, granted conditional planning consent, including reserve matters, for a 38-level mixed-use development by the Walker Corporation in Adelaide's Festival Plaza.

I am advised that SCAP's assessment was informed by the expert advice provided by the City of Adelaide, Heritage SA, the Government Architect, Adelaide Airport Limited and the Department for Housing and Urban Development. The assessment reviewed key matters, inclusive of heritage, which have formed part of the broader representations that have been made. I am advised that SCAP's planning consent nominated several matters reserved for further assessment and includes detailed conditions assigned under the direction of statutory referral agencies. Reserve matters relate to intended public realm contributions, maximising views of Parliament House, architectural expression and external material selection, whatever that means.

On 1 October 2025, I am advised that SCAP considered amended details submitted by the Walker Corporation intended to address the scale and extent of the development's first-level podium element and the surrounding Festival Plaza ground plane in the interests of satisfying Reserved Matter One.

I am advised Walker Corporation were contractually obligated to develop the area into a three-storey retail building under a contract signed by the former Marshall Liberal government in 2021. This would have been a pretty terrible outcome for the state. I am advised the original contract for the three-storey, box-shaped retail building would have completely obscured any views of Parliament House and would not bring any additional people to the area.

I am advised the second tower strives to deliver improved heritage outcomes, which were an important consideration in the decision to proceed with Walker Corporation's proposal for a second tower, which include the following:

- the tower's footprint being smaller—smaller—than what was originally proposed, that is, with the three-storey building;
- a glass foyer which allows for continuous sight lines between Parliament House and Festival Plaza, including revealing the Parliament House balcony;
- options for allowing new public artworks; and
- significantly more public space and public amenity at both ground and podium levels.

I am advised the proposal is expected to result in a high-quality development that will assist in sustaining the ongoing vibrancy and activation of Festival Plaza, consolidating this important area as an appealing destination in Adelaide's CBD.

I am advised that when finished, the site will become the home of up to 5,000 office workers and support a further 100 retail positions across its restaurants, cafes and bars, driving more than \$1 billion in yearly economic activity. Over 1,300 jobs will be generated during the execution of the project, including roles in construction, engineering and project management.

I think there is little doubt that the former plaza that sat there was underutilised. The most successful public spaces around the world, I think it goes without doubt to say, have day and night

activation. This development will make Festival Plaza a world-class hub for the arts, cultural, tourism and entertainment sectors and, as such, we oppose Mr Simms' motion.

The Hon. R.A. SIMMS (21:17): I thank honourable members for their contributions: the Hon. Michelle Lensink, the Hon. Tammy Franks and the Hon. Justin Hanson. I feel for the Hon. Justin Hanson being asked to deliver that nonsense, but I am pleased for him that at least he has been able to take the pressure off the Hon. Tung Ngo, who is usually dispatched to kill off my motions in his usual style. But tonight the task has fallen to the Hon. Justin Hanson to mount the nonsensical argument that somehow a giant office tower is going to be key civic space.

The honourable member paints the picture of these incredible civic spaces around the world and somehow our Festival Plaza will sit among them with a giant office tower. It is an absolute joke. I do not understand the position of the Liberal opposition on this. This is one of those instances where they could have taken a firm position in the parliament today. When the Liberal Party were in government, they negotiated a three-storey tower. I think a three-storey proposition would have been far more desirable than a 38-storey monstrosity that is going to entirely blot out the sun and dominate the public space.

No-one in the Labor government has been able to explain to me how their proposition is in any way better. The minister says to me, and has said publicly, that this is going to be a key civic space for Adelaide. We already have a high vacancy rate of existing office towers in the CBD. Why on earth are we building yet another one, and why are we doing it on what is, in effect, prime public land?

This is a great deal for the Walker Corporation and it is a dud deal for everybody else. As the Hon. Tammy Franks noted, and I thank her for her support of the motion, a number of prominent South Australians have come out in support of the campaign against this second Walker Tower monstrosity, chief among them former Labor Premier Lynn Arnold. Sadly, though, the Labor government are turning their noses up at those prominent South Australians and saying the extent of their imagination for this public space is another office tower.

I think Tower No. 1 is a monstrosity and I think Tower No. 2 is, to quote the Hon. Frank Pangallo—I think he referenced it once before as being something out of Legoland. I have mentioned before in the media that I think it is going to look like Gotham City. This is not the kind of vision that we want for Adelaide, but it is the extent of the vision of the Malinauskas government. Shame on Labor and the Liberals for being too jelly-backed to support this motion and to send a clear message.

The Hon. J.M.A. Lensink interjecting:

The Hon. R.A. SIMMS: The Hon. Michelle Lensink says that we are not able to change the rules; however, under this term of parliament, the Labor government has bowed to community pressure with respect to the Crown and Anchor. The Greens were the chief agitators in that campaign. I urge them to think again when it comes to this key civic space. Surely we can do better for our state. It is my plan to call a division on this matter so that the position of members of this chamber can be put on the public record.

The council divided on the motion:

Ayes2
Noes.....16
Majority14

AYES

Franks, T.A.

Simms, R.A. (teller)

NOES

Bourke, E.S.
Girolamo, H.M.
Hood, D.G.E.

Centofanti, N.J.
Hanson, J.E. (teller)
Hunter, I.K.

Game, S.L.
Hood, B.R.
Lee, J.S.

Lensink, J.M.A.
Ngo, T.T.
Wortley, R.P.

Maier, K.J.
Pangallo, F.

Martin, R.B.
Scriven, C.M.

Motion thus negatived.

Bills

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (FAST FOOD RESTAURANTS NEAR SCHOOLS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 5 March 2025.)

The Hon. J.M.A. LENSINK (21:25): I feel like I am wearing the mantle of the Hon. Tung Ngo on behalf of the Liberal Party: 'The noes have it.' We will not be supporting this bill. It sounds like a laudable idea in principle.

The Hon. R.A. Simms: It is.

The Hon. J.M.A. LENSINK: I would certainly hope that the Hon. Mr Simms would think it is a laudable idea, given it is his. It seeks to prohibit the construction of new fast-food restaurants within 400 metres of schools and to prevent existing outlets from renewing their leases or licences in that same radius. We have been very helpfully supplied a specific list of fast-food chains, and it gives the minister the power to add more by regulation.

I have examined this bill, which has been on the *Notice Paper* for some time. He has a problem with donuts, yes; fried food; ice cream, by the looks of it; and Carl's Jr. You can actually get healthy options at some of these places. There is a consumer push towards healthier foods, and then there are some that are very unashamedly not healthy. I do wonder why, for instance, Wendy's Milk Bar is on the list but then there are all these gelato shops that are not. I think it is very hard to split the particular choice of which to include on a list or not include, particularly with, I think, McDonald's. I do not really go there, so I do not really know what they serve, but from my understanding they have been attempting to provide healthier options.

Why we should blanket ban these things is one of the issues, but it is also to do with examining what the planning system is there for. It is a piece of legislation to govern land use rather than what is essentially a social issue, trying to tackle the issues with growing human obesity, particularly in children. It is not supposed to be a lifestyle management piece of legislation, but to provide a level of orderly development and protection of heritage, manage infrastructure and guide population growth, rather than being one which legislates individual choices as to what people put in their mouths and consume. Given the lateness of the hour, I think I might leave my comments at that.

The Hon. R.B. MARTIN (21:29): The government does not support the Planning, Development and Infrastructure (Fast Food Restaurants near Schools) Amendment Bill 2022. Decisions on whether a land use is appropriate or not is a matter that requires planning consent based on an assessment against the planning rules as set out in the Planning and Design Code. There are numerous locations within 400 metres of schools where the Planning and Design Code has land zoned for commercial uses, which includes restaurants and fast-food restaurants.

A key principle of our planning system is that land is zoned to ensure reasonable and expected uses occur in specified locations. Restaurants, be they fast-food or fine dining, are expected uses in the majority of commercial-type zones under the Planning and Design Code. Both schools and fast-food restaurants, as high-traffic areas, require locations along or close to arterial roads and roads with capacity for higher traffic. Pushing the locations of fast-food restaurants to the outer bounds of these zones will mean more traffic in suburban and neighbourhood areas.

The bill proposes to prohibit the establishment or change in use of any roadside service station within 400 metres of a school where it has an associated fast-food outlet or perhaps even sells food and beverages. Combining onsite restaurants for seated or takeaway food and sale of food and beverages is now a standard industry practice for the majority of new or refurbished retail fuel outlets across Australia.

The planning system should also not be used to determine whether a lease for a lawfully established land use, be it fast-food or any other use, should not be renewed based on the land use's distance from a school. Leases are a matter between two parties and are not matters the planning system should intervene in.

It is also noted that the bill would not prevent small independent takeaway stores, such as the local fish and chip shop, pizza bar or bakery, from opening up within 400 metres of a school. This means there is no guarantee the bill would achieve its intended outcome. Given the significant impacts it would have on existing fast-food premises and petrol stations, and given it would be unlikely to prevent smaller independent takeaway stores from operating nearby schools, the government cannot support this bill.

The Hon. R.A. SIMMS (21:31): I am disappointed to note the position of the Labor and Liberal parties on this. This was a very modest proposal; it was based on a system that has worked quite effectively in the City of London, where they have a prohibition on fast-food outlets and junk food outlets within 500 metres of schools. It is also a proposition that was informed by community feedback.

In the Adelaide Hills, I was contacted by residents in near Heathfield Primary School, who are very concerned about a 7-Eleven that was being opened up directly opposite their school—it is a big issue within that community. It is also a big issue in the southern suburbs, and in particular I refer to 'junk food corner' near Christies Beach High School, where there are a number of issues with antisocial behaviour within the school that are linked to the proximity of the fast-food outlets next to the school.

