LEGISLATIVE COUNCIL

Tuesday, 25 November 2025

The PRESIDENT (Hon. T.J. Stephens) took the chair at 11:00 and read prayers.

We acknowledge Aboriginal and Torres Strait Islander peoples as the traditional owners of this country throughout Australia, and their connection to 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) (11:01): I move:

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

Motion carried.

The PRESIDENT: I note the absolute majority.

Motions

VALEDICTORIES

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 this council acknowledges the contributions made by retiring members.

This motion will allow over the coming few days for those members who have given great service to this chamber to be able to make their final speech in parliament.

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

Bills

SUMMARY OFFENCES (HIGH RISK MISSING PERSONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 November 2025.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (11:03): I rise to speak on the Summary Offences (High Risk Missing Persons) Amendment Bill 2025, introduced by the Attorney-General on 13 November. This bill would amend the Summary Offences Act 1953 to provide police with an additional proportionate set of tools for responding to high-risk missing person cases. These reforms are designed to support rapid and lawful search activity where there is a vulnerable person missing and where urgent action may be required, even in the absence of any suspected criminality.

The bill closely follows the Queensland legislative model, which was recently reviewed. That review found that while the powers are rarely invoked when they are needed they can be critical to progressing an investigation and locating a missing person swiftly. Clause 3 would amend section 83C to allow a senior police officer to authorise entry to a specified premise, vehicle, vessel or place for up to 48 hours for the purpose of investigating and taking necessary action to locate a high-risk missing person. A high-risk missing person is defined as a missing child under 14 or any individual whom police reasonably believe may suffer serious harm if not found urgently.

Clause 4 would insert new section 83D, allowing a senior police officer to seek a warrant from a judge in the same circumstances. A warrant under this provision could remain in force for up to 90 days, ensuring police retain ongoing lawful authority in more complex and extended searches. South Australia Police have advised that, informed by Queensland's experience, they consider these powers to be a valuable, tightly bounded tool, rarely used but essential when time is critical. For these reasons, and noting the safeguards and the clear public interest in enabling police to rapidly locate vulnerable people, the Liberal Party will be supporting the bill.

The Hon. R.A. SIMMS (11:05): I rise to speak in support of the Summary Offences (High Risk Missing Persons) Amendment Bill on behalf of the Greens. I understand the bill before us today will introduce another proportionate measure to assist police in finding some of the most vulnerable members of our community. The bill will provide police with additional powers to locate a child, a person with a cognitive, intellectual, neurological, physical or psychiatric impairment; the person's ability to interact safely with other persons or in an unfamiliar environment; and whether the person is suspected of being lost within a particular area, the climate or other environmental factors relevant to the area.

The bill will ensure that police can search a premises, vehicle or other place when they have information that may be relevant to the missing person's disappearance and locating their whereabouts. I am sure it goes without saying that all of us in this chamber want to give police as many powers as possible to help them in being able to locate vulnerable people in our community when they are missing. Of course, that is something that causes a huge amount of anxiety and distress to families, so I certainly support the government's efforts to strengthen some of the powers that are given to police to assist them in that important work.

The Hon. C. BONAROS (11:06): I rise to speak in support of the Summary Offences (High Risk Missing Persons) Amendment Bill for the same reasons that have been outlined by other honourable members. During the briefing, it was brought home to us in particular how important that first 48 hours is in a search for a missing person, and this bill certainly goes a long way in terms of assisting in that regard.

I note there are a couple of other instances where police do have similar powers to those being proposed under this bill. Running through with the government the sorts of scenarios where you could anticipate those critical first 48 hours, and what sort of situations this could arise in, a rural property is, of course, a perfect example. You might need to gain entry to a property. It is rural and someone might not be there. There are a host of reasons why it might be difficult to gain access. The obvious issue is consent to gain access to a property. Where we know there is a dead body or someone requiring medical assistance, SAPOL already has these powers. I see this as an obvious extension of those powers where we have a person, and particularly a young person, who is missing.

For those reasons, and I am sure we will go through more as this bill progresses, I support the intent of this bill. I am not concerned about issues of overstepping or overreach in relation to peak police powers, because we do have similar powers in other critical areas as well, and there has been, as I said, a host of reasons why this sort of legislation might be needed, particularly in the first 48 hours, after which I understand we would need to seek a court order for a subsequent extension of those 48 hours. It is with that in mind that I indicate my support for this bill.

The Hon. R.P. WORTLEY (11:09): The bill proposes to amend section 83C of the Summary Offences Act 1953 to authorise police to exercise certain powers in relation to high-risk missing person investigations. Specifically, it allows for a senior police officer to authorise an officer to enter and search a premises, vehicle or other place where police reasonably suspect that (a) a high-risk missing person may be in or on the premises, vehicle or place, or (b) that the entry into or on the premises, vehicle or place may provide information about the person's disappearance.

The bill defines a missing person as anyone who is reported missing to police, whose whereabouts are unknown and where there are concerns for the safety and welfare of that person. The bill defines a high-risk missing person as a missing person under the age of 14 years, or a missing person who a police officer reasonably suspects may suffer serious harm if not found as quickly as possible.

An authorisation given by a senior police officer will remain in place for 48 hours until the high-risk missing person is located or the authorisation is revoked by a senior officer—whichever is sooner. There is also scope for police to apply to a Supreme Court judge for a warrant to confirm the

exercise of the police authorisation up to a period of 90 days, with the power for this period to be extended.

The background of this is that the Summary Offences Act already contains a number of provisions which authorise police to enter or search a premises in connection with a missing person investigation, including the power to enter and search any premises pursuant to a general search warrant where police reasonably suspect an offence has or will be committed on the premises or for a senior police officer to authorise an officer to enter a premise where they reasonably suspect that an occupant of the premises has died and their body is on the premises, or that an occupant is otherwise in need of medical or other assistance.

The bill addresses a potential gap that has been identified in relation to police search powers for missing persons. Specifically, the concern is that, in circumstances where the police do not reasonably suspect that a crime has been committed and police do not otherwise have consent to search a place, there is no authority for police to enter and search for information that may be relevant to the missing person's disappearance and locating their whereabouts.

In 2018, Queensland became the first jurisdiction to provide police with express statutory powers to conduct searches where a person is missing and at high risk. The 2024 review of part 3A of the Queensland act, conducted by the Queensland Crime and Corruption Commission, relevantly found that in the first five years of the powers being in effect, police officers used them in 16 missing persons investigations to assist in locating 22 people.

The Hon. S.L. GAME (11:12): I rise to speak on the government's Summary Offences (High Risk Missing Persons) Amendment Bill 2025. The Attorney-General has said this proposal is intended to address a potential deficiency in relation to police search powers for missing persons. Currently, the authority for police to enter and search a premises, vehicle or other place is limited to circumstances where police reasonably suspect that a crime has been committed.

Under this proposed amendment to section 83C of the Summary Offences Act, police will be given special powers of entry where a senior police officer suspects, on reasonable grounds, that a high-risk missing person is located within a specified place or premises or information about that missing person may be obtained by police entry. A high-risk missing person is defined as someone who has been reported missing and is either under the age of 14 years or a police officer reasonably suspects that the missing person may suffer serious harm if not located quickly.

The current act only provides police with special powers of entry if an officer suspects, on reasonable grounds, that an occupant of the premises has died and their body is in the premises or the occupant is in need of medical or other assistance. This proposal extends these special entry powers to include a vehicle or vessel or specified place for the purpose of investigating, rather than limiting these powers to provide medical assistance or retrieve a dead body from the occupant's premises.

The justification for these additional powers is to ensure that police have all the necessary tools and powers they need to keep our community safe. When referring to similar legislation currently operating in Queensland, the Attorney-General stated that these special entry powers were, however, rarely needed. Consequently, it is important to ask why these special powers are needed now and what community concern or incident has caused the government to bring this bill before the chamber today.

As stated by the Attorney-General, these powers are a valuable tool to progress missing persons investigations. This statement indicates that the primary consideration in this proposal is not about any growing community concern but rather about empowering police with an extra investigative tool that will not require a search warrant. While the authority for police to enter without a warrant will only remain in place for 48 hours, the only justification required to exercise these powers of entry will be the reasonable suspicion of a senior police officer. A senior police officer may apply to a judge for a high-risk missing person warrant but this is only required after the 48 hours has expired.

While the need for police to act urgently in limited circumstances is sometimes justified and necessary, there does not appear to be sufficient justification for these powers to extend to high-risk missing persons. It remains unclear under what circumstances a member of the public would be

unable to or refuse to provide police with the consent to enter their premises to assist a high-risk missing person that is not currently covered by the medical assistance provision under the current act. Alternatively, if police reasonably suspect that a crime has been committed, they already have that authority to enter.

Under the Queensland legislation, these powers of entry are only to be used as a last resort after police have explored all other options. The Queensland model also inserted a mandatory review of the legislation, which has not been included in the proposal before us today. While I am open to supporting this bill to assist police in their duty to the public, I have expressed concern about the justification for this extension of police entry powers under section 83C and the absence of any safeguard beyond a senior police officer's reasonable suspicion. When these are combined with the absence of any statutory review, I do have some hesitation but am willing to listen to the debate.

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (11:16): I thank members for their contributions and the indications of support for this important piece of legislation. I look forward to the committee stage.

Bill read a second time.

Committee Stage

Bill taken through committee without amendment.

Third Reading

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (11:18): I move:

That this bill be now read a third time.

Bill read a third time and passed.

EDUCATION AND CHILDREN'S SERVICES (ENROLMENT AND ATTENDANCE) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 11 November 2025.)

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (11:19): I rise on behalf of the opposition to speak on the Education and Children's Services (Enrolment and Attendance) Amendment Bill 2025. School attendance is fundamental to children's educational, social and emotional development. When a child is not attending school regularly or is not enrolled at all, their long-term outcomes are directly affected. This bill seeks to strengthen South Australia's legislative framework around compulsory schooling by refining enforcement mechanisms, improving communication with families, and clarifying departmental powers. The opposition supports those objectives. We recognise the importance of a system that encourages early engagement rather than punishment, promotes timely intervention and ensures parents understand their obligations under the law.

The bill introduces amendments intended to modernise and strengthen compulsory attendance provisions by focusing on statutory warning notices. These formal notices must now be issued before any prosecution can occur. They outline the parents' obligations and the basis for concern. This constitutes a shift towards early written communication rather than sudden escalation. Expanded information gathering provisions within the bill clarifies and broadens what information the chief executive may request to help determine the reason behind a student's non-attendance. This may include medical, psychological or wellbeing information, where relevant and voluntarily provided.

The bill also reduces the timeframe for absence notification. Parents must give notification of absences within three days, down from five days, aligning the act with existing departmental policy. It also strengthens authorised officers' powers. Officers may now seek enrolment or attendance information at a person's residence, reflecting the practical realities of where some interactions occur. These amendments are aimed at supporting children back into school sooner, establishing clearer

expectations and enabling the department to intervene appropriately where chronic non-attendance persists.

When the bill was introduced, the opposition sought clarity on several matters, particularly those affecting vulnerable or disadvantaged families. One was around the expansion of authorised officer powers, particularly the ability to request information at a person's residential premises. We asked how these powers would be limited, monitored and safeguarded. We also asked questions on the impact of reducing the parent notification window on disadvantaged families, those without stable internet or phone access, families experiencing domestic violence, or families managing complex health circumstances. We also sought to ensure that expanded information powers would not amount to coercive access to sensitive personal or medical documents.

I want to acknowledge the contribution of the member for Flinders, Mr Sam Telfer MP, whose questioning in the House of Assembly ensured that these issues were comprehensively addressed. The minister provided reassurance on central points, including on the purpose of statutory warnings. The minister emphasised that they are intended to be a support-first mechanism rather than punitive and that the majority of the cases will not progress beyond this stage. On access to medical or psychological information, the minister clarified that parents cannot be compelled to provide private health documentation. Information is only considered where parents wish to have relevant circumstances taken into account.

On authorised officers attending residential premises, the minister noted that this does not expand coercive powers but simply reflects where lawful requests for information may occur, with existing safeguards applying. On disadvantaged families, the minister reinforced that discretion will be central to decision-making, including circumstances involving trauma, disability or family complexity, and that prosecution remains a last resort. These clarifications were appreciated by the opposition in addressing our concerns.

Consultation with the Association of Independent Schools of South Australia and Catholic Education South Australia confirmed that neither sector objects to the bill. Both emphasised the importance of early support for families before enforcement escalates, including the risk that fines or legal action can disproportionately affect vulnerable families. We agree with that position: the framework must always encourage engagement, not alienation.

Having reviewed the bill, the second reading speeches from the house, and the minister's committee stage assurances, the opposition are satisfied that our concerns have been addressed. The bill provides clarity, consistency and fairness in the administration of the compulsory enrolment and attendance. It modernises provisions that are decades old, aligns statutory requirements with current departmental practice, and provides families with clearer information at earlier stages of this process.

We are confident that the legislation strikes a reasonable balance between supporting families and ensuring that children's rights to attend school are upheld. The opposition will therefore support the bill. At this stage, I will have some questions during the committee stage but I do appreciate the information that has been provided by both the department and the minister to date. With that, I support the bill.

The Hon. S.L. GAME (11:25): I rise briefly to put on the record that I support the bill.

The PRESIDENT: Good contribution; it is one of your better ones.

The Hon. R.A. SIMMS (11:25): I also support the bill. It seems like a very sensible measure, and may my short speech inspire others in this place.

The PRESIDENT: The Hon. Ms Bonaros is up for the challenge.

The Hon. C. BONAROS (11:25): I have been inspired, and I support the bill.

The PRESIDENT: Minister, I have the Hon. Mr Wortley listed but I do not see him. Would you like to conclude the debate and if he has a meaningful contribution he can do it at clause 1.

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (11:26): I thank all members for their inspirational speeches on this bill. It really is an important bill

because we all want kids to be where they should be. We want them to be kids but we also want them to be learning, and this is really about putting them at the centre of this policy. I welcome the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. H.M. GIROLAMO: In regard to school avoidance, are you able to provide details about what the process would be to support families? We know there are children who are reluctant to attend school, and it can be really challenging especially if you have a teenager who may not want to attend school or is refusing to attend school, so what measures will be put in place?

The Hon. E.S. BOURKE: I want to highlight at the outset that this is not about capturing people who may not want to go to school for other reasons. This is really about the worst of the worst. I was thinking about this when listening to your speech. This is really about parents who are going out of their way to prevent a child from being a child.

The worst of the worst stories are about kids being forced to work instead of going to school. We are talking about a small minority of people, but the bill before us today is rightfully giving the minister and the department some extra levers to pull to make sure that these kids can get back into the classroom, or learning where the appropriate space is for them to learn.

This is not about homeschooled children. This is not about a cohort of people in our community who do not have, sometimes, the ability to choose or not choose where they want to learn. This is about a very small cohort. I am coming with my autism hat on here. We often hear about what we can do to make sure that kids still have the opportunity to learn. As advised today, people will work with the families, they will put plans in place to make sure that there can be opportunities to come back into a learning environment, or perhaps homeschooling is the best environment for them. The education department does absolutely try to make sure that they can find that right environment, but the bill before us today is really focused on a small cohort of people in our community.

The CHAIR: The Hon. Mr Wortley has been unavoidably detained. He has a contribution to make. We are at clause 1. Be brief.

The Hon. R.P. WORTLEY: Thank you. I will keep it brief. I will try, Mr President. The bill makes modest but important changes to the act to strengthen the effectiveness of the current scheme for the enforcement of compulsory enrolment, attendance and participation of South Australian children at schools and approved learning programs. The changes aim to address various issues which have been identified through efforts to enforce the current arrangements and ensure procedural fairness for those parents who may be considered for prosecution.

The bill was subject to an extensive public consultation, including through the YourSAy website, from 20 May 2025 to 13 June 2025 and there were strong levels of engagement compared with consultation on similar legislative reforms in the past.

The Hon. H.M. GIROLAMO: Thank you, Mr Wortley, for that contribution. Just to clarify, if a parent has a child who is refusing to go to school, they will not be fined or prosecuted?

The Hon. E.S. BOURKE: I have been advised that if a parent is proactively attempting to get their child to school or into the learning system in some way, this is not going to cover them. It is not going to cover the situation I am sure we have all been in before, where you might forget to say your child is sick that day. If you can rightfully prove that your child was sick that day, that is not who we are after either.

I was thinking when the Hon. Michelle Lensink walked in, being a minister and having stories that you would have heard as well, there is a very small cohort in this community that no-one ever thinks could be real. Essentially, there are examples where a child might be needing to work and not go to school. They are the people this is after, not the broader network.

The Hon. H.M. GIROLAMO: I just want to put my concerns on the record in regard to the fact that there is definitely a cohort of families where it is quite challenging at the moment to be able to get children to school. I do hope that there are appropriate supports in place from the department to make sure that if these children do want to return to school they are able to get in there as well. Are you able to clarify in regard to non-enrolments what the fines are and also what the process is for prosecution?

The Hon. E.S. BOURKE: I have been advised that the failure to enrol is a maximum fine of $5,000. Obviously, discretion is placed over this in determining whether the full penalty would be required. I also just highlight and go back to provide reassurance about the concerns that you have raised: this is evident in the fact that both Catholic Education and independent schools are also seeking these changes and are supportive of them. I think it highlights that across the board there is a need for a lever to be able to be pulled so that we can get our kids into either a classroom or a learning environment that works for them.

Clause passed.

Remaining clauses (2 to 8) and title passed.

Bill reported without amendment.

Third Reading

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (11:36): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (HEALTH AND WELLBEING) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 November 2025.)

The Hon. J.M.A. LENSINK (11:37): I rise to speak on the Statutes Amendment (Health and Wellbeing) Bill. The Liberal Party will be supporting the bill, but I am not about to sit down just yet—I know you are all on the edge of your seat. Much of the detailed examination has already taken place in the House of Assembly, where my colleagues the member for Schubert, Ashton Hurn, and the member for Frome, Penny Pratt, worked through a number of issues in great detail. I am not going to repeat that work, you will be pleased to know, in what should be called not only the last sitting week but the dog-ate-my-homework week, where ministers do like to put things through with inordinate haste. That may or may not be true in this case, but I will have some comments on that in a moment.

The bill makes a series of amendments across several health statutes following some reviews which were conducted over recent years. Many of these amendments are technical in nature and are aimed at improving alignment, updating terminology and the like. It is always important that we modernise legislation and ensure that it is up to date and considered within a modern context.

One of the areas in the bill is in relation to substitute decision-making through amendments to the Guardianship and Administration Act. These amendments do the following—and I think these are probably the ones that have had the most attention in the advice on these particular clauses. Amendment to section 31: in terms of a protected person who is admitted as an inpatient at an incorporated hospital—which is most of them—the guardian for the protected person may, subject to the terms of the guardianship order, determine that the protected person, on being discharged from the incorporated hospital, is to reside at a specified residential aged-care facility; authorise the detention of the protected person for the purpose of transporting them; and authorise the detention of the protected person at the residential aged-care facility. The amendment of section 32 is consequential on the grant of powers to a guardian.

These have received some recent attention from the Aged Rights Advocacy Service (ARAS) and particularly Mr Richard Bruggemann, who is a former aged person of the year, for want of a better term. He has expressed concerns, which I will also turn to. The frameworks in relation to substitute decision-making are obviously very important to protect people who can no longer advocate for themselves, while allowing particular decisions to be made in a timely manner. It is obviously a sensitive area of law. I think on face value the amendments are appropriate, but we will continue to observe how those provisions operate in practice, particularly for those with cognitive impairment or limited support networks.

I do note that ARAS and Mr Bruggemann have raised concerns about people who have dementia. I have a lot of personal experience with this. If it were up to my parents, they would be living at home, and my dad would be driving his car. Even though he has passed away, he would still be driving his car! That is how attached to driving his car he was. I say that just by way of making the point that people with dementia often lack insight into their situation, particularly their own safety. We needed to have interventions for both my parents at different times.

My mother screamed the emergency department down. I felt like I was betraying her. I insisted she needed to be in aged care. She was not safe at home. My dad had a capacity to get lost while driving his car, and I had to file a missing person report the last time that happened. We sort of called time on that one and said, 'You can't do this anymore.' He lived with me for six weeks, and that was too much for me to handle, so he went into respite and then subsequently into aged care, thankfully in the same facility as my mum.

Often people with dementia have no understanding of the situation they are in. My mother was constantly asking to go home. She did settle eventually; they both did. I think it was helpful when they were both there together. My dad came to me after the first week at my place and said, 'I want to go home.' I said, 'You can't live on your own anymore,' because I was not even sure if he was eating meals.

I think, on balance, because of the safety issues and the administrative issues—I know SACAT is quite an arduous process as well, having also been through that. It is no excuse that SACAT can be quite not timely. Some of the questions we were asked when we were obtaining a change in the orders to prevent my mother from being the guardian for my father—or was it the other way around? We really were asked a lot of unnecessary questions. It was fairly obvious. There are some internal issues that they could tidy up, which is not an excuse nor a reason not to send it to SACAT. For people who have dementia and who need to be in care, that is not likely to be reversible and those situations are not likely to change. We need to be realistic about the situation that dementia causes.

I will go on to the other areas now. The bill also amends governance of incorporated health services in regional South Australia—local health networks that play an important role in delivering care across the state. Challenges in a number of regional hospitals have demonstrated the importance of ensuring that boards are clear in their responsibilities and appropriately structured, so we welcome that.

Pressures are well known, particularly in regional South Australia. Workforce shortages remain the central challenge facing hospitals across country South Australia, and we know that services are stretched. Emergency departments have faced closures and many regional hospitals are heavily reliant on locums. Unfortunately, no legislative adjustment to governance structures can compensate for the absence of a stable skilled workforce.

The Liberal Party has outlined a comprehensive nurse and midwife recruitment scholarship program, a substantial commitment designed to attract and retain the workforce our hospitals so urgently need. Students will receive up to $12,000 while they study and upon graduation a further $8,000 for metropolitan placements or $18,000 for regional placements in return for two years of service in SA Health. This is a practical measure to help build the pipeline, support the students through their training and strengthen the workforce in the very communities that are struggling most, and we are very grateful for the support of the ANMF in this regard.

I again acknowledge the contributions made by my colleagues in the other place who went through a range of concerns, particularly given they are regional MPs. They are well versed in the issues regarding health care and stability of local health hospitals as they apply to a regional health system. Even small amendments can have some very positive consequences for everybody who

interacts with the health system, whether they are consumers, people who work in the system, or the families, so we support the bill.

The Hon. C. BONAROS (11:47): I rise briefly to speak in support of the Statutes Amendment (Health and Wellbeing) Bill 2025, which as we know amends 13 pieces of legislation under the health and wellbeing portfolio to do all manner of things, including minor corrections, updating, modernising language, updating redundant references, clarifying some of the operational elements and decision-making powers of guardians and the line powers of substitute decision-makers to enable them to make decisions consistent with what is being done in other jurisdictions.

I am not going to run through all of the various pieces of legislation. There is an entire raft of them here that are being amended. I do note, in terms of bringing things into line and allowing us to improve the health system, that one of the important measures on which I was briefed was the change to incorporated health services. We know previously that this was tied to a hospital and that under the proposed changes untying it effectively from hospitals and tying it to health services is intended to assist, particularly when it comes to virtual care services.

I note also, and reflect on what the Hon. Michelle Lensink has just spoken of in relation to guardianship and administration changes in advance care directives. If there is anything in this bill that is contentious, it is this, but I think the honourable member has just outlined how difficult an area this is for families when they are having to make very difficult decisions involving parents, grandparents and family members, and the fine balancing act that is required.

The changes themselves, I think, are limited in their scope—appropriately—and certainly consistent with what happens in other jurisdictions. They are intended to also improve delays associated with processes relating to moving a person to a residential aged-care facility, and minimising as much as possible the adverse impacts of prolonged hospitalisations.

We have heard day in, day out as well that we have this issue in our hospital system at the moment where we have the equivalent of a metropolitan hospital in Adelaide on any given day full of patients who are non-acute, do not need to be in hospital, and should be in another facility. That is something that is continuing to cripple our health system in many respects because we simply do not have the places to move them to.

Obviously, where we do have those aged-care facilities and we do need to move them—we certainly need many, many more of those—then it is important we do everything we can to make that as easy as possible, again on the understanding that these guardianship and administration advance care directive changes are intended to apply in very limited circumstances. I think the balance is right in terms of being able to do that respectfully, safely and appropriately.

Again, I note that yesterday there were some concerns raised that this is one of the areas that has not been appropriately consulted on, but there are fine balancing acts at play here in terms of where somebody is a protected person and they need to be moved. I think the changes are intended to do that as effectively, quickly and appropriately as possible in those circumstances, and certainly in line with what is happening in other jurisdictions.

Other than that, I do not know that any other single point has been raised—it certainly has not been raised with me—in relation to the bill as a whole, but I appreciate this is an issue of timing. I am sure that if there are other issues that come to bear then we will hear about them sooner or later, but on the basis of the information that we have before us and the briefings that I have been provided, I indicate that I will be supporting this legislation. I may have a couple of questions for the Deputy Premier when we get to debate in the committee stage, but I indicate my overall support for the bill.

The Hon. R.A. SIMMS (11:53): I rise to speak briefly to the Statutes Amendment (Health and Wellbeing) Bill. The portfolio bill contains a number of amendments, some of which will improve the health and safety of all South Australians. I recognise the contributions of the Hon. Michelle Lensink and the Hon. Connie Bonaros. I have a lot of sympathy with the experience of the Hon. Michelle Lensink. Indeed, I remember my late grandmother had Alzheimer's disease for many years and my family went through that process of trying to manage her affairs and work through

some of those arrangements. It is a very difficult and stressful experience for families, so I do understand the need for reform in that area.

I am concerned, however, that the government has embarked on this without appropriate consultation. I must say that is not typical for the health minister. I usually find the Hon. Chris Picton to adopt a much more collegial and consultative approach, but in this instance I think it is a case of getting to the end of the parliamentary session and trying to rush things through.

I have had feedback from stakeholders that they do not feel that they have been appropriately consulted. For instance, the Council on the Ageing SA and the Aged Rights Advocacy Service have both reached out to my office and raised a number of concerns, which I believe the government could have actually addressed had there been time for appropriate consultation. I am not moving any amendments today because I simply have not had time to work through what they might look like and to do the level of consultation required.

But I will, for the benefit of the public record, read into *Hansard* some of the concerns that have been shared with my office in the hope that the government can take these into consideration when they are developing some of the processes that underpin this bill. The concerns that have been raised with me relate to the advance care directive and the guardianship acts. This is a quote from the Council on the Ageing. They say:

> In short, we are very concerned about safeguarding the human rights of older people. It seems these changes are being proposed not to advance the rights of the vulnerable people in this situation, but to fix a problem with the health system.

They say they have concerns both for the persons subject to the order, who would have the right to least restrictive care, as well as the substitute decision-makers, who are likely to feel under significant pressure from the system. They say they are concerned that a review from the SACAT is not required for six months, which seems like a long time. They are concerned there is no guaranteed access to independent advocacy or legal support of clear explanations of rights. They are concerned about the potentially confusing opt-out provisions for detention and would like to see those used in plain English and with appropriate supports. They are concerned there has been no co-designed process for the proposed changes.

I am concerned that, in what I am sure is an effort to improve efficiencies in the healthcare system, the government is potentially moving us down another path without appropriate consideration. These orders will come into play when older South Australians are at a very difficult time in their lives, one where their health needs are complex and their families have to make hard decisions on what is best for their loved ones going through a difficult time.

I am concerned that this could be seen as removing some of the rights of older South Australians. I find myself in a difficult position because I approve some elements of the bill but I do feel that the government has not adopted appropriate consultation, and I have not been able to satisfy myself that they have got the balance right.

I will follow the committee stage and see how things progress and reserve my right on the legislation, but I do urge the government to do better when it comes to consultation with stakeholders. This is sloppy lawmaking. It has been done in a slapdash way on the eve of an election and I think the stakeholders deserved a much more consultative approach.

The Hon. S.L. GAME (11:58): I rise briefly to speak on the Statutes Amendment (Health and Wellbeing) Bill 2025. The majority of this bill is designed to update minor technical, administrative and policy amendments to ensure legislation is accurate and up to date. While I support these minor amendments across a broad range of relevant legislation, there has been some concern raised regarding the proposed amendments to the Guardianship and Administration Act 1993 and the Advance Care Directives Act 2013.

The key concern raised from a range of aged-care advocates is that they were unaware that these changes were even being put forward. In response, the government has suggested that the proposed amendments were not significant enough to warrant notification of stakeholders. However, this is not the view of many aged-care stakeholders, who have raised significant concerns about lack of consideration given to the rights of the aged when decisions are made regarding the discharging from hospital and into a nursing home.

Further time to consider these concerns would have been beneficial, given the lack of consultation given to these stakeholders. I will continue to consult with these stakeholders in the future to uphold their right to be heard and to advocate for the vulnerable in our community.

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (11:59): I thank members for their contributions on this debate, in particular the Hon. Michelle Lensink who gave a very powerful discussion in her second reading contribution. I will just touch on a couple of issues that have been raised. I appreciate the issues being raised, particularly by the Hon. Robert Simms and the Hon. Sarah Game, in relation to consultation.

I appreciate the Hon. Robert Simms' commentary. I think many stakeholders in the health area appreciate the length and depth of consultation that the health minister regularly does. This is an omnibus bill touching on, I think, 13 different pieces of legislation that are committed to the health minister. I think the thought was that many of these are minor, technical and administrative in nature and, generally, the level of consultation undertaken is often proportionate to the nature and the significance of the changes being made.

I am advised that the government does take on board the concerns that have been raised. I am further advised that there either have been or are soon to be discussions with the Aged Rights Advocacy Service and the Council on the Ageing, and that undertakings have been given to involve both those bodies in the implementation of what is here. I am hoping that can give some comfort. Consultation is generally quite extensive. When the changes are small—and particularly in an omnibus bill—there is less consultation, but there is that undertaking that those groups will be involved in the implementation of these changes.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 3 passed.

Clause 4.

The Hon. J.M.A. LENSINK: I have quite a number of questions in relation to this clause, which inserts new part 5A, so quite a lot of the guts of the changes to the Guardianship and Administration Act is contained in here. My first question is in relation to scope of powers and substitute decision-makers. The bill enables a substitute decision-maker to authorise both the detention and transfer of a person from hospital to a residential aged-care facility by written instrument. What safeguards are in place to ensure that such detention or transfer decisions are made only in the best interests of the person and not for some other purpose?

The Hon. K.J. MAHER: My advice is that the object and principles of the act require it to be in the best interests of the person. That is set out in the legislative scheme for the Guardianship and Administration Act, I am advised. In terms of the safeguarding, the ability for review is with SACAT.

The Hon. J.M.A. LENSINK: Thank you for that answer. If the person's advance care directive is silent on the issue, how is the consent or objection to be managed?

The Hon. K.J. MAHER: In terms of what you have just asked before that?

The Hon. J.M.A. LENSINK: Yes.

The Hon. K.J. MAHER: My advice is, in accordance with the act, the decision made for the person must, as far as is reasonably practicable, reflect the decision the person would have made in the circumstances. There is that overriding principle of acting in their best interests. Also, a decision by that substitute decision-maker, according to legislation, must not, as far as is reasonably practicable, restrict the basic rights and freedoms of the person.

The Hon. J.M.A. LENSINK: The bill allows detention only where it is 'reasonably necessary to prevent or reduce a significant risk of serious harm that the person presents to themselves or to others'. How is this to be defined or assessed?

The Hon. K.J. MAHER: My advice is that substitute decision-makers in such circumstances would take advice from the clinicians, who would be able to give advice to substitute decision-makers about the state of mind and the ability and the capacity of the person.