I have certainly had feedback from a variety of schools that having fast-food outlets so close to schools contributes to antisocial behaviour within the classroom. It makes it difficult for students to be able to concentrate, because they are more likely to consume fast-food and fatty food at lunch, and it also can create a bit of a space for antisocial behaviour as well.

There is a lot of feedback that I have had from different constituents around the benefit of this. I am disappointed that the Labor and Liberal parties are not supportive. There is an election just around the corner. I will be sure to remind community members in the impacted electorates of the position of the Labor and Liberal parties when I am out on the hustings. Given this was a key issue that has been raised with me for action, I will be sure to remind them that the roadblock of reform in this space is the Labor government, aided by the Liberal opposition.

Second reading negatived.

Motions

DISTRICT COUNCIL OF YANKALILLA BY-LAWS

Orders of the Day: Private Business, No. 90: Hon. R.B. Martin to move:

That By-Law No. 7 of the District Council of Yankalilla concerning cats, made under the Local Government Act 1999 on 17 September 2024 and laid on the table of this council on 15 October 2024, be disallowed.

The Hon. R.B. MARTIN (21:34): I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

MOUSE CONTROL

Adjourned debate on motion of Hon. N. J. Centofanti:

That this council—

1. Notes that mouse baits currently permitted for use in South Australian cropping areas are not as effective as the double-strength mouse bait which has previously been available under an emergency permit;
2. Notes that an effective formulation was previously available under an emergency permit, but an application for a minor use permit was turned down;

3. Expresses its disappointment that a bait that has been confirmed as safe and effective by CSIRO research is not readily available to South Australian farmers without annually seeking an emergency permit; and
4. Calls on the Malinauskas Labor government, in collaboration with its federal colleagues, to address the obstacles to the recent unsuccessful application for the minor use permit, and work with peak industry bodies to ensure that the most effective and affordable mouse control options are available to South Australian farmers as soon as possible, noting that time is of the essence.

(Continued from 15 May 2024.)

The Hon. R.P. WORTLEY (21:35): Mice have little impact when numbers are low, but during outbreaks they can cause serious economic and social consequences. For example, the 2021 outbreak in central New South Wales cost rural communities an estimated \$660 million. In South Australia, outbreaks occur every four to six years, typically after long, dry periods followed by good rainfall. Current monitoring shows low activity across most cropping regions in Australia but higher than normal activity on the Adelaide Plains and the northern Yorke Peninsula is of concern for future impacts.

Mouse management relies on monitoring, managing grain spillage, and baiting. The Department of Primary Industries and Regions collaborates nationally to provide regular updates on mouse numbers, forecasts and management advice through the GRDC and the CSIRO national mice updates. Results and management recommendations will continue to be shared regularly with growers and stakeholders at sowing, growing and harvest time to support timely and effective control efforts using the tools we have.

Zinc phosphide 25 is the only bait approved by the Australian Pesticides and Veterinary Medicines Authority for broadscale cropping systems. It is most effective when used early and in combination with clean harvest and grain spillage control practices. Zinc phosphide 50, a stronger bait formulation, was approved for temporary use under the emergency permit by the APVMA during the 2021 outbreak.

The efficacy of zinc phosphide 50 bait is a matter for the APVMA scientific experts to evaluate within the context of the minor-use permit application assessment process. As with all minor-use permit applications, applicants need to supply the required quality of data and studies for the APVMA's regulatory decision-making in conjunction with the broader considerations the APVMA must have under its risk-based assessment against statutory criteria for permit approvals.

I understand APVMA has advised PIRSA that the effectiveness of mouse control products in field and outbreak situations is challenging to accurately evaluate not only in terms of current regulatory compliance with use instructions by users (as relating to reported efficacy concerns for the 25 grams per kilogram product) but when efficacy can also be affected by a range of causes, including application method, accuracy of application, reinfestation, migration of mice, weather conditions, alternative feed sources, bait manufacture—how much is available on each grain bait.

Application for minor-use permit by Grain Producers Australia: the South Australian government notes Grain Producers Australia's (GPA) application for a new minor-use permit to allow users to use 50 grams per kilogram (double-strength) zinc phosphide mouse bait was not approved by the APVMA. While this application was rejected, I understand landholders in South Australia have expressed interest in regaining access to this higher strength product for potential future outbreaks.

The APVMA is the independent statutory authority and national regulator responsible for assessing, registering and approving agricultural and veterinary products proposed for supply in Australia. The decision to reject GPA's application was the sole responsibility of the APVMA to make in accordance with its statutory criteria. The onus remains on the applicant and any supporting data providers to meet the statutory criteria of the APVMA, and my understanding is the APVMA has made this clear to the GPA and further research in support of data collection may be continuing.

Permit applications to the APVMA are assessed through a risk-based approach against statutory criteria—including safety, efficacy and trade—to protect the health and safety of people, animals and the environment. There are a number of steps in this process, which include reviewing the results of scientific tests, information available in published scientific literature and the data provided by the applicant. I am aware the APVMA's assessment of GPA's permit application took some months to be finalised, but I understand from the APVMA advice to PIRSA that the assessment

was a complex process which required detailed consideration and clarification of the scientific data provided.

CSIRO research on zinc phosphide mouse bait: CSIRO is an excellent, high-quality scientific research organisation. That said, their expertise is in relation to conducting high-quality scientific research and not regulatory decision-making. Whilst the CSIRO has reported the zinc phosphide 50 bait is safe and effective, it is up to the APVMA to make their regulatory consideration on permit applications based on assessment of regulatory quality data being provided and/or available in accordance with the APVMA's statutory criteria.

The APVMA is the independent nationally and internationally recognised regulatory expert in relation to agricultural chemical regulation and permit applications in Australia. APVMA's assessments are based on their scientific assessment of regulatory quality data and studies that are provided as part of the application. Based on that assessment, in this instance the APVMA did not approve GPA's zinc phosphide 50 'minor use' permit application. This does not mean the bait may not be safe or effective but means the APVMA was not satisfied against its statutory requirements. I move the following amendment:

Leave out paragraph 4 and insert new paragraphs as follows:

4. Notes that the Australian Pesticides and Veterinary Medicines Authority (APVMA) is the independent nationally and internationally recognised regulatory expert in relation to agricultural chemical regulation and permit applications in Australia;
5. Notes that the Malinauskas Labor government has been advocating to the APVMA to address the obstacles to the 2023 unsuccessful application for the minor use permit; and
6. Calls on the government to continue to work with peak industry bodies to ensure that the most effective and affordable mouse control options which also consider adverse environmental impacts on other animals and wildlife such as grain-feeding birds are available to South Australian farmers as soon as possible.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (21:43): I would like to thank the Hon. Russell Wortley for speaking to this motion. I note his amendments and I indicate that we will not be supporting the honourable member's amendments. The proposed changes subsequently weaken the intent of the motion and remove the onus on the state government to demonstrate leadership on this important issue. The government can and should be taking an active role in ensuring that farmers have access to the tools they need when they need them to effectively manage mouse plagues. Whilst it is acknowledged that mouse baiting is not always necessary, the ability to—

The Hon. C. Bonaros: Yes, always.

The Hon. N.J. CENTOFANTI: I note the Hon. Connie Bonaros' interjection that it is always required. But what is required is the ability to act swiftly during periods of high mouse activity, which is critical to preventing significant crop losses. Given that many of our producers have already endured the worst drought on record, avoiding further losses is essential to their ongoing viability.

The limitations of single-strength bait are well documented, as is the demonstrated effectiveness and safety of the double-strength product supported by CSIRO research. Although emergency permits have been issued in the past, these permits are only ever intended as short-term solutions. The administrative time required to secure such permits often means baits arrive too little, too late to prevent the damage.

If there are barriers to registration or steps the state government can take, working in partnership with their federal counterparts to expedite approval, such action would provide a significant benefit to the South Australian farming community. It would ensure our producers are better equipped to respond to future mouse plagues. Therefore, I commend the original motion to the chamber.

The council divided on the amendment:

Ayes10
Noes9
Majority1

AYES

Bourke, E.S.
Hunter, I.K.
Ngo, T.T.
Wortley, R.P. (teller)

Franks, T.A.
Maher, K.J.
Scriven, C.M.

Hanson, J.E.
Martin, R.B.
Simms, R.A.

NOES

Bonaros, C.
Girolamo, H.M.
Lee, J.S.

Centofanti, N.J. (teller)
Hood, B.R.
Lensink, J.M.A.

Game, S.L.
Hood, D.G.E.
Pangallo, F.

PAIRS

El Dannawi, M.

Henderson, L.A.

Amendment thus carried; motion as amended carried.

*Bills***EDUCATION AND CHILDREN'S SERVICES (SPORTS VOUCHERS) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 10 April 2024.)

The Hon. D.G.E. HOOD (21:50): I am going to cut straight to the chase, rather than go through all the details, as it is getting late. I think we all understand that it is a pretty simple proposition that has been put forward by the Hon. Ms Bonaros and the Liberal Party is attracted to it. There is a certain logic in extending the current arrangement to include year 9s to—

The Hon. R.A. Simms: Why aren't you speaking on any of my bills, Dennis?

The Hon. D.G.E. HOOD: This is my portfolio responsibility, you see. The Liberal Party is attracted to extending it right through the schooling years. There is a certain logic to it, and really I suspect it is only the budgetary reason that it has been cut off at year 9. For that reason, we are happy to support the progress of the bill at this stage, but I would say we are supporting it through this house, at this time, subject to further detail, because, as the Hon. Ms Bonaros is probably aware, we have been trying to work out some numbers between our offices in order to cost this policy.

That is the important part of it all and it is pretty hard to get a landing on it, to be honest. We need to be convinced about the value. The dollars are there and we need to budget for it when we include those in our costings as we approach the election. We are going to support the passage of the bill through this chamber. We will then look at it closely between the houses and consider our final position, but I would say that we are genuinely attracted to it. There is a certain logic to it.