The Hon. J.M.A. LENSINK: That is a nice segue into my next question, which relates to minimum clinical standards. Because it would involve some level of cognitive assessment of the individual, what would be the minimum standard? Is it a medical opinion, is it a psych screening or any of those things prior to authorisation?

The Hon. K.J. MAHER: My advice is that assessment for cognitive ability and impairment would be done by clinicians—generally, clinicians who are experienced in aged care and dementia.

The Hon. J.M.A. LENSINK: In relation to proposed section 39B(2)(a) and 39B(7), there is some overlap with the Guardianship and Administration Act. This section, on my understanding, operates only if no guardian has been appointed and is stated to be 'in addition to' the Guardianship and Administration Act. If there is a conflict between a substitute decision-maker's authorisation and a later guardianship order, how is this to be resolved?

The Hon. K.J. MAHER: My advice is, if there is subsequent appointment of a guardian, that would take precedence.

The Hon. J.M.A. LENSINK: In relation to potential delays of the tribunal, SACAT says that the decision must be reviewed within six months. Can the minister explain why that timeframe was chosen? Are there any concerns that this could potentially expose individuals to unnecessary detention before oversight occurs?

The Hon. K.J. MAHER: My advice is, six months is the maximum time for it to be reviewed. In many cases, I am advised, it would be much quicker than that. It is a maximum time for the review.

The Hon. J.M.A. LENSINK: What are the circumstances in which it would be shorter than six months?

The Hon. K.J. MAHER: I might clarify: my advice is that the six months is the maximum timeframe. My advice is that it would regularly be shorter than the six months, but I think it is important to note that my advice is that it does not prevent an interested party who has standing bringing a review, notwithstanding there has to be a review within the six months.

The Hon. J.M.A. LENSINK: My understanding is that during the briefing with the minister there were comments that these powers only apply in limited circumstances. Can the minister advise what they mean by limited circumstances? Is there a clarification in terms of a definition in policy or practice to guide this?

The Hon. K.J. MAHER: I am advised that proposed section 39B sets out some of the preconditions and those sort of limitations, such as in 39B(1)(a) that the person has to be an inpatient of a facility. Then 39B(2) sets out in (a) (b) and (c) the other preconditions that need to be met. In effect, that is what it limits it to.

The Hon. J.M.A. LENSINK: The minister cited 'avoiding adverse effects associated with prolonged hospitalisations'. Can the minister provide data or clinical evidence that supports this statement, including examples specific to South Australia such as physical deconditioning, cognitive decline and infection risk?

The Hon. K.J. MAHER: I am happy to take that on notice to see if I can supply further information. I do not have any of that with me here but certainly I have been in meetings around the table where there have been health officials who have talked about the fact that being in the public hospital system is not the best place for many patients with these sort of conditions, and that a memory support unit is a much more appropriate place for their health and wellbeing. In terms of the evidence for that, I am happy to go away and bring back an answer for the member.

The Hon. J.M.A. LENSINK: In relation to the expansion of guardian powers, amendments explicitly allow a guardian to (a) determine residence at a residential aged-care facility, (b) authorise detention for transport and (c) authorise detention within the facility. How does this broaden the existing detention powers under section 32 of the principal act?

The Hon. K.J. MAHER: My advice is that it does not broaden the potential powers that someone would have in those circumstances. What it does is make it explicitly clear in those

circumstances that you do have the powers and you do not necessarily need to go back for a special order for those powers.

The Hon. J.M.A. LENSINK: At risk of asking the minister's opinion, does the government consider that this is a shift in the legal threshold for detention outside mental health legislation? A simple yes or no is fine.

The Hon. K.J. MAHER: My advice is, no, that is not our view.

The Hon. C. BONAROS: I just want to go back to the comments that I made at the outset and confirm—and I might have missed this; I apologise. Certainly, we have had correspondence, or commentary, now from Carolanne Barkla from the Aged Rights Advocacy Service, who has indicated that they and Dementia Australia and COTA were not consulted. Has the Deputy Premier undertaken that these changes will now be the subject of consultation with those various stakeholders before anything final is put into play?

Carrying on from that, given the questions and concerns that have been raised by all of us in this place, are the Deputy Premier and the health minister undertaking to go back and consult with them should there be unintended consequences or measures that go beyond what is acceptable, given that we are dealing with this now and they have not had the privilege or benefit of being able to consult on this issue?

The Hon. K.J. MAHER: I touched on this in my second reading sum-up speech in relation to issues that the Hon. Rob Simms had raised. Being a portfolio bill that amends 13 acts, often the consultation is proportionate to the significance of the change, and I think the view was that a lot of these were more minor and administrative changes. Having had ARAS, COTA and Dementia Australia raise views, I understand the department has already been in contact with all three of those groups and has undertaken to include and consult with them in the implementation of any changes.

The Hon. C. BONAROS: That is good news. Following on from that, if there are issues that are identified that go beyond, certainly, the scope of anything that is agreed to, the government is willing to revisit this to address those issues in the new year?

The Hon. K.J. MAHER: Absolutely. I know Minister Picton is always willing to make sure we are doing everything we can in the best interests of the health system, but more particularly the best interests of patients in the health system.

Clause passed.

Clauses 5 to 19 passed.

Clause 20.

The Hon. J.M.A. LENSINK: The government may tell me this is out of scope, but I just think it is worth asking. Has either the Attorney-General's Department or the Human Rights Commission been consulted to assess compliance with the charter of rights for residents of aged-care facilities or the Aged Care Quality Standards?

The Hon. K.J. MAHER: My advice is, no, and that is but and because. The advice is that what is being proposed in this act does not change or abrogate the principles that are set out in the federal Aged Care Act.

Clause passed.

Clauses 21 to 39 passed.

Clause 40.

The Hon. J.M.A. LENSINK: This is in relation to incorporated health services. There is a new mechanism for incorporated health services. The people who drafted this bill would know better than I do. In relation to the establishment of incorporated health services, there are proposed sections within these clauses which enable the Governor by proclamation to establish independent incorporated health services with their own boards and governance. Can the minister outline what specific problems within the current LHN governance this provision is intended to resolve?

The Hon. K.J. MAHER: I am advised that there is no particular current problem necessarily that this seeks to address. My advice is this is about futureproofing what may occur. My advice is all such services need to be attached to a particular hospital, and if you are talking about virtual care services, it may be that they are not attached to a particular hospital, which is why these provisions are anticipated.

The Hon. J.M.A. LENSINK: Can I pose a hypothetical to the minister? Is it possible that this could enable statewide services such as the Rural Support Service or SA Pathology to be removed from local health network oversight?

The Hon. K.J. MAHER: Hypothetically—and we have not considered it—that may be possible, but my advice is, and I am happy to state, that there is no intention to do that.

The Hon. J.M.A. LENSINK: Proposed section 48BE allows the Governor by proclamation to transfer functions, assets, rights and liabilities between incorporated entities. Is there any parliamentary oversight or public consultation before such a transfer?

The Hon. K.J. MAHER: My advice is, depending on what would be proposed, if there was an intention to do something under these provisions there would absolutely be consultation with any parties who may be affected.

The Hon. J.M.A. LENSINK: How will accountability be maintained if assets or services funded through regional LHNs are centralised?

The Hon. K.J. MAHER: My advice is there is no proposal to do that.

The Hon. J.M.A. LENSINK: How will board members for incorporated health services be appointed and held accountable to parliament given these are entities of the Crown but operate under their own governance?

The Hon. K.J. MAHER: My advice is they would have the same accountability as board members of LHNs. They would be appointed under the act and have the same responsibilities and same oversight and accountability as board members of LHNs.

The Hon. J.M.A. LENSINK: Just a final one on this one: how will the boards interact with the chief executive and existing LHN boards to avoid duplication?

The Hon. K.J. MAHER: My advice is there would be the same interface that happens with LHNs as if any of these were set up.

The Hon. C. BONAROS: I apologise; I was not listening to all of those contributions. I am losing track of who supports and opposes centralised and decentralised LHNs at the moment. These measures are not intended to impact that at all, in terms of the current framework around LHNs and the way that they function and operate?

The Hon. K.J. MAHER: My advice is this is not intended to disturb how an LHN works. This just provides a mechanism for the future—for, as I said, something like a virtual hospital that might be not attached to a particular LHN.

Clause passed.

Clause 41 passed.

Clause 42.

The Hon. J.M.A. LENSINK: In relation to transfer of a restricted ambulance service licence, which is new section 58(10), under what conditions can the minister transfer a restricted ambulance service licence to a new provider?

The Hon. K.J. MAHER: My advice is that the determination is if the minister is satisfied as to the suitability of the person to hold the licence. I have been given an example of the reason for wanting to do this: if the RFDS had a change in its board and how it operates such that it was an entity that was required to apply for a new ambulance licence, what this would allow is the minister to be satisfied that it is a very substantially similar entity and transfer the licence. That is an example of the circumstances that I am advised this contemplates.

The Hon. J.M.A. LENSINK: I thank the minister for that answer. Does this in any way relate to the transfer of contracts from Babcock to Toll for the new aeromedical and rescue aviation services scheduled to commence in 2026-27?

The Hon. K.J. MAHER: My advice is I am not aware that that is the case.

Clause passed.

Clauses 43 to 46 passed.

Clause 47.

The Hon. J.M.A. LENSINK: This is in relation to ministerial exemptions from licensing. The proposed new section 88A allows the minister to exempt a person from being required to obtain a private hospital licence in limited circumstances. Can the minister provide examples of such circumstances?

The Hon. K.J. MAHER: My advice is this provision would be used by the minister in, it is anticipated, limited circumstances. An example that I have been advised of is the Pullman hotel being used for step-down services. In that case, the Pullman hotel is required to apply fully for a hospital licence. This would allow, in those limited circumstances, for this provision to come into effect.

Clause passed.

Remaining clauses (48 to 70) and title passed.

Bill reported without amendment.

Third Reading

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (12:29): I move:

That this bill be now read a third time.

Bill read a third time and passed.

HELP TO BUY (COMMONWEALTH POWERS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 November 2025.)

The Hon. R.A. SIMMS (12:30): I rise to speak on the Help to Buy (Commonwealth Powers) Bill. This bill will enable the commonwealth government's Help to Buy shared equity homebuyer's scheme operate in South Australia. The bill sounds good in theory, but one must also always look at how things work in practice. The Greens have raised alarm about the potential for such a scheme to allow first-home buyers to put down a minimum deposit of just 2 per cent of the purchase price of a new or established home, locking them into a debt of up to $900,000 in the Adelaide metro area or up to $500,000 outside.

Lower deposits are certainly a welcome initiative, but this is not a long-term solution to the housing crisis. What we really need is the government to develop a suite of policies that take this crisis seriously. That is why the Greens have been calling for an investment in public housing and for developers to step up and play much more of a role. We would move to increase the requirements for public, social and affordable housing in new builds from 15 per cent to 30 per cent. But the government needs to step up and put some money on the table for housing, and it also needs to make the reforms necessary to get our rental market under control. That means, of course, having a rent cap and it means, of course, finally ending the practice of rent bidding in South Australia.

We are in a housing crisis. We also need the federal government to look seriously at negative gearing and at capital gains tax benefits and the massive tax handouts that are providing huge windfalls to investors. Simply trapping first-home owners into a life of debt and luring people in with low deposits is not something that will be a long-term solution to the housing crisis. I urge the

government to do better than this and to come to the table with a much more comprehensive housing policy.

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (12:32): I rise to speak on the Help to Buy (Commonwealth Powers) Bill, introduced by the government in the other place last week. We all know that the escalating cost of housing is hurting South Australians, particularly young people and families trying to buy their first home. In South Australia housing affordability continues to be a serious issue. Over the past four years, the average price of a family home in Adelaide has risen by almost 90 per cent.

As at October 2025, Adelaide's median house price is sitting at $862,000—an increase of $71,900 in just 12 months and attracting more than $52,600 in stamp duty. In regional South Australia, the median dwelling price sits at $470,000—up by around $52,000 on last year and attracting around $27,000 in stamp duty. Hence, a Liberal government will scrap stamp duty over the long term and help first-home buyers in the first instance get into their home as a key starting point.

This government is benefiting from absolute record revenue when it comes to stamp duty and other costs associated with housing. Whilst rising house prices deliver benefits for those who already own a home, for many South Australians the dream of home ownership is slipping further and further away.

Traditionally, lenders require deposits of 20 per cent. With the rental market also in crisis, with many completely unaffordable or unavailable, the ability for young people to save for a deposit is certainly impacting on their ability to be able to get into the Australian dream of home ownership. Recent data shows that 35 per cent of home owners struggled to meet their mortgage repayments in September.

The purpose of this bill is to allow South Australia to participate in the commonwealth's Help to Buy scheme, whilst ensuring that our own state-based schemes remain intact and unaffected. Help to Buy is a shared equity model in which the Australian government contributes up to 30 per cent of the purchase price to existing homes and up to 40 per cent for new builds. In return, the government holds the equity share in the property and participates proportionately in any capital gains or losses when the home is sold or the equity share is bought out. If South Australia joins the scheme, an estimated 2,700 places will be made available for South Australian applicants.

This bill amends state legislation to ensure that South Australian participants are treated consistently with other homebuyers for taxation and homebuyer assistance purposes, and it provides the necessary provisions for South Australia to withdraw from the scheme at any time. Importantly, participation in Help to Buy does not restrict South Australia's ability to introduce new homebuyer assistance programs or continue existing ones such as HomeStart's Shared Equity Option or the Housing Trust's Rent to Buy scheme. However, the bill ensures that homebuyers cannot double dip. Only one government may hold equity in a single property.

Whilst eligibility criteria are set by the commonwealth and may not perfectly align with South Australia's market conditions, they have been designed to apply nationally. Current requirements include a minimum 2 per cent deposit, a maximum purchase price of $900,000 in metropolitan Adelaide or $500,000 in regional areas, and income caps of $100,000 for single applicants or $160,000 for joint applicants.

States may opt out of the scheme and, at present, Tasmania is the only jurisdiction not participating. Should a state withdraw, its allocations would be redistributed based on population share. While the policy of government owning equity in a family home raises valid questions, participation in the scheme is entirely voluntary. This bill does not compel anyone to apply. It simply creates legal conditions for those who wish to access Help to Buy.

Finally, the bill ensures South Australia retains the right to expand, amend or abolish its own shared equity schemes and to withdraw from Help to Buy should future commonwealth legislative changes render the scheme unworkable for the state. On that basis, the opposition will be supporting the bill, and I commend the bill to the house.

The Hon. R.P. WORTLEY (12:37): In late 2024, federal parliament passed legislation providing for the commonwealth's Help to Buy homebuyer assistance scheme. Under the scheme, the commonwealth will provide eligible applicants a shared equity contribution of up to 30 per cent of the purchase price for an existing home, or 40 per cent for a new home.

The Help to Buy scheme is scheduled to commence during the 2025-26 period and is expected to operate for four years. It will be administered by Housing Australia on behalf of the commonwealth. A total of 40,000 Help to Buy places over four years will be available nationally, with each participating jurisdiction entitled to at least its population share of available spaces. This means that if South Australia becomes a participating state, a minimum of around 2,700 places would be allocated to South Australian applicants.

The legislation adopts the commonwealth's Help to Buy Act, which is a prerequisite for the commencement of Help to Buy in a state. New South Wales and Victoria recently passed similar legislation, while Western Australia is currently progressing its bill through the parliament. Key provisions of the bill are that:

- the bill adopts specific provisions of the commonwealth Help to Buy Act and refers matters relating to the operation of Help to Buy to the commonwealth parliament, pursuant to the Commonwealth Constitution;
- the bill includes a safeguard allowing the state to terminate this referral at any time; and
- the bill also includes amendments to relevant tax and homebuyer assistance legislation to ensure that Help to Buy participants are treated the same as any other homebuyers when determining their liability for applicable state taxes, and can access the same state-based support such as the First Home Owner Grant.

Implementation in South Australia: participating in Help to Buy would not preclude South Australia from implementing new state-based assistance schemes in the future, nor is it intended to affect existing support. The scheme can operate alongside existing programs offered by HomeStart. As the Help to Buy scheme will be provided through mainstream lenders, it will likely attract a different client market to traditional HomeStart customers.

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (12:40): I thank all members for their words of support on this important bill and I look forward to the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. H.M. GIROLAMO: In regard to the extra revenue that would potentially be generated through capital gains from the shared equity, are those gains then allocated back to the individual states or does it go centrally and then it is up to the discretion of the federal government on how it is spent?

The Hon. K.J. MAHER: I think this answers your question: revenue, in terms of stamp duty, obviously goes to the states; any capital gains tax, my advice is, goes to the federal government.

The Hon. H.M. GIROLAMO: The main reason I ask is, obviously Tasmania is not participating, and then if other states elect not to then they are going to reapportion it across the states that are participating. So I was just keen to understand if that meant that there was a flow-on effect with any of those gains, but appreciate that is more of a federal question.

Why is Tasmania not participating? Obviously, from South Australia's perspective, we are participating, but I am just interested to understand if there is any background on why a state like Tasmania would not participate in the program.

The Hon. K.J. MAHER: My advice is that it is not known what Tasmania will do; that is, they have not made a decision yet. That is the advice I have at the moment, that a final decision has not been made by Tasmania.

Clause passed.

Remaining clauses (2 to 11), schedule and title passed.

Bill reported without amendment.

Third Reading

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (12:44): I move:

That this bill be now read a third time.

Bill read a third time and passed.

LABOUR HIRE LICENSING (SCOPE OF ACT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 November 2025.)

The Hon. B.R. HOOD (12:45): I rise today to speak in opposition to this bill and indicate that I will be the lead speaker for the opposition. I also indicate that the opposition will not be supporting the Hon. Tammy Franks' amendment. The short point here is that the original act was amended by the Marshall government in the last parliament. What this bill is now doing is restoring the status quo, and it is no more complicated than that. Essentially, we are dealing with a difference of view about the scope of the relevant provisions.

The important matters that have been raised, including by the Australian Industry Group (Ai Group) about the need for this reversion ought to be taken on board by the government. We need not be here. It is a retrograde step to go back and render the situation as it was back in 2017 when the Weatherill Labor government first introduced it.

It ought to be noted that the Liberal opposition at that time opposed the bill on the grounds that such industries should be regulated nationally as labour hire providers and that we were increasing, by state legislation, the red tape on providers already complying with existing worker protection laws. If these added amounts of red tape were going to do nothing beneficial then we were not going to capture the culprits, the subject of the committee reporting of the media at the time, and the providers who were already flouting the law were going to continue and avoid them anyway.

As I said at the outset, the Marshall Liberal government introduced the changes that it proposed by way of an amendment bill in 2019. The scope of those amendments was to establish an industry-specific model relating particularly to horticulture, meat and seafood processing, cleaning and security industries. These were considered high-risk workplaces by various state and federal government reports. At the same time, it removed most of the imprisonment penalties.

The bill that we have now seen the government come along and introduce in recent weeks would effectively undo those changes, expand the scope of the act to cover all labour hire firms and, by clause 4, do some work to exclude directors, partners, sole traders and high-income workers. That would largely capture expert professional workers contracted or seconded to another company. Clause 5 would also exclude from the definition of 'labour hire workers' those who are moved within a single corporate group or public sector employees transferred between government agencies.

As I have said, this is legislation that is not supported by a variety of industry groups, including the Ai Group, and the opposition is opposed to it. For what it is worth, we would urge the government to reconsider proceeding any further with this bill and perhaps go back and continue to engage with those industry groups, particularly the Ai Group, which I commend for its engagement and its assistance to the opposition in considering the scope of labour hire legislation in this state. With that, I conclude my remarks. We will be opposing the bill and the amendments coming forthwith.

The Hon. C. BONAROS (12:48): I rise to speak on the Labour Hire Licensing (Scope of Act) Amendment Bill 2025. In so doing, I refer back to a speech that I gave in this place in June 2020. During that speech—where I found myself as the meat in the sandwich between two sides who were clearly politicking over what should and should not happen over labour hire—I reflected on the proposal that was initially put by the then Attorney-General, which I did not agree with, on her assessment that the reforms that were originally made were driven by blind ideology, and my

reluctance to play into the blind ideology of both political parties on this issue at that time and going forward. Certainly, I was caught up in the middle of politicking between those parties who could not come to a position on this.

It was on that basis, at the time, that I sought to rely on the advice of the most impartial office I could find in relation to the changes that were being proposed by the then government, namely the Commissioner for Consumer and Business Services. The position I took at the time was based solely around the advice that I had sought and taken from the commissioner. I will come back to that point, because I am intrigued to know what has changed in the advice of the commissioner today compared to when we made these changes in 2020. As I stated at the time:

> The introduction of the current labour hire licensing laws were prompted by the 2015 airing of the *Four Corners* program, *Slaving Away*, which has been referred to and highlighted the potential for ruthless exploitation of our most vulnerable workers. It focused predominantly on migrant workers working in industries such as meat processing and fruit and vegetable picking, and it was—

at the time and, I am sure, continues to be today—

> disturbing viewing. It uncovered a culture of modern-day slavery, excessive working hours, coupled with gross underpayment of wages. One foreign worker spoke of being paid $3.95 per hour for grape picking. Another spoke of working 18 hours a day in an Adelaide poultry factory, and another of living in a horse stable with more than 10 other people in a similar predicament. It also touched on a number of state and federal reviews into worker exploitation.

At the time, in 2020, the advice was that Victoria and Queensland had schemes that echoed the legislation. The Northern Territory and Western Australia had made announcements but were yet to enact, New South Wales and Tasmania had not yet declared their hands, but what was abundantly clear was the need for a national scheme. The Attorney at the time drew this out, to the extent that she could, in an effort to try to convince the then Morrison government to work on federal legislation that would protect vulnerable workers from exploitation by dodgy labour hire companies. Overwhelmingly, I think the view remains that this is something that ought to be dealt with at a national level.

So that takes us to what has happened at a national level. I note the arrangement that was put in place for a national labour hire scheme between the commonwealth and Victoria, for a trial, which I think was expected to expire in June of this year. It had federal funding of about $4 million for Victoria, as in-principle host jurisdiction, to lead national labour hire implementation development as well as the establishment a project office to manage a range of scoping and planning work for a national labour hire regulator. That project office was established in April 2024.

As part of that arrangement, there was going to be engagement of external consultants, development of costs and funding options for such a regulator, staffing costs, expenditure and so forth. At its core, that funding was, as I said, to look at Victoria, as a host state, establishing a scheme as a trial that would form the basis of national reforms in this area.

That brings me back to this bill, because we now seem to be going back to the drawing board and effectively, in the last week of parliament, undoing the last reforms of the opposition, which I agreed to, with amendment, at the time, not based on the advice of the opposition but based on the advice of the commissioner and what that scheme ought to look like if it were to continue in this state.

There were amendments filed to ensure that it was not scrapped, as was originally being proposed, which I certainly did not agree to, but that it canvassed those high-risk categories. There are five high-risk categories that were identified at the time. Thinking back to the advice by the commissioner, the advice certainly was at the time that if this is an open scheme that applies across the board, then we will not be able to zero in on and focus on the worst offenders in the worst industries. It is on that basis that five industries were highlighted as the worst offenders, with the ability to add additional industries to that list by regulation.

So my first and obvious question is: since those changes in 2020 have we added any additional industries to those categories or was and does the commissioner remain satisfied that the breadth of the legislation remains satisfactorily focused on the worst offenders? That leads me to my next question, and I have looked back at the YourSAy website of the government when—indeed, this was on the commissioner's page but points to the views not of the commissioner but of the government. That page reads:

The government is concerned that current laws leave some workers without important protections and allow labour hire providers to operate without licensing criteria.

My next question is: is the view being espoused by the commissioner on behalf of the government also shared by the commissioner, and what views has the commission itself raised, or concerns has the commission itself raised, in relation to the operation of this scheme since it was amended in 2020?

That is my core concern here. In the absence of anything happening I note that at the time, as I said, the former Attorney-General was urging her federal counterparts, the Morrison government, to do their bit to implement a scheme. That did not come to be. Following on from that, we now have a Labor federal government that entered into an arrangement with a host jurisdiction in Victoria to enter into a scheme.

That trial was intended to continue into this year. I do not know where we are in terms of that national scheme that has now been the subject of not just discussion federally but a trial in one jurisdiction, and it is for that reason that I am left here scratching my head trying to figure out why it is that in the absence of a nationally consistent approach, which is what we all know should be taken on this issue, we are back here at the eleventh hour, just prior to parliament finishing, contemplating a scheme which takes us back to the original position before any of the amendments were moved, back to a scheme that certainly was not in line with the advice that we received from the commission in 2020, which resulted in the passage of a very different bill from that which the opposition had initially drafted and put before us at the time.

To be absolutely clear, none of us want to see vulnerable workers exploited, but there was some merit at the time in what the commission was saying in terms of making this open to everybody or focusing in on those groups where exploitation and vulnerability was at its highest. The commission's advice at the time was that by making us focus on everybody we take our eyes off the worst offenders in those industries. It was on that basis that five groups were carved out, with the ability to add more groups, more industries by regulation.

Ai Group was supportive of the changes at the time and opposed to the changes today, because of the broad brush approach and potentially unintended consequences and how far the current scope would apply. I am not going to dwell on this. Everyone can refer back to 16 June 2020—it was a Tuesday—when we had this debate in here and we canvassed all these issues, but I will remind everybody that the advice at the time was based not on what Labor thought and not on what the Liberals thought but what those who were responsible for oversight of a labour hire scheme in this jurisdiction said was the best outcome for our state.

In the absence of advice from them to suggest that that scheme is not working, I do not understand how it is that we are here proposing further changes to this bill, especially in the absence of that national scheme that we have all talked about for so many years now. It is on that basis that I am not supportive of this bill, not because I support exploitation of workers but because we need to ensure that those workers are the ones that we focus on.

My questions again to the government during committee stage and during wrap-up of the minister will be: are the views of the government shared by the commission today? Have any further categories been added to the list of schemes that are covered by the current legislation via regulation? Has consideration been given to adding any other categories to that scheme on the advice of the commission, and what in fact is the advice of the commission with respect to the need for these changes?

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

Sitting suspended from 13:02 to 14:17.

LEGAL PRACTITIONERS (DISCIPLINARY MATTERS AND FIDELITY FUND) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

STATUTES AMENDMENT (RECIDIVIST YOUNG OFFENDERS) BILL

Assent

Her Excellency the Governor assented to the bill.

GUARDIANSHIP AND ADMINISTRATION (TRIBUNAL PROCEEDINGS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

STATUTES AMENDMENT (ADMINISTRATIVE REVIEW TRIBUNAL) BILL

Assent

Her Excellency the Governor assented to the bill.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) BILL

Assent

Her Excellency the Governor assented to the bill.

SPICER COTTAGES TRUST (MISCELLANEOUS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

CHILD SEX OFFENDERS REGISTRATION (MISCELLANEOUS) AMENDMENT BILL

Assent

Her Excellency the Governor assented to the bill.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following papers were laid on the table:

By the President—

Report of the Executive Officer for the Joint Parliamentary Service
Independent Review of the Implementation of the Equal Opportunity Commissioner Recommendations, September 2025

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

Reports, 2024-25—
Eyre and Far North Local Health Network Inc
Flinders and Upper North Local Health Network
Health Services Charitable Gifts Board
Limestone Coast Local Health Network
Mid North Health Advisory Council Inc
Millicent and Districts Health Advisory Council Inc
Northern Yorke Peninsula Health Advisory Council Inc
Port Pirie Health Service Advisory Council Inc
Preventive Health South Australia
Riverland Mallee Coorong Local Health Network
South Australian Ambulance Service
South Australian Ambulance Service Volunteer Health Advisory Council
South Australian Medical Education and Training Health Advisory Council

South Australian Public Health Council
Whyalla Hospital and Health Services Health Advisory Council Inc
Regulations under Acts—
Hydrogen and Renewable Energy Act 2023—Miscellaneous
Police Superannuation Act 1990—Commutation Factors
Southern State Superannuation Act 2009—Miscellaneous (2025)
Superannuation Act 1988—Commutation Factors
SA Health's response to the Coroner's finding into the death of James Frank Sears

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

National Agreement on Closing the Gap: South Australia's Report, 2024-25

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

Reports, 2024-25—
Coroners Court
Courts Administration Authority
The Public Trustee
Rules under Acts—
Legal Practitioners Act 1981—Legal Profession Education and Admission Council (No. 3)
Ombudsman SA audit report of compliance with the Criminal Law (Forensic Procedures) Act 2007 dated September 2025

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

ReturnToWorkSA: Report, 2024-25

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

Electoral Commission of South Australia: Report, 2024-25

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

Reports, 2024-25—
Dairy Authority of South Australia
Dog Fence Board
By-Laws under Acts—
Tumby Bay—
No. 1—Permits and Penalties
No. 2—Dogs
No. 3—Local Government Land
No. 4—Roads
No. 5—Moveable Signs
Regulations under Acts—
Veterinary Services Act 2023—General (2025)

By the Minister for Forest Industries (Hon. C.M. Scriven)—

Forestry SA: Report, 2024-25

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

Reports, 2024-25—
Office for Early Childhood Development
South Australian Commissioner for Aboriginal Children and Young People
South Australian Commissioner for Children and Young People
Regulations under Acts—
Harbors and Navigation Act 1993—Temporary Fee Reduction

Motor Vehicles Act 1959—
Disability Parking Permit Scheme
Instructors' Licence Exemption
Miscellaneous—Temporary Fee Reduction
Rail Safety National Law (South Australia) Act 2012—Drug and Alcohol Testing—Approval of Apparatus
Retirement Villages Act 2016—Codes of Conduct

Parliamentary Committees

BUDGET AND FINANCE COMMITTEE

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:20): I bring up the report of the operations of the committee in 2024 to 2025, together with minutes of evidence.

Report received and ordered to be published.

SOCIAL DEVELOPMENT COMMITTEE

The Hon. I.K. HUNTER (14:21): I bring up the report of the committee on its inquiry into the prevalence and effectiveness of programs in preschools and schools to ensure children and young people do not go hungry during the day.

Report received and ordered to be published.

STATUTORY AUTHORITIES REVIEW COMMITTEE

The Hon. J.E. HANSON (14:21): I bring up the annual reports of the committee 2022-23, 2023-24 and 2024-25.

Reports received and ordered to be published.

Motions

ALGAL BLOOM

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:24): As members will recall, on 16 October 2025, this council passed a resolution requesting the tabling of a range of documents relating to the current algal bloom. I advised at the time that there were likely to be a significant number of documents identified in searches and that it would be extraordinarily difficult for the government to comply with the motion in the requested timeframe. Since the passage of the resolution, there has been a significant effort underway, particularly in the departments for Environment and Water, Health and Wellbeing and the Premier and Cabinet, to search for, review and assess the documents. This work remains underway, and I anticipate I will be in a position to table documents on Thursday this week.

Ministerial Statement

CURTIS, MR P.

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:26): I table a copy of a ministerial statement relating to the passing of CFS firefighter, Peter Curtis, made earlier today in another place by my colleague the Hon. Rhiannon Pearce.

CONTAMINATED CHILDREN'S PLAY SAND

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (14:26): I table a copy of a ministerial statement relating to the state government's response to a national recall of contaminated children's play sand made earlier today in another place by my colleague the Hon. Blair Boyer.

Parliamentary Committees

SELECT COMMITTEE ON HEALTH SERVICES IN SOUTH AUSTRALIA

The Hon. C. BONAROS (14:32): I bring up the final report of the select committee, together with minutes of proceedings and evidence.

Report received and ordered to be published.

Question Time

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:35): I seek leave to make a brief explanation before addressing a question to the Deputy Premier regarding the harmful algal bloom.

Leave granted.