The Hon. T.A. FRANKS (21:52): I did take myself off the list, but, given the numbers are now at play, I just thought I would indicate my support for this bill so that you are assisted in your counting.

The Hon. R.A. SIMMS (21:52): I am also drawn to the bill. It makes a lot of sense.

The Hon. J.S. LEE (21:52): I rise today to support the Education and Children's Services (Sports Vouchers) Amendment Bill 2024. This bill strengthens a program that has delivered real benefits to South Australian families for over a decade. It guarantees continuity and expansion of the Sports Voucher scheme, increasing the minimum voucher amount to \$200 and extending eligibility to all school years.

I acknowledge that, during the Marshall Liberal government, the first major increase was introduced, doubling the voucher from \$50 to \$100, and extending eligibility to year 9. That was an

important step forward and today we have the opportunity to build on that success. This amendment comes at a critical time. Families are facing significant cost-of-living pressures and sporting fees are often the first thing to go when budgets tighten. By legislating this program and increasing support, we help parents keep their children active and engaged in healthy pursuits. Sport provides much more than physical activity; it is a bridge between communities.

For many multicultural communities and families, sport provides a sense of belonging, connection and the opportunity for personal development and team building. It fosters social inclusion and helps children develop confidence, respect and friendship across cultural lines. The program is not just about football or netball. We have seen strong growth in vouchers being used for dance classes, swimming lessons and Scouts, activities that build life skills and resilience. For example, a family with two children can currently claim \$400 of vouchers each year, which often makes the difference between enrolling in a dance program or missing out entirely.

This is a proven success story. In just 10 years there have been more than 850,000 vouchers redeemed, providing more than \$75 million to help kids participate in sports and recreation. Already this year the program has funded around \$17 million worth of activities and more than 170,000 vouchers have already been used. These numbers show the demand and the impact.

This bill ensures that every child, regardless of background or financial circumstances, can access those benefits. With those remarks, I strongly support the bill.

The Hon. C. BONAROS (21:55): Can I thank wholeheartedly the Hon. Mr Dennis Hood, Hon. Mr Simms, the Hon. Ms Franks, the Hon. Ms Lee and—did anyone speak from the government?

The ACTING PRESIDENT (The Hon. R.B. Martin): No.

The Hon. C. BONAROS: And myself, and I will tell you why: because just like the mobile phone bans bill that I introduced in this place and just like the period products bill that I introduced in this place I know this is a good bill. I know this is a good bill, because the government has already—already—adopted elements of this bill and implemented them in its policy.

It was front and centre of their budget announcements and splashed all over their budget papers after I introduced this bill into the parliament. So I know it is a fantastic bill. The government adopted those elements that increased the vouchers, and I acknowledge that the opposition previously did increase the vouchers, while they were in government, from \$50 to \$100. So they increased the vouchers, and they broadened the scope of the activities and the ability of those vouchers to be used across more than one sport or activity—all elements in this bill adopted by this government and announced in its big shiny budget.

So why am I insisting on this bill, you might ask? Because beyond those glossy brochures that were front and centre of the government's budget announcements they failed to implement the one critical measure, namely the availability of the voucher scheme beyond year 9 and through to year 12.

The Hon. Dennis Hood has asked a couple of very valid questions. Since its inception more than 697,000 vouchers have been claimed, providing \$58.85 million to South Australian families to put towards eligible activities. In the most recent figures available on the dashboard, 175,772 vouchers worth \$17 million and \$440,000-odd were claimed by South Australian families. So why on earth the government would potentially not support a bill that increases that to year 12 and ensure that this scheme outlives successive governments is a little bit beyond me.

The government says it is committed to getting our young people off their screens. A year 10 student is generally about 15 years old. Next year, they will be banned from social media, but they also will not be supported to play sport or play music or dance or learn to swim if their families are reliant on these vouchers. That is why this component of the bill that remains outstanding is critically important, and that is why I am pushing ahead with this bill.

I know that the Premier loves nothing more than a vote winner, and I can tell you it is an issue as simple as this that saw the influx of correspondence, emails and phone calls to our office saying, 'This is great. This is good for our kids, and we need the flexibility across the scheme, but

please make sure it goes beyond year 9, because I can't afford to enrol my kid in swimming or soccer or football or cricket or any of the other activities that the scheme covers beyond year 9.'

In terms of investment, the return that we get from this policy, which is a policy that both major parties have (a) introduced and (b) supported in terms of widening its scope, is good law. It is good law and we do not want to see it wound back. Indeed, we want it extended beyond year 9 to ensure that all kids, right up until the day they finish their high school education, have access to the sorts of activities that keep them off their screens, off their mobile phones, away from the TV, and in the community taking part in physical health or whatever the case may be. It is about social connection, emotional wellbeing and building resilience amongst our kids. It is for that reason that I am insisting on this bill, and I remain hopeful that the government will vote in support of it.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. D.G.E. HOOD: I have one brief question at clause 1, which I do not expect the honourable member to answer right now, but really our only concern about this bill is the cost for the next three years, obviously. I appreciate the figures the Hon. Ms Bonaros was able to convey to us. Our figures marry up; we are on the same page there. The question is: what does it cost to go for years 9, 10, 11, and potentially 13 as well, given that some students these days do year 12 split over two years? That is our key concern. If we are able to be satisfied with that, then we will be happy to support this bill but, as I said, we are happy to support it between the houses subject to more information and then our final position will be subject to that.

The Hon. C. BONAROS: The Hon. Mr Hood just raised a valid point, one that does need addressing and one that only the government can address in terms of its modelling. What I would say, hand on heart, is that the cost of this most certainly is outweighed by the benefit that it provides to families and the community. I hope that between the houses that sort of information can become available so we can actually cost it. That is an important factor, but I think overwhelmingly, given why we support these sorts of proposals and based on the popularity that we have seen in the community, the benefit far outweighs any cost to our budget.

Clause passed.

Remaining clauses (2 to 3) and title passed.

Bill reported without amendment.

Third Reading

The Hon. C. BONAROS (22:03): I move:

That this bill be now read a third time.

Bill read a third time and passed.

**PLANNING, DEVELOPMENT AND INFRASTRUCTURE (GAS INFRASTRUCTURE)
AMENDMENT BILL**

Second Reading

Adjourned debate on second reading.

(Continued from 18 May 2022.)

The Hon. R.P. WORTLEY (22:04): The state Labor government does not seek to stop people using gas. Rather, the aim is to provide the market with more options and give consumers choice. The implications of banning an existing choice are not currently clear, particularly the effects on customers, existing developments and the future availability of appliance options in new housing developments. It is important to understand all these implications include affordability for low-income households, particularly with the current rising cost of living.

In South Australia, many residents have chosen to use gas in their homes, for purposes such as cooking and water heating. The Malinauskas Labor government does not seek to stop people

using gas. Rather, the aim is to provide the market with more options and give consumers choice and discretion over their energy usage.

There are risks in a policy position which aims to phase out the existing choice of households being able to connect to gas. There would be effects on legacy customers, existing housing developments and the future availability of appliances. It is important to understand all these implications, including affordability for low-income households. There would be a risk of increased electricity prices, because if households all used electrical heating in winter, and not gas, there would be an increase in the price of evening peak demand and therefore wholesale prices. The peaks are the principal driver of high average wholesale prices, which retailers ultimately pass through to customers.

The South Australian government is currently pursuing decarbonisation of the gas network through its hydrogen policies. For example, the Australian Gas Infrastructure Group's Hydrogen Park South Australia in the Tonsley Innovation District is delivering a pioneering 10 per cent blend of renewable hydrogen with natural gas to power nearly 4,000 South Australian homes and businesses across Mitchell Park, Clovelly Park and parts of Marion.

More broadly, South Australia continues to be a world leader in energy transition and is building on our already strong foundation of world-leading achievements in this space. We have now achieved 75 per cent renewable electricity generation by making use of our abundant wind and solar resources. We have the world's eye upon us as we lead the transition. We are now embarking on new challenges like decarbonising our heavy industries. Low carbon energy is not just a utility; it is an enabler. It can be the bedrock for premium green products, for jobs, for exports and for regional development.

Recently, the Premier spoke at the *Australian's* Energy Nation Forum. He spoke about South Australia's abundance of natural gas, its role in our economy and our decarbonisation aspirations, and made our position clear on the national platform. While South Australia has the highest rate of renewable energy, our ability to lead the energy transition is underpinned by the capacity of gas to firm the grid. Without gas, we do not get to 100 per cent net renewables. This is why our government is deliberately embarking on our FERM mechanism to support and retain gas to firm our renewable energy resources. Beyond electricity and electrification, gas is also essential to the decarbonisation of other areas of production.

The Hon. J.M.A. LENSINK (22:08): I understand this bill was first introduced as a private members' bill in 2018 by the Hon. Mr Simms' predecessor, the Hon. Mark Parnell, and that this bill is identical except for the different operative date, which is currently out of date. Be that as it may. As I have said previously tonight, we do like to be consistent in the Liberal Party. We opposed the bill then, and that is not necessarily why we oppose it now, but because it should be opposed for good reason.

The effect of the bill is to void any contractual arrangement requiring that a property be connected to gas, with the effect date being 1 January 2023. Mr Simms argues that, while we do not have mandated gas connection in South Australia, the decision around whether a new property is connected to gas or electricity is made by the developer, not the individual consumer, which he states locks home owners into higher prices through gas. Some developers do have private encumbrance matters that they seek to enforce through the sale contract to defray costs, and the bill seeks to void those contractual arrangements.

I understand the sentiment of the bill to try to prevent purchasers from being locked into particular energy sources or paying for a source they do not choose to use. This is another example of the Greens trying to use the planning system as a blunt instrument for other policy purposes.