The Hon. N.J. CENTOFANTI: This chamber set a clear direction on 16 October that harmful algal bloom documents must be tabled within seven sitting days. That deadline was today. The Deputy Premier has advised the chamber that he will table the material on Thursday, the final day of a sitting year, which is two days beyond the deadline set by this council. My question to the Deputy Premier is: why is the government waiting until the last possible sitting day to table documents this chamber required to be produced today?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:36): I will refer the honourable member to my statement. As I said, work is still underway and I anticipate to have documents to be tabled on Thursday.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:36): Supplementary.

The PRESIDENT: The Hon. Ms Franks, I will listen to your supplementary question, but it has to arise from the answer.

The Hon. T.A. FRANKS: Why did the government choose not to table the documents that are already prepared?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:36): I am not aware of the documents to which the honourable member has referred, but I am happy to have a look at that.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:36): Supplementary: what is the quantum of the current documents that have been provided by those three departments, and how many more documents are yet to be processed?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:36): I don't have those figures, but, as I have said, I anticipate to be in a position to table documents on Thursday.

ALGAL BLOOM

The Hon. L.A. HENDERSON (14:37): Supplementary.

The PRESIDENT: Well, I will listen to it, but it was an incredibly short answer. The Hon. Mrs Henderson.

The Hon. L.A. HENDERSON: Will the Deputy Premier commit to tabling what documentation has already been provided and undertake for tomorrow?

The PRESIDENT: It's really not a supplementary question arising from the original answer.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:37): Supplementary: which departments still need another two days to provide the documents for the government to table in this place?

The PRESIDENT: You talked about a couple of days before presenting documents.

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:37): None of the departments of which I am ministerially responsible for have documents. As I said in my answer before, I don't have it in front of me now, but I believe it is the Department for Environment and Water, the Department for Health and Wellbeing, and the Department of the Premier and Cabinet that I am waiting for.

ALGAL BLOOM

The Hon. T.A. FRANKS (14:37): Supplementary: where are the Department for Health documents? Why are they not tabled today?

The PRESIDENT: Again, at any point, we haven't mentioned the Department for Health, the Hon. Ms Franks. Save it for your question. Now, the honourable Leader—

Members interjecting:

The PRESIDENT: Have you finished chatting? The honourable Leader of the Opposition, your second question.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:38): My question is to the Minister for Primary Industries regarding the harmful algal bloom. How much has the South Australian taxpayer paid for multiple editions of the Algal Bloom Summer Plan booklet glossy, and were any political staff or ministerial advisers involved in shaping the content or messaging of that booklet?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:38): I am happy to take that question on notice and provide an answer, or refer it to the appropriate minister in the other place.

ALGAL BLOOM

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:39): My question is to the Minister for Primary Industries regarding the harmful algal bloom. Why have some residents received multiple copies of the Algal Bloom Summer Plan booklet in the same envelope, and is this doubling up on the exact same information good use of taxpayer funds?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (14:39): If the honourable member would like to provide the details about the specific matter to which she referred, I am happy to see if any further information can be obtained.

Members interjecting:

The PRESIDENT: Order!

PITJANTJATJARA YANKUNYTJATJARA EDUCATION COMMITTEE

The Hon. T.T. NGO (14:39): My question is to the Minister for Aboriginal Affairs. Can the minister tell the council about the Pitjantjatjara Yankunytjatjara Education Committee book series that is currently being developed?

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): Palya parimpa tjilpi and uwa, Tungy. I will be most pleased to tell the chamber about the book series that is being developed. The Pitjantjatjara Yankunytjatjara Education Committee (PYEC) is an Anangu-run organisation that leads strategy for education in South Australian Anangu schools.

PYEC provides leadership to ensure that young people receive quality education and support in order to be successful in both Anangu and Piranpa ways.

I will have more to say about it later in the week, but I was fortunate last night to attend the graduation ceremony of the Wiltja Boarding School where students go to Avenues College who come from Anangu schools all around South Australia and right across the lands: Indulkana, Mimili, Kaltjiti, Pukatja, Amata, Pipalyatjara down to Yalata, the West Coast, Koonibba, Oak Valley and schools from right around South Australia staying here in Adelaide. A couple of students particularly, Kyrissa Queama and Aaron McCormack, I met last night and was very pleased to do so. Later this week I will have more to say about some of the awards that they and other students won.

The PYEC delivers many vital programs through the Anangu Resource Development Unit in partnership with Anangu from the APY lands, Yalata lands and Maralinga Tjarutja lands. This new book series is the latest program the organisation is delivering to the community. So far, six of 18 titles have been released across a three-part series. Each of these resources covers three languages—Pitjantjatjara, Yankunytjatjara and Southern Pitjantjatjara—and has been designed for use in family centres, preschools and reception classes to promote the early literacy of these three languages in Anangu schools and to ensure a solid grounding for the bilingual education program.

I have had the pleasure of reading the first few of these books and I am very glad I have, because it has been 10 years since I formally did the Pitjantjatjara language school at UniSA and I don't spend as much time on the lands as I would like to, so these books are providing a great refresher. Importantly, these resources will be freely available across 10 schools and communities for all year levels—family centres to secondary—to align with all 12 topic areas of the new SA language and cultural curriculum for schools on the APY lands.

The South Australian government is proud to be supporting this initiative. I congratulate the fantastic work of PYEC and the Anangu Resource Development Unit in partnering with Anangu storytellers, authors, illustrators and editors to create these essential resources for use across learning areas.

AI UNDRESSING APPS

The Hon. C. BONAROS (14:43): I seek leave to make a brief explanation before asking the Deputy Premier a question regarding AI-generated undressing apps.

Leave granted.

The Hon. C. BONAROS: An article featuring on news.com.au a little over a week ago entitled '"Kids are considering suicide": the terrifying new trend in Aussie schools' reports on the surge in popularity of apps that use AI to undress, nudify or generate a fake naked picture using an image of a fully clothed person. For some context, the article goes on to describe that you insert a picture of somebody in your class and the app will generate what that person looks like nude.

As Australian activist group Collective Shout identified and has cited again, these are apps that also willingly accept image prompts such as 'abused', 'beaten', 'bruised', 'raped' and 'crying'. Meanwhile, several apps have even offered users financial incentives to invite friends and trade nudified images.

While the federal government announced plans to restrict access to such apps in September, it has also refused to support a bill introduced by Independent federal MP Kate Chaney that would make it a criminal offence to download, access, supply or offer access to nudify apps. I understand the Australian government has committed to legislating a digital duty of care to prevent serious online harms, with consultation with the community ongoing until 7 December in the form of an online survey. My questions to the Attorney are, noting the great work that has been done in this jurisdiction:

1. Is he committed to tackling this issue at the next Standing Council of Attorneys-General to ensure all Australians are legislatively protected at a federal level from the harm such practices inflict on victims?

2. Will we ensure that our laws here are stringent enough to combat this latest trend?

3. Will the Deputy Premier undertake to raise the issues with the Minister for Education to establish how widespread its use is across our schools?

4. What is being done to address it?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:45): I thank the honourable member very much for her question. I acknowledge she has done a lot of work in this area. We have worked very closely as a government with the Hon. Connie Bonaros in protecting children, particularly, with advances in technology, in ways that we legislatively and in terms of enforcement keep up with those advances in technology.

It's only a couple of weeks before the social media ban for children under the age of 16 comes into effect in Australia. This is a world-leading initiative that was started in South Australia with the report of former High Court judge Justice Robert French to the South Australian government. The work was then taken up by the federal government that now imposes the social media ban. The honourable member talked about the duty-of-care obligation in terms of these sorts of apps. The social media ban imposes that duty of care on the prescribed social media platforms to make sure that children are not accessing those. That is an example of South Australia leading the way in the world in terms of access to things that can be harmful for young people.

In relation to, 'Are we committed to looking at further ways to protect to keep up with changes?'—absolutely. I know that the assistant minister, the member for Florey, Michael Brown, who has specific responsibilities in terms of artificial intelligence, is looking at exactly those things, not just specific nudify-type apps but technology that can be used to create images that are not actual images, whether they be stills or videos.

I am more than happy to continue to put this on the national radar. The honourable member specifically asked about the Standing Council of Attorneys-General. I am happy to report that one initiative that we passed in this place—South Australia's leading work to shine a light nationally for all jurisdictions—is in terms of workplace protection orders. The Standing Council of Attorneys-General is taking that up and asked South Australia to provide some national work.

The member finally asked, 'Will I work with the Minister for Education?' Absolutely. Only two or three weeks ago, I visited a school with the Minister for Education, where one of the things we were specifically talking about and students talked about is the use of technology and the use of social media and some of the pitfalls and dangers.

FIRST NATIONS VOICE TO PARLIAMENT

The Hon. S.L. GAME (14:48): I seek leave to make a brief explanation before directing a question to the Deputy Premier, in his capacity as Minister for Aboriginal Affairs, regarding the First Nations Voice to Parliament.

Leave granted.

The Hon. S.L. GAME: On 13 November, South Australian First Nations Voice to Parliament Presiding Member Danni Smith delivered the Voice's 2025 address to both houses of parliament. In response, the Minister for Aboriginal Affairs told *The Advertiser* his government remained 'committed to the full implementation of the Uluru Statement' and committed to a Treaty and the truth-telling process. My questions to the Minister for Aboriginal Affairs are:

1. After over 64 per cent of the South Australian state voted no in the Australian Indigenous Voice referendum in 2023, does the South Australian government believe everyday South Australians welcome their First Nations Voice to Parliament and the promise of a Treaty and truth-telling in the future?

2. Can the government explain how its commitment to a Treaty and truth-telling will do anything other than create more division, as we saw with the Voice?

3. Given that most dictionaries describe a treaty as 'an international agreement in written form between two or more sovereign states', on what grounds can this government pursue a Treaty within the boundaries of South Australia?

4. If the government is intent on truth-telling, can it outline which untruths are currently being told?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:49): I thank the honourable member for her question. In relation to the commitment that the South Australian government has to Treaty and truth-telling, I am happy to reaffirm that we are solid in that commitment. We went to the 2022 election and, I think as I have told this chamber before, our very first policy in opposition was a commitment to the tenets of the Uluru Statement in a state-based version, if we won the election. In 2019, we made that commitment and we were elected in 2022.

The tenets were Voice, Truth and Treaty. We went about implementing that first element, the Voice element. We conducted the most comprehensive consultation that has ever been conducted by a South Australian government with Aboriginal South Australians, communities and leaders, and came up with a model that was consulted on for that second round of consultation by our Commissioner for First Nations Voice and, as a consequence, legislation was put into parliament.

That legislation passed the parliament and elections were held for that First Nations body, and we all saw—and we have seen twice—representatives of that First Nations body, Aboriginal South Australians, addressing a joint sitting of these chambers of parliament. That was a very, very proud moment for me last year, as it was this year, having Aboriginal leaders here on the floor of parliament expressing their views, their concerns and what they would like to see happen and what government should be doing.

In terms of the other elements of the Uluru Statement I am happy to reaffirm, as I have a number of times and as I will do anytime anyone asks me, that we are committed to the other two tenets: Truth and Treaty. In relation to the constitutional vote, where for the 39th time out of 45 questions Australians did not decide to change the federal constitution, nothing in those questions was about Truth and Treaty. I think it is deliberately conflating the two issues, which I think is disappointing, and I suspect if the honourable member reflects she may be disappointed in herself for trying to conflate those two issues.

In relation to Treaty, this is not something that is new to Australia, nor even new to South Australia. In 2016, the former government, of which I was the Aboriginal affairs minister under Premier Jay Weatherill, started a process in terms of discussing Treaty with Aboriginal nations. We had consultations then and overwhelmingly the view from Aboriginal communities, leaders and individuals was for agreements between various Aboriginal nations and the government.

In relation to nations, what we call the nation of Australia has been here a couple of hundred years but there are hundreds of Aboriginal nations right across this country that have been around for tens of thousands of years. We are committed, as we were then, to reaching agreements. We will be restarting that process and I very much look forward to it.

FIRST NATIONS VOICE TO PARLIAMENT

The Hon. F. PANGALLO (14:52): Supplementary: Attorney, why not hold a plebiscite or a referendum at the next state election regarding this?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:52): I am going to address this because it may be difficult for some to understand. Our very first policy, the very first policy the Malinauskas opposition, with myself as the shadow minister for Aboriginal affairs, released way back in 2019 was a commitment to implementing the Uluru Statement from the Heart. In a Westminster democratic system what you do is take a suite of policies to an election and then you implement them.

FIRST NATIONS VOICE TO PARLIAMENT

The Hon. T.A. FRANKS (14:52): Supplementary: is the Attorney-General aware of what the then Liberal government position was on a Voice to Parliament in that election?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:52): I thank the honourable member, and I did talk about the Voice to Parliament to some extent, so I am very happy to answer this question. It is important to contrast sometimes the different views in policy areas to illuminate the differences between parties. In the lead-up to the 2018 state election, the then Marshal Liberal government and Premier Steven Marshall, who had responsibility for Aboriginal

affairs, would not take the title of Minister for Aboriginal Affairs, so for four years we did not have a Minister for Aboriginal Affairs in South Australia. To the great shame of the Liberal government there was not a single person with the title of Minister for Aboriginal Affairs.

But Steven Marshall brought to this parliament a model. I thought the model could use some improving, but he brought to this parliament a model for an Aboriginal Voice to Parliament. It reported to a committee and the committee reported to parliament. There was no direct access to the parliament. I thought it was deficient in some areas but it was not just Liberal Party policy, the Liberal Party back then brought legislation into this parliament for an Aboriginal Voice to Parliament.

So, yes, there have been different views on this and certainly those opposite have swung from one side to another and, do you know what, I look forward to them swinging back again.

ADELAIDE BEACH MANAGEMENT REVIEW

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:54): I seek leave to give a brief explanation before asking questions of the Deputy Premier as the minister supposedly responsible for the Adelaide Beach Management Review.

Leave granted.

The Hon. H.M. GIROLAMO: For more than a year, the government has refused to release the results of the dredging trial completed in November 2024. Throughout this period, responsibility for the Adelaide Beach Management Review has been bounced from one minister to another. During estimates, then Minister Close declared she would not answer questions due to a conflict of interest. Her successor, Minister Lucy Hood, has now stated twice in the other place, on 16 October and again last sitting week on 13 November, that the matter remains with the Attorney-General.

Meanwhile, communities from West Beach to Henley South continue to face accelerating erosion, exposed infrastructure and a total lack of clarity. Despite lengthy delays, despite thousands of tonnes of sand being shifted and despite repeated questioning, this government still refuses to provide a date for when South Australians will finally see the findings. My questions to the Deputy Premier are:

1. Can the Deputy Premier confirm that he is the minister currently responsible for all decisions relating to the Adelaide Beach Management Review, including the release of the dredging trial results?

2. Will the Deputy Premier commit to giving this parliament and the South Australian community a clear date for when the government will release the review's findings, which have been withheld from here for more than a year since the dredging trial was completed?

3. Has the Deputy Premier now received formal advice from DEW on long-term sand management options and, if so, why have these not been released?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (14:56): Work continues in relation to the best long-term solution for the management of the northern beaches. We will be happy to make sure we inform all of South Australia when that is ready and complete. The one thing the honourable member mentioned in her question that she actually got right was talking about the thousands of tonnes of sand that have been placed.

That is very, very true. In fact, last financial year, I think some 250,000—a quarter of a million—cubic metres of sand were delivered to West Beach, the largest amount of sand delivered to West Beach in history, as I understand it. I thank the honourable member for correctly saying that it is not just thousands of tonnes, it is a quarter of a million cubic metres of sand that have been delivered to West Beach. I thank the honourable member for her compliment about the government's accomplishments.

ADELAIDE BEACH MANAGEMENT REVIEW

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (14:57): Supplementary: who is currently responsible for the Adelaide Beach Management Review and why has it taken so long to simply confirm who is responsible for this critical issue?

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 have said a number of times in this chamber that in terms of that element about beach management in that northern cell, I have taken ministerial responsibility. I expect that to continue for some time now and in due course to hand over to the new Minister for Environment and Water, Lucy Hood. Once again, I want to thank the honourable member for recognising the work that this government has done in terms of the biggest amount of sand put back onto West Beach in history in the 2024-25 financial year. I agree: it is a remarkable achievement.

ADELAIDE BEACH MANAGEMENT REVIEW

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (14:58): Supplementary: will the review report be released prior to the end of the sitting year and will it be made public?

The PRESIDENT: I don't know that we talked about times.

REGIONAL LEADERSHIP DEVELOPMENT PROGRAM

The Hon. R.B. MARTIN (14:58): My question is to the Minister for Primary Industries and Regional Development. Will the minister please inform the chamber about the success of the Regional Leadership Development Program?

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. The aim of the Regional Leadership Development Program is to provide a pipeline of future leaders who represent the diversity of people living and working across our state's regions. The current funding arrangement enables the program to operate in 2024-25 and 2025-26 and is a commitment of $1 million per annum over a period of two years, to be distributed to each of the seven Regional Development Australia associations, excluding the Adelaide Metro RDA, to run the program in their respective regions.

The program works towards the long-term stability, prosperity and sustainability of our regional industries and communities, which are key to the success of our state. One of the most important ways we can support the future success, economic development and liveability of our regions is to build and further develop the capabilities and capacities of our regional communities. Developing regional leaders who reflect the diversity and strength of our communities is fundamental to this success. Our regions are great places to live, work, do business and great places where community really matters, but to maintain and grow our regional communities we need to harness the leadership potential that is there.

Our regions are diverse. They face challenges and opportunities, and there is no one-size-fits-all approach. That is why this state government is so proud to support the Regional Leadership Development Program, which was created to empower a broad cohort of leaders to take up important roles, to have the confidence to take risks, to challenge the status quo and to work together to achieve great things.

With a $2 million investment this government has supported existing and emerging leaders across South Australia. The program is place based, designed by each region for their region. It is about delivering training locally, making it accessible and inclusive and ensuring it reflects the unique needs and strengths of each community.

I try to attend as many Regional Leadership Development Program events as I can, so that I can speak directly with those who are participating or have participated in the program. On Friday, I travelled to Port Augusta to attend an RDA Far North regional leadership workshop event. Hosted by Dr Tabitha Healey, they were looking at the science of stress, burnout and psychological safety. The workshop was a great opportunity to catch up with participants of both the 2023 and 2025 Regional Leadership Development Program and enable participants to reflect on self-care, strategies to stay well and how to create environments where leaders can thrive.

I often come across Regional Leadership Development Program alumni in other spaces too. I am really pleased to say that I am not exaggerating when I say quite a number on individual occasions have said to me that they have found the program to be genuinely life changing—genuinely life changing. One of the conversations I had last week was with a participant who said that she had been talking with a longstanding local leader who had attended a graduation event and

said that he now felt able to step down from several positions he had been in for a very long period of time. Why? Because he could see that there were well-equipped local people now able to step into those leadership roles.

More than 593 people have participated in leadership courses across 42 regional locations in 2024-26, with more to come. That is a powerful testament to the appetite for leadership development and growth in our regions and to the fantastic success of the Regional Leadership Development Program. The Malinauskas government is investing in our regions and securing the future of regional South Australia by equipping regional people with the skills to be confident and capable leaders. I am incredibly proud to support the Regional Leadership Development Program.

ACCOMMODATION FOR REGIONAL PATIENTS

The Hon. J.S. LEE (15:02): I seek leave to make a brief explanation before asking a question of the Deputy Premier, representing the Minister for Health, regarding emergency accommodation.

Leave granted.

The Hon. J.S. LEE: Recent reports have highlighted the difficulty regional South Australians face when trying to secure accommodation in Adelaide for essential reasons such as surgery or cancer treatment. During the upcoming Ashes cricket series, searches for accommodation revealed prices as high as $27,000 for a week and a complete lack of availability in hotels and motels. This raises serious concerns about the ability of our health system to support patients who must travel from the regions for critical care when major events place pressure on accommodation supply.

Many rural and regional families rely on proximity to hospitals for safety and convenience during treatment. When accommodation becomes scarce or prohibitively expensive, these families face significant stress, financial hardship and logistical challenges. My questions to the Deputy Premier are:

1. Can the minister advise what measures are currently in place to ensure regional patients and their families can access affordable accommodation near hospitals during a period of high demand?

2. Will the government consider expanding hospital-provided or subsidised accommodation options such as those previously available at the old RAH to meet this critical need?

3. Has the government investigated or is it willing to undertake any review into whether price inflation or artificial booking practices are contributing to the scarcity and cost of emergency accommodation in Adelaide?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:04): I thank the honourable member for her question. I acknowledge her longstanding interest in the health and wellbeing of South Australians from right across the state. I will be more than happy to refer her questions to the health minister, the Hon. Chris Picton, the member for Kaurna, in another place and bring back a reply.

Parliamentary Procedure

VISITORS

The PRESIDENT: I know you will all be excited to acknowledge in the gallery South Australia's Agent General in London, the Hon. David Ridgway.

Members interjecting:

The PRESIDENT: Order!

Question Time

BEDFORD

The Hon. J.M.A. LENSINK (15:05): I seek leave to make an explanation before addressing questions to the Deputy Premier regarding the administration of Bedford and creditors.

Leave granted.

The Hon. J.M.A. LENSINK: I note that the Deputy Premier has publicly stated that Bedford's newly appointed administrators 'have a way to go' before the position of creditors is understood. This is while McGrathNicol has advised it is too early to say whether any funds will be made available for unsecured creditors, many of whom are South Australian small businesses reporting losses in tens of thousands of dollars after Bedford fell into financial difficulty. I think we all welcome the fact that more than a thousand supported employees will retain their jobs for now under The Disability Trust. The uncertainty facing creditors is unresolved. My questions to the Attorney are:

1. Given his statements, what specific advice has the government received regarding the likely return to unsecured creditors?

2. What briefings has the government received on the number of South Australian businesses exposed to financial loss?

3. What assurances, if any, has the government sought from McGrathNicol or the commonwealth government regarding the treatment of creditors?

4. Will the Deputy Premier commit to providing parliament and the public with regular updates on the impact of the administration on creditors?

The Hon. K.J. Maher interjecting:

The Hon. J.M.A. LENSINK: Will the Deputy Premier commit to providing public information in the form of regular updates on the impact of the administration on creditors?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:07): I thank the honourable member for her question. I know her deep interest in this area, having held portfolio areas that touch very closely on these matters. Certainly, it does not fall within my portfolio responsibilities, but I do know that others—I think it was the Premier and the Minister for Human Services, the Hon. Nat Cook—were at Bedford a couple of weeks ago to announce what between the state and federal governments had been able to be accomplished to keep Bedford as a going concern.

I know from reports from the ministers who were there the level of gratitude from those who were in the room and the greater community who have relied on Bedford to provide the dignity that jobs provide to people. I think this was a pretty unique case in terms of that organisation, its place in South Australia and what it has meant to many individuals and families in South Australia. I think it is a wholly good thing that there was able to be support and intervention from both the state government and the federal government.

In relation to other matters to do with levels of creditors, I am not aware, but I will check. I will bring back a change if I am wrong, but I do not think the first creditor meeting has occurred yet. I think that is to come in the coming weeks. I am happy to see what information there is that I can provide in relation to that as it develops.

SOUTH ROAD

The Hon. J.E. HANSON (15:08): My question is to the Minister for Infrastructure and Transport. Will the minister provide an update on the additional benefits of the new nonstop South Road?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:09): I thank the honourable member for his question on this important topic. After years of talk and debate, the Albanese and Malinauskas Labor governments are delivering the $15.4 billion nonstop South Road. When complete, this project will create a nonstop South Road allowing motorists to bypass 21 sets of traffic lights between the River Torrens and Darlington, saving motorists up to 40 minutes in peak travel times.

Some people may not know about the additional benefits of this project, like the increased open space that will be created along the corridor. The T2D project will create 26 hectares of green open space and 22 kilometres of new and upgraded cycling and walking paths. Upon completion, the new spaces will form part of South Australia's largest creation of green open space by a road project through urban design.

The state government has now released new concept images and specific details about the new open spaces for community feedback. Each of the 10 new or upgraded spaces along the corridor will feature its own distinct materials and landscaping themes, celebrating the unique identity and heritage of each area. These spaces will include extra open space, new playgrounds, more greenery, public amenities and upgraded facilities. They will be in areas like Hindmarsh, Torrensville, Glandore and Clovelly Park. To bring these principles to life, the project will deliver an increase in tree canopy coverage of 20 per cent, five new pedestrian and cycling bridges across the motorway and open spaces that encourage active lifestyle and community connection.

I encourage the community and everyone in this chamber to go online and take a look at the T2D project's urban design plans and share their feedback. The T2D project has made significant progress this year with sites at Clovelly Park and Richmond preparing for major tunnelling works by the tunnel boring machines. These are yet another great example of what we have been able to achieve. We have the cutter head pieces that have arrived for the first piece. With five pieces coming together, it is going to create an opportunity for us to start putting them together and seeing the remaining pieces start to arrive by the end of the year.

We look forward to seeing this project progressing, and also seeing the names continue to come in before the cut-off on 30 November. We have already had over 2,000 submissions in the naming competition, some a little bit on the silly side, some more serious and some that I cannot mention in this chamber. At the end of the day, we have had a lot of people start to engage with the fact that we have this incredible piece of infrastructure arriving in our state and also with this project that will connect and have a nonstop freeway that we have not had before.

SOUTH ROAD

The Hon. B.R. HOOD (15:12): Supplementary: can the minister advise the chamber who will ultimately take carriage of the care and maintenance of these new green spaces?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:12): Yes. We are consulting with the community. We will work with councils and, as we do with all green spaces that are invested in by state governments, it is the requirement of local governments, is my understanding, to maintain them.

BHP WATER EXTRACTION

The Hon. R.A. SIMMS (15:12): I seek leave to make a brief explanation before addressing a question without notice to the Deputy Premier and Minister for Aboriginal Affairs on the topic of culturally significant sites.

Leave granted.

The Hon. R.A. SIMMS: On Monday 24 November, the ABC reported that there are serious concerns around water extraction by BHP, which extracts more than 33 million litres a day from the basin for its Olympic Dam operations. To quote Arabana ranger Zaaheer McKenzie:

> A lot of our springs have got cultural stories to them. We call it Ularaka, which means history time.
>
> If you take some of those springs away or destroy them that sort of breaks that connection to…our stories.
>
> Our springs are connected, and not only that, the biodiversity of that spring…you've got a lot of animals, birds, kangaroos, emus, dingoes, everything drinks at those water points.

Traditional owners say the impact of the high volume of water extraction is causing cultural and ecological damage to the local mound springs. My questions to the Deputy Premier and the Minister for Aboriginal Affairs, therefore, are:

1. What action has the government taken in response to the concerns of the Arabana people?

2. Will the government press ahead with this plan despite the fierce opposition of traditional owners?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:13):

I thank the honourable member for his question; it is certainly an issue that I am aware of. I have spent time around Marree and north of Marree and have visited some of the mound springs on Arabana country over the last couple of years myself. I have heard directly from Arabana on their country about their concerns—the amazing country-scape that has sustained people travelling through some of the most arid parts of the planet for tens of thousands of years.

I am happy to go away and get more information, but I know that there are ambitions to make sure that the water that is extracted in some of that area is reduced. That doesn't fall within my portfolio areas, but I have certainly been involved at times with meetings with other ministers and Arabana traditional owners and leaders, and I am happy to go away and get some more information about what some of the plans are and how that can be done.

BHP WATER EXTRACTION

The Hon. R.A. SIMMS (15:14): Supplementary: has the minister received any representations from the Voice in relation to the matter?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:14): I am happy to go back and check. I don't think specifically about mound springs on Arabana land. I don't recall, but I am happy to go back and check. Certainly, I have had the issue represented to me and discussed directly by Arabana traditional owners at Marree and at places around Marree.

BHP WATER EXTRACTION

The Hon. T.A. FRANKS (15:15): Supplementary: will the government consider charging BHP for this water?

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): As I said, I am happy to go away with some of my colleagues who have portfolio responsibilities and find out what is being done to try to reduce the reliance on these water supplies.

AUGUSTA HIGHWAY

The Hon. B.R. HOOD (15:15): I seek leave to make a brief explanation before asking a question of the Minister for Infrastructure and Transport regarding the Augusta Highway.

Leave granted.

The Hon. B.R. HOOD: The opposition has been contacted by a number of motorists with regard to the newly duplicated section of the Augusta Highway between Port Wakefield and Lochiel, which is already showing signs of road surface failure, including cracking, potholing and service breakup. My questions to the minister are:

1. What actions are being taken to address these defects and ensure accountability from contractors responsible for the works?

2. When is the duplication project of the Augusta Highway between Lochiel and Port Augusta scheduled to commence?

3. Can the minister advise the chamber on what processes are within her department to ensure that works on roads around South Australia are done to a correct standard?

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (15:16): I thank the honourable member for his question. He is correct; we have been investing a lot in roads around South Australia. As we highlighted in the chamber last sitting week, I think it was, we have delivered a number of projects in regional South Australia. If you were to take out the fantastic project I was just talking about, the T2D project, the major projects announced in regional South Australia since 2022-23 is approximately $2.7 billion, which represents 70 per cent of the total statewide transport investments.

This is a demonstration of an incredible investment in South Australia. Further little fun facts that may help you in regard to what we are doing in regional South Australia, is that if you look at road maintenance over the last three years, 57 per cent of that is spent in regional areas. So, yes,

you are correct. We are spending a lot in regional communities and we have been proud of those commitments that we have been able to make.

VICTIMS OF CRIME

The Hon. R.P. WORTLEY (15:17): My question is to the Attorney-General.

Members interjecting:

The PRESIDENT: Order!

The Hon. R.P. WORTLEY: Will the Attorney-General inform the council about the work of the Labor government so far in this term to support victims of crime?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:18): That is a very good question. I think I have some information I can help the honourable member with today. It can often be too easily forgotten that in the criminal justice system, whenever we see reports of, whenever we hear of a crime committed, there are inevitably victims of that crime.

This government has had a focus to make sure the needs, the rights of victims are at the centre of what we do in the criminal justice system, so it is with great pleasure that I am able to update the Hon. Russell Wortley, and the chamber more generally, on the government's body of work undertaken so far this term to better support victims of crime in South Australia through both legislative reform and other support mechanisms.

From the outset, the government has listened to the advocacy of the Commissioner for Victims' Rights in relation to the way victim impact statements operate, and in 2024, after much consultation, we introduced and passed legislation to improve the victim impact statement process for victims and their loved ones in South Australia.

These important victim-centric changes to the Sentencing Act came into effect on 1 April of this year and include amendments to provide that victim impact statements should not be edited for admissibility purposes and to require that victims are educated around how victim impact statements operate, how they can be used by the court, and their general rights and obligations surrounding them.

We have also passed a bill through the parliament to improve the way complaints of judicial officers are handled through the Judicial Conduct Commission. These changes, which came into effect on 1 August this year, were as a direct result from suggestions from complainants who have been through the system and, as a result, some of the changes to the law now include:

- amending the definition of a complaint so the person will be considered a complainant where the misconduct concerning the inquiry was also directed at them, even if they did not make the original complaint, ensuring they also get the benefit of protections and information that a primary complainant does;
- requiring the Judicial Conduct Commissioner to publish guidelines to provide direction for future members of judicial conduct panels and provide future participants with a greater understanding of how a judicial conduct panel will deal with complaints; and
- providing that section 13 of the Evidence Act will apply to an inquiry to provide the same access to witness protections for persons giving evidence to a judicial conduct panel that are available to witnesses in other legal proceedings.

Further reform was made under this term of government to the verdict term 'not guilty due to mental incompetence', which has now been removed and replaced as part of a move to better reflect both the experience of victims and the findings of the court.