The ACTING PRESIDENT (The Hon. R.B. Martin): Apologies, the Hon. Ms Lensink, it has been brought to my attention that this bill was first introduced in May 2022 and you, in fact, have already spoken on this bill, I believe.

The Hon. J.M.A. Lensink: Oh, have I now, my goodness me!

The ACTING PRESIDENT (The Hon. R.B. Martin): We appreciate your contribution, but you no longer need to give a second one.

The Hon. R.A. SIMMS (22:11): I was hoping the Hon. Mr Hood would speak in favour, given his support for other crossbench motions. I might break the curse of the Hon. Michelle Lensink damning my bills to failure. At least the Liberal Party has been consistent in its opposition to this bill; the same cannot be said for the Labor government.

This bill has had several lives: it was introduced first by my colleague the Hon. Mark Parnell in 2018. It was reintroduced by myself in the old parliament. I took carriage of the bill and I did bring it to a vote in the previous parliament in the final days of the Marshall government. It is my recollection that the then Labor opposition supported the bill and indicated that it was something they were very interested in moving on, were they to return to government.

Of course it does not, as the Hon. Russell Wortley implied, ban gas connections—that is not what the bill does. The bill gives the purchaser of a property choice around whether or not they be connected to gas. That was a proposition that the Hon. Tom Koutsantonis in the other place was very attracted to, and a number of members in this chamber were attracted to at the time. They said, 'Oh, yes, we'll support it. When we're in government we'll have a look at it.'

I have waited for four years for the Labor Party to take this up. Having had their road to Damascus moment in 2021, it was my hope, once they found themselves in government, that this bill would find its way through to the top of the list. I believe the Hon. Tammy Franks even suggested a parliamentary inquiry as a mechanism to try to give the government an opportunity to look at the bill.

Well, here we are, in the dying days of this term and no action has been taken, so I have no choice but to bring the bill to a vote, and I suspect it will die tonight. Once again, the Labor Party has backflipped on this issue. It is a key issue in the Adelaide Hills, a key issue in that community. A lot of people there are concerned about being forced into taking on gas connections against their will. I will be sure to remind them of the Labor Party's about face when I am out doorknocking in the area.

The council divided on the second reading:

Ayes	2
Noes.....	17
Majority	15

AYES

Franks, T.A.

Simms, R.A. (teller)

NOES

Bonaros, C.

Bourke, E.S.

Centofanti, N.J.

Game, S.L.

Girolamo, H.M.

Hanson, J.E.

Hood, B.R.

Hood, D.G.E.

Hunter, I.K.

Lee, J.S.

Lensink, J.M.A.

Maher, K.J.

Martin, R.B.

Ngo, T.T.

Pangallo, F.

Scriven, C.M.

Wortley, R.P. (teller)

Second reading thus negated.

VICTIMS OF CRIME (COMPENSATION) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 30 August 2023.)

The Hon. R.A. SIMMS (22:18): Very briefly, I rise to indicate my support for the bill.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (22:18): I rise today in support of the Victims of Crime (Compensation) Amendment Bill 2023, introduced by the Hon. Connie Bonaros. This bill is a much-needed legislative adjustment to correct some real shortcomings in the

current bill. It seeks to restore dignity, fairness and justice to those who have suffered the trauma of crime and, through no fault of their own, have been left with expenses.

At present, the scheme operates under constraints that set limits on the amounts that can be awarded to victims. Victims are currently limited to a compensation ceiling of just \$2,000 regardless of the severity of their suffering or the long-term impacts on their lives. This is not just and does not reflect the costs that may be suffered by victims in accessing medical and dental work as a result of crimes against them. By automatically limiting the amount of compensation payable by a set ratio, those who have suffered the greatest amount of medical, dental or psychological trauma will be left with the higher amount of out-of-pocket expense. This legislation is currently failing the very people it should protect.

The Law Society reported in 2024 that the fund itself had accumulated over \$200 million. That is money earmarked for victims, yet survivors of assault, domestic violence and other heinous crimes may struggle to pay for medical treatment, psychological support and legal representation under the existing system. This bill repeals the arbitrary cap and allows for full compensation to be awarded based on actual loss and suffering. It also increases the amount legal practitioners can charge. This will ensure victims have access to proper legal support when navigating the claims process.

These are reasonable, necessary changes. The Law Society of South Australia has endorsed these reforms, citing the unfair discounting of future economic loss and medical expenses under the current scheme. Victims are often forced to make up the shortfall out of their own pockets, compounding their trauma with financial stress. This bill corrects that injustice.

We the opposition commend the Hon. Connie Bonaros for her advocacy on this issue. Her commitment to restoring justice and her willingness in challenging the status quo are evident in this bill. Again, the opposition supports this bill in this place, but we do note that it is a money bill and would therefore need the support of the government to progress.

The Hon. I.K. HUNTER (22:21): I can indicate that while the government has complete sympathy with the Hon. Connie Bonaros' stated intentions in supporting victims of crime, the government will not be supporting the bill today on the basis that the financial impact of the bill's proposed changes are predicted to be significant and one that the VOC Fund may not be able to sustain in the longer term. I note that the balance of the VOC Fund at 30 September 2025 was \$193 million compared with \$251 million as at 30 June 2025.

The bill proposes to amend the Victims of Crime Act 2001 in order to increase compensation payable to victims and the amount of costs that can be paid to legal practitioners acting on behalf of victims and making a claim under the act. In particular, the bill:

- repeals section 20(3)(a)(i) from the act so that a victim of crime will be entitled to the full amount of financial loss up to \$100,000 for both financial and non-financial loss, removing the current cap of \$2,000 plus three-quarters of the excess, capped at \$100,000; and
- deletes and substitutes section 25(1)(a) so that a solicitor involved in a claim for compensation can claim \$2,500 for their professional costs, which amount I am advised is currently set at \$1,400.

As iterated in the legislation, the victims of crime compensation scheme is intended to be a compensation scheme of last resort. The scheme is not and has never been intended to fully compensate all financial and non-financial loss, which is demonstrated by the existence of the \$100,000 cap on compensation. This overall cap on compensation was last increased in 2015 under former Labor Attorney-General John Rau of blessed memory from a then maximum of \$50,000 to the current \$100,000 cap. The financial impact of this proposed change is predicted to be significant and one that the VOC Fund may not be able to sustain in the longer term.

Regarding the second proposed change in the bill about legal practitioners' fees, the current fee for legal practitioners is capped at \$1,400 indexed for most claim types and is paid from the VOC Fund. There is a set process that legal practitioners follow when seeking compensation under the act on behalf of victims of crime. This set process can be contrasted to the work of legal

practitioners acting for clients in other personal injury claims, which can involve significantly higher volumes of often more complex work. Given the VOC Fund is intended to primarily compensate victims of crime, this proposed change to provide greater reimbursement to lawyers is not supported.

Both components of the bill would have a significant negative impact on the VOC Fund, which may not be able to be sustained in the longer term. Accordingly, the bill is not supported by government members tonight.

The Hon. J.S. LEE (22:24): I rise to speak in support of the Victims of Crime (Compensation) Amendment Bill 2023, strongly advocated by the Law Society to fix two major flaws and ensure victims are treated fairly and can access the support they need. It is an important step forward to ensure victims of crime in South Australia are treated with fairness and can access the support they need to recover.

Under the current scheme, victims face an arbitrary reduction in compensation. For claims above \$2,000, only three-quarters of the remainder is paid. To demonstrate the flaws with this, I will use a dental bill as an example. After an assault, a dental bill of \$19,000 is not unheard of. Under the current rules, a victim would still be left with a \$5,000 shortfall. No victim should be left out of pocket, and for many this shortfall means real financial hardship. Disadvantaged individuals, including migrants without Medicare, domestic violence survivors and others already vulnerable, are being left behind. This is not the standard of care or justice that our community expects. The bill removes the reduction and ensures victims receive the full compensation they are entitled to.

This bill also addresses another barrier: access to legal representation. Right now, the maximum legal cost allowed under the act is indexed from \$1,400 and sits under \$2,000. These claims often involve gathering medical evidence, negotiating with the state and calculating compensation across several areas, such as medical costs, loss of income and psychological harm. Victims of crime compensation lodgements fell by almost 200 in 2022-23, which may be due to lack of legal representation. Many lawyers have stopped taking these cases, particularly in regional areas, leaving victims without help. By increasing the cap to \$2,500 indexed, this bill makes representation viable again. It is a modest change, but one that will make a real difference. Victims will have better access to legal advice, and claims will be handled properly and fairly.

These reforms strengthen communities. Fair compensation and legal support help victims recover, reducing disadvantage and breaking cycles of vulnerability and crime. By removing barriers and ensuring victims are supported, we build trust in our justice system, encourage reporting and create safer and more resilient communities. For these reasons, I support the bill.

The Hon. C. BONAROS (22:27): I thank members who have spoken on this bill: the Hon. Nicola Centofanti, the Hon. Mr Hunter and the Hon. Ms Lee. I am grateful for the support of the opposition and the Hon. Ms Lee and, I am sure, other crossbenchers in this place including, without speaking out of turn, the Hon. Ms Franks and the Hon. Mr Simms, who I am sure—

The Hon. R.A. Simms: I did speak.

The Hon. C. BONAROS: You did speak. I thank the Hon. Mr Simms, who spoke in support of the bill and who I think shares the views of everyone who has supported this bill. I am disappointed with the position of the government on this bill. I am extremely grateful for the support of the opposition on this bill.

The Hon. Mr Hunter has talked about the significant impact that this bill would have on the Victims of Crime Fund, which currently has a balance of about \$251.2 million and has increased over recent years. I do not know where the significant impact is coming from and how they can come to that, but I think a more accurate reflection is that it would have a modest impact, as outlined by the Hon. Ms Lee a moment ago.

As I have said since this bill was introduced, even a back-of-the-envelope calculation by someone who is not the best at maths, and that would be me, would show that if every claim that is made on the fund based on figures released from the Auditor-General had that 25 per cent—and this is not every eligible claim, but I am throwing them all in the same basket. If we added 25 per cent onto every single claim that is made today from the fund, the total could not exceed about \$12 million or \$13 million a year. How that is a significant impact remains absolutely beyond me. But there is a solution and the solution is to support the motion that I have introduced in this place today that calls for an actuarial review of the victims of crime funds so we can actually establish if this is a significant

impact or a modest impact and, more importantly, whether that modest impact on the scheme is worth compromising on given what is at stake.

If the government wanted to, they could have moved amendments to this bill to strike out those provisions that sought to increase legal fees. It is not a position that I would have been happy with, but they could have done that and ensured, just as a bare minimum, that victims of crime, who have done absolutely nothing to bring this upon themselves, are not left out of pocket for financial losses they have incurred as a result of a crime committed against them.

Let's remember: somebody is an innocent victim. A perpetrator of a crime has been charged and convicted of an offence against that individual and we see fit, and we have seen fit for a very long time, to discount the amount of compensation they receive for the injuries they have sustained by virtue of the fact that they are a victim of that crime. The government keeps saying this is a fund of last resort, but, as the Law Society has quite rightly said, for a huge proportion of the public who would access this it is a fund of only resort. There is no other avenue available to them.

We talk the talk when it comes to victims of crime, when it comes to victims of assault and when it comes to victims of domestic violence, but we have real-life examples there that would clearly demonstrate that those very victims are often left out of pocket because they cannot access the full amount of financial loss they have sustained as a result of an injury against them from the perpetrator of a crime.

So I am deeply disappointed with the government's position, but I remain hopeful that the motion that has been introduced will be considered favourably by the government and that we will actually get to the bottom of what the impact is on the scheme. Is it significant, as the Hon. Mr Hunter has described? Based on everything before us, if \$12 million or \$13 million or \$8 million or \$10 million is significant out of a \$251 million fund then I would like them to go and explain that to the victims of crime who have done nothing to bring upon the sorts of injuries they have sustained that claim from that fund.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. C. BONAROS (22:34): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Motions

PROSTITUTION

Adjourned debate on motion of Hon. T.A. Franks:

That this council respectfully requests the Attorney-General to task the South Australian Law Reform Institute (SALRI) with reporting on—

1. The impact of the ongoing criminalisation of prostitution; and
2. The legislative options for the decriminalisation of adult, consensual sex work in South Australia.

(Continued from 4 September 2025.)

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (22:35): I will speak briefly on this motion and indicate my support for this motion. I think it would not be any surprise that I support legislative reform in this area. In doing so, that does not necessarily mean that there will end up being a referral to SALRI. SALRI is conducting a number of reviews as we speak, so it will depend upon their capacity, amongst other factors.

In speaking very briefly to this I want to acknowledge the massive amount of work that the honourable member putting forward this motion has done in this area of law reform. I think it is entirely

inevitable that we will see significant reform in this area. In my view, it is not a question of if we see reform; I think it is when we see reform.

Reflecting on this, it is very similar to the honourable member's former colleague the Hon. Mark Parnell, who spent many years seeking reform in another area that is often treated as a matter of conscience, voluntary assisted dying, and it was soon after he left this chamber that that eventually passed. As I say, I think at some stage in the very near future this will pass, and it will be one of the more significant legacy items for the Hon. Tammy Franks.

The Hon. R.A. SIMMS (22:36): I rise to support the motion. I think it is no surprise to members that I support the decriminalisation of sex work. Indeed, it is long-term Greens policy. It is also my personal view. It is certainly my view that sex work is work and should be treated as such, and this is a reform that is long overdue. So the idea of referring this matter on to the South Australian Law Reform Institute for their consideration I think absolutely makes sense.

I echo the comments made by the Deputy Premier with respect to the Hon. Tammy Franks' work on sex work in South Australia. I know it is an issue she has put a huge amount of time into over the years. I agree it is one of those areas where reform is inevitable, and when that does eventually happen it will be in no small part due to the significant contribution the Hon. Tammy Franks has made in pushing that debate forward on many different occasions. I note there have been multiple private members' bills over the years.

I think this is a really important step to get an investigation going. Let's see what they come up with. Before I conclude my remarks, I indicate that I will not be supporting the amendments of the Hon. Nicola Centofanti.

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (22:38): I rise today to speak to the motion calling for the South Australian Law Reform Institute to examine our state's prostitution laws and to signal that I will be looking to extend that review to look at all models of law reform. With that, I move:

Paragraph 2.

Leave out all words after 'The legislative options' and insert 'for prostitution law reform, including but not limited to criminalisation, full decriminalisation, partial decriminalisation (equality model), and legalisation/regulation frameworks, to ensure a comprehensive assessment of international and domestic approaches and their effectiveness in reducing harm, exploitation and demand.'

This parliament has debated prostitution law reform for many years. Those debates have been passionate, deeply personal and often polarising. Yet one thing in my mind has always been clear—that is, that we have a responsibility to protect the vulnerable in our society, we have a responsibility to reduce exploitation and we have a responsibility to ensure that our laws do not entrench harm but work to prevent it.

The motion before us, as amended by myself, does not prejudice the outcome, because it must not prejudice the outcome. If we are to approach law reform around prostitution with the seriousness and integrity that such a complex and sensitive issue demands then we must ensure that all legislative models are examined, not just the ones preferred by particular advocates or interest groups.

Genuine reform cannot begin with a predetermined outcome. It must begin with a willingness to look at the full spectrum of international approaches, their evidence base, their successes and their failures. Anything less risks making decisions based on ideology rather than outcomes, and on assumptions rather than realities across the world.

Different jurisdictions have grappled with the social, legal and human implications of prostitution. Some have adopted full decriminalisation, others retain criminalisation, some have chosen to legalise and attempt to regulate prostitution models, and an increasing number have adopted partial decriminalisation, or the equality model, where those exploited in the sex trade are decriminalised and supported, while those who purchase sex and those who profit from the exploitation of others are held to account. Each of these models carries lessons. Each has real-world consequences for vulnerable women, for community safety, for organised crime and for public expectations around dignity, equality and violence against women.

No credible review can ignore international evidence simply because it may not align with a preferred policy thesis. No independent law reform process should have its conclusions predetermined by restrictive terms of reference that exclude consideration of alternative models. If we are sincere about reducing exploitation, supporting exit pathways and preventing the commercialisation of vulnerability, then we must make space in this process for the equality model to be assessed alongside all other frameworks.

We have a duty to test assumptions, to interrogate experiences in other nations and to ensure that our choices are informed, not by simplified narratives but by reality, data and evidence. Reform should not be a foregone conclusion. It should be a fair process, one that examines all models objectively and chooses the path that best protects vulnerable women and best reflects the values of society, dignity and fairness in our state.

My amendment simply ensures South Australia examines other models, including the equality model, and considers what truly serves the safety, dignity and long-term welfare of those involved in prostitution. Members in this place know where I stand on this issue. I strongly support the partial decriminalisation, or the equality model. Why? Because it reduces demand, it disrupts exploitation and treats prostituted women as victims of circumstance, not criminals.

We must recognise the reality: prostitution, for the overwhelming majority, is not a free choice industry. It intersects with family violence, with childhood trauma, with homelessness, with addiction, with coercion and, increasingly, organised crime. Most women, not all but most, do not wake up one day and decide that prostitution is their dream job. They arrive there through a lack of opportunity, a lack of safety and a lack of support.

The equality model says that women in prostitution are decriminalised, buyers and profiteers are held accountable, and support services are funded to help women exit the industry. This is about harm prevention strategy. We know full decriminalisation removes criminal sanctions but it also normalises the industry. It treats prostitution as simply another form of commerce and, in doing so, it opens the door to more demand, more trafficking and more organised criminal involvement. Jurisdictions that have fully decriminalised prostitution have subsequently seen growth in the size of the sex industry, expansion of pimping and brothel operations, and increased trafficking of vulnerable women. Full decriminalisation does not dismantle the power imbalance, it legitimises it.

The equality model now adopted in Sweden, Norway, France, Ireland and Canada, to name a few, offers a different vision, a vision where a woman in prostitution is not criminalised but is also not abandoned to a commercial sex industry that profits from vulnerability. It says to women: you deserve a path outward, you deserve dignity, you deserve real choice, not the illusion of choice created by economic desperation. It says to men: you do not have the right to purchase another person's body.

If we truly believe in reducing violence against women, if we believe in tackling coercion and exploitation, if we truly want to give vulnerable women every chance to rebuild their lives, then I firmly believe that we must at least—at the very least—examine this model thoroughly and transparently. Those are my thoughts. Some people in this place agree with me. I also appreciate that there are others in this place who do not agree with me; however, my amendment ensures that all models of law reform are looked at within this process because that is what is needed.

This motion, as amended, calls on the Attorney-General to task the South Australian Law Reform Institute with undertaking a comprehensive review of prostitution laws in South Australia. It requires SALRI to examine not only the impacts of ongoing criminalisation and the legislative options for decriminalisation but all possible legal frameworks. This includes, obviously, ongoing criminalisation, full decriminalisation, partial decriminalisation through the equality model, and legalisation or regulatory approaches.

The purpose of the amendment is to ensure that South Australia considers every international and domestic model, evaluates their real-world outcomes and does not predetermine the direction of reform before the evidence is assessed.

The Hon. C. BONAROS (22:45): I apologise. I do not think I was listed to speak, but I will make a few brief remarks supporting this motion and acknowledging and thanking the

Hon. Ms Franks for her persistence and tireless advocacy in this space. We have had another conscience vote this evening which was the subject of a review by SALRI, and I firmly believe that these are precisely the sorts of issues that do need to be removed from politics and to be directed to the sort of independent and impartial analysis and review that SALRI can provide.