There was concern amongst many victim advocates that the term 'not guilty' in this context was not appropriate and can lead to distress and confusion in the community, and also fails to adequately encapsulate the court's findings. The wording of such a court finding now reads 'conduct proved, but not criminally responsible' due to mental incompetence to better reflect the experience of victims and the nature of the offence.

Reforms to better protect victims of personal injury from predatory behaviours have also passed the parliament under this government, with the legislation preventing unsolicited contacts made to victims of personal injury in order to solicit them to make a claim. Further to these legislative reforms to improve outcomes for victims, a significant amount of funding has also been directed to victims in South Australia.

Early in this term of government, we restored funding to the Women's Domestic Violence Court Assistance Service, ensuring that more women experiencing domestic violence can seek out accessible and comprehensive legal services across South Australia. We directed over $1.6 million in funding to the Women's Legal Service to allow them to provide face-to-face legal advice and education to vulnerable women at risk of or experiencing domestic and family violence in northern and southern regions, including Port Augusta, Mount Gambier and surrounds.

Further to this, we have funded the Working Women's Centre with over $2.6 million to provide much-needed frontline support to address workplace sexual harassment and discrimination. This is just a small array of the many victim-centred initiatives this government has enacted so far and we look forward to continuing this in the years to come.

ALGAL BLOOM

The Hon. T.A. FRANKS (15:22): I seek leave to make a brief explanation before addressing a question on the topic of what caused the algal bloom to the Minister for Primary Industries and Regional Development.

Leave granted.

The Hon. T.A. FRANKS: For many months now, the government has advised South Australians in their documentation, online and in print, with regard to what caused the algal bloom, that three extraordinary environmental events have led to this algal bloom. The most recent iteration reads:

1. First, flood waters from the River Murray in 2022-23 flushed large amounts of nutrients into the sea.

2. Second, during the summer of 2023-24, a major upwelling event transported additional nutrients to the surface and pushed them towards the coast.

3. Third, a marine heatwave that began in September 2024 elevated water temperatures to approximately 2.5°C above average.

My question to the minister is: does the government contend that point (1) floodwaters from the River Murray in 2022-23 that flushed large amounts of nutrients into the sea were essential to cause this harmful algal bloom, or were they simply an additional element that has led to this particular harmful bloom?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:23): I thank the honourable member for her question. Throughout this, we have talked about the contributing factors as we know them at any given time, and the three aspects that were mentioned by the honourable member are all thought to be contributing factors. I think there has been a number of articles and other pieces of information—or supposition in some cases—in regard to whether an algal bloom can be caused by simply one event. I am not a scientist and so I certainly won't be entering into those particular debates, but I am very glad that there are so many well credentialled people both within government, such as at SARDI, and outside of government.

I think the important thing is that there have been contributing factors to the algal bloom and we continue to learn more and more about the algal bloom as we go forward. We are particularly pleased that we are establishing the national Office for Algal Bloom Research in South Australia, because as a community we have been able to learn a great deal during this event. The event itself of course is incredibly unfortunate and has impacted many people in terms of their businesses, their lifestyles, their livelihoods and, of course, the impact from the environmental damage. We continue to invest in addressing the harmful algal bloom to the extent that we can and to invest in supporting our regional and coastal communities and supporting the businesses that rely on them.

ALGAL BLOOM

The Hon. T.A. FRANKS (15:25): Supplementary: have scientists raised their concerns that, 'First, flood waters from the River Murray in 2022-23 flushed large amounts of nutrients into the sea' is erroneous, and what has the government done when those concerns have been raised with them?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:25): I thank the honourable member for the supplementary question. We have a wide range of input coming into government. For example, as well as the science panel which was established quite early on, we have the reference group and we have a lot of opportunities for people to provide input. We are, of course, always considering that input.

Parliamentary Procedure

VISITORS

The PRESIDENT: Before I go to the next question, I welcome in the gallery Kyrissa Queama and Aaron McCormack from the Wiltja Boarding School. Welcome.

Question Time

CHILD SEXUAL ABUSE

The Hon. L.A. HENDERSON (15:26): I seek leave to make a brief explanation before asking the Attorney-General a question regarding child sexual abuse.

Leave granted.

The Hon. L.A. HENDERSON: Early last year, a Liberal opposition motion that called on the Malinauskas Labor government to urge their federal counterparts to adopt a policy addressing a legal loophole around superannuation for victim survivors of child sexual abuse passed the Legislative Council. I note the discussion paper from 19 January 2023 and the close of the consultation period on 16 February 2023. It is my understanding from media reports that the government had intended to bring legislation to the parliament within the first half of 2023, but to my understanding this has not yet been done. My questions to the minister are:

1. When was the last time you spoke or wrote to your federal counterparts regarding this issue?

2. Has the minister been provided with an indication from his federal counterparts as to when this legislation will be introduced, noting that they are now in their second term and it is well past 2023?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:27): I thank the honourable member for her question. I don't have the exact date but certainly I have written a number of times to my federal counterpart in relation to this. There is a difference between us: as the honourable shadow minister says, they pass motions in parliaments and what we do is contact the federal minister directly to ask them to do things. So there is a big difference between—

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: —what the opposition has represented today as the sum total of their efforts and what the government has done. I have written a number of times directly to the federal minister responsible. We would like to see this change happen.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER: There is a very good reason we would like to see this change happen: because we have taken a zero-tolerance approach to child sexual abuse in South Australia. We have some of the toughest laws anywhere in the country. Coming into effect this year are laws that a second serious sexual offence against a child, a person who gets jail time for a second time is

subject to indefinite detention. That means a person will be locked up for the rest of their natural life unless they can demonstrate to a court they are no longer a threat to the community, and even if they do they will face the possibility of the rest of their life on electronic monitoring. We take a very, very serious approach to this.

Recently, with the Beach Volleyball World Championships being played in South Australia, there was a Dutch national who the Dutch team was sending to South Australia to play in those championships. We made representations to the federal minister responsible for immigration, making it very clear that the South Australian government on behalf of the South Australian people did not want that person here in this state, and the person was refused a visa. We take a very strong stand on this and we will continue to do so. I thank the honourable member for her question.

CHILD SEXUAL ABUSE

The Hon. L.A. HENDERSON (15:29): Supplementary: has your federal counterpart at any point in response to your correspondence indicated a date or a month or a year that they intend to introduce legislation to close this legal loophole?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:29): I don't have a timeline. I would like to see one, and I am sure the honourable member opposite would join me in liking to see one.

CHILD SEXUAL ABUSE

The Hon. L.A. HENDERSON (15:29): Supplementary question, Mr President.

Members interjecting:

The PRESIDENT: How about I get to play my part? I will listen to your supplementary question.

The Hon. L.A. HENDERSON: In response to the minister's correspondence and the lack of a date being provided, does he have faith in his federal counterparts that they will bring this legislation?

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (15:30): It's probably not a supplementary question, sir.

The PRESIDENT: You are on your feet.

The Hon. K.J. MAHER: Giving the honourable member as much leeway as I possibly can because it is great to see her, I am happy to say that I know that the federal government takes these things extremely seriously. As I outlined, the Dutch national, a convicted child sex offender, was due to play volleyball here in South Australia. The federal government did not allow a visa to be issued. I am sure that they take it seriously, and I look forward to a date when this can be progressed.

DOG FENCE

The Hon. T.T. NGO (15:31): My question is to the Minister for Primary Industries and Regional Development. Can the minister update the council about the ongoing investment the Malinauskas Labor government has provided to the rebuild of the dog fence over the last four years?

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:31): I thank the honourable member for his question. The South Australian government has played a significant role in supporting the rebuild and maintenance of the iconic dog fence—major biosecurity infrastructure protecting the state's sheep industry from incursions by wild dogs over this term of government.

We know that wild dogs cost Australian agriculture $110 million every year. Indeed, before the rebuild works commenced, wild dogs were responsible for injuring or killing 20,000 sheep in South Australia per year, costing the livestock industry $4 million per year, reducing the lands available for sheep production and causing mental health issues for many landholders. The South Australian government has been working closely with the Dog Fence Board and industry to ensure the rebuild of 1,600 kilometres of fence is complete.

During this term of government, I have travelled out with the Dog Fence Board members and inspected newly completed sections of the fence and met regularly with the board to ensure the project remains on track. Completing this project is no simple task, and a team of incredible individuals have been working diligently to roll out this upgrade. Everyone involved in this project is working in some of the most remote areas of the state for weeks at a time. I would also like to pay tribute to Geoff Power, the chair of the Dog Fence Board, for his strong work in this field.

The dog fence is a critical piece of infrastructure for the livestock industry in South Australia, and our government has been committed to ensuring its completion. Coupled with this secure dog fence itself, our Wild Dog Management Strategy outlines the activities required to eradicate wild dogs from inside the fence by 2033. Our aerial baiting programs have also delivered 100,000 wild dog baits each year for the past three years. Landholders, as required by a control notice and supported by landscape boards, also place about 100,000 baits per year, with more than half of these being in the SA arid lands region. I am advised that, as of the beginning of November 2025, almost 1,100 kilometres of the fence has been covered.

In addition, fencing contractors are currently rebuilding 386 kilometres of fence, with a remaining 122 kilometres to be completed by 30 June 2026. The already completed parts of the dog fence have resulted in significant economic and social benefits to the South Australian livestock industry. More than 35,000 sheep have been returned to over 18,000 square kilometres of sheep country. Lambing percentages have increased, with reports of up to 40 per cent improvement from some properties. It is pleasing to hear that landholders once again have the confidence to retain lambs for the next season and restock paddocks that could not previously hold sheep because of attacks by wild dogs.

Further strengthening the value of the dog fence to the South Australian sheep industry, $12.2 million will be invested in the construction, maintenance and 30-year replacement of a 290-kilometre dog fence along the South Australian-New South Wales border, from where the SA dog fence meets the border to just north of the Murray River.

I am told that construction of this fence will commence in 2026. It is good to hear that landowners on both sides of the border welcome this investment. The rebuild of the dog fence provides great benefits to the state estimated to be between $56.8 million and $112.9 million over 20 years, if the wild dogs remaining inside the fence are eradicated.

Economic modelling indicates annual increases of more than $8 million in gross state product. The project to rebuild the dog fence has engaged more than 45 small to medium South Australian-based enterprises, with more than $20 million going back to material suppliers, fencing contractors, freight companies, and many other businesses that have contributed to the rebuild of the fence that protects a $4.3 billion livestock industry.

Bills

LABOUR HIRE LICENSING (SCOPE OF ACT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

The Hon. T.A. FRANKS (15:36): I rise to support the Labour Hire Licensing (Scope of Act) Amendment Bill 2025, which should come as no surprise to members. I voted to support it when the original Labor government introduced it first. I voted against the restriction of the scope under the Liberal government, and so restoring it is consistent, and I refer members to those particular speeches.

However, I note that I have some amendments that I feel will complement the bill and make it better. I raise these amendments particularly because of the use of labour hire within the public sector. My amendments will go to quantify the use of that labour hire where it occurs, and to ensure what should already be occurring, but to make it absolutely crystal clear that, should a labour hire worker be supplied to a public sector agency, they must at all times observe the Public Sector Code of Conduct and have the relevant training, not just in that code of conduct but in workplace health and safety regulations and laws.

It is important to ensure that the public sector does not continue to rely on labour hire workers to do the job that should be held by a public servant paid the appropriate wage for the role that they hold. When those roles are being held by labour hire—because they cannot be filled, as we are seeing at the moment with the EB currently underway, because the pay is too low and the conditions are not good enough, and the work and the expectations are too great—the person who scoops the profit there is the labour hire company, not the public, not the Public Service, and certainly not the government. In fact, we end up paying more for less and we have a public sector that is eroded. I do not want to see that trend continue so I note that I have consulted with the PSA on these particular amendments and I look forward to the debate in the committee stage.

The Hon. R.A. SIMMS (15:38): I rise briefly to indicate my support for the Labour Hire Licensing (Scope of Act) Amendment Bill. As has been articulated by other members, the bill proposes to amend the Labour Hire Licensing Act of 2017 to strengthen the South Australian labour hire regulatory framework. The Greens are certainly supportive of this. The Greens support improving the coverage of this act to cover workers in the horticultural, meat, seafood processing, cleaning and trolley collection sectors. Strengthening the labour hire laws for these industries will reduce the exploitation of migrant workers in particular.

I also note that the Hon. Tammy Franks will move amendments to require that state government departments, agencies and administrative units report annually on the use of labour hire workers. These amendments, as the honourable member has described, will include reporting on the total number and classification of labour hire workers, the total labour hire expenditure, and average tenure and conversion rates to direct employment.

I also understand that these amendments will mandate that labour hire staff be bound by the South Australian Public Sector Code of Conduct and that labour hire staff receive the same induction as public sector employees with respect to work from home and psychological risks, code of ethics, conflicts of interest and information security, and bullying and harassment policies.

These amendments are sensible inclusions and I will be supporting them. If a worker is performing the same role as a South Australian public sector employee, they should be afforded the same rights to a safe workplace, with the same safeguards against psychological risks, bullying and harassment. I will be supporting the substantive bill and also supporting the Hon. Tammy Franks' amendments. I see those as being valuable additions.

The Hon. J.E. HANSON (15:40): I rise to speak in support of the Labour Hire Licensing (Scope of Act) Amendment Bill 2025. The bill proposes to amend the Labour Hire Licensing Act to broaden the regulatory framework for the oversight of labour hire in South Australia. The amendments proposed in this bill will deliver on our government's commitment to strengthen South Australia's labour hire licensing laws by ensuring that all labour hire firms and workers are covered by the same laws and regulations.

Labour hire licensing is a regulatory measure designed to protect labour hire workers and ensure that labour hire service providers operate within fair standards. South Australia's labour hire licensing laws set minimum standards for labour hire providers, with the aim of protecting workers from being exploited.

Currently, labour hire providers are only required to be licensed in five sectors, which are horticultural processing, meat processing, seafood processing, cleaning and trolley collection. There is a concern that the current legislation leaves other labour hire workers without important protections and labour hire providers free to operate without needing to meet licensing criteria, criteria such as a police check and fit and proper person requirements for those responsible for the day-to-day management and operation of labour hire businesses.

This bill proposes to return the industry to largely the same arrangements that were in place when labour hire licensing first commenced in South Australia before the law was amended in 2020 to limit its application. The 2020 amendments effectively narrowed the scheme to only apply to labour hire providers operating within industries where workers were at particular risk of exploitation. The expansion of labour hire licensing laws will address the potential for exploitation of vulnerable labour hire workers in other industries and inappropriate labour hire business practices across South Australia.

The proposed changes will bring South Australia's labour hire licensing laws into line with corresponding labour hire licensing schemes in places in other jurisdictions, namely Victoria, Queensland and the ACT. The strengthening of South Australia's labour hire licensing laws addresses the potential for exploitation of vulnerable labour hire workers and inappropriate labour hire business practices and establishes a broadened mandatory licensing scheme for all labour hire service providers operating in South Australia.

The broadened scheme proposed within the bill has many benefits. It will promote a level playing field, so that no labour hire service providers face unfair competition from unscrupulous operators and labour hire workers are not subject to exploitation, while keeping administrative burdens to a minimum. It is likely to deter unscrupulous labour hire service providers from avoiding responsibility by creating a new company to continue the business of a company that has been deliberately closed to avoid paying its debts, including employee entitlements and taxation obligations, which is commonly known as 'phoenixing'.

Being licensed reassures hosts and labour hire workers that the labour hire service provider is held to higher standards, reducing the risk of unethical practices across the sector. For labour hire workers, it ensures fair wages, safe working conditions and legal recourse in case of disputes. It will reduce risks for labour hire workers who may experience job insecurity, poor working conditions and low pay compared to staff who work directly for any given business.

In addition to removing provisions that limit the application of the act to horticultural processing, meat processing, seafood processing, cleaning and trolley collection, the bill proposes to retain section 46 of the act. Retaining section 46 of the act will continue to provide for the ability to exempt certain persons or a class of persons through the *Gazette*.

To keep the use of exemptions to a minimum and ideally to avoid having to make use of exemption provisions at all, the bill revises the definitions of 'labour hire services', 'labour hire worker' and 'supply' to ensure clarity regarding the scope and coverage of the legislation. The changes to the definitions of 'labour hire services', 'labour hire worker' and 'supply' within the bill have been informed by a detailed benchmark analysis of related definitions contained in corresponding interstate labour hire legislation.

Overall, this bill proposes to strengthen South Australia's labour hire licensing laws by addressing the potential for exploitation of vulnerable labour hire workers and inappropriate labour hire business practices by broadening the licensing scheme to cover all labour hire service providers operating in South Australia. I commend the bill before the council.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (15:44): I would like to thank honourable members for their contributions: the Hon. Ben Hood, the Hon. Tammy Franks, the Hon. Connie Bonaros, the Hon. Rob Simms and the Hon. Justin Hanson. This is an important piece of legislation which delivers on the government's election commitment to strengthen South Australia's labour hire licensing laws by ensuring that all labour hire firms and workers are covered by the same laws and regulations. I look forward to the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. C. BONAROS: I am not sure if the minister was able to answer any of the questions that I asked during the committee stage—and I apologise if I missed it—but can she confirm whether any categories have been added to the regulations since the 2020 legislative changes were made? And what, if any, views, concerns or suggestions has the commissioner put forward in relation to these changes?

The Hon. C.M. SCRIVEN: I can answer both of those questions as follows. There have not been any additional industries added by regulation since 2020. In terms of the second question, I have been advised that we cannot speak for why the former commissioner under the former Liberal

government took the lead on government policy. This is something that the current government believes very strongly is important for fairness and safety for workers.

The Hon. C. BONAROS: Sorry, I am not asking about the former commissioner under any government, because those commissioners are not hired to do the role of political parties and they are impartial. I am asking about the current commissioner. What, if any, views have been expressed in relation to the need for these changes? I might add that the former commissioner also worked under this government when they came in—just to be clear about their partiality or otherwise.

The Hon. C.M. SCRIVEN: My advice is that the current commissioner is aware of the proposals to widen provisions within this bill and has not raised any concerns.

The Hon. C. BONAROS: Did the commissioner make recommendations for the changes that are outlined in this bill, or is this a government proposal that is being suggested?

The Hon. C.M. SCRIVEN: This is a government proposal. We took it to the last election, and bringing this legislation forward is a fulfilment of that commitment.

The Hon. C. BONAROS: Did the government seek the views of the commissioner and their office in drafting this bill in light of the previous comments that office has made about the need for this legislation versus a narrow scope?

The Hon. C.M. SCRIVEN: I can simply reiterate my previous two answers. This is something that Labor took to the previous election. This is an election commitment that we are delivering. The current commissioner is aware of this proposal to expand the scope that this would apply to and, according to my advice, has not raised any concerns.

The Hon. C. BONAROS: I will take all that as a no. Can the minister confirm what is the status of a national scheme and the trial between Victoria and the commonwealth?

The Hon. C.M. SCRIVEN: I can advise that Queensland, the Northern Territory and Tasmania have indicated they do not support a harmonised approach to labour hire. The commonwealth has noted that, without the participation of all jurisdictions, the endorsed harmonised model will not achieve its intended outcomes, acknowledging the need to create a level playing field for business and reduce regulatory complexity. The commonwealth, Victoria, New South Wales, Western Australia, South Australia and the Australian Capital Territory agreed to consider ways to achieve a consistent approach to labour hire regulation across state and territory schemes, including through model laws.

Ministers tasked senior officials from participating jurisdictions, led by the commonwealth, to look at options towards a nationally consistent approach and report back to ministers at the next meeting of commonwealth, state and territory workplace relations ministers. However, the South Australian government is progressing its own bill, this bill, which is why we are here today. As I mentioned, this is something that we have been committed to for a long time. We consider it is incredibly important to safeguard workers who are within the scope of labour hire organisations.

The Hon. C. BONAROS: With respect, if that work has not been finalised yet, how do we know that this is consistent with those other jurisdictions that the minister has highlighted?

The Hon. C.M. SCRIVEN: I think the point is that we cannot guarantee that we will get harmonisation. We have already seen, as I mentioned, some jurisdictions saying that they are not keen to commit to having harmonisation. We want to make sure workers in South Australia are protected and covered in the ways that they should be. Having licensing laws that are consistent for all workers within our state is an important goal, and that is one of the things this legislation seeks to achieve.

The Hon. C. BONAROS: So just to clarify, for the record, it is not that every other jurisdiction is changing its position or indeed on board with what the government is proposing here. The minister is saying that in South Australia we are going back to the good old politicking days and going it alone.

The Hon. C.M. SCRIVEN: As I mentioned in my previous answer, a goal might be to have model laws. South Australia cannot and will not wait for other jurisdictions if it is something that clearly is not going to be achieved in the short term. We think this is important to protect workers, and that is something that as a Labor government we are very strong on.

The Hon. B.R. HOOD: Can the minister advise the chamber what developments or problems the government can point to in the use of labour hire in South Australia that necessitate the changes that we see before us?

The Hon. C.M. SCRIVEN: I am advised that a great deal of work has occurred nationally, which indicates that unscrupulous labour hire organisations may well tend towards those areas of employment not covered by laws such as these. There are a number of different sources in terms of noncompliance of industry. There are a number of different information sources available that talk about, for example, contemporary forms of slavery found in Australia. It is something that many South Australians would consider is simply the right thing to do: making sure that workers who are doing the same work have the opportunity to be covered by the same sorts of provisions. We know that not all labour hire companies are scrupulous; we want to make sure that our workers are protected.

The Hon. B.R. HOOD: Minister, has the government received particular information from a South Australian context that it argues justifies such significant extensions from labour hire licensing obligations?

The Hon. C.M. SCRIVEN: My advice is that some of the goals of this legislation are to ensure that kind of exploitation or vulnerability is not possible, regardless of what type of industry a worker is working in. It is also important to note that this will promote a level playing field so that those labour hire services that are doing the right thing do not face unfair competition from operators who are not doing the right thing, from operators who are subjecting their workers to exploitation, who are potentially underpaying them or not paying, for example, superannuation or whatever the case may be.

A wide body of work looks at the problems in terms of exploitation, and this legislation aims to ensure there is a level playing field, that labour hire workers are not subject to exploitation but also keep administrative burdens to a minimum for the labour hire companies.

The Hon. B.R. HOOD: I thank the minister for her response. A final question at clause 1: given that it was an election commitment leading into the 2022 election, why are we only now seeing it in the last sitting week of the term?

The Hon. C.M. SCRIVEN: My advice is that, because we have been trying to work with other jurisdictions and the commonwealth, everyone would agree that harmonised laws would be the ideal. It has now become clear that that will not be achieved, certainly not in the short term and potentially not in the medium term, and that is why it is important for South Australia to act.

The Hon. C. BONAROS: Are there any carve-outs in the bill, for instance, for professions—the legal profession for instance?

The Hon. C.M. SCRIVEN: I am advised there are some exemptions, such as for people who work for themselves, but importantly there is also the capacity for exemptions through either section 46 or by regulation. I am advised that those provisions remain the same as in the existing law and it does allow exemptions, should they be warranted.

The Hon. C. BONAROS: Just so I can get this right: rather than use the regulations to add in extra categories of workplaces, the government is relying on regulations potentially to exclude. Given we have not added any in, we can probably bank on the fact that we will not exclude any, either, but that is what the government is relying on?

The Hon. C.M. SCRIVEN: What I am saying is that there are provisions in both the existing legislation and in the legislation that is before us which will enable exemptions if they are warranted. I think as a principle it is fair to say that the government considers that it should not simply be limited to five industries, in terms of who should be protected through legislation to ensure they are not being exploited, underpaid, etc. It should be across all industries, and then in the event that there is an industry or some other organisation that can demonstrate why they should not be included or there should be some sort of exemption, then that mechanism is there.

The Hon. C. BONAROS: A perfect segue to my next question. I refer back to the previous commissioner's advice that narrowing in on the worst offenders actually allows them to do their job effectively, whereas a broad scope will be much more difficult to manage and identify the behaviour

of wrongdoers. Given the government is pressing ahead with the latter and not the former, what additional resourcing is the government going to allocate to the commissioner's office to be able to undertake the very broadened scope of work that is proposed in this bill?

The Hon. C.M. SCRIVEN: I am advised that the commissioner will have the ability to determine on which areas to focus, whether they be considered higher risk or to have a particular problematic environment at any particular time, and the resourcing will ensure that there is appropriate resourcing for the tasks that are required.

The Hon. C. BONAROS: Just to be clear: has additional resourcing been allocated for this broadened scope of work?

The Hon. C.M. SCRIVEN: Essentially, the situation is that if there is a need for additional resources whenever there is a particular prioritisation or focus, then obviously that will go through the normal mechanisms to seek those extra resources.

The Hon. C. BONAROS: Can the minister provide any detailed statistics on the number of times that these existing mechanisms have been used under the existing model that is in place at the moment?

The Hon. C.M. SCRIVEN: I am advised we do not have that information before us at this time.

The Hon. C. BONAROS: Sorry, I struggle to understand how it is that we could come into this debate without that sort of data. Will the minister undertake to provide that data to this chamber, given that that is the essence of this bill before us? There should be some data available to back up what the government is promoting today.

The Hon. C.M. SCRIVEN: I can certainly take that question on notice, but what I would point out also is that this is a piece of legislation which has a goal of preventing people from being exploited. We want to be proactive in that, and therefore it is entirely appropriate to be moving this legislation, in the opinion of the government.

The Hon. C. BONAROS: Respectfully, there is a debate that has happened in this place now two times where that issue has been resolved, and exploitation has been front and centre of everybody's considerations when considering this legislation, not just the government's. My next question is: does the minister have anything that can be tabled in this place regarding those discussions that she alluded to earlier around harmonisation and why that is not working? Is there anything that rests with the government or any commissioner that can be tabled here in relation to that outcome that the minister referred to?

The Hon. C.M. SCRIVEN: I would refer the honourable member to the communiqué that was issued on 31 October 2025 from the meeting of commonwealth, state and territory workplace relations and work health and safety ministers.

The Hon. C. BONAROS: Can the minister table that document, please, so we can all have it?

The Hon. C.M. SCRIVEN: It is a public document.

The Hon. C. BONAROS: Well, can I have some more details of the document, so I know where to find it? I have looked; I could not find it.

The Hon. C.M. SCRIVEN: I am happy to provide that, but communiqués from these sorts of national ministers meetings are there to communicate the outcomes of the meetings. But I am happy to provide information about where that can be found, if that is appropriate.

Clause passed.

Clauses 2 to 3 passed.

Clause 4.

The Hon. B.R. HOOD: Can the government confirm that it intends for group training organisations to continue to be exempt from labour hire licensing?

The Hon. C.M. SCRIVEN: I am advised that there are currently no proposed exemptions for group training organisations, but I will also refer to the fact, as I mentioned in an earlier answer, that there are provisions or mechanisms for exemptions, should they be considered appropriate.

The Hon. B.R. HOOD: What transition arrangements are intended to be put in place to support any shift to much wider labour hire legislation obligations and the expanded liabilities for both labour hire providers and hosts, if any?

The Hon. C.M. SCRIVEN: I refer the honourable member to schedule 1, which is the transitional arrangements. I would also put on the record that there will be a six-month period from proclamation of the legislation whereby labour hire businesses will be able to seek advice and support from CBS, etc., and to apply for their registration. That is a period where they can ensure that they can operate in a way appropriate for all, both businesses and workers in South Australia.

The Hon. B.R. HOOD: Just to clarify that then from the minister: there will be an education piece within CBS for businesses during this transition?

The Hon. C.M. SCRIVEN: Yes, the education and communication piece is considered extremely important for this to be successful.

The Hon. C. BONAROS: Can the minister indicate what the cost will be to those businesses who are not captured by the scheme but will become captured by the scheme?

The Hon. C.M. SCRIVEN: I am advised that the application fees and the annual fees are the same as currently exist for the five industries that are captured under the current legislation.

The Hon. C. BONAROS: What are those fees?

The Hon. C.M. SCRIVEN: I am advised an individual application for a natural person is $973, an application for a company or body corporate is $2,212, an application to change a responsible person is $152 and an application to apply for a substitute responsible person for a limited period is $152. The periodic fees, which I understand are annual fees, are for a natural person $278 and for a body corporate $1,517.

The Hon. C. BONAROS: During that six-month transition period will there be opportunity not just for education but to consult with industries? Is there any consultation required under this bill in relation to the development of regs or anything else?

The Hon. C.M. SCRIVEN: I am advised that obviously through the education and communication piece, communication indicates two ways. The government is always interested in hearing feedback and, if there are any difficulties being encountered, seeing whether they can be ironed out. But on further advice, at this stage there is not expected to be a need for new regulations—remembering, of course, that five industries are already captured under the existing legislation and so the regulations that are in place would likely continue.

The Hon. C. BONAROS: I am hoping that the minister might say that the education works both ways, and that if there is scope for stakeholders or industry groups to mount an argument that they should be exempted from the scheme they will be able to do that in that same window.

The Hon. C.M. SCRIVEN: As I have outlined several times, there is the mechanism to apply exemptions should they be needed. Obviously, any bodies can put forward that case.

The Hon. C. BONAROS: Can the minister outline what that process is, please?

The Hon. C.M. SCRIVEN: I am advised that there is currently a process in place. That process will be reviewed, with an expectation that there may be a need for the application form to be developed or reviewed or additional guidance provided.

Clause passed.

Clause 5 passed.

Clause 6.

The Hon. C. BONAROS: There is a deletion of, I think, prescribed information; is that right? Can the minister outline the reason for clause 6, which should answer my question?

The Hon. C.M. SCRIVEN: I am advised that the existing legislation refers to 'prescribed work', which of course relates to those five industries that are captured under the current bill. Given this legislation, should it pass, includes all labour hire workers, there is no longer 'prescribed work' as such, and therefore there are a number of times where the word 'prescribed' is removed.

Clause passed.

New clause 7.

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

Amendment No 1 [Franks–2]—

Page 4, after line 13—After clause 6 insert:

7—Insertion of section 45A

After section 45 insert:

45A—Labour hire workers in public sector

(1) If labour hire workers are supplied to a public sector agency to undertake work in a financial year, the agency's annual report for that year must include the following information:

(a) the number of labour hire workers supplied to the agency in that year;

(b) the number of full-time equivalent (FTE) positions filled by labour hire workers supplied to the agency in that year;

(c) the amount of money expended by the agency in connection with labour hire workers supplied to the agency in that year.

(2) If a labour hire worker is supplied to a public sector agency—

(a) the worker must, at all times while undertaking work for the agency, observe the public sector code of conduct; and

(b) it is taken to be term of the contract between the public sector agency and the person who supplied the worker that the worker will observe the public sector code of conduct.

(3) A public sector agency to which a labour hire worker is supplied must ensure that the worker is given the same induction into the workplace as employees of the agency in relation to—

(a) work health and safety (including psychosocial risk); and

(b) the public sector code of conduct, conflicts of interest and information security; and

(c) the agency's bullying and harassment policies.

(4) In this section—

public sector agency and *public sector code of conduct* have the same respective meanings as in the *Public Sector Act 2009.*

New clause 7 inserts two requirements in two parts; that is, that labour hire workers who are supplied to a public sector agency be part of that agency's annual reports each financial year, and those reports need to include the number of labour hire workers who are supplied to the agency, the number of full-time equivalent (FTE) positions that are filled by labour hire workers in each agency in that year and the amount of money that has been expended by the agency in connection with that.

Additionally, the amendment goes on to ensure and provide clarity that what, in effect, should already be happening will happen, and must happen, namely that the worker must at all times while undertaking work for the agency observe the public sector code of conduct and also comply with work health and safety requirements that we would expect to be present in the public sector.