They are emotive issues. We know that they come with all sorts of considerations which often skew our thoughts in terms of how to approach this issue. The benefit of having a referral made to SALRI speaks for itself in terms of addressing all those issues, removing all the sorts of things that we struggle with in this place and providing us with a detailed, impartial analysis of an area of law that becomes the subject of, often, much-heated debate in this place.

It is on that basis that I fully endorse and support the referral of this matter to SALRI. I think we have everything to benefit from that referral and I am hopeful that the next parliament will be in a position to consider the body of work, which we know will be fulsome and thorough, by SALRI with respect to this issue.

The Hon. S.L. GAME (22:47): I rise to oppose the motion in its current form put forward by the honourable member. Unlike what the honourable member would have us believe, I do not believe South Australians regard prostitution as a harmless occupation or support the purchase of a woman's body as if it was a commodity. We should be doing everything we can to help women who are trapped in this industry, through legislative protection and providing lasting exit strategies for those trying to get out.

Prostitution is a system that profits from the exploitation of women. The idea that complete decriminalisation of prostitution is about women's rights and women's freedom is both dehumanising and degrading. Prostitution is violence against women, and the call to legalise prostitution is a call to legalise gender-based violence. As I have said in the past, I do not understand how on the one hand we can talk about the need to be doing so much more to stop domestic violence towards women, but at the same time we are tolerating and accepting the purchasing of a woman who finds herself in a desperate situation.

I will never agree to legislating violence and sexual abuse against women. I do, however, indicate my support for the amendment put forward by the Hon. Nicola Centofanti and urge the chamber to pursue protective reforms that reduce harm and exploitation of vulnerable women rather than enabling a dangerous commercial sex industry.

The Hon. J.M.A. LENSINK (22:48): I am not going to debate the merits or otherwise of any of the various models. It is on the record for many, many years that I support decriminalisation. It is a shame that it has not happened yet, quite frankly. We have had multiple parliamentary committees and various models of legislation put before the parliament. I would like to commend the honourable member for moving this motion. SALRI is a well-respected organisation that does good work. It has proven its worth on many occasions, and I am sure it will do a good job with a referral such as this.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (22:49): I rise to oppose this motion. This essentially outsources decisions that would be made here. We hear people say, 'Well we are still ultimately the decision-maker. Why are we asking for an investigation by the South Australian Law Reform Institute on the legislative options open for decriminalisation?' Decriminalisation is obviously the one being directed in such a motion or such a request, and therefore it is taking only that particular option as the one to be considered. The motion is entirely one-sided and, whilst we might talk about SALRI with a degree of respect, it cannot come to an impartial recommendation or model on reform of prostitution if it is directed only towards one type of reform.

When we talk about decriminalisation, what we are talking about is a model that increases demand. Any model that increases demand increases trafficking. Trafficking occurs because of demand, and therefore addressing demand is the only way to reduce trafficking and to reduce exploitation. That is why the equality model, which has been discussed in this place, but I think only once in any detailed manner, is clearly the option that we should going with.

When looking into this again, I was looking at the European Parliament resolution on sexual exploitation and prostitution and its impact on gender equality. It references many different documents, including the Universal Declaration of Human Rights, the UN Convention of 1949 for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others and multiple

documents referring to the exploitation of women, the recommendation to criminalise the purchase of sex to combat the trafficking of people for sexual exploitation, having regard to the Fourth World Conference on Women held in Beijing, 'Action for Equality, Development and Peace', and further actions in terms of the fight against trafficking in women. These are various documents being referenced.

It cites the resolution in regard to the elimination of violence against women, elimination and prevention of all forms of violence against women and girls, and having regard to the European Women's Lobby Awareness Raising Campaign 'Not for Sale'. It notes the following:

- whereas prostitution and forced prostitution are gendered phenomena with a global dimension involving around 40 to 42 million people worldwide, with the vast majority of prostituted persons being women and underage females, and almost all buyers being men, and whereas it is therefore both a cause and a consequence of gender inequality which it aggravates further;
- whereas prostitution and forced prostitution are intrinsically linked to gender inequality in society and have an impact on the status of women and men in society and a perception of their mutual relations and sexuality. It talks about healthy relationships being ones conducted with mutual respect;
- whereas any policy on prostitution has an impact on achieving gender equality, affects the understanding of gender issues and delivers messages and norms to a society, including its youth;
- whereas prostitution functions as a business and creates a market, with different actors being interlinked and where pimps and procurers are calculating and acting to secure or increase their markets and maximising profits, and whereas the buyers of sex play a key role as they maintain the demand in this market;
- whereas prostitution reduces all intimate acts to their monetary value and diminishes the human being to the level of merchandise or an object to be used by the client;
- whereas the vast majority of prostituted persons come from vulnerable groups;
- whereas procuring is closely linked with organised crime;
- whereas organised crime, human trafficking, extremely violent crime and corruption flourish in the shadow of prostitution, and any framework of legalisation primarily benefits the pimps, who are able to transform themselves into 'businessmen';
- whereas the prostitution markets fuel trafficking in women and children;
- whereas more and more young people, among whom alarmingly many are children, are forced into prostitution;
- recognises that prostitution, forced prostitution and sexual exploitation are highly gendered issues and violations of human dignity, contrary to human rights principles, among which gender equality, and therefore contrary to the principles of the Charter of Fundamental Rights of the European Union, including the goal and the principle of gender equality;
- stresses that forced prostitution, prostitution and exploitation in the sex industry can have devastating and long-lasting psychological and physical consequences for the individual involved (even after they have left prostitution), especially children and adolescents, in addition to being both a cause and a consequence of gender inequality, while perpetuating gendered stereotypes and stereotypical thinking about women selling sex, such as the idea that women's and underage females' bodies are for sale to satisfy male demand for sex;
- recognises that prostitution and forced prostitution can have an impact on violence against women in general, as research on sex buyers shows that men who buy sex have a degrading image of women; suggests to the competent national authorities, therefore,

that the ban on the purchase of sexual services should be accompanied by a campaign to raise awareness among men;

- stresses that the normalisation of prostitution has an impact on violence against women; points in particular to data that show that men buying sex were more likely to commit sexually coercive acts against women and other acts of violence against women and often presented misogynist attitudes;
- notes that 80 to 95 per cent of prostituted persons have suffered some form of violence before entering prostitution (rape, incest, paedophilia), that 62 per cent of them report having been raped and that 68 per cent suffer from post-traumatic stress disorder—a percentage similar to that of torture victims;
- draws attention to some of the effects, mostly negative, of mass media production and pornography, especially online, in creating an unfavourable image of women, which may have the effect of encouraging the human personality of women to be disregarded and of presenting them as a commodity;
- stresses that the normalisation of prostitution has an impact on young people's perception of sexuality and the relationship between women and men;
- stresses that prostituted persons should not be criminalised and calls on all member states to repeal repressive legislation against prostituted persons;
- believes that looking upon prostitution as legal 'sex work', decriminalising the sex industry in general and making procuring legal is not a solution to keeping vulnerable women and underage females safe from violence and exploitation, but has the opposite effect and puts them in danger of a higher level of violence, while at the same time encouraging prostitution markets—and thus the number of women and underage females suffering abuse—to grow; and
- urges the commission and member states to mobilise the necessary means and tools to fight trafficking and sexual exploitation and to reduce prostitution as breaches of women's fundamental rights, in particular with regard to minors and gender equality.

I thought all of those were a good summary rather than going into full detail, but I would encourage members to have a look at that. It comes back to the fundamental issue of women's equality, that women are not commodities to be bought, that trafficking occurs because of demand and decriminalisation increases the demand.

The mover of this claimed, when referring to decriminalised jurisdictions interstate, that supposedly 'we have seen workers live in greater safety, able to organise, able to unionise, and able to mobilise and speak for themselves'. I would suggest that such a view ignores the voices of people in prostitution who have had the exact opposite experience when operating in decriminalised jurisdictions.

The basic tenet of the motion, which is that only decriminalisation should be investigated, is incredibly flawed and incredibly dangerous to women. Secondly, there is the principle that the parliament should investigate such matters, the parliament should make decisions and the parliament should be willing to do their job.

The Hon. T.A. FRANKS (22:58): I thank those members who have made a contribution this evening: the Hon. Kyam Maher, the Hon. Robert Simms, the Hon. Nicola Centofanti, the Hon. Connie Bonaros, the Hon. Sarah Game, the Hon. Michelle Lensink and the Hon. Clare Scriven. I note that there is a foreshadowed amendment and indicate that I oppose that amendment.

I remind members that I brought this motion to this place, in fact, in the wake of the South Australian Royal Commission into Domestic, Family and Sexual Violence. I remind members of the commissioner's words at chapter 8, which was the commissioner's recommendations for further work:

The Commission heard from the Sex Industry Network Incorporated (SIN) that people who work in the sex industry, and who are experiencing domestic, family and sexual violence, often feel dehumanised and judged when seeking support. This is particularly problematic in jurisdictions such as South Australia where sex work is still criminalised.

And:

The Commission recognises that sex work has been decriminalised in other jurisdictions and that criminalisation, and the resulting stigma that is attached to sex work, creates barriers to reporting violence in the sex industry.

The commission urges the South Australian government to explore law reform in this area, specifically in the form of decriminalisation—not further criminalisation, not equality models, not partial criminalisation and not every single jurisdiction in the entire world. This motion looks at the current impact of criminalisation of prostitution in South Australia, because a review of that would be useful to inform any debate, and calls for the legislative option of decriminalisation to be explored by SALRI, consulted upon and recommended.

Obviously, we had an abortion debate earlier this evening. That was actually a law reform that was a decriminalisation of abortion referral to SALRI that saw a 560-page report produced that informed expert and thorough advice that canvassed all opinions on that matter and provided members of this parliament the ability to exercise their conscience votes with that tool.