I raise this because of my meetings with the PSA just recently, who raised their concerns, and quite rightly so, about the increasing use of labour hire within the public sector. We know that the state government went to the election promising, for example, in the DCP (Department for Child Protection) to stop their reliance on private providers when it came to children in state care and residential care and the like. We know that those numbers are going the wrong way.

We also know that most recently a former worker is now going through the courts. He was not a public sector worker, but public sector workers had raised their significant concerns around his behaviour. This man is now facing significant child abuse related charges and going through the courts. These are the sorts of examples we certainly do not want to see in our public sector.

Public sector workers work hard. They should be paid a fair day's wage and have not just good conditions but good wages. What is happening, however, is that the money is going to labour hire companies at the expense of good jobs for public sector workers in this state. This quantification will ensure that we turn that particular ship around. I want to thank in particular the new General Secretary, Charlotte Watson, and the Assistant General Secretary, Celia Brougham, for all of their lobbying on this particular issue, and I wish them well with the rally that is happening in the City of Adelaide tomorrow for better conditions and a better EB for the public sector union.

The Hon. C.M. SCRIVEN: Just before I respond to the amendment, if I could provide a clarification to an answer that was provided to the Hon. Ben Hood earlier. It is true that there are no new proposed exemptions for group training organisations. That is because they are already exempt under the current act, and there is no proposal to change that. I may have been ambiguous in terms of the answer I provided.

In terms of the amendment moved by the Hon. Tammy Franks, the government is supportive of these amendments. The inclusion of reporting requirements in this act will produce data allowing the public sector's reliance on labour hire to be quantified. Additional requirements in relation to compliance with the South Australian public sector code of conduct and induction training provides additional assurances that labour hire workers who perform work within the Public Service would adhere to ethical practices and receive adequate inductions relevant to their wellbeing in the workplace.

New clause inserted.

Schedule and title passed.

Bill reported with amendment.

Third Reading

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (16:20): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (BUILDING AND CONSTRUCTION INDUSTRY REVIEW - PENALTIES) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 11 November 2025.)

The Hon. J.M.A. LENSINK (16:21): I rise to speak in favour of the Statutes Amendment (Building and Construction Industry Review—Penalties) Bill 2025. The bill makes a series of amendments across the Building Work Contractors Act, the Plumbers, Gas Fitters and Electricians Act, the Fair Trading Act and the Magistrates Court Act, which is to deal with the compliance and enforcement framework for the building and construction sector, particularly regarding unlicensed operators.

I think we have all heard, over the years, some fairly bad horror stories and some might have experienced issues themselves with substandard work. I think it is always a place that needs updating in terms of means by which we can ensure that those who engage in poor work practices are brought to heel. A large part of what it does is actually increase the maximum penalties, which need to be updated over time. I am not sure why—this is a bit of a diversion—we do not adopt the practice that takes place in other jurisdictions where we have penalty units which would then enable

these things to automatically flow through without having to bring them back to parliament, but that is a discussion for another day.

Just in terms of what is in the bill, clause 13 introduces new sections 47A through 47D to create a suite of new offences for licensed building contractors subcontracting with an unlicensed person, using another person's licence number or holding out as a licensed or registered tradie under the act. These offences carry significant penalties.

Clause 18 amends section 58 of the act to extend the timeframe available for prosecutions from six months to two years, which I think is self-evidently very sensible, with an option to extend to five years with the authorisation of the minister. I think we are all familiar with some of the cases that have caused particular grief for people.

Clause 22 amends the Magistrates Court Act to allow offences under other acts amended by this bill to be dealt with in the Magistrates Court rather than the District Court for offences over the value of $150,000. Clauses 24 and 31 similarly amend the Plumbers, Gas Fitters and Electricians Act to extend the timeframe available for prosecution under the act.

My understanding is that, generally speaking, the key stakeholders, which in this case are the Housing Industry Association and the Master Builders Association, support new offences for unlicensed builders but are also concerned about some of the unintended consequences of increased penalties. The Law Society supports the bill, noting in particular that the current penalties might be treated as merely a cost of doing business. With those brief comments, I indicate that we support the bill.

The Hon. R.A. SIMMS (16:25): I rise to speak in support of the bill. I understand this bill will introduce harsher penalties for dodgy builders. It will introduce new offences for undertaking unlicensed building work and penalise builders who falsely hold out to be licensed builders. It will introduce a new offence to prohibit contractors from hiring unlicensed subcontractors.

It will further improve consumer protections by providing Consumer and Business Affairs with greater enforcement tools to support compliance and protect home owners who have been preyed upon by these dodgy builders. I hope this bill stamps out these shoddy builders who have no place in the industry and restores public confidence in smaller builders in the state.

The Greens have also been advocating for the establishment of a public builder, which could step in and complete construction of private builds in circumstances where a builder has gone bust. Under our proposal, the state would acquire an equity stake in the home, which the home owner could pay down over time. I do think it is really unfortunate that we have home owners who have been caught high and dry in circumstances where private builders go bust.

Really, the state has an obligation to do something to help those people. After all, these are people who could potentially lose their life savings and be left literally high and dry, waiting for a house to be completed by a builder who is not in a position to do so. So I do urge the government to consider that proposal, but this building and construction bill is a good start and I am happy to support it on that basis.

The Hon. C. BONAROS (16:27): I rise to make one point that I am hoping the minister might be able to address in his summing-up speech and reiterate the issues that have been outlined by both honourable colleagues who have spoken of the need for this bill.

One of the points, though, that was raised was the establishment of an effective scheme to allow immediate API access to the current licence status of registered subcontractors via the internet. That was certainly a mechanism that was raised to address some of the concerns that have been raised, because it does not exist, as I understand it, today, but it is something that industry has been calling for in order for there to be, I guess, a two-way street in terms of a scheme where you can actually check on the status of a registered subcontractor in real time.

My question to the minister will be whether consideration—and I appreciate I could do this at clause 1—of that was actually taken into account in formulating this bill, or whether it is something the government is willing to undertake further consultation with industry over, as it relates to those elements that are concerning, bearing in mind that this is a juggling act, of course, and we want to be doing everything we can to address the issues that have been outlined by the Hon. Michelle Lensink and the Hon. Rob Simms and to stamp out dodgy builders.

Again, having access to that publicly available, access to that sort of information under that sort of scheme, is one of the things that industry has been, as I understand it, calling for and is not included in this bill before us.

The Hon. R.P. WORTLEY (16:29): I rise to speak on the Statutes Amendment (Building and Construction Industry Review—Penalties) Bill 2025. This bill proposes to amend the Building Work Contractors Act 1995, the Fair Trading Act 1987, the Magistrates Court Act 1991 and the Plumbers, Gas Fitters and Electricians Act 1995 in order to improve the regulatory framework for the support, oversight and management of South Australia's building and construction industry.

The registration and licensing schemes it will establish will lift the standard of building work and improve safety. It will address the risks and challenges brought about by the greatly increased demand for new housing, and it will hold the industry accountable by setting firm requirements for domestic building contracts and specify disciplinary action against workers who try to take shortcuts around these standards.

The provisions of these acts have not been updated for 20 years, so this is well overdue. The updates are in line with the findings of the building and construction industry review initiated in late 2024. The review focuses on protecting consumers while supporting workers in the building and construction industry by enhancing industry compliance.

The bill supports the industry by setting rigid standards, but it also sends a firm message to anyone in the industry not prepared to meet those standards: noncompliance will not be tolerated. It serves as a strong deterrent against shoddy and unprofessional practices by strengthening the penalties already in place but also reduces the barriers to undertaking enforcement options, which puts those prepared to break the rules on notice. Where serious and/or repeat offences occur, Consumer and Business Services will be able to seek higher penalties through the Magistrates Court.

The stronger enforcement options provide CBS with a greater range of penalties and methods to help guarantee compliance and customer protection without creating unfair and unnecessary challenges for traders. The increase to the penalties and the introduction of expiation where applicable will improve the integrity of the South Australian building industry. It will also ensure consumers are safeguarded and will encourage them to use only quality builders who meet the standards.

For the small and medium-size businesses that make up the majority of the state's building industry, trust is an essential commodity. Word of mouth is important to reliable and trustworthy operators, and this bill will protect those businesses who are doing the right thing by penalising and removing those who are not.

CBS strives to work within the industry to promote responsibility and transparency. Additional stages of the building and construction industry review will focus on helping traders meet their obligations by improving industry standards overall. Construction companies and businesses will be encouraged to invest in compliance training and risk management systems. Key stakeholders—the Housing Industry Association and the Master Builders Association—are to be commended for their cooperation in working to strengthen industry standards.

With this bill those standards are set to improve even further. It will be a win not just for consumers but for the reputable businesses within the building and construction industry.

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (16:33): I would like to thank the honourable members who have made contributions: the Hon. Ms Lensink, Hon. Mr Simms, the Hon. Mr Wortley and the Hon. Ms Bonaros. I appreciate the indications of support for the bill. I note that the Hon. Ms Bonaros has asked a question, which I will be able to provide an answer to at clause 1. I commend the bill to the chamber.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. C.M. SCRIVEN: Perhaps I could answer the question that was asked by the Hon. Ms Bonaros in her second reading contribution. She asked essentially a question around stakeholders having the ability to check if contractors are licensed. Apparently stakeholders, including the HIA, have raised concerns around this, specifically that it is somewhat difficult to find registration of contractors on the CBS website.

I am advised that the minister has raised these concerns with the commissioner. I can confirm that CBS is reviewing its legacy computer systems, including the current website, with a focus on improving the customer experience. The updating of the licensing system is part of this review, and CBS will work with stakeholders, including the building industry, as part of this review.

Clause passed.

Remaining clauses (2 to 32) and title passed.

Bill reported without amendment.

Third Reading

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries) (16:36): I move:

That this bill be now read a third time.

Bill read a third time and passed.

STATUTES AMENDMENT (ENERGY AND MINING REFORMS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 November 2025.)

The Hon. N.J. CENTOFANTI (Leader of the Opposition) (16:37): I rise to speak on the Statutes Amendment (Energy and Mining Reforms) Bill 2025. This is a significant bill that amends the Energy Resources Act 2000, the Hydrogen and Renewable Energy Act 2023 and, most substantially, the Mining Act 1971. This bill is presented by the Labor government as a step towards modernising South Australia's resources legislation. However, the process by which it has arrived in this chamber is deeply concerning.

I want to state this plainly at the outset: this is not our bill. The Liberal Party did not draft this bill, we did not request it, and we certainly did not design the rushed process that preceded its introduction. Who drafted this bill, who requested it and who pushed it through, with one of the worst consultation processes we have seen, will surprise no-one: it was the member for West Torrens, the Hon. Tom Koutsantonis. We all know that the honourable member likes to do things his way and at his speed, although most South Australians will remember that speed often gets him into a bit of trouble. I suspect this is the case here today, too.

Before this bill was brought to parliament, the Hon. Mr Koutsantonis and the government released it for consultation for just five business days—five days for reforms that affect billions of dollars of investment, the rights of landholders, the certainty of primary producers and the long-term competitiveness of South Australia's mining sector.

Five days is not consultation: it is a tick box exercise. During that narrow window there was no targeted consultation with primary producers—not one industry body, not one representative organisation for the primary industry sector, not one regional stakeholder actively approached by this government. For a bill that significantly affects land access, agriculture operations, property values and farm planning, to proceed without even a single conversation with those most impacted is extraordinary. It is not respectful, it is not transparent and it is certainly not good governance.

This council knows that the Mining Act 1971 long required modernisation. When in government the Liberals undertook that task through the Statutes Amendment (Mineral Resources) Act 2019 and the 2020 regulations—the most substantial overhaul in five decades. Our aim was to streamline approvals, strengthen environmental obligations and improve clarity for both landholders and mining companies. It was a major reform effort and, yes, it was contentious in parts, particularly

around land access. This is precisely why the Select Committee on Land Access was established, and it produced meaningful recommendations on improving balance, fairness and transparency.

The government seems to have forgotten the most important lesson from that process: that landholder engagement is essential. It is not optional, it is not an afterthought, it is fundamental to the integrity of the system. Yet here we are debating a bill that never once engaged with the agricultural sector before being introduced.

The bill introduces several important changes, particularly to the Mining Act. Exploration licences can now be extended beyond the current 18-year maximum, in blocks of up to five years and, critically, these extensions can be repeated indefinitely. The bill empowers the minister to forfeit and transfer tenements to new operators without any requirement to notify or consult affected landholders. The minister gains expanded powers to approve or refuse changes in control of tenement holders, and a new regulation-making power allows for the creation of a mining rehabilitation fund.

The bill also increases penalties across the Energy Resources Act and Hydrogen and Renewable Energy Act from $250,000 to $16.5 million. Some of these measures have merit, but the lack of guardrails, particularly around extensions and landholder rights, is of deep concern. This debate occurs as South Australia's global mining competitiveness is in freefall. According to the world-renowned Fraser Institute, our Investment Attractiveness Index has fallen from 19th to 35th in a single year. Our policy perception index has dropped from 20th to 30th, and our mineral potential index has collapsed from 19th to 34th. Just a few years ago, under a Liberal government, South Australia ranked 10th in the world.

If we are serious about restoring confidence in South Australia's mining sector, I would argue this is not the way to do it. Handing the minister unchecked authority for carte blanche exploration will only deepen uncertainty and push investment further away, because when the rules of the game can be changed at the whim of a single minister, investors lose certainty. A stable, transparent and predictable regulatory framework attracts exploration dollars, not ad hoc decisions, not political discretion and not carte blanche approvals that create risk, not opportunity.

It is not only investors who bear the consequences of this approach. South Australian farmers will feel the impacts most acutely. Granting a single minister unconstrained discretion to authorise broad exploration access fundamentally weakens the certainty and protections that primary producers rely on to plan cropping rotations, to manage biosecurity risks, to safeguard water resources and to maintain productivity.

Our farmers already navigate complex land access regimes. Introducing political rather than process-driven approvals increases the likelihood of abrupt, poorly consulted exploration activities occurring during critical periods such as seeding, harvesting or livestock movement. It heightens the risk of biosecurity incursions, soil disturbance, infrastructure damage and disruption to business continuity, all at a time when margins are tight, input costs are rising and producers are asking for stability, not surprises. This legislation shifts the balance away from fair, transparent negotiation and towards discretionary intrusion, and that is simply untenable for modern agricultural operations.

Some of my colleagues in the other place have rightly noted this prolonged uncertainty can have significant mental health impacts and deeply affect land value. These are not hypothetical concerns; they are lived experiences of regional South Australians. The ability to extend exploration licences repeatedly without any cap, without mandatory consultation and without considering agricultural impacts means that uncertainty could hang over a farm for decades. This uncertainty affects long-term planning, biosecurity management, property valuations, cropping and grazing decisions, and intergenerational farm succession.

Because of this, the Liberal Party will move four critical amendments, which seek to reduce the extension period from five years to two years, remove the possibility of multiple rolling extensions, require genuine consultation with affected landholders before any extension, and require the minister to consider any agricultural impact assessment before granting an extension. These amendments are practical, they are reasonable and they are essential. They do not block mining investment. They do not undermine exploration. They simply ensure that primary producers are not sidelined or steamrolled in the process.

Let me be absolutely clear: if these amendments are not adopted, the Liberal Party will vote against this bill. We cannot and will not support legislation that was rushed through a mere five-day consultation process, had zero engagement with the agricultural sector, exposes landholders to indefinite exploration uncertainty, allows licences to be transferred without even notifying the landholder and fails to provide any real balancing of interest between industry and primary producers. This bill, as drafted, fails that test.

A strong mining sector and a strong agricultural sector are both crucial to South Australia's economic future. They can coexist. They should coexist, but that coexistence depends on trust, fairness and proper consultation, and the government has not delivered that. The Liberal Party is attempting to fix this bill to bring balance, to bring fairness and respect back into that process. If the government will not accept these amendments, then we cannot in good conscience support the bill because primary producers deserve more than zero consultation; they deserve a voice, they deserve certainty and they deserve legislation that treats them as valued partners, not afterthoughts. With that, I commend our amendments to the chamber.

The Hon. L.A. Henderson interjecting:

The PRESIDENT: Order!

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (16:47): Thank you for your protection, sir. This chamber for some time has been a very congenial place, but lately, I tell you—I thank honourable members for their contribution on this important bill and look forward to the committee stage.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 15 passed.

Clause 16.

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

Amendment No 1 [Centofanti–1]—

Page 11, line 25 [clause 16, inserted section 30AAB(2)]—Delete '5 years' and substitute '2 years'

This amendment seeks to reduce the special circumstances extension from five years to two years. Under new section 30AAB of the government Statutes Amendment (Energy and Mining Reforms) Bill 2025, the minister may grant an exploration licence holder up to five years' extra time, a special licence extension, once their licence reaches 18 years. This five-year extension could be repeated, creating the potential for decades-long tenure with little scrutiny.

What our amendment does—and it is very simple—is reduces the maximum extension available from five years down to two years. In moving this amendment, we are seeking to provide indefinite licence locking of productive agricultural land, ensure regular reviews rather than giving mining proponents a multi-year entitlement by default, and ensure decision-making is more responsive to changes in agricultural conditions.

We are simply saying here: if an explorer generally needs more time, that is fine, but by providing an extra two years on top of that 18 years (so 20 years in total) we think that this is a reasonable length of time for explorers. Certainly as well, I note that some of these mining exploration companies are coming up to their time in the next two or three years, and so what this amendment does is say that there will be an extra two years on top of that. We feel that this gives explorers flexibility, but it also provides our farmers with some certainty and it keeps everyone accountable and keeps the project moving rather than leaving land tied up indefinitely.

The Hon. K.J. MAHER: I rise to indicate the government does not support this amendment. I am advised it is the same amendment that was moved by Mr Fraser Ellis MP, the member for Narungga in the lower house, which was defeated. SACOME and the AMEC have indicated that they would not support the passage of the bill with these amendments. The ability to grant a special

circumstance extension up to five years meets industry needs and supports the department's regulation function. If this is reduced to two years, it will serve no practical benefit to the industry.

Exploration is a high-risk activity and certainty is required by industry to protect and develop discoveries. The sector has consistently raised concerns that a lack of flexibility regarding extensions and security of tenure is driving a reduction in exploration investment in South Australia.

In addition, the amendment does not provide the additional certainty that the opposition is seeking for landowners in relation to future exploration activity. Upon expiry of a licence, the act provides the land can become available for new exploration activity. The land is not sterilised from mining. We do not support the amendment, as I indicated.

The Hon. C. BONAROS: Can I ask a couple of questions of the mover, please. I am sure the mover appreciates that we have only just received this and I was not privy to what happened in the other place, but I just want to clarify. We have a five-year extension and then the issue of being able to increase it beyond the five years, potentially indefinitely, in terms of those. So is the mover suggesting that the five years be reduced to two? What happens to the additional extensions?

The Hon. N.J. CENTOFANTI: This is the additional extension.

The Hon. C. BONAROS: But under the bill you can go beyond the one extension. So what does this do to that provision?

The Hon. N.J. CENTOFANTI: We also have some other amendments.

The Hon. C. BONAROS: Which would not—

The Hon. N.J. CENTOFANTI: It would allow only one single extension.

The Hon. C. BONAROS: One single extension of two years?

The Hon. N.J. CENTOFANTI: If this passes.

The Hon. C. BONAROS: Just to be clear, if this amendment is passed—as I said, I have not had a chance to look at these—then you end up with a two-year extension, and is the opposition then proposing that there cannot be additional extensions beyond the two years?

The Hon. N.J. CENTOFANTI: That is correct, with another amendment.

The Hon. C. BONAROS: So it will just be one extension of two years and that is it?

The Hon. N.J. CENTOFANTI: At this point in time, yes.

The Hon. R.A. SIMMS: Just to speed things up, I might indicate my support for the Liberal amendment. No-one from the government has reached out to me regarding this bill. The opposition engaged with me with respect to this amendment, so I am happy to support it.

The committee divided on the amendment:

Ayes 10
Noes.....9
Majority 1

AYES

Centofanti, N.J. (teller)	Franks, T.A.	Game, S.L.
Girolamo, H.M.	Hood, B.R.	Hood, D.G.E.
Lee, J.S.	Lensink, J.M.A.	Pangallo, F.
Simms, R.A.		

NOES

Bonaros, C.	Bourke, E.S.	Hanson, J.E.
Hunter, I.K.	Maher, K.J. (teller)	Martin, R.B.
Ngo, T.T.	Scriven, C.M.	Wortley, R.P.

PAIRS

Henderson, L.A.	El Dannawi, M.

Amendment thus carried.

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

Amendment No 2 [Centofanti–1]—

Page 12, after line 21 [clause 16, inserted section 30AAB(4)]—After inserted paragraph (c) insert:

(ca) be accompanied by an agricultural impact statement, prepared by an independent entity, which details the effect of extending the exploration licence on agricultural resources and activities in the area to which the licence relates and surrounding areas; and

There is currently no requirement in the bill for an exploration proponent seeking an extension to assess or disclose how that extension will impact farming operations, soil condition, farm biosecurity, water access, market access or long-term land productivity.

Therefore, our amendment requires that the application for extension is to be accompanied by an agricultural impact statement addressing impacts on the licence area and surrounding agricultural areas. This is critical for things like biosecurity, drift dust, access, noise and cumulative effect and ensures that agriculture is formally recognised as a primary land use of equal value. It provides the minister with meaningful information before granting extra tenure and helps avoid conflicts, environmental damage, lost productivity and access disputes.

What we are asking here is, we believe, common sense. If a company wants extra time on a piece of land, particularly if that is being actively farmed, then they should have to explain how their activities will impact that farm. Farmers already provide detailed plans for water, soil, biosecurity and chemicals. We certainly believe that it is reasonable for these companies to do the same if they are seeking further tenure and that they do so via an independent body. An agricultural impact statement simply puts the facts on the table so that the minister can make a properly informed decision.

The Hon. K.J. MAHER: The government does not support this amendment. This amendment imposes an additional requirement and administrative burden on licence holders seeking to apply for a special circumstance extension which is incredibly broad. The act already provides adequate environmental controls and consultation requirements for on-ground programs, ensuring exploration is done in a way that meets contemporary standards and community and landowner expectations.

The committee divided on the amendment:

Ayes 11
Noes.....8
Majority 3

AYES

Bonaros, C.	Centofanti, N.J. (teller)	Franks, T.A.
Game, S.L.	Girolamo, H.M.	Hood, B.R.
Hood, D.G.E.	Lee, J.S.	Lensink, J.M.A.
Pangallo, F.	Simms, R.A.	

NOES

Bourke, E.S.	Hanson, J.E.	Hunter, I.K.
Maher, K.J. (teller)	Martin, R.B.	Ngo, T.T.
Scriven, C.M.	Wortley, R.P.	

PAIRS

Henderson, L.A.	El Dannawi, M.

Amendment thus carried.

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

Amendment No 3 [Centofanti–1]—

Page 12, after line 24 [clause 16, inserted section 30AAB]—After inserted subsection (4) insert:

(4a) The Minister must, in considering an application under this section—

(a) have regard to the agricultural impact statement that accompanied the application; and

(b) consult with the owner or owners of the land to which the agricultural impact statement relates.

Under the current bill the minister can grant long extensions without consulting affected landowners. Our amendment requires the minister to have regard to the agricultural impact statement and not just ignore it, and requires that the minister consult with landowners whose agricultural operations will be affected. This is fairly straightforward and just ensures that the voices of farmers and landholders are heard before decisions are made. It also prevents a tick and flick approval being made solely on the mining proponents' submissions, and it will strengthen procedural fairness and transparency.

The Hon. K.J. MAHER: As with amendment No. 2, the government does not support this. It is the government's view that this fetters the minister's discretion to grant a special circumstance extension. In particular, it introduces an impractical requirement to consult with a potentially substantial number of landowners to which agricultural impact statements relate, which are likely not even subject to the exploration activities.

The Hon. C. BONAROS: Perhaps for the benefit of other members who are reading this on the fly and making decisions on the fly as well, can I just clarify: I have just sought some advice which tends to indicate that this is really a consequential amendment on the one that just passed. You have effectively made it a requirement for that agricultural impact statement and this is just saying that the minister has to have regard to that. They can be standalone but is it a flow-on from the previous amendment that just passed? Could someone clarify that?

The CHAIR: Our indication is that is correct.

The committee divided on the amendment:

Ayes 11
Noes.....8
Majority 3

AYES

Bonaros, C.	Centofanti, N.J. (teller)	Franks, T.A.
Game, S.L.	Girolamo, H.M.	Hood, B.R.
Hood, D.G.E.	Lee, J.S.	Lensink, J.M.A.
Pangallo, F.	Simms, R.A.	

NOES

Bourke, E.S.	Hanson, J.E.	Hunter, I.K.
Maher, K.J. (teller)	Martin, R.B.	Ngo, T.T.
Scriven, C.M.	Wortley, R.P.	

PAIRS

Henderson, L.A.	El Dannawi, M.

Amendment thus carried.

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

Amendment No 4 [Centofanti–1]—

Page 12, lines 39 to 43 [clause 16, inserted section 30AAB(7)]—Delete subsection (7)

Under the government's bill, exploration licences can receive not just one extension but unlimited further extensions and this, of course, as we all know, means that a licence can be extended again and again, stretching far beyond 20 or 30 years, indefinitely. This is not what special circumstances, we believe, should look like.

Unlimited extensions would effectively allow land to be locked up indefinitely, and we on this side of the chamber believe that that is unfair for primary producers and for farmers, who need certainty for long-term planning. Our amendment removes the ability for endless extensions and simply says there is one extension. This approach encourages genuine exploration while preventing land banking.

The Hon. K.J. MAHER: As with amendment No. 1, this is the same amendment, I am advised, that was moved by Mr Fraser Ellis MP, the member for Narungga, which was defeated in the House of Assembly. For the same reasons as I have outlined, the government does not support it. It is important that the ability to grant a second or subsequent special circumstance exception is retained. It can take up to 15 years to define a resource, undertake economic modelling and progress an exploration model. In special circumstances, additional extensions may be required.

The minister was clear in the lower house that these amendments do not allow industry the certainty required to progress exploration discovery to the next mining development. The minister was also clear that if this bill does not receive bipartisan support in the form it is in from the upper house it will not come into operation.

The Hon. C. BONAROS: Given the haste with which we are dealing with this—and again, we are not always paying attention to what happens downstairs in another place—

The Hon. N.J. Centofanti: It was rammed through.

The CHAIR: Order!

The Hon. C. BONAROS: Regardless of whether it is rammed, we are dealing with a large volume of legislation. I do not have time to go and see what Fraser Ellis or anyone else is doing in the lower house.

The Hon. N.J. Centofanti interjecting:

The Hon. C. BONAROS: I am just speaking for myself. Thank you. I just want to clarify. The Leader of the Opposition and I, without divulging any private conversations, had some conversations this morning where the indefinite nature of the extensions was certainly something that I raised with her as an issue.

I just need us to be crystal clear about this. The first amendment reduces the extension to two years; so that is it? There is a two-year extension. This amendment would mean that beyond the two years you have to go back to the drawing board. So there cannot be any further extensions beyond the two years, if this amendment is successful; is that the member's—yes?

The Hon. N.J. CENTOFANTI: That is correct.

The Hon. C. BONAROS: Just to be clear, the government's position is that SACOME and AMEC have said that in the absence of a five-year extension, then what?

The Hon. K.J. MAHER: I will read out the advice I had from amendment No. 1. SACOME and AMEC have indicated they would not support the passage of bill with these amendments.

The Hon. C. BONAROS: Just to be clear, though, if this amendment is passed, which is looking very likely, then there are no extensions beyond the two years. That is it. It is two years more, and then nothing else after that.

The Hon. K.J. MAHER: My advice is, as the Leader of the Opposition has indicated, yes, that is correct. It is two years, and that is it. As I have said, with amendment No. 1 having passed,

from my advice, that means SACOME and AMEC have indicated they will not support the bill—with amendment No. 1, let alone amendment No. 4.

The Hon. C. BONAROS: I do not know about other members, but on that basis—and I have sympathy for what the mover was trying to do. I think I would have approached it in a different way and was waiting to see what those amendments would look like in terms of whether it was five years or two years and whether there could be one extension or no further extensions. But the two years is not the option I would have gone for in that position, and on that basis I will not be supporting the last amendment.

The committee divided on the amendment:

Ayes 10
Noes.....9
Majority 1

AYES

Centofanti, N.J. (teller)	Franks, T.A.	Game, S.L.
Girolamo, H.M.	Hood, B.R.	Hood, D.G.E.
Lee, J.S.	Lensink, J.M.A.	Pangallo, F.
Simms, R.A.		

NOES

Bonaros, C.	Bourke, E.S.	Hanson, J.E.
Hunter, I.K.	Maher, K.J. (teller)	Martin, R.B.
Ngo, T.T.	Scriven, C.M.	Wortley, R.P.

PAIRS

Henderson, L.A.	El Dannawi, M.

Amendment thus carried; clause as amended passed.

Remaining clauses (17 to 22) and title passed.

Bill reported with amendment.

Third Reading

The Hon. K.J. MAHER (Deputy Premier, Minister for Aboriginal Affairs, Attorney-General, Minister for Industrial Relations and Public Sector, Special Minister of State) (17:21): I move:

That this bill be now read a third time.

Bill read a third time and passed.

WAITE TRUST (ACTIVITIES ON AND USE OF CERTAIN TRUST LAND) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 November 2025.)

The Hon. H.M. GIROLAMO (Deputy Leader of the Opposition) (17:22): Over 110 years ago, Peter Waite and his wife, Matilda, made an extraordinarily generous gift to the state that has had a significant and continuing impact on South Australia. On 3 October 1913, Peter Waite advised the state government that he wished to gift his Urrbrae estate for two clear and specific purposes: to establish an agricultural research centre, what is now known as the Waite Research Institute, and to establish a secondary agricultural school, now the Urrbrae Agricultural High School.

Peter Waite's generosity was driven by his deep conviction that agricultural science and rural education were and continue to be vital for the future of our state. On 26 February 1914, part of the land was formally transferred to the Crown, creating the Waite Trust, which specifically required the land to be used for agricultural education. After Peter Waite's death in 1922, the University of Adelaide assumed ownership of the adjoining land, establishing the Waite Agricultural Research Institute in 1924. Urrbrae Agricultural High School opened in 1932, fulfilling Peter Waite's original vision.

Over the years, parliament has amended the Waite Trust. These legislative changes have consistently upheld the trust's principal purpose to support agricultural education and related activities. Through this bill, further variation of the trust is proposed to enable the construction of sporting and community facilities on part of the Urrbrae Agricultural High School oval for the Sturt Football Club (SANFL). It is important to note that while the original gift was explicitly for educational purposes, this proposal seeks to expand that use to enhance existing sporting facilities, with the minister's approval. The redevelopment of Urrbrae Agricultural High School oval, which I have been told will go out for consultation during the planning approval process, will include sports lighting, goalposts and a facility for multipurpose rooms, change rooms and spectator facilities.

This development will create a second oval for the Sturt Football Club, primarily to support their expanding junior and women's football competitions. The cost of the project is expected to be $4 million, with $3.5 million already committed by the federal government.

I note that the member for Unley, the Hon. David Pisoni MP, and the Liberal candidate for Unley, Rosalie Rotolo, are both very supportive of the proposal and have been in long discussions with stakeholders about these changes. The project has been in planning for approximately three years and will significantly enhance opportunities for women and girls in football, which we know has expanded over recent years.

The historical intent of the land is explicit. Peter Waite's gift in 1913 was for the education and training of young South Australians in agriculture and related sciences. His vision was educational and charitable, not recreational or commercial. Therefore, any diversion from the original purpose must be carefully considered against the trust's longstanding legacy. In my briefing with the minister's office, I sought clarification over key points, including:

- Consultation—a public YourSAy platform was released to inform the community a few weeks ago and it is uncertain how far that was distributed. I look forward to asking questions on this during the committee stage.
- Licence arrangements—the proposed 10-year plus 10-year option will be with Sturt Football Club and for use by other groups as well. I would like to ask further questions about that during committee as well.
- Financial arrangements—while annual payments from the club have not been fully detailed, the project will benefit the school directly, particularly in supporting student participation in sport. It is anticipated that ongoing running costs and maintenance will be factored into any licensing agreements going forward.
- Footprint of the project—I asked questions through the briefing and listening to the minister in the other place. The redevelopment proposal is contained within the existing oval footprint and is linked to the school for educational purposes and use.

This is a carefully considered proposal that honours the spirit of Peter Waite's gift, while also providing tangible benefits for the school and the wider community. With that, I commend the bill to the chamber.

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (17:27): This is, as the member has highlighted, a very important bill, a unique one, it being the Waite Trust, an area that has been made available for agricultural learning purposes and also for recreational purposes. Today, we can further strengthen the value and the public asset of this site, and I look forward to progressing this through the committee stage and thank the honourable member for her feedback today.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

The Hon. H.M. GIROLAMO: Could the minister please outline what consultation was undertaken on this bill and what is the plan in regard to consultation during the planning process?

The Hon. E.S. BOURKE: I understand there was a two-week consultation period through the YourSAy platform, with 45 responses received. Overwhelmingly, these were positive responses and ones that highlighted again the significance of what the Waite Trust is able to offer: the combination of having a dedicated education facility during the day that is now going to be improved, and also the opportunity to ensure that sporting clubs have facilities that not only enable them to be successful but provide an opportunity to attract new members, particularly young girls.

Clause passed.

The CHAIR: I need to advise you also that this bill is a hybrid bill and was referred to a select committee pursuant to the standing orders. As the House of Assembly referred the bill to a select committee, there is no need for the council to do the same with regard to a select committee.

Remaining clauses (2 to 6), preamble and title passed.

Bill reported without amendment.

Third Reading

The Hon. E.S. BOURKE (Minister for Infrastructure and Transport, Minister for Autism) (17:31): I move:

That this bill be now read a third time.

Bill read a third time and passed.

SCRAP METAL DEALERS BILL

Introduction and First Reading

Received from the House of Assembly and 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) (17:33): I move:

That this bill be now read a second time.

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

Leave granted.

Today I introduce the *Scrap Metal Dealers Bill 2025* which will not only assist in reducing opportunistic metal theft within South Australia but will also reduce costly disruptions to the building and construction industries and reduce victims of, and people affected by, metal theft throughout the entire community. This Bill will enable South Australian legislation to be aligned with other Australian jurisdictions and countries around the world.

This Bill responds to a growing and deeply concerning trend: the theft of copper piping and catalytic converters across the community and the incessant theft of countless metal components from construction and mining sites which have an ongoing and significant impact on the state's economy.

The Master Builders Association of South Australia has found the estimated cost of metal theft to the industry to be in excess of $70 million per annum. The lack of regulation of the scrap metal industry has resulted in a significant amount of metal theft and associated illegal activities.

Our government is committed to reducing crime, creating safer worksites and ensuring that our state continues to support businesses and economic growth. We are focused on reducing criminal activity, service disruptions and significant financial losses experienced by South Australian businesses and residents within the South Australian community. This Bill is necessary, as the regulation of the scrap metal industry is already occurring interstate.

The key provisions of the Bill are as follows:

1. Registration of legitimate and conscientious scrap metal dealers, who are not a part of, or involved in criminality.

2. Transaction records to be provided to police, to assist with their investigations and identification of suspicious activity.

3. Prohibition of cash, cheque and in-kind payment for transactions, enabling transactions to be traceable and reducing the incentive for opportunistic theft.

4. Enforcement through the establishment of powers for police to enter, search and inspect any premises, vehicle or vessel and issue disqualification notices where necessary.

This Bill does not target legitimate scrap metal businesses or stop people in the community from recycling their cans and bottles. It targets the unregulated trade resulting from the theft of metal from construction and mining sites, public utility sites, transportation locations, community sporting venues, event venues and people's homes and businesses for illegitimate and illegal gain.

The Bill provides flexibility to expand or exclude prescribed metal items and classes of persons defined as prescribed scrap metal dealers, such as manufacturers, allowing responsiveness to emerging crime trends and situations. I thank the Ai Group for their ongoing discussions with SA Police and my office around the drafting of regulations for manufacturers. I give the same commitment again that we will continue to work with not just the Ai Group, but industry on both sides; the housing, motoring and manufacturing industry, and also the scrap metal dealers in finalising the regulations.

In developing the Bill, we have consulted with interstate law enforcement, industry stakeholders and the broader community. The message is clear: we must act now to make scrap metal theft unappealing for opportunistic thieves and reduce the rates of criminal activity and harm to both the community and our economy.

This is responsible, measured and necessary reform. It reflects our Labor values—protecting communities, supporting business, economic growth, protecting the environment and making worksites safer for all workers.

I seek leave to insert the explanation of clauses into *Hansard* without me reading them and I commend the Bill to the chamber.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Commencement

Commencement of the measure is by proclamation. Section 27(6) of the *Legislation Interpretation Act 2021* is disapplied.

3—Interpretation

This clause defines terms and phrases used in the measure.

4—Meaning of scrap metal and prescribed scrap metal

This clause defines what is scrap metal for the purposes of the Act, and also what is prescribed scrap metal.

5—Meaning of prescribed scrap metal dealer

This clause defines who is a prescribed scrap metal dealer for the purposes of the measure.

6—Presumption of carrying on business of buying and selling prescribed scrap metal

This clause sets out when a person who is buying and selling prescribed scrap metal is taken to be carrying on a business of doing so.

7—Application of Act

This clause clarifies the interactions between this measure and other Acts and laws, in particular the *Second-hand Dealers and Pawnbrokers Act 1996*, the *Second-hand Vehicle Dealers Act 1995* where there is some crossover between the items regulated under the respective Acts.

8—Criminal intelligence

This clause is a standard power for the declaration by the Commissioner of Police of certain information as criminal intelligence, and rules around its disclosure.

Part 2—Prescribed scrap metal dealers

9—Disqualification from carrying on business of buying and selling prescribed scrap metal

This clause creates an offence for a person to carry on a business buying and selling prescribed scrap metal if they are disqualified under this measure from doing so. The clause sets out how a person is, or may be, disqualified and sets out the grounds for that happening.

10—Interim disqualification

This clause enables the Commissioner of Police to disqualify a person from carrying on a business buying and selling prescribed scrap metal on an interim basis.

11—Notification of intention to carry on business etc

This clause requires a person who is proposing to carry on a business of buying and selling prescribed scrap metal to give the Commissioner of Police written notice of that fact. Failure to do so is an offence.

The clause creates a similar offence for a person who, on or after the commencement of the section, carries on a business of buying and selling prescribed scrap metal to fail to give the Commissioner of Police written notice of that fact.

12—Notification of change of information

This clause requires a person who has given the Commissioner of Police notice of certain information under proposed section 11 to give notify the Commissioner of any changes in that information. Failure to do so is an offence.

13—Register

This clause requires the Commissioner of Police to keep a register containing the information specified in the clause.

Part 3—Dealing in prescribed scrap metal

14—Prohibition on certain forms of payment for prescribed scrap metal

This clause creates an offence for a person who is buying prescribed scrap metal to pay for it using the payment methods specified.

15—Prohibition on advertising certain forms of payment for prescribed scrap metal

This clause creates an offence for a person to advertise the fact that they will buy scrap metal using one of the payment methods prohibited under the measure, or to offer to do so.

16—Records of certain prescribed scrap metal transactions

This clause requires certain records to be made and kept by prescribed scrap metal dealers in relation to certain transactions involving prescribed scrap metal.

17—Verification of identity

This clause requires prescribed scrap metal dealers to verify, in accordance with the regulations, the identity of a person from whom they buy prescribed scrap metal. Failure to do so is an offence.

18—Duty to report and retain stolen prescribed scrap metal

This clause requires prescribed scrap metal dealers to notify a police officer where they suspect prescribed scrap metal bought or received by them may have been unlawfully obtained. The clause prevents such prescribed scrap metal from being disposed of or altered by the prescribed scrap metal dealer until certain notification is made, and further enables police officers to give directions in relation to the disposal or alteration of the prescribed scrap metal.

Part 4—Enforcement

Division 1—Authorised officers

19—Authorised officers

This clause sets out who are authorised officers for the purposes of this measure.

20—Powers of authorised officers

This clause sets out the powers of authorised officers under the measure.

21—General provisions relating to exercise of powers

This clause clarifies the interaction between the measure and the *Summary Offences Act 1953* in respect of the powers of authorised officers who are police officers. The clause also creates an offence to hinder or obstruct an authorised officer.

Part 5—Review of certain decisions

22—Review of certain decisions

This clause confers jurisdiction on the South Australian Civil and Administrative Tribunal to review certain decisions of the Commissioner of Police under the measure.

Part 6—Miscellaneous

23—False or misleading information

This clause creates an offence for person to provide false or misleading information under the measure. A maximum penalty of $20,000 is fixed.

24—Statutory declaration

This clause enables the Commissioner of Police to require that information provided under the measure be verified by statutory declaration.

25—Liability for act or omission of officer, employee or agent

This clause provides that an act or omission of an officer, employee or agent of prescribed scrap metal dealer will be taken to be an act or omission of the prescribed scrap metal dealer unless it is proved that the officer, employee or agent acted outside the scope of their usual and ostensible authority.

26—Offences by bodies corporate

This clause is a standard provision imputing liability of a body corporate to each director of the body corporate.

27—Self-incrimination

This clause partially abrogates the privilege against self-incrimination in respect of certain requirements under the measure.

28—Limitation of liability etc

This clause provides that compensation is not payable for things done under the Act, and further limits any liability of the Crown, the Commissioner of Police and others performing functions under the Act.

29—Annual report

This clause requires the Commissioner of Police to provide to the Minister an annual report on the operation of the measure.

30—Evidentiary

This clause allows certain evidence to be given in proceedings by way of certificate.

31—Confidentiality

This clause is a standard confidentiality provision, limiting disclosure of certain information obtained by a person in the course of the administration, operation or enforcement of the measure.

32—Victimisation

This clause prohibits a person from victimising another person on the ground, or substantially on the ground, that the other person has disclosed or intends to disclose information, or has made or intends to make an allegation, that has given rise or could give rise to proceedings against the person under this measure. An act of victimisation may be dealt with as a tort or as if it were an act of victimisation under the *Equal Opportunity Act 1984*.

33—Regulations and fee notices

This clause provides power to make regulations and to prescribe fees by fee notice.

34—Review of Act

This clause provides for a review of the operation of the measure to be undertaken after the measure has been in operation for a period of 1 year.

Debate adjourned on motion of Hon. H.M. Girolamo.

RESIDENTIAL TENANCIES (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

Received from the House of Assembly and 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) (17:33): I move:

That this bill be now read a second time.

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

Leave granted.

The Bill proposes to make minor technical amendments to the *Residential Tenancies Act 1995* (the Act), based on stakeholder feedback received on the 2023-24 large scale reforms made to the Act.

The largest reforms made to the Act in nearly 30 years were fully implemented from 1 July 2024. Since that date, Consumer and Business Services (CBS) has received feedback on several of the amendments to the Act, and how they are affecting industry stakeholders.

Earlier this year, the expiration of the Residential Tenancies Regulations (Regulations) provided an opportunity to consult with industry stakeholders on proposed amendments to the Regulations, as well as proposed minor amendments to the Act. Consultation occurred with organisations including the Real Estate Institute of South Australia, the Law Society of South Australia, RentRight SA, the Landlords' Association of South Australia and the South Australian Civil and Administrative Tribunal (SACAT).

The outcome of this consultation informed the drafting of the Bill, which I am pleased to introduce today.

The amendments proposed in the Bill further the Government's commitment to improve housing outcomes for people in South Australia. The Bill will ensure that the rights of renters continue to be improved, and ensures that landlords and rooming house proprietors can continue to manage properties effectively.

When National Cabinet met on 16 August 2023, it was agreed to move towards a national standard of no more than one rent increase per year for a tenant in the same property across fixed and ongoing tenancy agreements. To implement this, the previous reforms amended section 55 of the Act. This was aimed at preventing rent increases occurring before 12 months had passed after the rental agreement commenced, or, if there had been a previous increase of rent, 12 months since the last increase.

However, a further amendment to the Act is now required to close a pre-existing loophole that currently allows for more frequent rent increases, in the event that an agreement includes a term listing automatic rent increases at stated intervals. Such terms may be hidden near the end of a rental agreement, which may not have been contemplated by tenants, who are blindsided when their rent suddenly increases during the term of their lease. Therefore, a key amendment in this Bill will prevent those agreement terms that allow for increases to a tenant's rent occurring more than once in a 12-month period. It will also prohibit rent increases occurring more than once in a 6-month period for rooming house residents.

An addition of the definition of 'receipt' to the interpretation section of the Act will help to clarify that receipts provided to tenants may be in either electronic or hard copy format. This modernises the concept of issuing receipts to tenants, provided the required information is included in an electronic receipt.

Section 91A(1) was added as part of the previous reforms made to the Act, which requires landlords of fixed-term tenancies to wait six months to re-let their rental premises after terminating a tenancy on certain grounds. The rationale behind inserting section 91A(1) to the Act, was to prevent the misuse of termination grounds and protect tenant security.

However, a pre-existing section of the Act relating to periodic residential tenancies is inconsistent with that approach. This is because landlords of periodic tenancies must wait 6 months after taking possession of the rental premises to grant a fresh tenancy, when the tenancy has been terminated on certain grounds. The 6 months' timeframe commencing from possession of the rental premises for periodic tenancies, rather than from the date that a termination notice is served on a tenant, becomes effectively 2 months longer for landlords waiting to re-let their rental property than those with fixed-term tenancies (taking into account the 60 days' notice required for termination). The proposed amendment to section 81(4) of the Act simply ensures consistent language and timeframes apply to landlords re-letting a property, after terminating both fixed-term and periodic tenancies in those circumstances.

The inclusion of section 100(5a) clarifies that section 6 of the *Unclaimed Money Act 2021* (UMA) applies to the Commissioner for Consumer Affairs (the Commissioner) in relation to unclaimed bond monies held in the Residential Tenancies Fund.

The amount of money held in the Residential Tenancies Fund can, from time to time depending on how long it has been held, represent a liability to the Commissioner. The proposed amendment will make clear that the Commissioner is able to pay unclaimed monies to the Treasurer where that money has been held for at least 12 months, and the owner of the money cannot be found.

The reasons currently available to landlords when terminating periodic rooming house agreements, are not available in the case of fixed-term rooming house agreements. This means that rooming house proprietors are limited to terminating a fixed-term rooming house agreement on the ground that a rooming house resident has breached their agreement. The inclusion of requiring grounds for termination of periodic rooming house agreements occurred in the previous reforms made to the Act. It now makes sense to apply identical grounds for termination to fixed-term rooming house agreements, such as a proprietor wishing to move in, renovate, demolish or sell the rooming house.

The Bill also proposes to amend the definition of 'relevant decision' contained in section 114A of the Act. This would explicitly exclude SACAT vacant possession orders, that contain rent payment plans, from being captured by the definition of 'relevant decision'. At present, if a vacant possession order contains an element of rent payments to be made by a tenant (either in arrears or in the future before the lease is terminated), a tenant must prove that exceptional circumstances apply in order to be granted leave by the Tribunal to apply for an internal review. In order to determine whether exceptional circumstances exist, SACAT must go through a full hearing, which has led to inefficiencies for SACAT including increased hearing times regarding time-sensitive vacant possession matters. This amendment was suggested by SACAT during the consultation process.

The Bill therefore implements the feedback received on previous large-scale reforms to the Act, ensuring a fair rental system for all.

I commend this Bill to the House.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

Part 2—Amendment of *Residential Tenancies Act 1995*

3—Amendment of section 3—Interpretation

This section is amended to allow receipts to be in paper or electronic form.

4—Amendment of section 55—Variation of rent

Subsection (6), which currently disapplies section 55 from a provision of a residential tenancy agreement under which the rent payable under the agreement changes automatically at stated intervals on a basis set out in the agreement, is deleted.

5—Amendment of section 81—Termination because possession is required by landlord for certain purposes

Section 81(4) is amended to adopt language consistent with section 91A(1).

6—Amendment of section 100—Residential Tenancies Fund

The Commissioner is authorised to pay unclaimed money to the Treasurer in accordance with section 6 of the *Unclaimed Money Act 2021*.

7—Amendment of section 105I—Rent increases

The equivalent amendment to the amendment to section 55 is made in relation to rooming house agreements.

8—Amendment of section 105U—Termination of rooming house agreement

The phrase 'providing for accommodation on a periodic basis' is deleted so that section 105U(6) applies to fixed term agreements as well as periodic ones.

9—Amendment of section 114A—Internal review in relation to certain orders

Certain orders are excluded from the definition of *relevant decision*.

10—Insertion of Schedule 4

Schedule 4 is inserted:

Schedule 4—Transitional provisions—*Residential Tenancies (Miscellaneous) Amendment Act 2025*

Transitional provisions are inserted for the purposes of the measure.

Debate adjourned on motion of Hon. H.M. Girolamo.

STATUTES AMENDMENT (PLANNING, INFRASTRUCTURE AND OTHER MATTERS) BILL

Final Stages

The House of Assembly agreed to the amendments made by the Legislative Council without any amendment.

RETURN TO WORK (PRESUMPTIVE FIREFIGHTER INJURIES) AMENDMENT BILL

Final Stages

The House of Assembly agreed to the bill with the amendments indicated by the following schedule, to which amendments the House of Assembly desires the concurrence of the Legislative Council:

No. 1—Clause 2, page 2, line 7—Delete 'This Act comes into operation on a day to be fixed by proclamation.' and substitute 'This Act comes into operation on the day on which it is assented to by, or on behalf of, the Crown.'

No. 2—Clause 3, page 2, line 19 [Clause 3(2), row relating to 'Asbestos related disease']—Delete all of the contents of line 19 (being all of the contents of the row relating to 'Asbestos related disease' in the inserted table)

No. 3—Clause 3, page 2, line 22 [Clause 3(2), row relating to 'Primary site lung cancer']—Delete all of the contents of line 22 (being all of the contents of the row relating to 'Primary site lung cancer' in the inserted table)

No. 4—Clause 3, page 2, line 23 [Clause 3(2), row relating to 'Primary site pancreatic cancer']—Delete all of the contents of line 23 (being all of the contents of the row relating to 'Primary site pancreatic cancer' in the inserted table)

No. 5—Clause 3, page 2, line 25 [Clause 3(2), row relating to 'Primary site skin cancer']—Delete all of the contents of line 25 (being all of the contents of the row relating to 'Primary site skin cancer' in the inserted table)

STATUTES AMENDMENT (SUPERANNUATION AND OTHER PAYMENTS) BILL

Final Stages

The House of Assembly agreed to the bill with the amendments indicated by the following schedule, to which amendments the House of Assembly desires the concurrence of the Legislative Council:

No. 1. Page 7, after line 15, insert:

4—Amendment of section 4AC—Additional salary

Section 4AC—after subsection (6) insert:

(7) If a member of Parliament ceases to hold an office specified in the Schedule and the relevant presiding officer for the member certifies, on the basis of medical evidence provided by the member, 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 until—

(a) the member is again appointed to an office specified in the Schedule; or

(b) the member ceases to be a member of Parliament; or

(c) 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; or

(d) the House of Assembly is next dissolved by the Governor,

whichever occurs first.

(8) The relevant presiding officer for a member of Parliament who is receiving additional salary in accordance with subsection (7) may, at any time, require the member to provide further medical evidence for the purpose of satisfying the relevant presiding officer that the member continues to be unable to hold an office specified in the Schedule due to the ill health, or a disability, of the member.

(9) In this section—

medical evidence means a report or certificate of a medical practitioner;

relevant presiding officer for a member means—

(a) in the case of a member of the House of Assembly—the Speaker of the House of Assembly; or

(b) in the case of a member of the Legislative Council—the President of the Legislative Council.

No. 2. Page 9, after line 30, insert:

10—Amendment of section 13—The Fund

(1) Section 13(4)(a)—after 'members' insert:

and spouse members

(2) Section 13(4)(c)—after 'member' insert:

or a contribution account of a spouse member

(3) Section 13(4)(da)—after 'member' insert:

or spouse member

(4) Section 13(4)(e)—before 'any amount' insert:

subject to subsection (4a)—

(5) Section 13(4)—after paragraph (e) insert:

(ea) 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; and

(6) Section 13—after subsection (4) insert:

(4a) The amount required to be paid 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 the Parliament of the State is to be determined by the Treasurer on the advice of an actuary, having regard to the amount of premiums paid by the member in respect of the insurance.

No. 3. Page 13, after line 1, insert:

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

(1) Section 21AH(1)—delete 'If a PSS 3 member ceases to be a member of the Parliament of the State by reason of his or her death—' and substitute:

Subject to this section, a payment will be made as follows on the death of a PSS 3 member:

(2) Section 21AH—after subsection (2) insert:

(2a) Subsection (2)(d) does not apply in relation to a PSS 3 member—

(a) who ceased to be a member of the Parliament of this State before the commencement of this subsection; or

(b) who is over the age of 70 years at the time of their death; or

(c) whose insurance has been cancelled on application by the member under section 21AHA(4).

(3) Section 21AH(6)—delete subsection (6)

No. 4. Page 14, after line 16, insert:

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

(1) Section 21AI(1), formula—delete '—*GCA*'

(2) Section 21AI(1), definition of *F*—delete 'at the relevant time' wherever occurring and substitute in each case:

on the relevant day

(3) Section 21A(1), definition of *GCA*—delete the definition

(4) Section 21AI(2)—delete subsection (2) and substitute:

(2) For the purposes of subsection (1)—

(a) the *relevant day* is—

(i) in the case of invalidity insurance—the day on which the relevant member ceases to be a member of the Parliament of the State; and

(ii) in the case of death insurance—the day on which the relevant member dies; and

(b) the *relevant time* is—

(i) in the case of invalidity insurance—the day on which the relevant member ceases to be a member of the Parliament of the State; and

(ii) in the case of death insurance—the day on which the relevant member dies or, if the relevant member died after leaving the Parliament of the State, the day on which they ceased to be a member of the Parliament of the State.

No. 5. Page 16 after line 8, insert:

23—Insertion of Part 4 Division 2B

Part 4—after Division 2A insert:

Division 2B—Income protection for PSS 3 members

21AK—Application of Division

This Division applies in relation to a PSS 3 member who—

(a) ceases to be a member of the Parliament of the State after the commencement of this section; and

(b) is not also a member of PSS 2.

21AL—Disability pension

(1) Subject to this Division, a PSS 3 member to whom this Division applies who is incapacitated for work on account of a disability is entitled to a disability pension.

(2) A PSS 3 member will be taken to be incapacitated for work on account of a disability for the purposes of this Division 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.

(3) A PSS 3 member is not entitled to a disability pension under this section if—

(a) the member is aged 65 years or over; or

(b) there are insufficient funds in the member's Government contribution account to enable the debiting of a disability pension premium as required under section 14D.

(4) In this section—

medical evidence means a report or certificate of a medical practitioner.

21AM—Amount of pension

(1) The amount of a disability pension will be 75% of—

(a) the basic salary payable to a member of Parliament under the *Parliamentary Remuneration Act 1990* at the time payment of the pension commences; and

(b) 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.

(2) In this section—

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.

21AN—Matters affecting entitlement to pension

(1) A disability pension is payable to a PSS 3 member in respect of a disability—

(a) only if the member is incapacitated on account of the disability for a period that exceeds 30 days; and

(b) only in relation to a period of incapacity that occurs after the end of that 30 day period.

(2) A disability pension is not payable to a PSS 3 member if—

(a) the member has ceased to be a member of the Parliament of the State due to ill health and has received, or is entitled to receive, the invalidity insurance benefit under section 21AG; or

(b) the member has received a disability pension under this Division in respect of 1 or more disabilities for a continuous period of 5 years or for periods that, in aggregate, total 5 years.

(3) A disability pension is not payable to a PSS 3 member in respect of a period for which the member is on recreation leave, long service leave, paid sick leave or any other form of paid leave.

(4) If a PSS 3 member to whom a disability pension is payable is in receipt of income from employment, workers compensation or some other form of income protection during the period of incapacity, the pension will be reduced by the amount of that income.

21AO—Duration of disability pension

(1) Payment of a disability pension to a PSS 3 member will cease—

(a) when the member ceases to be incapacitated for work on account of the disability; or

(b) if the member has received a disability pension under this Division in respect of 1 or more disabilities for a continuous period of 5 years or for periods that, in aggregate, total 5 years—at the end of that period or those periods; or

(c) when the member reaches the age of 65 years,

whichever occurs first.

(2) A PSS 3 member is not entitled to payment of a disability pension during any period for which there are insufficient funds in the member's Government contribution account to enable the debiting of a disability pension premium as required under section 14D.

21AP—Cancellation of income protection

A PSS 3 member may apply to the Board, in the approved form, to cancel the income protection to which the member is entitled under this Division (and the cancellation will take effect, and premiums will cease to be payable, from a day determined by the Board).

21AQ—Procedural matters

The Board may make further provision in relation to procedural and other matters, including terms and conditions, associated with income protection provided under this Division.

No. 6. Page 19 after line 6, insert:

26—Insertion of section 23AAF

After section 23AAE insert:

23AAF—Excess non-concessional contributions

(1) If a release authority is issued to the Board under the *Taxation Administration Act 1953* of the Commonwealth in relation to the excess non-concessional contributions of a PSS 2 or PSS 3 member, the Board may pay to the member any amount the Board is required to pay pursuant to the authority.

(2) If—

(a) a PSS 2 member has, before the commencement of this section, incurred a liability to pay tax arising in connection with excess non-concessional contributions; and

(b) the liability cannot be discharged by making a payment or payments to the member under subsection (1),

the Board may, for the purposes of facilitating payment of the liability, pay an amount on behalf of the member to the Commissioner of Taxation as required by and in accordance with the requirements of the *Taxation Administration Act 1953* of the Commonwealth.

(3) If—

(a) a payment is made to or on behalf of a PSS 2 member under subsection (1) or (2); and

(b) the member—

(i) is not also a member of PSS 3; or

(ii) is a member of PSS 3 but the combined balance of the accounts maintained by the Board on behalf of the member in connection with their membership of PSS 3 is less than the amount of the payment,

the amount paid to or on behalf of the member will be taken to be a debt owed by the member to the Fund and the following provisions apply:

(c) in the case of a PSS 2 member whose pension has commenced—the Board will commute so much of the pension as is required to discharge the debt and the member's pension will be reduced accordingly;

(d) in any other case—

(i) the Board must establish a debit account for the member recording the amount of the debt, including interest accruing under subparagraph (ii); and

(ii) interest will accrue on the debt at a rate determined from time to time by the Board; and

(iii) when the member's pension becomes payable, the Board will commute so much of the pension as is required to discharge the debt and the member's pension will be reduced accordingly; and

(iv) the debt then will be discharged and the debit account closed.

(4) If a payment is made to or on behalf of a PSS 3 member under subsection (1) or (2), the Board must (unless the member is a member of PSS 2 referred to in subsection (3)(b)(ii)) debit the amount of the payment against the member's contribution account or, if the credit balance of the member's contribution account is not sufficient to make the payment, the member's Government contribution account, rollover account or co-contribution account.

(5) In this section—

excess non-concessional contributions has the same meaning as in the Income Tax Assessment Act 1997 of the Commonwealth.

27—Insertion of section 23AAG

After section 23AAF (as inserted by section 26) insert:

23AAG—Portability for PSS 3 members

(1) Subject to this section, amounts standing to the credit of 1 or more accounts maintained by the Board on behalf of a PSS 3 member may, at the option of the member, subject to terms and conditions set by the Board, be transferred to another complying fund.

(2) The combined balance of accounts maintained by the Board on behalf of a member for whom amounts are transferred under subsection (1) must, immediately after the amounts are transferred, be equal to, or greater than, the applicable minimum amount for the member.

(3) For the purposes of subsection (2), the *applicable minimum amount* for a member is the minimum amount determined by the Board.

(4) The Board may, for the purposes of subsection (3), determine that different minimum amounts apply to different members or classes of member.

(5) Amounts standing to the credit of accounts maintained by the Board on behalf of a member cannot be transferred under this section if—

(a) the member is prevented from dealing with their superannuation interests by an instrument in force under the *Family Law Act 1975* of the Commonwealth; or

(b) the combined balance of accounts maintained by the Board on behalf of the member is less than the applicable minimum amount for the member for the purposes of subsection (2); or

(c) the member has a liability that arose under this Act.

(6) However, the Board may determine to permit a member to transfer amounts standing to the credit of the member's accounts despite the member having a liability that arose under this Act if the Board is satisfied that the liability will be discharged in full.

(7) Subject to subsection (8), only 1 application to transfer funds may be made by a member under this section in a financial year.

(8) The Board may permit a member to make more than 1 application to transfer funds under this section in a financial year if the Board considers that the member's circumstances are exceptional.

(9) An application to transfer funds under this section may not be made in relation to an amount that is less than the minimum transfer amount fixed by the Board for the purposes of this section.

(10) The Board may determine the account or accounts of a member from which amounts are to be deducted on behalf of a member for the purposes of this section.

(11) In this section—

complying fund means—

(a) a complying superannuation fund; or

(b) an RSA;

complying superannuation fund has the meaning given by section 45 of the SIS Act;

RSA has the same meaning as in the *Retirement Savings Accounts Act 1997* of the Commonwealth.

28—Insertion of Part 4AA

After Part 4 insert:

Part 4AA—Spouse members of PSS 3

23AAH—Interpretation

In this Part—

prescribed payment means 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

(1) Subject to this section, a PSS 3 member may apply to the Board, in the approved form, to make a prescribed payment from the member's contribution account into a contribution account established in the name, and for the benefit, of the member's spouse.

(2) An application under subsection (1), and the making of a prescribed payment following the acceptance of an application, are subject to, and must comply with—

(a) Division 6.7 of the *Superannuation Industry (Supervision) Regulations 1994* of the Commonwealth (as if the provisions of that Division apply to, and in relation to, PSS 3); and

(b) such terms and conditions as may be specified by the Board.

(3) The Board may fix administrative charges payable in respect of applications under this section.

(4) Any charge payable under subsection (3) may be deducted by the Board from—

(a) the applicant's contribution account; or

(b) if there are insufficient funds in that account—a spouse account established in the name of the applicant's spouse.

23AAJ—Other contributions for spouse members

(1) A PSS 3 member may make monetary contributions to the Treasurer under this section for crediting to a contribution account in the name of the member's spouse.

(2) A spouse member may, while the spouse member is the spouse of a member, make monetary contributions to the Treasurer under this section.

(3) The amount of each contribution under this section must be equal to or exceed $50.

23AAK—Spouse members and spouse accounts

(1) If a prescribed payment, or a monetary contribution under section 23AAJ(1), is made by a PSS 3 member for the benefit of a spouse in respect of whom neither a prescribed payment nor a contribution under section 23AAJ(1) has previously been made—

(a) the Board must establish a contribution account for the spouse; and

(b) the spouse becomes a *spouse member* of PSS 3 by virtue of this section.

(2) A spouse member's contribution account must—

(a) be credited with the amount of—

(i) any prescribed payment made for the spouse member; and

(ii) contributions made by or on behalf of the spouse member; and

(iii) any money rolled over from another superannuation fund or scheme for the spouse member; and

(iv) any co-contribution paid to the Board in respect of the spouse member; and

(b) be debited with any payment that is to be charged against the account under this Act.