I do not for a second assume that many people's votes on decriminalisation will be massively swayed one way or another by the SALRI report if they have views that they hold firm. What I do believe is that we will be provided with expert information on such things as planning laws and recommendations around planning, on industrial relations and on the ability to define brothels. Brothels are currently not defined under our laws. They are so broadly defined they include a person's bedroom. A single bedroom is a brothel in this state under our laws, and yet a large establishment is also a brothel. They are clearly not the same thing, yet our law treats them as if they are.

This takes on board as well the experience particularly of Queensland most recently, which in 2021 sent to their version of the law reform institute a term of reference to look at decriminalisation in Queensland. Lo and behold, they were then able to have a piece of legislation that has now passed where members of that parliament were able to be informed and supported in the exercise of their conscience vote. That does not mean that everyone voted for decriminalisation, but it does mean that when the debate was had those who supported it had the information and the advice they needed, and that the minutiae that are so difficult for a private member to produce and address, such as various planning laws and the like, were able to be extensively supported in the debate, expertly assisting those members of parliament.

Similarly, Victoria has had a two-stage process of moving from regulation or licensing through to decriminalisation. They also referred that matter off to a similar body to what we have in SALRI. They did it in a two-phase process. I suspect there would be much nuance in what SALRI would need to explore and advise. Given South Australia has yet to see our laws around sex work move very far in many, many decades and that we are surrounded by jurisdictions—the Northern Territory, Queensland, Victoria, New South Wales and across the ditch in New Zealand—that all have decriminalisation, surely SALRI could easily learn from their experiences and provide a report that was useful for those people who are interested and elected to exercise their vote.

Decriminalisation is something that has been urged for by sex workers themselves. It is also supported by the World Health Organization, by UNAIDS, by Amnesty International, by Human Rights Watch, by our own chief public health officer in this state, and by various women's groups such as Zonta, BPW and YWCA. That is because it actually treats sex work as work and gives sex workers rights. It gives them the right to unionise and to organise.

It would mean that, in this state, rather than sex workers only being represented by the union for their representative body of SIN (the Sex Industry Network) in the ASU, individual members would be able to join UWU, as they do in Queensland, the Northern Territory or New South Wales. Perhaps there might be a demarcation dispute between the ASU and other unions. That is yet to come and I look forward to that debate unfolding.

I certainly think that unless we see a focus on what has, in the past, been supported through this chamber as the preferred model of health and of women and sex workers themselves, as well as industrial bodies, we will never see this debate progress much further and it will continue to be something that sees women in particular, and sex workers in general, unable to report crimes against

them to the police because the police are not their protectors. They are currently their persecutors and that is not a situation, I think, that should continue in this state.

The council divided on the amendment:

Ayes9
Noes.....10
Majority1

AYES

Centofanti, N.J. (teller)
Hood, B.R.
Ngo, T.T.

Game, S.L.
Hood, D.G.E.
Pangallo, F.

Girolamo, H.M.
Lee, J.S.
Scriven, C.M.

NOES

Bonaros, C.
Hanson, J.E.
Maher, K.J.
Wortley, R.P.

Bourke, E.S.
Hunter, I.K.
Martin, R.B.

Franks, T.A. (teller)
Lensink, J.M.A.
Simms, R.A.

PAIRS

Henderson, L.A.

El Dannawi, M.

Amendment thus negated.

The council divided on the motion:

Ayes10
Noes.....9
Majority1

AYES

Bonaros, C.
Hanson, J.E.
Maher, K.J.
Wortley, R.P.

Bourke, E.S.
Hunter, I.K.
Martin, R.B.

Franks, T.A. (teller)
Lensink, J.M.A.
Simms, R.A.

NOES

Centofanti, N.J. (teller)
Hood, B.R.
Ngo, T.T.

Game, S.L.
Hood, D.G.E.
Pangallo, F.

Girolamo, H.M.
Lee, J.S.
Scriven, C.M.

PAIRS

El Dannawi, M.

Henderson, L.A.

Motion thus carried.

Bills

RESIDENTIAL TENANCIES (MINIMUM STANDARDS) AMENDMENT BILL

Committee Stage

In committee.

Clause 1.

The Hon. R.A. SIMMS: I thought it might be helpful, in the interest of time, for me to clarify for members where we are at with this. This bill has been referred to a select committee. The select committee has handed down its report; it was tabled last session. Hopefully those members with an interest have had an opportunity to look at it.

From my perspective, the committee report is a bit paradoxical because the findings do not match the recommendation. The recommendation is that the bill will not proceed, yet the committee received overwhelming submissions and feedback that this was a positive innovation. Indeed, we did not receive any adverse submissions in relation to the bill, and that was a matter that was noted in the report itself.

The Landlords' Association did not make a submission advocating against the reform. Indeed, there was no submission against this bill, and I think that is because it was a pretty straightforward proposition. It is offering some pretty modest changes. There were, however, some drafting errors in the bill that were identified by CBS, and that is what my amendments reflect.

So I will test for consensus on the first one of those amendments and see if there is any support for that. If there is not, then I will not proceed with the rest of the amendments. I wanted to file amendments to give members the maximum opportunity to be able to support the bill. I did not want it to get into committee stage and for members to raise, 'Well, why haven't you taken up feedback on the drafting errors?', so that is what my amendments have done.

I think it is also worth highlighting the number of proponents that support the bill. Indeed, there was a piece in InDaily the other day that went through some of the supporters of this bill. They include Better Renting, Anti-Poverty Network, Australian Sustainable Built Environment Council, SACOSS and SA Power Networks. They are just some of the stakeholder groups that support this bill.

What the bill is asking for are some pretty basic standards: minimum energy efficiency standards for rentals, mandating things like fly screens on windows, mandating things like ensuring that air conditioning systems work and operate effectively. It puts in some water efficiency requirements as well, and it ensures that energy efficiency is made transparent to a prospective tenant before they enter into a lease.

A lot of these things are already law in other jurisdictions. Indeed, part of the feedback that came through in the committee was that my bill was actually too modest and did not go far enough. Despite that, the Labor and Liberal members of the committee could not bring themselves to support this as a modest advance in the rights of renters. I think South Australian renters are sick and tired of being treated as second-class citizens.

There are thousands and thousands of South Australians who rent and they deserve to live in homes that are cool in summer and warm in winter and have their basic amenities provided for. I am disappointed with how things unfolded on the committee. I do not think the outcome reflects the evidence that was presented to the committee. Rather, it reflects the predetermined views of the two major political parties; that is a disappointing outcome. It is my plan, if this bill is not successful tonight, to move to reintroduce it into the new parliament. I think this will be a key issue for the next state election because many, many South Australians want to see a fair go for renters in our state. I am going to continue to push for that.

The Hon. I.K. HUNTER: Very briefly, I would like to thank the Hon. Mr Simms for refreshing our memories at this late hour on the process that led us to where we are. The bill that the Hon. Mr Simms seeks to prosecute has gone to a select committee where their recommendations, as I understand it, is that the bill not be proceeded with. If the Hon. Mr Simms could not convince the members of that select committee that the bill should be supported, I do not think he is going to do so this evening in this chamber.

I indicate that rather than gut every clause of the bill here in committee, I will oppose his first amendment, and I am grateful that he said he will not then prosecute the rest, and we will be opposing the third reading.

The Hon. J.M.A. LENSINK: I will use this opportunity to place some comments on the record in relation to the committee process and the findings. I think it is fair to say that somewhere

between the Hon. Mr Simms and myself there is some sort of cognitive dissonance going on because I had thought that it would be a useful exercise for this particular bill to be referred to a committee because I was hoping that, rather than rehash the debates on the bill on its merits as it is, there might be some additional information that would come to light.

Unfortunately that was not to be the case. We only heard from one side of the debate and it was certainly my view, and I am assuming the view of the government, that there is another side of the debate. They did not make submissions to this committee which is disappointing. That is in spite of earnest attempts to get them to make submissions.

The terminology that we use in the parliament where we talk about 'evidence', parliamentary evidence is not the same as what is understood in the general vernacular, which is things that can be stated, a statement of fact that has been tested. Evidence, in the parliamentary sense, is often people's opinions.

One of the things that I have been at pains to get to the bottom of is some of the issues that people raise about housing standards which are, in fact, already covered under existing legislation. When people come to us and say, 'We've got this landlord who won't fix certain things that are essential to the property,' and there are things like entrance ways that do not have adequate doors or flyscreens: these are actually things which are required under legislation—the Housing Improvement Act, for instance. I will just take issue with the Hon. Simms because it is a bit of a modus operandi of the Greens to raise these issues that are often not necessarily practical measures and then beat up major parties for not caring, which is just nonsense, frankly.

I am very much someone who likes evidence and, based on the evidence, these constant issues which get raised which are already covered under legislation are a source of great frustration and people are being misled. I am hoping that the Greens do not seek to weaponise misinformation which is something that gets thrown around. That would be very disappointing indeed.

The Hon. Mr Simms talks about flyscreens on windows: these are required under legislation. Water efficiency measures, over time, as houses are changed, are subject to the WELS scheme. He has said that renters are being treated like second-class citizens. I refer to the submission that we did get from the Consumer and Business Services which is really quite compelling and I think it would be cavalier of this parliament to ignore the advice of CBS. I am not going to quote the whole thing; it is available on the committee website. CBS wrote to the committee—I think it was quite activated by the proposals in the bill—and it said:

These tenancy reforms included measures to provide tenants with adequate recourse to ensure that rental properties meet the minimum housing standards under the Housing Improvement Act 2016 and the Housing Improvement Regulations...

Reforms to the Act and the Regulations also included requirements that all new appliances and fixtures installed in rental properties meet minimum efficiency standards.