(3) A spouse member's contribution account must be debited with an administrative charge to be fixed by the Board.

(4) The Board may, for the purposes of subsection (3), fix different charges depending on the balance of spouse members' accounts or any other relevant factor.

23AAL—Accretions to spouse members' accounts

(1) At the end of each financial year, each spouse member's contribution account that has a credit balance will be adjusted to reflect a rate of return determined by the Board in relation to spouse members' accounts for the relevant financial year.

(2) In determining a rate of return for the purposes of subsection (1), the Board should have regard to—

(a) the net rate of return achieved by investment of the Fund over the relevant financial year; and

(b) if a spouse member has made a nomination under subsection (3), the net rate of return achieved by the classes of investments, or the combination of classes of investments, nominated by the spouse member.

(3) If the Fund is invested in different classes of investments, the Board must permit a spouse member, on such terms and conditions as the Board thinks fit, to nominate the class of investments, or combination of classes of investments, for the purpose of determining the rate of return under this section.

(4) If, under subsection (2)(a), the Board determines a rate of return that is at variance with the net rate of return achieved by investment of the Fund, the Board must include its reasons for the determination in its report for the relevant financial year.

(5) If it is necessary to determine the balance of a spouse member's account and the Board has not yet determined a rate of return in relation to the relevant financial year, the balance will be determined by applying a percentage rate of return on accounts estimated by the Board.

(6) A balance determined under subsection (5) will not be adjusted when a rate of return is subsequently determined under subsection (1).

(7) A reference in this section to *rate of return* is a reference to a positive or a negative rate of return.

23AAM—Portability

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 (within the meaning of section 23AAG).

23AAN—Benefits for spouse members

(1) Subject to this section, an amount standing to the credit of a spouse member's contribution account may be paid to the spouse member if—

(a) the spouse member is the spouse of the relevant member and—

(i) the relevant member has retired (whether voluntarily or involuntarily); or

(ii) the spouse member has attained the age of 65 years; or

(b) the spouse member is not the spouse of the relevant member; or

(c) —

(i) the spouse member suffers physical or mental incapacity; and

(ii) the Board is satisfied that the spouse member's incapacity for all kinds of work is 60% or more of total incapacity and is likely to be permanent; or

(d) the Board is satisfied that the spouse member is suffering from a terminal illness.

(2) If a spouse member dies, the amount (if any) standing to the credit of each of the spouse member's spouse accounts will be paid to—

(a) if the deceased spouse member has a legal personal representative—the representative; and

(b) if the deceased spouse member does not have a legal personal representative but is survived by a spouse—the spouse; and

(c) if the deceased spouse member does not have a legal personal representative and is not survived by a spouse—the spouse member's estate.

(3) This section operates subject to any restrictions imposed by the SIS Act.

(4) If a payment of an amount cannot be made to a spouse member under subsection (1) because of restrictions imposed by the SIS Act—

(a) the spouse member may elect to carry the amount over to some other fund or scheme approved by the Board; or

(b) the amount may be retained in PSS 3 until release of the amount is no longer restricted under the SIS Act.

(5) In this section—

relevant member, in relation to a spouse member, means the member who, by making a prescribed payment, or a contribution under section 23AAJ(1), for the benefit of the spouse member, caused the spouse member to become a spouse member of PSS 3;

terminal illness, of a person, means an illness or condition that is likely, in the opinion of at least 2 medical practitioners (1 of whom must have specialist expertise in the relevant field of medicine), to result in death of the person within 24 months of the day on which the opinion is given.

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

(1) A spouse member may apply to the Board for the early release of an amount of the spouse member's benefit—

(a) if the spouse member is in severe financial hardship; or

(b) on a compassionate ground.

(2) The Board may require that an application under subsection (1) be made in such manner, comply with such requirements and be on such terms and conditions as the Board thinks fit.

(3) The Board must, on receipt of an application under subsection (1), determine whether, in the Board's opinion, if the SIS regulations applied, the spouse member would be taken for the purposes of those regulations—

(a) to be in severe financial hardship; or

(b) to satisfy a condition of release on a compassionate ground.

(4) If the Board makes a determination that subsection (3)(a) or (b) applies to the spouse member, the Board must—

(a) determine the maximum amount that the SIS regulations would permit to be paid to the spouse member in those circumstances; and

(b) if the Board considers it appropriate to do so in all the circumstances, pay to the spouse member—

(i) the amount applied for by the spouse member; or

(ii) the amount determined by the Board under paragraph (a); or

(iii) the balance of the spouse member's contribution account (subject to any minimum account balance required by the Board),

whichever is the lesser.

(5) If the Board makes a payment to a spouse member under subsection (4)(b), the Board must debit the amount of the payment against the spouse member's contribution account.

(6) A spouse member making an application under subsection (1) must furnish the Board with any information that it requires for the purposes of making a determination under this section.

(7) In this section—

compassionate ground and *condition of release* have the same respective meanings as in Part 6 of the SIS regulations;

severe financial hardship has the same meaning as in Part 6 of the SIS regulations;

SIS regulations means the *Superannuation Industry (Supervision) Regulations 1994* of the Commonwealth.

Consideration in committee.

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

That the House of Assembly's amendments be agreed to.

Motion carried.

WORKPLACE PROTECTION (PERSONAL VIOLENCE) BILL

Final Stages

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

At 17:37 the council adjourned until Wednesday 26 November 2025 at 11:00.

Answers to Questions

PRIMARY INDUSTRIES AND REGIONS DEPARTMENT

438 The Hon. N.J. CENTOFANTI (Leader of the Opposition) (19 August 2025).

1. In regard to PIRSA Fisheries and Aquaculture (referencing Budget Paper 4, Volume 4, page 57):

(a) Why was there an increase in FTE's by 7.5 full-time equivalents from financial year 2023-24 to financial year 2024-25?

(b) What are the titles and roles of these additional FTEs?

(c) Given there has been a significant reduction in licence holders in the marine scale fisheries sector and little change in other sectors, what oversight and accountability is there on the minister's reasons for recruitment of additional personnel in the department?

(d) Given the commercial fishing sector operates under a cost-recovery model, what oversight and accountability is there on compliance costs accrued by the department?

(e) How much of the income into the fisheries and aquaculture program is from licence fees and compliance costs from industry? (as a dollar figure and a percentage)

2. In regard to the snapper recovery plan:

(a) What scientific data and stock assessment methodologies are being used to guide the development of the snapper recovery plan?

(b) Has the government set a timeline for the completion and release of the snapper recovery plan?

(c) How is industry, particularly commercial and recreational fishers, being consulted in the development of the plan?

(d) Will the plan include measurable recovery benchmarks or triggers for the reopening of closed snapper fisheries?

(e) Is funding allocated in the current budget to support both the development and implementation of the snapper recovery plan?

(f) Given the economic and social impact of the ongoing snapper closure, what interim support measures are being considered for affected regions and industries? (19 August)

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

1. The number of budgeted positions in PIRSA fisheries and aquaculture has remained unchanged; the increase reflects vacant roles that were filled within the policy and compliance teams.

Compliance programs are based on risk assessments. Each financial year these programs and associated costs are discussed with each commercial fishing sector, through the cost-recovery annual process. Compliance effort is then recorded by staff and reflected in periodical reporting to each commercial fishery, either six or 12-monthly. The number of interactions are recorded against key risks, with narrative and statistical data provided to industry against the three strategies of education, deterrence and enforcement.

2.

(a) The snapper rebuilding plan will provide transparent policies and approaches to manage the recovery of snapper stocks in South Australia. This will include:

- Management objectives for stock rebuilding, with intended target population levels.
- Estimated timeframes for stock recovery against the planned milestones. This depends on various factors such as:
  - the level of fishing mortality
  - biological characteristics of the species
  - recruitment events.
- Predefined criteria that will guide the decisions to meet planned objectives. These will consider:
  - when fishing should reopen on currently closed stocks
  - how much fishing should be permitted for a given snapper population size
  - when fishing levels should be increased or decreased.

- Performance indicators that will be measured to track the plan's progress against target and other reference points.
- Key management arrangements to achieve the rebuilding objectives.
- Frequency of monitoring and stock assessments, including what information will be needed.

The new Snapper Stock Assessment Report, which will provide critical information about the status of snapper stocks and biomass levels will be considered in conjunction with the snapper rebuilding plan.

(b) The snapper recovery plan is still under development which will include opportunities for stakeholder input.

(c) PIRSA is developing a draft snapper rebuilding plan to support the recovery of depleted snapper stocks. The rebuilding plan is being developed with input from the Marine Scalefish Fishery Management Advisory Committee (MSFMAC), MSFMAC Science Sub Committee and the Snapper Science Stakeholder Group (SSSG). The MSFMAC comprises membership including representatives of the commercial marine scalefish fishery, representatives of the recreational fishing sector and a charter boat fishery representative, as well as an independent economist, independent scientist, independent conservation scientist and other stakeholders. The SSSG includes representatives from both government and fishing sectors and comprises about 20 members.

(d) The snapper rebuilding plan will incorporate monitoring of the stocks using the performance indicators which will determine the effectiveness of the management measures applied in rebuilding depleted snapper stocks, such as:

- Juvenile recruitment.
- Commercial fisheries statistics—including catch and effort information by gear and area from catch and effort logbooks and catch disposal records.
- Recreational catch and effort obtained through mandatory reporting of Snapper catches.
- Biological sampling—fish length, weigh, sex, stage of reproduction and age. Key output = age structure to assess recruitment.
- Fishery independent data—appropriate methods to provide a fishery independent estimate of biomass.
- Stock status from periodic integrated snapper stock assessments.

Decision rules are being developed to guide rebuilding this iconic species and will be described in the snapper rebuilding plan.

(e) Yes. The snapper science program is a three-year, $5 million initiative addressing key issues that are relevant to snapper fisheries throughout Australia, but with a focus on South Australia.

Information gathered through this program will improve the understanding of snapper biology and contribute to improved assessment of fisheries. These outcomes will underpin future snapper management strategies and support the snapper rebuilding plan.

(f) The snapper recovery package supports those affected by the extended closure of the Spencer Gulf, West Coast and Gulf St Vincent snapper stocks until 30 June 2026.

The state government is delivering $8.8 million in funding initiatives including:

- $5 million for the snapper science program which is co-funded by the South Australian government and the Fisheries Research and Development Corporation (FRDC)
- $2.4 million to support impacted fishers
- $1.2 million to support the continuation of the snapper restocking program
- $200,000 for reef restoration projects.

PRIMARY INDUSTRIES AND REGIONS DEPARTMENT

440 The Hon. N.J. CENTOFANTI (Leader of the Opposition) (19 August 2025).

1. In regard to the budget for PIRSA (Budget Paper 3, page 23): why are administered items FTEs not included in the agency program information? (BP4, page 51) (workforce summary)

2. In regard to replacement of the coastal research vessel (Budget Paper 4, Volume 4, page 58):

(a) When will the vessel be purchased and delivered?

(b) What is wrong with the existing vessel?

(c) Did the minister consult with fishing industry prior to announcing the investment?

(d) If not, why not?

(e) If yes, what was their feedback on the investment?

3. In regard to operating initiatives, tomato brown rugose virus (Budget Paper 5, page 60, Budget Paper 4, Volume 4, page 58):

(a) Can the minister outline to the chamber what she is doing to ensure that there are equitable market access agreements across jurisdictions?

(b) Are South Australian producers still having to test to ensure market access for other states such as QLD and WA?

(c) What are we doing as a state jurisdiction to ensure that produce and plants being brought into South Australia from QLD and WA have undergone the same stringent testing process?

(d) Has the minister raised this issue with her interstate ministerial colleagues?

4. In regard to operating initiatives (Budget Paper 5, page 59-60):

(a) Why does the Malinauskas government only have one new program, outside of ongoing biosecurity investment, under operating initiatives?

(b) Does the minister think this is sufficient?

(c) Does the minister think that any other programs are necessary?

5. In regard to workforce summary (Budget Paper 4, Volume 4, page 51):

(a) Why was there a decrease in FTE in the department from financial year 2025-26 (863.3) to that which is estimated for 2024-25 (903.3)?

(b) Of the decreased number of FTE's, how many are in frontline service roles?

(c) How many of the FTE positions for 2024-25 were based in a regional town or centre?

6. In regard to upgrade of the SA Aquatic Sciences Centre:

(a) Has the SA Aquatic Sciences Centre upgrade been completed?

(b) If not, why not, given previous budgets have said it is to be completed by June 2025?

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

1. As per the Department of Treasury and Finance agency statement guide for government agencies, FTES for administered items are not included in the agency program information as this relates to the controlled operations of the department, with administered items included separately.

2.

(a) The detailed design and build of a dedicated coastal research vessel will occur over the next four (4) years, to be completed by the end of 2029.

(b) The existing vessel, the MRV *Ngerin*, is now 40 years old and is operating beyond its intended lifespan. As a result, it is outdated, no longer meets the requirements of modern scientific research, and is incurring rising maintenance costs. It is also at risk of unplanned decommissioning due to its age.

A purpose-built coastal research vessel is essential for supporting the sustainable management of our fisheries and aquaculture industries and fulfilling our responsibility to safeguard our marine environment.

(c) The fishing industry have been regularly updated about plans to replace the MRV *Ngerin* through quarterly PIRSA fisheries and aquaculture and industry EO meetings.

(d) The industry will continue to be updated throughout the design and build of a replacement vessel.

(e) The fishing industry has responded positively to the South Australian government's co-investment in a new coastal research vessel, viewing it as a strong commitment to advancing marine science and supporting the long-term sustainability of the state's fisheries.

3.

(a) The Malinauskas government has worked hard to ensure that most South Australian producers have the best possible market access conditions to sell their produce to most parts of Australia. As at 30 June 2025, the government continues to negotiate with Queensland and Western Australia to relax the current market access restrictions placed on South Australian growers which requires ongoing testing to allow access for most growers and currently excludes those properties on which the disease was previously detected from trading at all. In particular, PIRSA has compiled a technical feasibility package which has been presented to Queensland, outlining why one of those affected businesses in South Australia should be permitted to trade, given the comprehensive testing regime and decontamination process undertaken as part of our surveillance activities. I have written to and met with my

counterpart in Queensland on a number of occasions on this matter. Alongside this, PIRSA has made a submission to the National Plant Health Committee as per their dispute resolution process in the event market access restrictions are not removed.

(b) As at 30 June, South Australian growers are still subject to market access restrictions to trade with Queensland and Western Australia. Properties that want to trade with these jurisdictions are required to have their crops sampled, tested and confirmed ToBRFV-free with a plant health certificate prior to produce movement. Currently, the three businesses on which the disease was previously detected are not permitted to trade with these jurisdictions at all. Outside of Queensland and Western Australia, South Australian unaffected growers can continue to trade without restriction.

(c) Consistent with the advice that has been received from South Australian growers, South Australia is strongly in favour and advocating for a reduction of regulations across the country for the trade of tomato, capsicum and chillies. Of course, interstate restrictions are largely based on whether or not the disease has been detected in a particular state and so they will vary between those that have and have not had a detection.

(d) I have written to and met with my counterparts interstate, strongly advising the current regulation placed on growers in South Australia is excessive and asking for their consideration in removing them.

4. It's not uncommon for the number and nature of new operating initiatives to vary from budget to budget, depending on the government's strategic priorities and the broader economic context. Budgets must strike a balance between resourcing new initiatives and continuing to support existing programs that deliver long-term value for the community.

In this case, the government has made significant targeted investments of nearly $57 million over the period from 2024-25 to 2028-29 to continuing programs that are essential to safeguarding our agricultural industries and regional economies. The programs listed under operating initiatives obviously don't reflect the full scope of work being undertaken across the portfolio.

The government is continually assessing emerging needs and allocating resources across a broad range of portfolios to support economic growth, community wellbeing, and future resilience.

5.

(a) The decrease in budgeted FTEs of 40.0 from 2024-25 estimated result to 2025-26 budget mainly relates to time-limited programs announced over the past 12 months that are expected to be completed by 30 June 2026. For example, FTEs in 2024-25 for the national eradication response to the tomato brown rugose fruit virus in South Australia (an increase of 19.0 FTEs in 2024-25)

(b) The decrease mainly relates to externally funded time-limited programs announced over the past 12 months that are expected to be completed by 30 June 2026 and includes employees in a range of positions. The budgeted FTE savings to be achieved by PIRSA in 2025-26 are not occupying frontline service roles.

(c) For 2024-25, 246 FTEs were based in a regional town or centre.

6.

(a) The building upgrade works have been completed with the seawater intake in the final stages, with commissioning work to be finalised in July 2025.

(b) As of 30 June 2025, the majority of the work has been completed, with the final stages of the commissioning work and variations for the seawater intake to be finalised in July 2025.

PRIMARY INDUSTRIES AND REGIONS DEPARTMENT

441 The Hon. N.J. CENTOFANTI (Leader of the Opposition) (19 August 2025).

1. In regard to Primary Industries, tomato brown rugose virus (Budget Paper 4, Volume 4, page 58):

(a) Why isn't an independent investigation into the government's handling of the tomato brown rugose virus part of the targets for 2025-26?

(b) Now that a second outbreak in NSW has been found not related to the outbreak in South Australia, what is the minister doing to ensure that market access rules reflect the current risk landscape and that South Australian growers are not subjected to stricter requirements than producers in other states?

(c) When is the new management plan going to be released to the industry?

(d) Does the minister stand by her decision to pursue eradication of tomato brown rugose fruit virus, despite consistent advice from industry that the virus was already endemic globally and that eradication was neither feasible nor practical?

2. In regard to Primary Industries, varroa mite (Budget Paper 4, Volume 4, page 59):

(a) How has the government engaged with commercial beekeepers and pollination dependent industries regarding the upcoming pollination season and varroa risk preparedness?

(b) What specific engagement activities have the varroa development officers undertaken with South Australian apiarists and horticultural growers to address concerns about pollination capacity and biosecurity?

(c) Have the varroa development officers conducted or facilitated a statewide audit of hive availability to support local pollination demands for the upcoming season? If not, why not? If so, when was this completed and has it been communicated to the apiarist industry and primary producers?

(d) What active surveillance measures are currently in place at South Australia's border entry points to monitor and prevent the introduction of varroa mite?

(e) How many inspections or interventions have been conducted since the detection of varroa interstate?

(f) How will growers be supported if local hive availability is insufficient and interstate hives are deemed too high risk to import?

(g) Is there a formal pollination continuity plan in place in the event that border closures restrict access to necessary hive numbers?

(h) What funding or support mechanisms are in place to help South Australian apiarists scale up operations to meet domestic pollination demands safely?

3. In regard to Primary Industries, state biosecurity strategy (Budget Paper 4, Volume 4, page 59):

(a) How can industry and the public have confidence in a biosecurity framework that the government appears unwilling to have independently scrutinised?

(b) How is the government ensuring the robustness and credibility of the new state biosecurity strategy if it is not subject to independent review or assessment?

(c) How will the government incorporate lessons from recent biosecurity responses, such as tomato brown rugose fruit virus, and abalone viral ganglioneuritis incursions, into the strategy development?

4. In regard to Primary Industries, dog fence rebuild (Budget Paper 4, Volume 4, page 59):

(a) Is the rebuild of the dog fence currently on track to be completed by the June 2026 target?

(b) What percentage of the 1,600 kilometres has been completed to date, and how much remains?

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

1.

(a) As custodians of the Emergency Plant Pest Response Deed, Plant Health Australia will coordinate a national review, independent to the South Australian government, regarding the operation of the Emergency Plant Pest Response Deed and PLANTPLAN, to help inform any future responses. That review will include input from all signatories to the deed, including industry bodies.

(b) South Australia has successfully achieved area freedom from tomato brown rugose fruit virus (ToBRFV), marking a major biosecurity milestone.

Following its initial detection in August 2024 on three properties in the Northern Adelaide Plains, PIRSA swiftly implemented containment measures including quarantine, crop destruction, and rigorous surveillance. These efforts effectively limited the virus to the original sites and protected the vast majority of South Australia's $230 million tomato industry from the impacts of this disease.

These efforts supported around 200 South Australian growers in being able to continue to grow and market their premium produce both here and interstate. Throughout the outbreak, the vast majority of South Australian growers continued trading under strict certification protocols, ensuring market confidence.

Over 23,000 samples have been tested across 109 properties, with no detections since March 2025. Biosecurity control orders on the affected properties were lifted in August 2025 after thorough decontamination.

The issuance of an area freedom certificate in September 2025 restored market access, including into Queensland, which now recognises South Australia's pest-free status. This outcome reflects the resilience of SA's horticulture sector and the effectiveness of coordinated government-industry response strategies

Of course, under our system of federation, every jurisdiction ultimately has the right to make their own decisions on interstate trade arrangements, but the South Australian government continues to do all that it can to ensure that market access arrangements reflect the current risk landscape.

(c) Although it is pleasing that ToBRFV is no longer present in South Australia, the national management group agreed it is no longer technically feasible to eradicate the virus from Australia in May 2025,

On 22 September 2025 the national management group also decided to end the national response to ToBRFV without a formal transition to management program, paving the way for industry to take the lead in managing the on-farm impacts of this disease.

(d) The decision to pursue eradication of tomato brown rugose fruit virus was a national decision agreed to by the national management group under the Emergency Plant Pest Response Deed, to which all Australian jurisdictions and several dozens of industry bodies are signatories. Under these arrangements, any decision for a national biosecurity response such as this is based on scientific and technical advice provided by the consultative committee on emergency plant pests.

2.

(a) The South Australian Varroa Industry Advisory Committee (SAVIAC) is a group that was set up to give advice to PIRSA on issues relating to varroa. This group comprises representation from the two industry associations, the South Australian Apiarist Association (SAAA) and the Beekeepers' Society of South Australia Inc (BSSA) as well as pollination dependent industries including the almond, apple and pear industries. The SAVIAC had input and signoff on the South Australian Varroa Transition to Management Plan (SA Varroa T2M Plan) which sets out a plan on how PIRSA will manage movements of apiary commodities under different conditions as varroa spreads, allowing for business continuity and movements for business-critical needs including hives for pollination.

As at 30 June 2025, the SAVIAC is still currently meeting and providing PIRSA advice on the commodities that are considered business critical and how these movements should occur.

PIRSA communicates policy and procedure changes and requirements to registered commercial and recreational beekeepers and pollination dependent industries through a biosecurity notice which is emailed to their primary contact email address. This information is distributed via PIRSA social media avenues and available on the departmental website.

(b) It is not the role of varroa development officer (VDO) to address concern about pollination capacity and general biosecurity. Their role is to provide education training to all beekeepers regarding monitoring for and managing varroa mite.

Since the VDOs commenced in November 2024 they have undertaken in excess of 550 engagement activities involving over 1,000 beekeepers from across all regions of South Australia.

(c) It is not the role of VDOs to undertake a statewide audit of hive availability. Similarly, the role of the department is not to act as a broker between horticultural operations and beekeepers. These are business decisions and legal contracts between parties with legal implications.

The sourcing of hives is a matter for the individual horticulture business. The department does facilitate this by ensuring hives that are seeking to enter SA pose the least biosecurity risk, while still allowing business continuity i.e. pollination services to occur, consistent with the varroa transition to management plan.

SA commercial beekeepers have approx. 60,000-65,000 registered hives. A proportion of these beekeepers do not wish to partake in provision of pollination services instead focussing on honey and apiary commodity production as their business model.

SAVIAC is providing advice from its members to PIRSA on the number of hives required for pollination in 2025.

(d) The department has both active and passive surveillance measures in place for the 2025 pollination season.

As at 30 June, active measures include direct inspections at quarantine stations along many of the main arterial border entry points into SA, including at Yamba (24-hour station operating seven days a week), Oodla Wirra, Pinnaroo and Ceduna. Quarantine staff are trained to look for the entry of apiary commodities and are kept up to date with entry requirements for these items.

PIRSA staff also conduct random roadblocks (RRB's) regularly including Bordertown to monitor and intercept potential biosecurity risks to the state. This includes the movement of apiary products. There were RRB's booked in at Bordertown for both July and August of 2025.

Passive surveillance measures deployed by the PIRSA apiary unit include remote concealed cameras to monitor movements of apiary commodities.

These cameras were deployed to monitor potential illegal border movements of apiary products. PIRSA does not widely advertise the technologies used to protect surveillance methodologies and avoid people actively seeking to interfere with these cameras.

(e) Since varroa was first detected in New South Wales in June 2022, South Australia implemented a permit entry system for the entry of apiary products, commodities and equipment providing capacity to undertake pre-entry investigation and risk assessment prior to entry and post-entry testing in SA.

During the almond pollination season in 2025 alone, 1,481 individual samples were taken by PIRSA for varroa testing from hives related to permit applications. These samples consisted of bees, alcohol washed bee samples, filter papers, sticky mats after acaricide use and uncapped drone brood.

Since 2023, PIRSA has conducted in excess of 3,100 inspections or interventions of apiary commodities and equipment in efforts to detect varroa and check for compliance with permit conditions.

(f) Pollination dependent industries and the Australian Honey Bee Industry Council (AHBIC) are researching many strategies to increase the efficacy/strength of bees and hives and reduce the reliance on hives for pollination and, some of these including self-pollination varieties, utilisation of drones, air blast.

(g) PIRSA continues to examine the needs of pollination dependent industries while balancing the biosecurity impact for South Australia producers.

At a national level, the Australian pollination strategy is being developed by the Wheen Bee Foundation, where the strategy will be a model of best practice, with policies aimed to optimise bees and other pollinators to leverage pollination for the benefit of the environment, biodiversity and food security.

(h) PIRSA is working with the South Australian Apiarists' Association to establish an Apiary and Pollination Industry Development Reference Group. The reference group will have a targeted focus on the development of an industry blueprint to identify issues and actions to ensure a sustainable apiary industry which will also support pollination dependent industries.

PIRSA supports beekeepers directly through free access to the family and business (FaB) mentor program which aids in accessing in financial advice and counselling.

Beekeepers have taken the opportunity to attend farm business resilience (FBR) training, supported by the National Future Drought Fund (FDF) program. This training assists to provide beekeepers the skills and tools to assess their operation to make informed business decisions.

Two additional FBR training opportunities will be conducted specifically for commercial beekeepers later in 2025.

3.

(a) The Department of Primary Industries and Regions (PIRSA) continues to advance the development of South Australia's state biosecurity strategy (strategy).

PIRSA held a workshop attended by peak industry representatives on 15 April 2025 that focused on:

- building a transdisciplinary culture of shared responsibility among participants within the sector
- clarifying and developing a shared language
- determining the role of government and industry within the biosecurity chain.

The workshop enabled industry to articulate their respective sector's biosecurity priority areas and identified key principles that will be considered during the development phase of the strategy including:

- prevention and preparedness
- education and awareness
- improved biosecurity standards and practices
- broader biosecurity risk management.

The strategy development will continue to include consultation across the PIRSA divisions, selected government agencies and industry sectors providing an opportunity for stakeholders to have input and inform the development and review of the strategy.

(b) PIRSA will facilitate consultation of the draft strategy with selected stakeholders providing an opportunity for feedback and review of the strategy.

(c) As a control agency, PIRSA facilitates a review of response activities. Observations and insights are incorporated in accordance with the South Australian Emergency Management Lessons Management Framework and will be a source considered during the strategy development phase.

4.

(a) The rebuild of the dog fence is on track to be completed by the end of June 2026, pending weather and labour availability.

(b) As of September 2025, about 1,075 kilometres, or 67 per cent, of the dog fence has been rebuilt. Contractors are currently on site at two sites that cover just over 400 kilometres of fence. After this, there is just one site left to rebuild to complete the rebuild project.

PRIMARY INDUSTRIES AND REGIONS DEPARTMENT

442 The Hon. N.J. CENTOFANTI (Leader of the Opposition) (19 August 2025).

1. In regard to Primary Industries, Regional Development, Thriving Regions Fund (Budget Paper 3, page 98 or Budget Paper 4, Volume 4, page 61): Is the $2 million allocated for the Regional Leadership Development Program delivered through the RDAs—part of the broader $15 million thriving regions commitment, or is it in addition to that amount?

2. In regard to Primary Industries, Regional Development, regional development programs (Budget Paper 3, page 98 or Budget Paper 4, Volume 4, page 61): In the previous government's budget 2018-19, funding for the Regional Development Australia boards were a separate line item to the Regional Growth Fund. Can the minister confirm which funding stream is being used to cover the cost of Regional Development Australia? Is it a separate line, or is the $3 million ongoing funding for Regional Development Australia coming out of the Thriving Regions Fund?

3. In regard to Primary Industries, Regional Development, regional economic drivers (Budget Paper 3, page 104 or Budget Paper 4, Volume 4, page 56): Can the minister explain what the replacement recreational fishing management plan will entail and whether it will include mandatory app-based reporting of any future recreational catch?

4. In regard to Primary Industries, Regional Development, regional economic drivers (Budget Paper 3, page 103):

(a) What is the total estimated cost of the South Australian climate resilience discovery farms and innovator sites projects?

(b) Can the minister detail the specific regions or locations where these projects are expected to be established?

5. In regard to Primary Industries, Regional Development, mobile blackspot funding (Budget Paper 3, page 98 or Budget Paper 4, Volume 4, page 56):

(a) How much funding was provided by the state government through the mobile blackspot funding in 2024-25?

(b) How much finding was provided by the commonwealth government through the mobile blackspot funding in 2024-25?

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

1. The $2 million allocated for the Regional Leadership Development Program delivered through the RDAs is part of the broader $15 million Thriving Regions Fund commitment.

2. The $3 million ongoing funding for Regional Development Australia does not come from the Thriving Regions Fund and remains a separate funding line item.

3. A new draft management plan for recreational fishing in South Australia is currently being developed by the Department of Primary industries and Regions (PIRSA) under the guidance of a stakeholder working group, consisting of representatives from the recreational and commercial fishing sectors, including RecFish SA. The development of the new plan follows a review of the current management plan.

While reporting of snapper in the South East will remain mandatory, PIRSA will begin implementation of voluntary catch and effort reporting for the recreational fishing sector with the roll out of the new SA Fishing App.

4.

(a) The total project cost is approximately $11.7 million over four years and is comprised of:

- Commonwealth Government Future Drought Fund—$8 million.
- PIRSA—$1 million from University Affiliate partnership funds, $646,000 in kind.
- Flinders University—$280,000 cash, $586,000 in kind.
- Remaining in kind and cash (~$1.2 million) from other project partners (40 partners in total).

(b) There are 43 sites across the low, medium and high rainfall zones of the state including the pastoral, Eyre Peninsula, Mid North, Yorke Peninsula, Murray Mallee, Riverland, South East, Adelaide Hills, Fleurieu Peninsula and Kangaroo Island regions.

5.

(a) In 2024-25, $0.63 million was committed by the state government through the mobile blackspot funding to the Telstra South East SA Project.

(b) The commonwealth government in 2024-25 committed through the Regional Connectivity Program round 3 $15,365,109 towards the Telstra South East SA Project. Other funding commitments are available through the relevant commonwealth government website.

PRIMARY INDUSTRIES AND REGIONS DEPARTMENT

443 The Hon. N.J. CENTOFANTI (Leader of the Opposition) (19 August 2025).

1. In regard to the Primary Industries—South Australian Research and Development Institute, multispecies seaweed hatchery (Budget Paper 4 Volume 4, page 57):

(a) Where is the multispecies seaweed hatchery?

(b) What resources were required to reach the 2024-25 target of establishing a multispecies seaweed hatchery?

(c) How is it collaborating with industry to facilitate growth opportunities?