Then it says, further down:

Further, I am concerned that the Bill proposes to raise the minimum standards required in rental homes to exceed the HIA Minimum Standards.

The HIA is the Housing Improvement Act. It goes on:

The Bill would therefore create a higher threshold of minimum housing standards applying to rental premises, over and above the standards required of all other categories of residential premises in the State.

What the CBS is saying is that rather than being second-class citizens people who are renting will actually have to have a higher standard, and I think there are some practical issues in that. It goes on to say:

The HIA Minimum Standards are the standards that must be met for residential premises to be considered safe and suitable for human habitation in South Australia. These standards include being reasonably draught and weatherproof, being reasonably free from the adverse effects of moisture or damp, having adequate kitchen, bathroom and laundry facilities, and having secure external doors with locks.

This is in the act already. It continues:

The HIA Minimum Standards are less onerous than the minimum standards proposed in the Bill, as they do not require houses to have specific heating, air conditioning or roof insulation requirements.

In practical terms, it talks about that, but in effect it would be a two-tiered system. Take the example of someone who is an owner-occupier for instance, who gets a job interstate and decides that rather than sell their house they might rent it out. This means that they would need to consider a whole new regime, that would now apply to renters, that they would have to refit their house with. I think some people who were landlords in this state have reached the conclusion that renting already is all too hard, and this is just going to make it even worse.

Rather than the Greens trying to demonise people who do not agree with this particular bill, I think in a practical sense we just need to understand what the rules are at the moment and what this bill is seeking to do. It is rather naively assuming that all tenants are being placed in substandard housing, which clearly breaches existing laws.

If people who potentially are landlords decide that it is all too hard, that means there are fewer houses and the prices go up, so it is actually not benefiting things to do things in such a manner. I think it is quite disingenuous and disappointing for the honourable member to try to characterise other people who sat on the committee in good faith in any other manner than that we were seeking to genuinely find issues but still find this bill wanting. We did not support it in the past. It should be no surprise that we are not going to support it.

Clause passed.

Clause 2.

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

Amendment No 1 [Simms-1]—

Page 2, line 10 [clause 2, inserted paragraph (ea)]—Delete (ea) and substitute '(eaa)'

As I indicated earlier, my amendments are following up some of the drafting issues that were identified in the bill. I will move the first amendment and see how that goes, and we will take it from there.

Amendment negated; clause passed.

Remaining clauses (3 and 4) and title passed.

Bill reported without amendment.

Third Reading

The Hon. R.A. SIMMS (23:30): I move:

That this bill be now read a third time.

The council divided on the third reading:

Ayes	2
Noes	16
Majority	14

AYES

Franks, T.A.

Simms, R.A. (teller)

NOES

Bonaros, C.

Girolamo, H.M.

Hood, D.G.E.

Lensink, J.M.A. (teller)

Ngo, T.T.

Wortley, R.P.

Bourke, E.S.

Hanson, J.E.

Hunter, I.K.

Maher, K.J.

Pangallo, F.

Centofanti, N.J.

Hood, B.R.

Lee, J.S.

Martin, R.B.

Scriven, C.M.

Third reading thus negated.

EDUCATION AND CHILDREN'S SERVICES (INCLUSIVE EDUCATION) AMENDMENT BILL*Final Stages*

The House of Assembly agreed to the amendment made by the Legislative Council without any amendment.

FINES ENFORCEMENT AND DEBT RECOVERY (MISCELLANEOUS) AMENDMENT BILL*Final Stages*

The House of Assembly agreed to the amendment made by the Legislative Council without any amendment.

HELP TO BUY (COMMONWEALTH POWERS) BILL*Introduction and First Reading*

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

STATUTES AMENDMENT (ENERGY AND MINING REFORMS) BILL*Introduction and First Reading*

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

GUARDIANSHIP AND ADMINISTRATION (TRIBUNAL PROCEEDINGS) AMENDMENT BILL*Final Stages*

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

WAITE TRUST (ACTIVITIES ON AND USE OF CERTAIN TRUST LAND) BILL*Introduction and First Reading*

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

STATUTES AMENDMENT (HEALTH AND WELLBEING) BILL*Introduction and First Reading*

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

STATUTES AMENDMENT (RECIDIVIST YOUNG OFFENDERS) BILL*Final Stages*

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

LABOUR HIRE LICENSING (SCOPE OF ACT) AMENDMENT BILL*Introduction and First Reading*

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

CHILD SEX OFFENDERS REGISTRATION (MISCELLANEOUS) AMENDMENT BILL*Final Stages*

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

LEGAL PRACTITIONERS (DISCIPLINARY MATTERS AND FIDELITY FUND) AMENDMENT BILL*Final Stages*

The House of Assembly agreed to the bill with the amendment indicated by the following schedule, to which amendment the House of Assembly desires the concurrence of the Legislative Council:

No. 1. Page 5, after line 35, insert:

10—Insertion of Part 6 Division 2 Subdivision 1A

Part 6 Division 2—after Subdivision 1 insert:

Subdivision 1A—Assessment of fitness to practise

77AA—Commissioner may require practitioner to undergo assessment etc

- (1) If the Commissioner reasonably believes, whether due to a complaint or for any other reason, that a legal practitioner may be suffering from an illness or a physical or mental impairment, disability, condition or disorder (including an addiction to alcohol or a drug, whether or not prescribed) that has detrimentally affected, or may detrimentally affect, their ability to practise the law, the Commissioner may, by written notice, require the practitioner to undergo a health assessment by a medical practitioner or psychologist nominated by the Commissioner.
- (2) For the purposes of conducting an assessment of a legal practitioner required under subsection (1), a medical practitioner or psychologist (as the case may be) may, by written notice, require the legal practitioner to—
 - (a) provide the medical practitioner or psychologist, in the manner and form, and within the period, specified in the notice, with such information as may be reasonably required for the purposes of the assessment; and
 - (b) attend at a specified time and place for the purpose of undergoing the assessment.
- (3) The medical practitioner or psychologist must, as soon as practicable after carrying out the assessment, give to the Commissioner a written report about the assessment.
- (4) The Commissioner must, as soon as practicable after receiving a report of an assessment under subsection (3), provide a copy of the report to—
 - (a) the legal practitioner to whom the report relates; or
 - (b) if the report contains information the Commissioner considers may, if disclosed to the legal practitioner, be prejudicial to the practitioner's physical or mental health or wellbeing—to a medical practitioner or psychologist nominated by the practitioner.
- (5) If a medical practitioner or psychologist is given a copy of a report about a legal practitioner under subsection (4)(b), the medical practitioner or psychologist must provide a copy of the report to the practitioner as soon as it will no longer be prejudicial to the practitioner's health or wellbeing.
- (6) After the legal practitioner has been provided with a copy of the report under subsection (4)(a) or (5), the Commissioner, or a person nominated by the Commissioner, must—
 - (a) discuss the report with the practitioner; and
 - (b) if the report includes a finding that the practitioner's ability to practise the law has been, or may be, detrimentally affected—discuss with the practitioner ways of dealing with the finding.
- (7) If, after considering a report of an assessment under subsection (3), the Commissioner is satisfied that the legal practitioner is not a fit and proper person to practise the profession of the law but that their lack of fitness can be adequately dealt with under this subsection, the Commissioner may, if the practitioner consents to such a course of action, by order, do 1 or more of the following:
 - (a) require the practitioner to—
 - (i) undertake any treatment recommended by the medical practitioner or psychologist; or
 - (ii) receive counselling of a type specified by the Commissioner; or
 - (iii) participate in a program of supervised treatment or rehabilitation designed to address behavioural problems, substance abuse or mental impairment;
 - (b) impose a condition on the practitioner's practising certificate (whether a practising certificate under this Act or an interstate practising

- certificate) requiring the practitioner to undertake a specified period of supervised legal practice (not exceeding 3 months);
- (c) suspend the practitioner's practising certificate (whether a practising certificate under this Act or an interstate practising certificate) until the end of the period specified in the order (not exceeding 3 months).
- (8) If—
- (a) a legal practitioner—
- (i) refuses to comply with a requirement of the Commissioner under subsection (1); or
- (ii) refuses to consent to an order of the Commissioner under subsection (7); or
- (b) the Commissioner is satisfied that the legal practitioner's lack of fitness cannot be adequately dealt with under subsection (7),
- the Commissioner may—
- (c) apply to the Supreme Court under section 20AL for an order requiring the practitioner to undergo a health assessment, undertake treatment, receive counselling or participate in a program of supervised treatment or rehabilitation; or
- (d) apply to the Supreme Court under section 20AD for an order suspending or cancelling the practitioner's practising certificate.
- (9) An order under this section must be reduced to writing and be signed by or on behalf of the Commissioner.
- (10) A condition imposed on a practising certificate by an order under this section may be varied or revoked at any time on application by the legal practitioner to the Tribunal.
- (11) The costs of a health assessment conducted by a medical practitioner or psychologist in accordance with a requirement under this section are payable out of the Fidelity Fund.
- (12) The cost of medical or psychological treatment, counselling or a program of supervised treatment or rehabilitation undertaken by a legal practitioner pursuant to an order of the Commissioner under this section is to be borne by the practitioner.

Consideration in committee.

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

That the House of Assembly's amendment be agreed to.

Motion carried.

SPICER COTTAGES TRUST (MISCELLANEOUS) AMENDMENT BILL

Final Stages

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

STATUTES AMENDMENT (ADMINISTRATIVE REVIEW TRIBUNAL) BILL

Final Stages

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

STATUTES AMENDMENT (COMMUNITY AND STRATA TITLES) BILL

Introduction and First Reading

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

Parliamentary Procedure

STATE VOICE TO PARLIAMENT

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (23:46):

I remind members that we have the First Nations Voice address to the joint sitting of both houses at 9.45 in the morning.

At 23:46 the council adjourned until Thursday 13 November 2025 at 11:00.