2. In regard to the Primary Industries—South Australian Research and Development Institute, snapper: (Budget Paper 4, Volume 4, page 56):

(a) What science and technology is currently used to estimate biomass and therefore stock assessment of snapper?

(b) According to the PIRSA website, the science underpinning previous (snapper) assessments have been peer reviewed by leading fisheries scientists. In regard to snapper assessments, which leading fishery scientists peer reviewed South Australia's science and when?

(c) How many of the scientists which reviewed the science were independent of PIRSA or SARDI?

(d) What was the total number of scientists who peer reviewed the science?

3. In regard to the Primary Industries—South Australian Research and Development Institute, emissions reduction research: (Budget Paper 4, Volume 4, page 57):

(a) What was the basis for the government's decision to undertake this research, and what specific objectives or challenges is it intended to address?

(b) Which regions, livestock sectors, or production systems are being targeted in this research?

(c) How has the government determined this research project?

(d) Has this research initiative been driven by industry demand or identified in consultation with farmers and producers as a priority area for investment?

(e) What partnerships or collaborations are in place with what industry bodies, research institutions, or universities to support this work?

(f) How is the government ensuring that the research remains practical and applicable to commercial farming operations?

(g) What is the total funding allocated to this research, and over what timeframe?

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

1.

(a) The multispecies seaweed hatchery is currently operating at PIRSA SARDI's West Beach facility and is developing seedstock for four commercially important native seaweed taxa.

(b) The hatchery was initially established with $1.5 million funding support through South Australian government's economic and business growth funds. In 2024-25 SARDI received $1.3 million funding from the Department of Agriculture, Fisheries and Forestry administered through the Fisheries Research and Development Corporation to develop the temperate node of the national hatchery network for *Asparagopsis armata*.

(c) Grow-out of the hatchery reared kelp seedlings is currently underway with an oyster grower on Kangaroo Island and two tuna aquaculture leases in Port Lincoln. Additionally, SARDI has provided seedstock material to a commercial start-up kelp hatchery and grow-out company based in Port Lincoln to enable them to fast-track their commercial operations.

2.

(a) The previous three stock assessments for snapper (i.e., 2019, 2020, and 2022) considered multiple separate data sources that were integrated into a fishery model to produce annual estimates of biomass and recruitment for each stock. The data sources included: (1) commercial fishery statistics; (2) regional length and age structures; and (3) periodic estimates of spawning biomass for Spencer Gulf and Gulf St Vincent using the daily egg production method (DEPM). The status of each stock was determined by assessing fishery performance indicators against reference points prescribed in the management plan, in accordance with the National Fishery Status Reporting Framework.

The $5 million Snapper Science Program—co-funded by the South Australian government and Fisheries Research and Development Corporation—is currently underway and evaluating independent methods for estimating biomass of snapper, including: (1) refinements to the existing DEPM to improve accuracy and precision of biomass estimates; (2) suitability and efficacy of hydroacoustic surveys; and (3) suitability and efficacy of close-kin mark

recapture (where biomass is estimated through the genetic identification of related individuals) through a scoping study.

(b) The previous three stock assessments for snapper (i.e., 2019, 2020, and 2022) were peer reviewed by leading fisheries scientists. In addition to the standard SARDI internal review process, each assessment was externally reviewed by independent fisheries scientist Dr Tony Smith, a CSIRO Honorary Research Fellow and Adjunct Professor at the University of Tasmania. The 2022 stock assessment was also externally reviewed by the Demersal Science and Assessment team at the Western Australian Department of Primary Industries and Regional Development (WA DPIRD). The external reviews are appended to the respective stock assessment reports.

As part of the snapper science program, the South Australian snapper fishery assessment model was also independently reviewed in 2023 by leading fishery modeller Dr Malcolm Haddon, a CSIRO Honorary Research Fellow and Adjunct Professor at the University of Tasmania.

(c) Three. Dr Tony Smith, Dr Malcolm Haddon, and the Demersal Science and Assessment team at WA DPIRD are independent of SARDI.

(d) Each assessment was reviewed by between six and eight fisheries scientists.

3.

(a) The government undertook this research to support the sheep industry to meet carbon neutral targets set by both government and the livestock industry. In Australia, agriculture accounts for approximately 15 per cent of total greenhouse gas emissions, of which enteric fermentation of grazing livestock contributes the greatest percentage. Therefore, the sheep industry requires a range of methane mitigation approaches that can reduce total greenhouse gas emissions. In conjunction, developing strategies that not only reduce methane emissions but also increase animal productivity is crucial to adoption success.

(b) This research targeted the sheep industry, specifically, grazing systems, in which most sheep are raised and finished. This research can be applied to all sheep grazing regions in South Australia.

(c) The government determined this research project according to priorities set in South Australian government's net zero strategy, the Australian government's National Statement on Climate Change and Agriculture, and the sheep sustainability framework developed by Sheep Producers Australia, Wool Producers Australia, Australian Wool Innovation and Meat and Livestock Australia. The project was developed to address the key priority area of reducing emissions from agriculture.

(d) This research initiative has been driven by commonwealth and state government, and peak industry bodies such as Australian Wool Innovation and Meat and Livestock Australia. The research is part of the national sheep methane program of work and is guided by feedback from a panel of commercial sheep producers and industry representatives.

(e) The research is a collaborative effort between PIRSA SARDI, the University of New England, the University of Western Australia, and NSW DPIRD. The project is funded through the commonwealth Department of Industry Science and Resource's methane emission reduction in livestock (MERiL) program. Partners include Australian Wool Innovation, and several commercial industry partners.

(f) The government is ensuring the research remains practical and applicable to commercial farming operations by including commercial producers and industry representatives in the project design. The projects are developed collaboratively between all project partners to ensure the outcomes meet industry needs and eliminate duplication across research organisations. Projects are designed in a way that ensures methodologies are comparable across different states with different methane mitigating compounds evaluated. A key criterion of this work is to develop and evaluate the delivery of different methane mitigating additives by different delivery systems ultimately providing producers with a suite of options for their different farming systems.

(g) This research is occurring over four and a half years with a total funding allocation of $9.83 million.

CHILD PROTECTION

In reply to **the Hon. C. BONAROS** (5 March 2025).

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

The Department for Child Protection (DCP) will seek to address safety and wellbeing concerns through a range of mechanisms including family preservation efforts and/or referrals to specialist support services.

DROUGHT

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

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

The department received 464 applications for the On-Farm Drought Infrastructure Rebate Scheme in January 2025.

As at 16 April, 402 of these have been processed with 383 approved and 19 deemed to be ineligible or were withdrawn. The remaining 62 are under assessment.

All applicants with applications that have been deemed to be ineligible or withdrawn have been advised of this outcome.

GENDER EQUALITY

In reply to **the Hon. C. BONAROS** (3 April 2025).

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

The state government is committed to helping create a state which provides equal opportunity for girls and women, that empowers them to be safe and to live their best possible lives, and that realises the benefits for our whole community that an equal future creates.

We know that our economy, our communities and our state are strongest when it is safe, inclusive and fair, where gender equity sees the opportunity for all to participate and thrive.

The state government is progressing a range of programs and initiatives to advance equality for girls and women and progress gender equality in the public and private sectors and is focused on taking direct action to grow women's leadership, economic participation and financial stability and wellbeing.

Through our ongoing policy and legislative reforms our government is helping drive women's participation and increase women's representation in leadership, so that women's voices are heard in and influence all aspects of public life.

GIANT PINE SCALE

In reply to **the Hon. J.M.A. LENSINK** (1 May 2025).

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

Regarding the second part of the question, Elliston and Silverlake reserves are the responsibility of the City of Tea Tree Gully Council, rather than a government agency.

In regard to the first part of the question, I mentioned the early detection of giant pine scale can be difficult so we can't say for certain there will be no additional detections in the coming months. We can say that comprehensive surveillance efforts by industry and agencies are minimising the risk of infestations being left undetected for long periods. This means land managers will be notified of detections as soon as possible and can act swiftly to prevent further spread.

SA DROUGHT HUB

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (15 May 2025).

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

The South Australian Drought Resilience Adoption and Innovation Hub (SA Drought Hub), which is led by the University of Adelaide, provided staffing through both direct employment and contracting arrangements. The Department of Primary Industries and Regions (PIRSA) was contracted by the SA Drought Hub to provide the node coordinator roles.

The node coordinator roles were originally contracted until 30 June 2024 but were extended for 12 months. After external and internal review processes, the SA Drought Hub decided to not further extend the node coordinator roles past the contract end date of 30 June 2025.

Instead, the SA Drought Hub is funding two new regionally based PIRSA positions to support the interface between PIRSA and the SA Drought Hub activities.

To ensure support throughout the drought cycle, PIRSA is also employing an additional three regionally based staff members to provide a more holistic approach to drought management through a dedicated 'drought support team'.

ALGAL BLOOM

In reply to **the Hon. T.A. FRANKS** (3 June 2025).

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

That gill and liver tissue samples from six white sharks collected within Gulf St Vincent and Investigator Strait showed low concentrations of brevetoxin groups 2 and 3. The concentrations ranged from 0.005 to 0.110 milligrams per kilogram.

That samples from oysters from closed area showed levels well above the Food Standards Code limits.

Results received for oysters samples taken 25 May 2025:

- Port Vincent total brevetoxins 2.30 milligrams per kilogram.
- Stansbury total brevetoxins 3.60 milligrams per kilogram.
- Coobowie total brevetoxins 5.40 milligrams per kilogram.
- American River total brevetoxins 2.50 milligrams per kilogram.

PIRSA are aware abalone producers have undertaken brevetoxin testing with the results remaining the property of the producer.

DROUGHT ASSISTANCE

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (17 June 2025).

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

As at 17 June 2025, $2,589,563 is yet to be allocated in the program.

The participating charities are now working to use the remaining budget to target deliveries to areas most in need.

The Department of Primary Industries and Regions is also closely monitoring seasonal conditions and will consider the need for further funding if necessary.

GIANT PINE SCALE

In reply to **the Hon. J.M.A. LENSINK** (21 August 2025).

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

There are trees in the Hope Valley Reservoir Reserve that are infested with giant pine scale, with removals currently taking place.

ABALONE VIRAL GANGLIONEURITIS

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (3 September 2025).

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

Since initial detection in February 2024, the virus that causes AVG has resulted in widespread abalone mortality across our South-East. Given the impact this disease has caused to what was a sustainable and profitable primary industry, surveillance and monitoring of AVG in South Australia is of the highest priority and has been ongoing.

Since the first confirmed outbreak at Port MacDonnell in the state's South-East, significant surveillance by PIRSA, SARDI and industry has been undertaken enabling government to get a good picture of the spread of the disease through the area of the southern zone abalone fishery.

I am advised the furthest west that samples collected tested positive for the virus that causes AVG in the southern zone were from Nora Creina in March 2024. These detections indicated there had been spread of the disease in that fishing zone.

Subsequently, commercial fishers provided government with observation records of abalone stocks as they operated further north west in the zone in January and February 2025 as far as Cape Jaffa.

Based on those observations it was determined in February 2025 that AVG was present throughout the fishing grounds in the southern zone abalone fishery from Cape Jaffa near Kingston SE to the Victorian border. Abundance surveys undertaken by SARDI between February 2024 and 2025 indicated significant depletion of abalone in key fishing areas.

Based on the available information, and with support of the fishing industry, on 6 March 2025 the southern zone abalone commercial and recreational fisheries were closed to all abalone fishing to support rebuilding of abalone stocks.

This closure remains in place and the focus for the fishery is now supporting the recovery of abalone in the southern zone and passive surveillance for the presence of AVG in the other two fishing zones, the central and western abalone fisheries.

To investigate the western-most extent of AVG in the southern zone SARDI has undertaken surveys in the far west of the fishable area of the southern zone abalone fishery at an area known as the Granites near Kingston SE. This area at the eastern end of the Coorong near Kingston SE is generally considered the furthest west abalone would

be expected to occur in any numbers. It is noted that the coastal area adjacent to the Coorong beach between Granites and Victor Harbour extends for about 130 km and is considered to contain very limited habitat suitable for abalone.

This Granites survey was conducted in March 2025 with an ROV. The outcomes of this assessment were that the few abalone observed in that area appeared to be healthy and it was considered that AVG was not present in that area at that time.

Abundance surveys of abalone stocks normally require diving at set locations of key abalone populations. The area of the South-East can be subject to rough weather, particularly during the winter, preventing or making diving difficult. Water clarity after rough weather is also often very poor even if the seas are calm, making locating abalone, known for their cryptic nature, very difficult and the rendering the surveys ineffective. These two factors make surveying abalone in any area, but particularly in the South-East very difficult during the winter, and hence no dive surveys have been able to be conducted since February 2025.

A comprehensive program of surveys has been planned to monitor the recovery of abalone in the South-East, and government is committed to continuing this monitoring throughout the closure period.

Commercial abalone divers and the public are the eyes on the water, and any reports of sick or dead abalone are promptly investigated, with the aim to rule out the virus that causes AVG. I am advised that between 27 March and 2 September 2025 a total of 65 abalone collected from reported fish kills have been tested for the virus that causes AVG. All samples tested were negative for the virus that causes AVG. These samples have been collected from a variety of sites across the central and western fishing zones including Cape Jervis on the Fleurieu Peninsula, Vivonne Bay on Kangaroo Island, Seaford, O'Sullivan Beach and Seacliff Beach in the metropolitan area, Stansbury and Edithburgh on Yorke Peninsula, Port Gibbon in Spencer Gulf and near Coffin Bay.

PIRSA is regularly discussing with industry associations and encouraging their divers to be vigilant and report any signs of AVG affected abalone to PIRSA's Fishwatch site.

SOUTH AUSTRALIAN SHELLFISH QUALITY ASSURANCE PROGRAM

In reply to **the Hon. T.A. FRANKS** (3 September 2025).

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

That the error was brought to the department's attention through a media inquiry.

SOUTH AUSTRALIAN SHELLFISH QUALITY ASSURANCE PROGRAM

In reply to **the Hon. T.A. FRANKS** (3 September 2025).

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

That the ABC enquired about the data in the freedom of information request regarding Botswain Point. This prompted the department to review and confirm all records and the one error was identified. This was corrected as soon as identified.

SOUTH AUSTRALIAN SHELLFISH QUALITY ASSURANCE PROGRAM

In reply to **the Hon. T.A. FRANKS** (3 September 2025).

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

That the dead fish were associated with the Victor Harbor record, however, when fisheries officers attended Boatswain Point to take a water sample to undertake a phytoplankton analysis, dead fish were not located. The sample taken at Boatswain point was taken to determine if the bloom had extended southeasterly to that location and I am not aware that it was taken in conjunction with a fish kill event.

ARSON ATTACKS

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

The Hon. C.M. SCRIVEN (Minister for Primary Industries and Regional Development, Minister for Forest Industries): In relation to the matters relating to her portfolio, the Minister for Consumer and Business Affairs has advised:

The Malinauskas government remains committed to disrupting illicit tobacco and vape sales in South Australia. CBS have a strong focus on enforcement since they assumed responsibility for compliance and enforcement matters under the Tobacco and E-Cigarette Products Act 1997 on 1 July 2024. In this time, CBS have undertaken over 600 inspections and over $47 million worth of illicit products have been seized by CBS and South Australia Police (SAPOL).

CBS and SAPOL work together closely to identify and investigate premises suspected to be engaging in the illicit trade, particularly where elements of organised crime may be involved. CBS and SAPOL regularly attend these

premises to seize illicit products and shut them down. To date, over 120 closure orders have been issued under the act, with over 80 of these being the 28-day short-term closures introduced in June 2025.

To mitigate the risk of illegal activities associated with the illicit market, the government will remain proactive and continue to close premises suspected of unlawfully selling and supplying unlawful products. This approach serves to prevent potential arson attacks and protect the wider community.

In relation to question 2, the Minister for Police has advised:

The Commissioner for Victims' Rights is the independent statutory officer who assists victims of crime and makes sure they are treated according to the Victims of Crime Act 2001, which includes submission of a victim impact statement to the court and compensation as a victim of crime.

On 15 September 2024 South Australia Police (SAPOL) created a dedicated policing operation (Operation Eclipse) to lead, direct and oversee targeted policing activities to investigate and disrupt serious criminal activity associated with the illicit tobacco and vape trade in South Australia.

The primary offences targeted by Operation Eclipse include extortion, arson, assaults, violence, money laundering and trafficking in large commercial and commercial quantities of illicit tobacco and vapes.

SAPOL continues to work closely with Consumer and Business Services to identify organised crime networks that may be involved in the illicit tobacco market.

POKER MACHINES

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

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

The Malinauskas government is committed to reducing gambling harm in South Australia by working to reduce the number of gaming machines that may be operated in South Australia to a number not exceeding 13,081.

South Australia already has some of the strongest regulations in the nation for gaming machine gambling, and the government has implemented a range of measures to reduce gambling harm from gaming machines including:

- Take a Break campaign—a QR code where people can bar themselves from venues. 406 people have barred themselves since it launched in late 2024.
- A new transparent open market-based trading system that has streamlined trading of gaming machine entitlements (GME) and is intended to stimulate trading activity aimed at bringing South Australia closer to achieving the statutory objective of reducing entitlements in the state to no more than 13,081.

We also have statewide automated risk monitoring of each session of play on a gaming machine, enabling gaming staff to be alerted if potential harmful behaviour is detected as well as mandated facial recognition technology for certain venues to enable gaming staff to identify persons who are barred from the gaming area of licensed premises.

COMMERCIAL FISHER LICENCE FEES

In reply to **the Hon. B.R. HOOD** (17 September 2025).

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

PIRSA has issued notices to all relevant lease and licence holders, and to sector representatives, outlining how to apply for fee relief and providing information on other government support measures.

The email and attached invoice referenced formed part of a routine quarterly mail-out that reminds fisheries and aquaculture lease and licence holders of upcoming instalments.

This process is administered by Shared Services SA, which manages the state's whole-of-government financial systems.

On 18 September 2025, PIRSA sent a notice to fishers to all lease and licence holders to inform them of the continued fee relief process for quarter 1 of the 2025-26 financial year, July to September 2025.

This letter reiterated to commercial fishers and aquaculture operators to apply for fee relief through their relevant industry association or directly to PIRSA. The letter also advised that if any lease or licences holders have been approved for one of the support grants available through the Department of State Development, PIRSA will process fee relief for the respective impacted quarter.

ARTIFICIAL INTELLIGENCE

In reply to **the Hon. T.A. FRANKS** (14 October 2025).

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

Harassing and offensive behaviour online may constitute offences under various sections of both commonwealth and state legislation, including section 474.17 of the Criminal Code Act 1995 (Cth) and section 19AA of the Criminal Law Consolidation Act 1935 (SA).

ALGAL BLOOM

In reply to **the Hon. B.R. HOOD** (14 October 2025).

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

During 'normal' periods, wildlife carcasses do wash up on beaches as wildlife can become sick or die from a wide range of causes. The numbers seen year to year fluctuate depending on conditions, tides and observation effort.

A range of marine mammals, birds and reptiles have been reported to the government that are sick or dead in coastal areas affected by the algal bloom.

Given the scientific and community interest in understanding the potential impacts of the algal bloom on mammals, birds and reptiles, a range of fresh and accessible wildlife carcasses, including dolphins, seals, birds and turtles from algal bloom impacted areas have been sent for post-mortem testing.

Post-mortem tests are conducted where suitable fresh samples can be collected (i.e. it is safe and accessible to do so) and either there is a suspicion of an infectious disease that is of biosecurity or public health concern; or where the testing could contribute valuable information to understanding the effects of the algal bloom. Since the discovery of brevetoxin in shellfish, these post-mortems, where relevant and possible, have also included testing for algal biotoxins, including brevetoxins.

Testing of sharks has generally been undertaken by Primary Industries and Regions (PIRSA) staff at the South Australian Research and Development Institute, although external veterinary pathologists have undertaken the testing for a few cases. In collaboration with PIRSA, the Department for Environment and Water (DEW) has engaged external veterinary pathologists to undertake testing on mammals, birds and reptiles. For some tests, notably those for algal biotoxins and some notifiable diseases, further external laboratories have been utilised.

When the various post-mortem tests have been completed, a plain-English summary of the test results is prepared. That summary and the test results are then published on the DEW website. Owing to the testing and summarisation processes, it is typically some months between the collection of a carcass and the publication of the summary and results.

Testing of the bottlenose dolphin collected at Henley Beach in August is ongoing.

SNAPPER RESTOCKING PROGRAM

In reply to **the Hon. F. PANGALLO** (14 October 2025).

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

1. That the snapper restocking program for the current 2025-26 financial year is on track. Aquaculture systems have been upgraded to mitigate any effects of the current algal bloom. Production targets are approximately 150,000 fingerlings for Spencer Gulf and approximately 130,000 for Gulf St Vincent to meet the commitment of up to 900,000 fingerlings for the snapper recovery package.

2. Snapper broodstock from Spencer Gulf and Gulf St Vincent have been conditioned and spawning has commenced for broodstock from Spencer Gulf. This aligns with the natural spawning period for snapper in each gulf.

3. Spawning is currently underway, but it is too early to estimate the number of viable eggs and larvae leading to the fingerlings produced for restocking. This information will be available from mid-November.

4. The broodstock have been conditioned and spawning has commenced according to schedule.

VARROA MITE

In reply to **the Hon. F. PANGALLO** (15 October 2025).

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

In 2023-24 54,459 vehicles were checked at Cape Jervis on route to Kangaroo Island with 1,051 seizures (166 of these were from persons who had previously been to Kangaroo Island) and a total of 333.49 kilograms of honey seized. In 2024-25 53,017 vehicles were checked at Cape Jervis on route to Kangaroo Island with 717 seizures (73 of these were from persons who had previously been to Kangaroo Island) and a total of 233.99 kilograms of honey seized.

In 2025-26 to date 13,055 vehicles have been checked at Cape Jervis on route to Kangaroo Island with 226 seizures (28 of these were from persons who had previously been to Kangaroo Island) and a total of

76.79 kilograms of honey seized. In total that equates to 120,531 vehicle checks with 1,994 seizures of honey (267 of these were from persons who had previously been to Kangaroo Island) totalling 644.27kg of honey seized. Checks are done at Cape Jervis prior to the honey arriving on Kangaroo Island to mitigate biosecurity risks.

BALLAST WATER

In reply to **the Hon. C. BONAROS** (15 October 2025).

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

1. Regarding consideration to the biosecurity risks of ballast water:

When ships take on ballast water, plants and animals that live in the ocean are also picked up. Discharging ballast water releases these organisms into new areas where they may become marine pests.

It is illegal to bring noxious species or notifiable aquatic pests and diseases into South Australia, including releasing or depositing exotic species via ballast waters. Offences exist under the Fisheries Management Act 2007 and Livestock Act 1997 and significant penalties may apply.

The state's Chief Veterinary Officer can order a vessel to be cleaned, or removed from South Australian waters, if a notifiable disease is suspected or confirmed.

Obligations to manage ballast water and ballast tank sediment apply in all national waters, under Australian government legislation.

2. Regarding mechanisms and protocols to mitigate risk of ballast water:

The Australian Ballast Water Management Requirements requires vessels to manage ballast water between Australian ports and carry a ballast water management plan in line with the national guidelines.

3. Regarding seeking further advise about biodiversity risks associated with ballast water:

A report on the biodiversity risks associated with ballast water will be requested from the Scientific Advisory Panel for the algal bloom.

ASSISTANCE DOG HANDLERS

In reply to **the Hon. J.S. LEE** (16 October 2025).

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

In South Australia, assistance dogs may either be accredited under the Dog and Cat Management Act 1995 (SA) ('the act') or recognised as an assistance animal under the commonwealth Disability Discrimination Act 1992 (Cth).

Both the state and commonwealth legislation afford public access rights for assistance dogs and their handlers. Due to the dual state and commonwealth schemes for assistance dogs in South Australia, multiple avenues exist for the public to make complaints regarding the refusal of service to assistance dog handlers by rideshare or taxi drivers.

Complaints in relation to unlawful discrimination, including unlawful refusal of access or service for an assistance dog, can be made to the Australian Human Rights Commission or Equal Opportunity South Australia. These organisations each have processes to assist individuals who lodge discrimination complaints under their respective legislation.

In addition, complaints about offences under the act can be directed to the local council in which the incident occurred. I am advised that as these complaints are managed at the local government level, consolidated data on the number of breaches recorded or actions taken under section 81 of the act at the state level is not held by the Department for Environment and Water. Penalties are in place for unlawful discrimination against a person accompanied by an assistance animal. Under the Equal Opportunity Act 1984 (SA), 'it is unlawful to impose a condition or requirement that would result in a person with a disability being separated from his or her assistance animal' and the maximum penalty is $2,500.

It is essential that all companies, including rideshare operators, understand and comply with their legal obligations, which includes providing appropriate training to drivers to prevent unlawful refusals of service.

TRAINING ORGANISATIONS

In reply to **the Hon. F. PANGALLO** (16 October 2025).

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

Matters relating to an individual's membership of a political party are questions for the relevant party, not for the South Australian government.

The Minister for Education, Training and Skills has advised:

From a training and skills perspective, the state government is not involved and has never been involved with Spark SA Investment Pty Ltd, as they have never had an agreement in place with the minister to deliver funded accredited training in South Australia.

CLOSING THE GAP IMPLEMENTATION PLAN

In reply to **the Hon. T.A. FRANKS** (16 October 2025).

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

The South Australian government is committed to our Closing the Gap efforts.

It is important to note that our shared decision-making and activities toward Closing the Gap are governed by the 2024-26 implementation plan and the current partnership agreement with the South Australian Aboriginal Community Controlled Organisation Network (SAACCON).

I encourage the Aboriginal Lands Trust to continue strengthening its relationship with SAACCON, by exploring opportunities for individual Lessees of the Aboriginal Lands Trust to become SAACCON members and looking for other opportunities to partner with SAACCON to progress Closing the Gap activities.

As we start work on our next implementation plan, now is the best time for those parties to engage to ensure that all contributions are considered.

VARROA MITE

In reply to **the Hon. J.M.A. LENSINK** (16 October 2025).

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

PIRSA do routinely inspect beehives entering South Australia. There is a permit system in place to allow beehives into South Australia under strict treatment conditions. The conditions for the allowance of entry of beehives for recent pollination events were determined in consultation with the South Australian Varroa Industry Advisory Committee (SAVIAC) who balanced the business-critical needs for the pollination dependant industries with the biosecurity risk to the state. A part of this included compliance checks of those beehives that entered.

For the recent influx of beehives from interstate apiarists to service South Australia's pollination dependant industries, a percentage of every interstate hive in SA under permit had their hives inspected by PIRSA inspectors.

ALGAL BLOOM

In reply to **the Hon. B.R. HOOD** (28 October 2025).

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

1. That the mortalities which occurred in late 2024 at the SARDI West Beach facility have had no long-lasting impact on the snapper restocking program.

2. It is not true that there are current spawning issues with the snapper restocking program. Spawning is commencing according to schedule and the program is on track to meet snapper fingerling production targets this coming summer.

MAYORAL TRAVEL ALLOWANCE

In reply to **the Hon. S.L. GAME** (29 October 2025).

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

The Lord Mayor's travel was approved by the Adelaide City Council. Travel for the President of the Local Government Association and the Mayor of the City of Onkaparinga was approved by the Local Government Association board.

Therefore, I suggest the member directs her questions to those organisations.

LOCAL NUISANCE AND LITTER CONTROL LAWS

In reply to **the Hon. N.J. CENTOFANTI (Leader of the Opposition)** (29 October 2025).

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

Section 17 of the Local Nuisance and Litter Control Act 2016 (the act) specifies that local nuisance does not include anything declared by schedule 1 of the act not to constitute local nuisance.

As referenced in the Hon. Nicola Centofanti's question, the following are declared in schedule 1 as not constituting local nuisance for the purposes of section 17(1):

(a) noise or other nuisance from blasting operations carried out as part of a mining operation within the meaning of the Mines and Works Inspection Act 1920 or Mining Act 1971;

(b) noise or other nuisance from any activity carried on in accordance with a program for environment protection and rehabilitation that is in force for mining operations under part 10A of the Mining Act 1971;

The intention of this exemption in schedule 1 is to avoid duplication of regulation, as in the development of the original legislation in 2015 it was recognised that quarries and mines are regulated under the Mining Act 1971. Equivalent duplication of regulation is not immediately apparent for primary production.

As I stated in the committee stage of the Local Nuisance and Litter Control (Miscellaneous) Amendment Bill debate on 29 October 2025 we require 'considerable consultation with primary production stakeholders, the community and local councils to fully understand the amendments before proceeding'.

If an amendment to schedule 1 to include primary production was proposed, stakeholders would be given the opportunity to provide feedback as part of proposed consultation on draft regulations to support the implementation of the Local Nuisance and Litter Control (Miscellaneous) Amendment Bill.

UNMET NEEDS REPORT

In reply to **the Hon. C. BONAROS** (12 November 2025).

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

The Unmet Needs Report was commissioned by the Office of the Chief Psychiatrist on behalf of the former government, and released under this government in July 2023.

South Australia is actively addressing psychosocial unmet need as part of a coordinated, national effort.

In line with the agreement between state, territory and commonwealth health ministers to at least maintain psychosocial funding while negotiations are on foot for a new National Mental Health and Suicide Prevention Agreement, South Australia is investing in more psychosocial supports.

Between 2018-19 and 2020-21 the former government slashed non-government mental health services by 19.2 per cent. In contrast, our government has increased psychosocial funding by 41 per cent when compared with the last year of the former government (2021-22). In three years this government has spent nearly $130 million on psychosocial supports, equating to an additional $25.6 million compared with the previous government. This year alone, this is more than $14 million extra.

Our investment has spanned a range of initiatives including:

- Investing $6 million over four years, increasing to an extra $2 million a year, for more psychosocial mental health packages delivered by non-government services
- Opening Medicare Mental Health Centres across the state in partnership with the federal government. In addition to the Urgent Mental Health Care Centre, centres are open in Mount Gambier, Mount Barker, Elizabeth and Port Pirie
- Building a new 16-bed crisis stabilisation centre which will be co-located with the Elizabeth Medicare Mental Health Centre
- Opened Safe Haven—a first of its kind drop-in mental health service in northern Adelaide which offers a calm and inviting community space
- Provided $250,000 to Lifeline to support free mental health drop-in connect centres in Clare and Port Pirie
- Opened the Mental Health Alternative Care Service in Port Pirie offering a safe, caring and low-stimulus environment for people experiencing mental health crisis
- Partnering with the federal government to open an Aboriginal and Torres Strait Islander Social and Emotional Wellbeing Centre in the CBD
- Expanded the Mental Health Co-Responder Unit across metropolitan Adelaide
- Investing $5 million for a mental health package for drought-affected communities
- Investing $3 million for public community mental health teams across four country local health networks to improve mental health services for older people

- Introduced mental health training for pharmacists to identify and respond to early warning signs of mental ill health
- Funded an additional 22 new mental health community beds to keep more South Australians out of hospital and aid rehabilitation
- Opened the Regency Green non-government run service for people with psychosocial conditions who would otherwise be in hospital
- Building a 16-independent unit site in Clearview—the first long-term mental health accommodation of its kind in South Australia, providing 24/7 support for people living with a psychosocial disability
- Introduced one of the first paediatric virtual mental health services in the nation, expanding the Child and Adolescent Virtual Care Service (CAVUCS) at the Women's and Children's Hospital to cover mental health concerns.

This is on top of our investment to open more than 130 more mental health beds across the state. More than 100 of these beds are either open, or will be open by early next year. Of the 72 new mental health rehabilitation beds committed, 48 are now open at The Queen Elizabeth Hospital and Noarlunga Hospital. These new beds will enable many more South Australians a year access to safe and therapeutic mental health care and support.